City of Ramsey
Agenda
Regular City Council
Tuesday, November 14, 2017
7:00 pm
Council Chambers, 7550 Sunwood Drive NW

1. Call to Order

2. Presentation

1. Recognition and Presentation to Valentina Kostenko. 2018 Mrs. Anoka County International, by Mayor Strommen

2. Presentation / Update on Police Department Activities by Chief Jeff Katers

3. Citizen Input

4. Consent Agenda

1. Receive Cash and Investments for Period Ending October 31, 2017

2. Approve the Following Meeting Minutes:
1. City Council Work Session dated 10/24/2017
2. City Council Regular dated 10/24/2017

3. Approve Rental Licenses

4. Approve CBRE Real Estate Listing Contract: Amendment #3

5. Adopt Resolution # 17-11-287 Approving Cash Disbursements Made and Authorizing Payment of Accounts Payable Invoicing Received During the Period of October 17, 2017 through November 8, 2017

6. Adopt Resolution # 17-11-263 Accepting Quotes and Awarding Contract for the Installation of Emergency Generator for Well #3, Improvement Project # 17-06

7. Adopt Resolution #17-11-288 Releasing previously approved allocation agreement between the City and D.R. Horton, Inc as well as releasing an allocation agreement and a secondary development contract between the City and K. Hovnanian T&C Homes at Minnesota L.L.C, for property to be developed as Greenway Terrace.

8. Adopt Resolution #17-11-283 Appointing Board and Commission Members

5. Approve Agenda

6. Public Hearing

1. PUBLIC HEARING: Adopt Resolution #17-11-284 Approving Updated Feasibility Report and Ordering Plans and Specifications for Improvement Project #17-02, River's Bend Street Reconstructions

2. PUBLIC HEARING: Adopt Resolution #17-11-285 Approving Feasibility Report and Ordering Plans and Specifications for Improvement Project #18-00, Stanhope Terrace Street Reconstructions

3. PUBLIC HEARING: Adopt Resolution #17-11-286 Approving Feasibility Report and Ordering Plans and Specifications for Improvement Project #18-01, The North Forty Street Reconstructions

7. Council Business

1. Consider Approvals Related to Connexus Energy Solar Array (Project No. 17-135); Case of Connexus Energy
    1. Ordinance Amending Official Zoning Map to guide the Property as Public/Quasi-Public to guide future uses
    2. Ordinance Amendment Zoning Code amending allowable uses in the Public/Quasi-Public District allowing Solar Energy Systems as a Conditional Use Permit
    3. Resolution #17-11-289 Approving Conditional Use Permit

2. Adopt Ordinance #17-18 Amending Street Names in the Riverstone Subdivision; Case of Capstone Homes/Riverstone Development, LLC

3. Introduce Ordinance #17-19: 2018 Schedule of Rates, Fees and Charges

4. Introduce Ordinance #17-20 Providing for a Special Closing Times License of On-Sale Intoxicating Liquor during the 2018 National Football League Super Bowl Game at U.S. Bank Stadium

5. Consider Landscape Plan Amendment and Accept Sidewalk Easements for Vistas at North Commons (Project No. 16-90); Case of Morning Sun Homes, Inc.

8. Mayor/Council/Staff Input

9. Adjournment

CC Regular Session **2. 1.**

Meeting Date: 11/14/2017

Information

Title:

Recognition and Presentation to Valentina Kostenko. 2018 Mrs. Anoka County International, by Mayor Strommen

Purpose/Background:

Purpose: To recognize Valentina Kostenko, named Mrs. Anoka County International.

Background: Staff received notice that Valentina Kostenko, a Ramsey resident, has been named 2018 Mrs. Anoka County International and will represent our community at the 2018 Mrs. Minnesota Pageant, where she will compete for a grand prize package and the opportunity to represent Minnesota at the 2018 Mrs. International pageant. The Mrs. International Pageant system recognizes women for their commitment to family, profession and community stewardship. Throughout the year, she will not only compete for the State crown, but will also be available to speak on her eating disorder platform, make appearances, do special presentations and assist with civic and non-profit oriented projects. Mayor Strommen will present Mrs. Kostenko with her official banner at this evening's meeting, as well as award her a certificate of recognition on behalf of the City..

Attachments

No file(s) attached.

Form Review

Inbox	Reviewed By	Date
Kurt Ulrich	Kurt Ulrich	11/09/2017 11:32 AM
Form Started By: Jo Thieling		Started On: 11/09/2017 08:47 AM
Final Approval Date: 11/09/2017		

CC Regular Session **2. 2.**

Meeting Date: 11/14/2017

Information

Title:

Presentation / Update on Police Department Activities by Chief Jeff Katers

Purpose/Background:

Purpose: To present an update on Police Department activities.

Background: Staff periodically presents Council with oral updates on department activities during the presentation portion of the Council meeting. Chief Katers will be present this evening to present an update on recent Police Department activities.

Attachments

No file(s) attached.

Form Review

Inbox	Reviewed By	Date
Kurt Ulrich	Kurt Ulrich	11/09/2017 11:32 AM
Form Started By: Jo Thieling		Started On: 11/09/2017 08:57 AM
Final Approval Date: 11/09/2017		

CC Regular Session **4. 1.**

Meeting Date: 11/14/2017

By: Diana Lund, Finance

Information

Title

Receive Cash and Investments for Period Ending October 31, 2017

Purpose/Background:

Purpose: Receive reports of the city's cash and investments for the period ending October 31, 2017.

Cash and investment report shows the monthly cash flow - receipts and expenditures through October 31, 2017 with the current listing of the city's investment portfolio.

Action:

None required. Informational only.

Attachments

Cash and Investments for Period Ending October 31, 2017

Form Review

Inbox	Reviewed By	Date
Kurt Ulrich	Kurt Ulrich	11/09/2017 11:34 AM
Form Started By: Diana Lund		Started On: 10/24/2017 01:34 PM
Final Approval Date: 11/09/2017		

CITY OF RAMSEY
REPORT OF POOLED CASH FLOWS
Period Ended October 31, 2017

	October-17 CURRENT MONTH	2017 YEAR-TO-DATE
CASH AND TEMPORARY INVESTMENTS		
BEGINNING BALANCE	$ 66,567,988.46	$ 64,912,887.39
CASH INFLOWS:		
Daily Deposit	585,927.82	6,427,874.87
Tax Settlements	-	6,218,640.94
U/B Receipts	21,254.00	2,154,226.06
Credit Cards (Includes Utility Billing)	267,727.26	2,347,843.80
Interest Earnings [Net of Interest Paid on Investments]	65,503.88	745,635.60
Bond Proceeds	-	863,473.61
TOTAL CASH INFLOW	$ 940,412.96	$ 18,757,694.88
TOTAL CASH AVAILABLE	$ 67,508,401.42	$ 83,670,582.27
CASH OUTFLOWS:		
Prepaid Checks	647,593.30	6,505,800.09
Bills Lists	354,021.10	4,688,067.76
Pay Estimates	304,104.28	2,142,280.63
Credit Cards	5,286.61	53,944.01
Payroll - Net	305,201.84	3,247,456.74
Flex Reimbursement	4,716.78	46,907.67
Void Checks/Dormant Checks Paid	(27,156.75)	(72,154.09)
Debt Service	-	1,143,245.01
Miscellaneous [Bank Charges; etc.]	28.00	428.19
TOTAL CASH OUTFLOW	$ 1,593,795.16	$ 17,755,976.01
POOLED CASH AND TEMPORARY INVESTMENTS ENDING BALANCE	**$ 65,914,606.26**	**$ 65,914,606.26**
MEMO - NET 2017 CASH INFLOW (OUTFLOW)	**(653,382.20)**	**1,001,718.87**
INVESTMENT PORTFOLIO SUMMARY		
BEGINNING BALANCE	**$ 60,323,801.80**	**57,425,022.30**
Purchases	424,000.00	18,339,000.00
Maturities/Sales	(2,182,321.62)	(17,198,542.12)
ENDING BALANCE	**$ 58,565,480.18**	**$ 58,565,480.18**

Prepared by the City of Ramsey Finance Department
11/1/2017

2017 CASH AND INVESTMENT ACTIVITY

CITY INVEST #	STATED MAT DATE	BROKER	SECURITY DESCRIP	CUSIP	PRIN BAL 1/1/2017	PURCH 2017	SOLD/ MATURE 2017	BV PRIN BAL 12/31/2017	PAR	YTM
160623	6/23/2017	4M	Term Series 4M		2,000,000.00		2,000,000.00	0.00	2,000,000.00	0.70%
161208C	3/8/2017	4M	Term Series 4M		1,000,000.00		1,000,000.00	0.00	1,000,000.00	0.45%
170202	1/30/2018	4M	Term Series 4M			1,000,000.00	0.00	1,000,000.00	1,000,000.00	0.85%
170831	8/31/2018	4M	Term Series 4M			750,000.00	0.00	750,000.00	750,000.00	1.20%
170804	12/1/2007	4M	Term Series 4M			1,000,000.00	0.00	1,000,000.00	1,000,000.00	1.05%
170629A	6/29/2018	4M	Term Series 4M			2,000,000.00	0.00	2,000,000.00	2,000,000.00	1.20%
170517	5/17/2018	4M	Term Series 4M			1,000,000.00	0.00	1,000,000.00	1,000,000.00	1.00%
170406A	10/5/2017	4M	Term Series 4M			1,000,000.00	1,000,000.00	0.00	1,000,000.00	0.80%
170406B	4/13/2018	4M	Term Series 4M			1,000,000.00	0.00	1,000,000.00	1,000,000.00	0.92%
160927B	3/28/2017	4M	Term Series 4M		1,000,000.00		1,000,000.00	0.00	1,000,000.00	0.43%
160722B	1/23/2017	4M	Term Series 4M		500,000.00		500,000.00	0.00	500,000.00	0.43%
160825A	8/25/2017	4M	Term Series 4M		752,400.00		752,400.00	0.00	752,400.00	0.60%
160825B	8/25/2017	4M	CD-CIT BANK/ONEWEST-	58978	247,600.00		247,600.00	0.00	247,600.00	0.95%
14M1205C	10/11/2017	4M	CD-SONABANK (BOND PI	57968	161,000.00		161,000.00	0.00	161,000	0.75%
								6,750,000.00		
150701A	2/1/2020	BAIRD	WINTHROP MN TAX	976367ND0	290,000.00		0.00	290,000.00	290,000	2.43%
160322A	3/22/2021	BAIRD	FNMA	3136H3BT1	250,000.00		0.00	250,000.00	250,000	1.00%
160420A	2/1/2017	BAIRD	MINNENOTONKA MN ISI	604204QS9	120,000.00		120,000.00	0.00	120,000	1.04%
160322B	1/1/2020	BAIRD	MINNENOTONKA MN ISI	604195D20	100,000.00		0.00	100,000.00	100,000	1.55%
160323	3/23/2021	BAIRD	FNMA	3136G3CJ2	300,000.00		300,000.00	0.00	300,000	1.00%
150701B	2/1/2021	BAIRD	WINTHROP MN TAX	976367NE8	305,000.00		0.00	305,000.00	305,000	2.68%
140904	9/1/2021	BAIRD	OKLAHOMA TAXABLE	678519RP6	535,000.00		0.00	535,000.00	535,000	2.45%
								1,480,000.00		
160826A	8/27/2018	ICD SEC	CD-ADMIRALS BANK	007220AM8	200,000.00		0.00	200,000.00	200,000	1.00%
170629B	12/31/2018	ICD SEC	CD-ALLY BANK	02006L3SO		100,000.00	0.00	100,000.00	100,000	1.50%
171012	10/13/2020	ICD SEC	CD-ALLY BANK	03006L5Z2		74,000.00	0.00	74,000.00	74,000	1.95%
171013	10/15/2019	ICD SEC	CD-LAKESIDE BANK	51210SNQ6		101,000.00	0.00	101,000.00	101,000	1.60%
171027	10/27/2020	ICD SEC	CD-THIRD FEDERAL SAV	88413QBS6		249,000.00	0.00	249,000.00	249,000	1.95%
170922	5/26/2020	ICD SEC	CD-TEXAS EXCHANGE B.	88241TCA6		249,000.00	0.00	249,000.00	249,000	1.85%
170927	9/27/2019	ICD SEC	CD-KEY BANK	49306SYU4		100,000.00	0.00	100,000.00	100,000	1.65%
170928	3/27/2020	ICD SEC	CD-CONNECTONE BANK	20786ABV6		249,000.00	0.00	249,000.00	249,000	1.80%
170929	3/27/2020	ICD SEC	CD-LANDMARK COMM B	51507LBM5		249,000.00	0.00	249,000.00	249,000	1.85%
141212A	6/12/2017	ICD SEC	CD-ALLY BANK	02006LMP5	100,000.00		100,000.00	0.00	100,000	1.20%
160330B	10/2/2017	ICD SEC	CD-ALLY BANK	02006LZH9	74,000.00		74,000.00	0.00	74,000	0.85%
160728B	7/30/2018	ICD SEC	CD-ALLY BANK	02006LH30	75,000.00		0.00	75,000.00	75,000	1.00%
150710B	7/10/2017	ICD SEC	CD-AMERICAN COMMER	02519TAC0	250,000.00		250,000.00	0.00	250,000.00	1.00%
170829B	3/1/2019	ICD SEC	CD-AMERICAN EXPRESS	02587DX45		249,000.00	0.00	249,000.00	249,000	1.65%
170829A	8/29/2019	ICD SEC	CD-AMERICAN EXPRESS	02587CFQ8		249,000.00	0.00	249,000.00	249,000	1.75%
160930C	4/6/2018	ICD SEC	CD-AMERICAN NATIONA	02771RAQ6	249,000.00		0.00	249,000.00	249,000.00	0.90%
160930A	4/2/2018	ICD SEC	CD-AMERICAN NATIONA	02771PNK9	157,000.00		0.00	157,000.00	157,000.00	0.85%
140725B	1/25/2017	ICD SEC	CD-AMERICAN WEST BA	03059OD59	200,000.00		200,000.00	0.00	200,000	0.80%
151230A	6/30/2017	ICD SEC	CD-APPLE BANK FOR SA	03784JPH1	250,000.00		250,000.00	0.00	250,000.00	1.00%
170630A	6/29/2018	ICD SEC	CD-BANK BARODA	06062RAU6		98,000.00	0.00	98,000.00	98,000	1.25%
150415	4/13/2017	ICD SEC	CD-BANK CASTILE	061077BC6	150,000.00		150,000.00	0.00	150,000	0.70%
160615	6/15/2018	ICD SEC	CD-BANK LEUMI USA	063248FQ6	250,000.00		0.00	250,000.00	250,000	1.05%
170413	4/13/2018	ICD SEC	CD-BANK OF BARODA	06062Q2P8		151,000.00	0.00	151,000.00	151,000	1.05%
170509	11/9/2017	ICD SEC	CD-BANK OF CHINA	06426WFAS		99,000.00	0.00	99,000.00	99,000	1.00%
160707	7/7/2017	ICD SEC	CD-BANK OF CHINA	06426TSQ3	149,000.00		149,000.00	0.00	149,000	0.70%
160210B	2/10/2017	ICD SEC	CD-BANK OF CHINA	06426TPK9	100,000.00		100,000.00	0.00	100,000	0.70%
160826B	8/27/2018	ICD SEC	CD-BANK OF HOPE	062683AB3	249,000.00		0.00	249,000.00	249,000	1.00%
161230B	12/29/2017	ICD SEC	CD-BANK OF INDIA	06279HUR2	249,000.00		0.00	249,000.00	249,000	1.00%
150630B	3/30/2017	ICD SEC	CD-BANK OF NORTH CAI	06414QVR7	250,000.00		250,000.00	0.00	250,000	0.85%
151130B	11/30/2017	ICD SEC	CD-BANK UNITED	066519BC2	250,000.00		0.00	250,000.00	250,000.00	1.10%
170125B	1/25/2019	ICD SEC	CD-BANKERS West BANK	06610YFQ5		109,000.00	0.00	109,000.00	200,000	1.00%
170630B	12/28/2018	ICD SEC	CD-BAR HARBOR	066851VR4		249,000.00	0.00	249,000.00	249,000	1.50%
140716	7/16/2019	ICD SEC	CD-BARCLAYS BANK	0674OKHF7	250,000.00		0.00	250,000.00	250,000	2.05%
160706	6/7/2017	ICD SEC	CD-BEAL BANK	0737OWZX7	249,000.00		249,000.00	0.00	249,000	0.70%
151223	7/24/2017	ICD SEC	CD-BLC COMMUNITY BA	05549CGA2	250,000.00		250,000.00	0.00	250,000.00	1.05%
150923	9/22/2017	ICD SEC	CD-BMO HARRIS	05573J4P3	250,000.00		250,000.00	0.00	250,000.00	1.10%
170714A	1/14/2018	ICD SEC	CD-BMW BANK	05580AJP0		149,000.00	0.00	149,000.00	149,000	1.50%
161130	11/30/2018	ICD SEC	CD-BMW BANK OF NORT	05580AFN9	100,000.00		0.00	100,000.00	100,000	1.30%
150626B	6/26/2017	ICD SEC	CD-BMW BANK OF NORT	0558OABY9	150,000.00		150,000.00	0.00	150,000	1.05%
151231	6/30/2017	ICD SEC	CD-BRICKELL BANK	10801DAA9	250,000.00		250,000.00	0.00	250,000.00	1.00%
160729A	4/30/2018	ICD SEC	CD-BROOKLINE BANK	113730CE6	176,000.00		0.00	176,000.00	176,000	0.85%
170131	7/31/2019	ICD SEC	CD-CAPE COD	13934CAB3		249,000.00	0.00	249,000.00	200,000	1.00%
170111	1/11/2019	ICD SEC	CD-CAPITAL ONE BANK	140420S92		148,000.00	0.00	148,000.00	200,000	1.00%
150624	12/26/2017	ICD SEC	CD-CAPITAL ONE BANK	29266NK71	100,000.00		0.00	100,000.00	100,000	1.30%
150715A	7/16/2018	ICD SEC	CD-CAPITAL ONE BANK	14042E4R8	250,000.00		0.00	250,000.00	250,000.00	1.60%

2017 CASH AND INVESTMENT ACTIVITY

CITY INVEST #	STATED MAT DATE	BROKER	SECURITY DESCRIP	CUSIP	PRIN BAL 1/1/2017	PURCH 2017	SOLD/ MATURE 2017	BV PRIN BAL 12/31/2017	PAR	YTM
150930B	3/30/2017	ICD SEC	CD-CARDINAL BANK	14147VFD3	250,000.00		250,000.00	0.00	250,000.00	0.80%
160330A	6/30/2017	ICD SEC	CD-CELTIC BANK UT	15118RKY2	250,000.00		250,000.00	0.00	250,000	0.70%
170330B	9/30/2019	ICD SEC	CD-CENTRAL FEDERAL S	15347EAE9		249,000.00	0.00	249,000.00	249,000	1.55%
170728C	7/29/2019	ICD SEC	CD-CITIZENS STATE BAN	17669WGF6		249,000.00	0.00	249,000.00	249,000	1.65%
170331	9/30/2019	ICD SEC	CD-CITIZENS STATE BAN	17668UAP5		103,000.00	0.00	103,000.00	103,000	1.50%
160826C	2/28/2019	ICD SEC	CD-COMENITY CAP BANI	20033ARR9	249,000.00		0.00	249,000.00	249,000	1.20%
170208	8/8/2018	ICD SEC	CD-COMMERCIAL BANK	20146AAC4		101,000.00	0.00	101,000.00	101,000	1.20%
151130A	11/30/2017	ICD SEC	CD-COMPASS BANK	20451PNZ5	250,000.00		0.00	250,000.00	250,000.00	1.15%
150715B	7/17/2017	ICD SEC	CD-CONESTOGA BANK	20701PBQ6	250,000.00		250,000.00	0.00	250,000.00	1.00%
150717	1/17/2017	ICD SEC	CD-CRESCOM BANK	225862CE9	250,000.00		250,000.00	0.00	250,000.00	0.65%
140723A	1/23/2018	ICD SEC	CD-CUSTOMERS BANK	23204HBR8	200,000.00		0.00	200,000.00	200,000	1.30%
170719A	7/19/2019	ICD SEC	CD-DISCOVER BANK	2546726A1		100,000.00	0.00	100,000.00	100,000	1.65%
150715C	7/17/2017	ICD SEC	CD-DISCOVER BANK	254672SC3	100,000.00		100,000.00	0.00	100,000.00	1.15%
150730	7/30/2018	ICD SEC	CD-DISCOVER BANK	254672TA6	149,000.00		0.00	149,000.00	149,000.00	1.70%
151218A	3/20/2017	ICD SEC	CD-DMB COMMUNITY B/	23322GKG1	250,000.00		250,000.00	0.00	250,000.00	0.70%
160720	7/20/2018	ICD SEC	CD-EAGLE BANK	27002YCX2	249,000.00		0.00	249,000.00	249,000	0.90%
170724	7/24/2019	ICD SEC	CD-EAST BOSTON SAVIN	27119PBU4		249,000.00	0.00	249,000.00	249,000	1.65%
151218C	6/15/2017	ICD SEC	CD-EAST BOSTON SAVIN	27113PAT8	250,000.00		250,000.00	0.00	250,000.00	1.00%
170719C	7/19/2019	ICD SEC	CD-ENERBANK	29266N5Q6		249,000.00	0.00	249,000.00	249,000	1.65%
150515	5/15/2017	ICD SEC	CD-ENERBANK	29266NK71	99,000.00		99,000.00	0.00	99,000	0.90%
170228	5/1/2019	ICD SEC	CD-ESSA BANK & TRUST	29667RPN7		249,000.00	0.00	249,000.00	249,000	1.40%
160129	1/29/2018	ICD SEC	CD-EVERBANK	29976DH94	248,000.00		0.00	248,000.00	250,000	1.10%
151125	11/27/2017	ICD SEC	CD-FIRST BANK PUERTO	33767ASC6	250,000.00		0.00	250,000.00	250,000.00	1.20%
170630C	12/31/2018	ICD SEC	CD-FIRST BANK SOUTHE	31931TEP6		249,000.00	0.00	249,000.00	249,000	1.50%
170731	1/31/2019	ICD SEC	CD-FIRST COMMERCIAL	31984GEF2		249,000.00	0.00	249,000.00	249,000	1.45%
151113	11/13/2017	ICD SEC	CD-FIRST MERIT BANK	320844PU1	250,000.00		0.00	250,000.00	250,000.00	1.00%
160816	2/16/2018	ICD SEC	CD-FIRST NATIONAL BAI	332135GM8	249,000.00		0.00	249,000.00	249,000	0.90%
151218B	6/18/2018	ICD SEC	CD-FIRST SOURCE BANK	33646CFY5	250,000.00		0.00	250,000.00	250,000.00	1.25%
151029	10/27/2017	ICD SEC	CD-FRIST TEXOMA NATI	33717WAA2	100,000.00		100,000.00	0.00	100,000	0.85%
140822	2/22/2017	ICD SEC	CD-GE CAPITAL BANK	36161TX59	49,000.00		49,000.00	0.00	49,000	1.00%
130301	3/1/2018	ICD SEC	CD-GE CAPITAL BANK	3616ITJB2	200,000.00		0.00	200,000.00	200,000	1.10%
170327	7/27/2018	ICD SEC	CD-GNB BANK	36198JCP7		249,000.00	0.00	249,000.00	249,000	1.20%
150629	1/30/2017	ICD SEC	CD-GNB BANK	36198JAX2	250,000.00		250,000.00	0.00	250,000	0.80%
170726	7/27/2020	ICD SEC	CD-GOLDMAN SACHS	38148PLS4		249,000.00	0.00	249,000.00	249,000	1.85%
150930A	3/30/2017	ICD SEC	CD-GOLDMAN SACHS	38148JP62	100,000.00		100,000.00	0.00	100,000.00	0.85%
140828	2/28/2017	ICD SEC	CD-GREAT SOUTHERN B.	3912OVRK2	249,000.00		249,000.00	0.00	249,000	1.00%
140717	4/17/2017	ICD SEC	CD-GUARANTY BANK &	40082OBK1	250,000.00		250,000.00	0.00	250,000	0.85%
160729B	3/29/2018	ICD SEC	CD-HERITAGE BANK	42724JDF9	249,000.00		0.00	249,000.00	249,000	0.85%
160824	8/24/2018	ICD SEC	CD-HSBC BANK	404344BG1	249,000.00		249,000.00	0.00	249,000	1.10%
160721A	7/23/2018	ICD SEC	CD-INDEPENDENCE BAN	4534OKDP1	249,000.00		0.00	249,000.00	249,000	0.90%
161216A	12/17/2018	ICD SEC	CD-INVESTORS SAVINGS	46176PFV2	249,000.00		0.00	249,000.00	249,000	1.35%
151216B	1/17/2017	ICD SEC	CD-ION BANK	46203PAC6	208,000.00		208,000.00	0.00	208,000.00	0.75%
151211A	6/12/2017	ICD SEC	CD-ISRAEL DISCOUNT B/	465076HV2	250,000.00		250,000.00	0.00	250,000.00	1.00%
160831	8/31/2018	ICD SEC	CD-JP MORGAN CHASE	48126XCN3	249,000.00		0.00	249,000.00	249,000	1.05%
170222	2/28/2019	ICD SEC	CD-KEY BANK	493065XF8		149,000.00	0.00	149,000.00	149,000	1.55%
161019	10/19/2018	ICD SEC	CD-LAKESIDE BANK	51210SLX3	100,000.00		0.00	100,000.00	100,000	1.05%
160115	7/17/2017	ICD SEC	CD-LINCOLN PARK SAVI	53468JAG7	250,000.00		250,000.00	0.00	250,000	1.00%
161230A	12/30/2019	ICD SEC	CD-M BANK	55275FKK3	160,000.00		0.00	160,000.00	160,000	1.55%
161215	2/14/2019	ICD SEC	CD-MAIN STREET BANK	56034WAP6	249,000.00		0.00	249,000.00	200,000	1.45%
150710A	7/10/2017	ICD SEC	CD-MB FINANCIAL	55266CMR4	250,000.00		250,000.00	0.00	250,000.00	1.00%
170714B	1/14/2019	ICD SEC	CD-MEDALLION BANK	58403D7B6		249,000.00	0.00	249,000.00	249,000	1.50%
140610	6/9/2017	ICD SEC	CD-MEDALLION BANK	58403BP26	250,000.00		250,000.00	0.00	250,000	1.00%
170721	7/22/2019	ICD SEC	CD-MERRICK BANK	59013JZB8		249,000.00	0.00	249,000.00	249,000	1.70%
150130	1/30/2017	ICD SEC	CD-MERRICK BANK	59013JDA4	100,000.00		100,000.00	0.00	100,000	0.75%
160413	10/13/2017	ICD SEC	CD-MIDLANDS SB, IL	59774QE44	250,000.00		250,000.00	0.00	250,000	0.85%
170714C	7/15/2019	ICD SEC	CD-MIDSOUTH BANK	59805FAB5		249,000.00	0.00	249,000.00	249,000	1.70%
170728B	1/28/2020	ICD SEC	CD-NATIONWIDE BANK	63861NAH8		249,000.00	0.00	249,000.00	249,000	1.75%
151031	1/4/2018	ICD SEC	CD-NOA BANK	65487TBD2	150,000.00		0.00	150,000.00	150,000	0.90%
170330A	4/1/2019	ICD SEC	CD-NORTHFIELD BANK	66612ABG2		249,000.00	0.00	249,000.00	249,000	1.45%
160210A	2/9/2018	ICD SEC	CD-ORIENTAL BANK	686184WS7	200,000.00		0.00	200,000.00	200,000	1.20%
161221	6/21/2019	ICD SEC	CD-ORRSTOWN BANK	687377EA5	249,000.00		0.00	249,000.00	249,000	1.50%
170719B	7/19/2019	ICD SEC	CD-PEOPLES UNITED BA	71270QQZZ		249,000.00	0.00	249,000.00	249,000	1.65%
170727	10/28/2019	ICD SEC	CD-PILOT BANK	721531BT7		249,000.00	0.00	249,000.00	249,000	1.65%
170728A	7/27/2018	ICD SEC	CD-PINNACLE BANK	72345SFJS		249,000.00	0.00	249,000.00	249,000	1.35%
161229	6/29/2018	ICD SEC	CD-PREFERRED BANK	740367FE2	249,000.00		0.00	249,000.00	249,000	1.15%
170317	9/17/2018	ICD SEC	CD-PRIVATE BANK & TR	74267GVR5		200,000.00	0.00	200,000.00	200,000	1.15%
161228A	6/28/2018	ICD SEC	CD-PROVIDENCE BANK	74374MAD6	249,000.00		0.00	249,000.00	249,000	1.20%
161207	6/7/2018	ICD SEC	CD-ROLLSTONE BANK &	77579ABW5	200,000.00		0.00	200,000.00	200,000	1.15%
170125C	1/25/2019	ICD SEC	CD-RONDOUT SAVINGS I	776322AR0		200,000.00	0.00	200,000.00	200,000	1.00%
160916	9/17/2018	ICD SEC	CD-SAFRA NATIONAL BA	78/658QYZ0	249,000.00		0.00	249,000.00	249,000.00	1.10%
140924	9/25/2017	ICD SEC	CD-SALLIE MAE BANK	40082OBK1	249,000.00		249,000.00	0.00	249,000	1.40%
160224A	8/24/2017	ICD SEC	CD-SANTANDER BANK	80280JLV3	250,000.00		250,000.00	0.00	250,000	0.95%
170623	6/24/2019	ICD SEC	CD-STATE BANK OF INDI	856285BZ3		249,000.00	0.00	249,000.00	249,000	1.70%
160930D	4/30/2018	ICD SEC	CD-STEARNS BANK	857894RN1	249,000.00		0.00	249,000.00	249,000.00	0.95%

2017 CASH AND INVESTMENT ACTIVITY

CITY INVEST #	STATED MAT DATE	BROKER	SECURITY DESCRIP	CUSIP	PRIN BAL 1/1/2017	PURCH 2017	SOLD/ MATURE 2017	BV PRIN BAL 12/31/2017	PAR	YTM
161228B	6/28/2019	ICD SEC	CD-STEUBEN TR CO	860010BG1	160,000.00		0.00	160,000.00	160,000	1.40%
170630D	6/28/2019	ICD SEC	CD-SUMMIT COMMUNIT	86604XLX2		205,000.00	0.00	205,000.00	205,000	1.55%
140305	3/6/2017	ICD SEC	CD-SYNOVOUS BANK	87164DEB2	200,000.00		200,000.00	0.00	200,000	0.85%
161123	5/23/2018	ICD SEC	CD-TCF NATIONAL BANI	872278XK7	100,000.00		0.00	100,000.00	100,000	0.90%
160721B	1/22/2018	ICD SEC	CD-TRANSPORTATION A	89388CBE7	249,000.00		0.00	249,000.00	249,000	0.75%
141209	9/27/2017	ICD SEC	CD-UNITED BANK	909552AQ4	250,000.00		250,000.00	0.00	250,000	0.65%
170421	4/22/2019	ICD SEC	CD-UNITED COMMUNITY	90983HAC8		249,000.00	0.00	249,000.00	249,000	1.40%
161219	12/19/2018	ICD SEC	CD-WEB BANK	947547JJ5	249,000.00		0.00	249,000.00	249,000	1.40%
160617	6/18/2018	ICD SEC	CD-WELLS FARGO BANK	9497485X1	150,000.00		0.00	150,000.00	150,000	1.20%
150925	9/25/2017	ICD SEC	CD-WELLS FARGO BANK	9497482H9	100,000.00		100,000.00	0.00	100,000.00	1.00%
151211B	12/11/2017	ICD SEC	CD-WEX BANK	92937CDH8	250,000.00		0.00	250,000.00	250,000.00	1.20%
170125A	1/25/2019	ICD SEC	CD-WHITNESY BANK	966594AV5		249,000.00	0.00	249,000.00	249,000	1.00%
160930B	4/2/2018	ICD SEC	CD-WOOD & HUSTON BA	978208AA4	249,000.00		0.00	249,000.00	249,000.00	1.00%
170112	1/11/2019	ICD SEC	CD-WORLDS FOREMOST	981571CS9		100,000.00	0.00	100,000.00	200,000	1.00%
170119	1/18/2019	ICD SEC	CD-WORLDS FOREMOST	981571CU4		100,000.00	0.00	100,000.00	200,000	1.00%
160525	8/25/2017	ICD SEC	CD-Z BANK	98878BAD0	249,000.00		249,000.00	0.00	249,000	0.75%
			2016 Investments & MM					19,165,000.00		
090102B	12/25/2018	Com Sec	FNR 2003-120 BY	31393UGR8	13,715.78		8,146.08	5,569.70	200,000	3.98%
								5,569.70		
160606	5/1/2020	Northland	ANCHOR BAY MI SCH DI	032879-TC-2	500,000.00		0.00	500,000.00	500,000	2.12%
161114B	2/1/2024	Northland	ANDOVER MN TAX	034313-ZU-3	300,000.00		0.00	300,000.00	300,000	2.25%
130412	2/1/2024	Northland	BECKER MN TAX	075671LJ4	50,000.00		0.00	50,000.00	50,000	2.75%
160317	2/1/2019	Northland	BECKER MN TAX	075663YH9	645,000.00		0.00	645,000.00	645,000	1.15%
150903	11/1/2018	Northland	BROOKFIELD WI, TAXAB	112857-BL-0	500,000.00		0.00	500,000.00	500,000	2.20%
110310	2/1/2020	Northland	BROOKLYN CENTER ISD	113853-KG-9	285,000.00		0.00	285,000.00	285,000	4.65%
120215B	6/1/2026	Northland	CEDAR RAPIDS IO TAX	150528-JU-2	50,000.00		0.00	50,000.00	50,000	4.55%
120606B	6/1/2022	Northland	CEDAR RAPIDS IO TAX	150528-N2-6	135,000.00		0.00	135,000.00	135,000	2.50%
120606A	6/1/2023	Northland	CEDAR RAPIDS IO TAX	150528-PA-9	140,000.00		0.00	140,000.00	140,000	2.70%
140620	12/1/2020	Northland	CELINA OHIO SCHOOL D	151069-FD-8	300,000.00		0.00	300,000.00	300,000	2.13%
130815A	12/1/2020	Northland	CHASKA, MN TAX	161664-DY-0	75,000.00		0.00	75,000.00	75,000	2.50%
130815B	12/1/2021	Northland	CHASKA, MN TAX	161664-DZ-7	75,000.00		0.00	75,000.00	75,000	2.75%
140502	2/15/2020	Northland	COLLINGSWOOD NJ TAX	194756-PQ-9	145,000.00		0.00	145,000.00	145,000	3.00%
140730A	6/1/2019	Northland	DES MOINES IA TAXABLI	25009X-GB-5	115,000.00		0.00	115,000.00	115,000	2.00%
140730B	6/1/2020	Northland	DES MOINES IA TAXABLI	25009X-GC-3	145,000.00		0.00	145,000.00	145,000	2.10%
170109	6/1/2022	Northland	DESMOINES IA TAX	250097-J3-7		200,000.00	0.00	200,000.00	200,000	2.30%
141104	2/1/2022	Northland	DULUTH MN TAXABLE	264438-G5-5	150,000.00		0.00	150,000.00	150,000	3.00%
151217A	12/1/2018	Northland	FARGO ND TAXABLE	30747N-BC-7	435,000.00		0.00	435,000.00	435,000	1.40%
151217B	12/1/2017	Northland	FARGO ND TAXABLE	30747N-BB-9	395,000.00		0.00	395,000.00	395,000	1.00%
151216A	6/14/2018	Northland	FFCB	3133EF-SH-1	500,000.00		0.00	500,000.00	500,000	1.17%
140326	9/26/2017	Northland	FHLB	313OA15P9	350,000.00		350,000.00	0.00	350,000	1.00%
151119B	11/19/2021	Northland	FNMA	3136GSSA6	400,000.00		0.00	400,000.00	400,000	1.00%
170712	7/1/2021	Northland	GARDENDALE ALA TAX	365478-DQ-6		240,000.00	0.00	240,000.00	240,000	2.20%
150601	6/1/2017	Northland	HAWKEYE COMMUNITY	42016A-KH-3	190,000.00		190,000.00	0.00	190,000	0.90%
170823A	3/1/2018	Northland	HAWLEY MN SCHOOL DI	420416-EY-1		150,000.00	0.00	150,000.00	150,000	1.40%
140320A	3/1/2019	Northland	HAWLEY MN SCHOOL DI	420416-EZ-8	390,000.00		0.00	390,000.00	390,000	1.85%
140117	11/1/2019	Northland	HONOLULU TAXABLE	438670-Q4-6	275,000.00		0.00	275,000.00	275,000	1.84%
110114A	2/1/2017	Northland	HOPKINS ISD #270	439881-HB-2	100,000.00		100,000.00	0.00	100,000	2.75%
150109	10/1/2022	Northland	HUBBARD COUNTY TAX	443348-DE-4	135,000.00		0.00	135,000.00	140,000	2.70%
121211D	6/1/2017	Northland	IOWA WESTERN COMM (	462612-QM-7	100,000.00		100,000.00	0.00	100,000	0.85%
120321	3/1/2022	Northland	MADISION WI SCHOOL D	558495-KN-6	500,000.00		0.00	500,000.00	500,000	2.50%
150708	2/1/2019	Northland	MAPLEWOOD MN TAX	56557-UM-5	350,000.00		0.00	350,000.00	350,000	1.80%
161101	3/1/2019	Northland	MARSHFIELD WI TAX	572852-W4-9	145,000.00		0.00	145,000.00	145,000	1.20%
110203A	4/1/2017	Northland	MEDFORD WIS SCHOOL I	58434T-DK-3	40,000.00		40,000.00	0.00	40,000	2.75%
121228B	9/1/2023	Northland	MIDDLETON WIS REFUNI	596782-T6-7	300,000.00		0.00	300,000.00	300,000	2.36%
120214B	9/1/2025	Northland	MIDDLETON WIS REFUNI	596782-TJ-1	315,000.00		0.00	315,000.00	315,000	2.85%
150430	2/1/2022	Northland	MINNETONKA ISD #276	604195-YG-6	270,000.00		0.00	270,000.00	270,000	3.00%
130702A	1/1/2019	Northland	MINNETONKA ISD #276	604195-VW-4	285,000.00		0.00	285,000.00	285,000	1.40%
130702B	1/1/2021	Northland	MINNETONKA ISD #276	604195-VY-0	400,000.00		0.00	400,000.00	400,000	2.10%
120215A	1/1/2028	Northland	MINNETONKA ISD #276	604195-SB-4	50,000.00		0.00	50,000.00	50,000	5.20%
160812	5/1/2023	Northland	MONROE MI TAX	611101-MF-0	190,000.00		0.00	190,000.00	190,000	2.26%
130722	2/1/2021	Northland	MOUND MN TAXABLE	620S35-W4-2	95,000.00		0.00	95,000.00	95,000	2.00%
100803B	2/1/2018	Northland	NEW PRAGUE BAB	648159-TX-9	70,000.00		0.00	70,000.00	70,000	3.75%
100803C	2/1/2019	Northland	NEW PRAGUE BAB	648159-TY-7	45,000.00		0.00	45,000.00	45,000	4.00%
100803D	2/1/2020	Northland	NEW PRAGUE BAB	648159-TZ-4	70,000.00		0.00	70,000.00	70,000	4.25%
141006	6/1/2020	Northland	NORTHEAST IOWA COM	664214-JQ-7	320,000.00		0.00	320,000.00	320,000	1.90%
161003A	2/1/2018	Northland	OLIVIA MN TAX	681079-YD-5	45,000.00		0.00	45,000.00	45,000	2.00%
161003B	2/1/2019	Northland	OLIVIA MN TAX	681079-YE-3	95,000.00		0.00	95,000.00	95,000	2.00%
161003C	2/1/2020	Northland	OLIVIA MN TAX	681079-YF-0	100,000.00		0.00	100,000.00	100,000	2.00%
111031	6/1/2018	Northland	RACINE WIS TAXABLE	750021-6D-4	755,000.00		0.00	755,000.00	755,000	2.10%
130624A	2/1/2023	Northland	RAMSEY COUNTY TAXA	751622-HH-7	595,000.00		0.00	595,000.00	595,000	2.75%
130624B	2/1/2022	Northland	RAMSEY COUNTY TAXA	751622-HG-9	285,000.00		0.00	285,000.00	285,000	2.50%

2017 CASH AND INVESTMENT ACTIVITY

CITY INVEST #	STATED MAT DATE	BROKER	SECURITY DESCRIP	CUSIP	PRIN BAL 1/1/2017	PURCH 2017	SOLD/ MATURE 2017	BV PRIN BAL 12/31/2017	PAR	YTM
160420B	10/1/2018	Northland	SHEBOYGAN WIS TAX	82102R-BY-0	250,000.00		0.00	250,000.00	250,000	1.00%
150804	11/1/2018	Northland	SHEBYGAN WISCON REF	82102R-BM-6	800,000.00		0.00	800,000.00	800,000	1.25%
120308A	12/1/2020	Northland	SHOREWOOD WIS TAX	825230-KU-8	150,000.00		0.00	150,000.00	150,000	2.50%
120308B	12/1/2022	Northland	SHOREWOOD WIS TAX	825230-KW-4	150,000.00		0.00	150,000.00	150,000	2.80%
120308C	12/1/2027	Northland	SHOREWOOD WIS TAX	825230-LB-9	225,000.00		0.00	225,000.00	225,000	3.25%
120308D	12/1/2028	Northland	SHOREWOOD WIS TAX	825230-LC-7	465,000.00		0.00	465,000.00	465,000	3.15%
170215	5/1/2019	Northland	SPARTA WIS REFUNDINC	846748-HC-8		100,000.00	0.00	100,000.00	100,000	1.80%
120214B	4/1/2017	Northland	ST FRANCIS ISD#15	789466-PU-7	250,000.00		250,000.00	0.00	250,000	4.40%
161222	2/1/2019	Northland	ST. PAUL MN PORT AUTI	793028-WR-8	145,000.00		0.00	145,000.00	145,000	2.00%
110608	2/1/2019	Northland	WADENA MN BAB	930217-JD-7	95,000.00		0.00	95,000.00	95,000	3.94%
170620A	6/1/2019	Northland	WATERLOO IOWA TAXAI	941647-VS-5		210,000.00	0.00	210,000.00	210,000	1.55%
170620B	6/1/2020	Northland	WATERLOO IOWA TAXAI	941647-VT-3		210,000.00	0.00	210,000.00	210,000	1.75%
130624C	6/1/2018	Northland	WATERLOO IOWA TAXAI	941647-NZ-8	345,000.00		0.00	345,000.00	345,000	2.00%
170823B	10/1/2019	Northland	WESTERN LAKE SUPERIC	958522-XW-9		120,000.00	0.00	120,000.00	120,000	1.20%
150626C	10/1/2017	Northland	WESTERN LAKE SUPERIC	958522-WS-9	245,000.00		245,000.00	0.00	245,000	1.35%
120215C	10/1/2019	Northland	WESTERN LAKE SUPERIC	958522-WU-4	100,000.00		0.00	100,000.00	100,000	3.15%
110816B	10/1/2017	Northland	WESTIN LAKE SUPERIOR	958522-WS-9	350,000.00		350,000.00	0.00	350,000	2.50%
160728A	5/1/2020	Northland	WISCONSIN STATE TAX	97705M-DS-1	500,000.00		0.00	500,000.00	500,000	1.15%
141205A	9/1/2018	Northland	WYANDOTTE KANSAS SI	982696-QE-9	125,000.00		0.00	125,000.00	125,000	1.93%
			2015 Investment					16,000,000.00		
120817A	5/1/2018	UBS	NYC-TAXABLE	64971QTU7	500,000.00		0.00	500,000.00	500,000	1.60%
160224B	12/1/2019	UBS	MCLEAN COUNTY IL SCI	582018Ff5	450,000.00		0.00	450,000.00	450,000	2.00%
161208A	4/1/2023	UBS	NEW HOPE CULTURAL EI	64542WAY6	250,000.00		0.00	250,000.00	250,000	2.27%
161208B	11/1/2024	UBS	MICHIGAN FIN AUTH RE'	59447TJX2	250,000.00		0.00	250,000.00	250,000	2.51%
161216B	12/16/2022	UBS	CD-MERCANTIL COMM E	58733ADQ9	245,000.00		0.00	245,000.00	245,000	2.30%
161114A	7/1/2025	UBS	LEXINGTON FAYETTE AI	52909MCA0	300,000.00		0.00	300,000.00	300,000	2.75%
160927A	5/1/2021	UBS	YPSILANTI MI SCHOOL D	987864NY7	405,000.00		0.00	405,000.00	405,000.00	2.18%
160928	3/28/2025	UBS	FHLB	3130A9CN9	300,000.00		0.00	300,000.00	300,000.00	1.25%
160930E	9/30/2019	UBS	CD-JEFFERSON BANK & '	472376AA0	245,000.00		0.00	245,000.00	245,000.00	1.15%
160802	12/1/2027	UBS	TOOLE CITY UT TAX	89033RBU7	400,000.00		0.00	400,000.00	400,000	2.76%
160826D	8/24/2026	UBS	FHLB	3130A8Z63	300,000.00		0.00	300,000.00	300,000	1.25%
160830A	8/28/2026	UBS	FHLB	3130A8ZF3	300,000.00		0.00	300,000.00	300,000	1.50%
160830B	8/28/2023	UBS	FHLMC	3134GAAKO	300,000.00		0.00	300,000.00	300,000	1.25%
160830C	8/1/2022	UBS	NEW YORK CITY TAXAB	64966MED7	300,000.00		0.00	300,000.00	300,000	1.60%
160830D	8/24/2023	UBS	FNMA	3136G32Y0	250,000.00		0.00	250,000.00	250,000	1.13%
160705	11/1/2021	UBS	MICHIGAN STATE TAX	594612CX9	300,000.00		0.00	300,000.00	300,000	1.78%
160718	12/1/2021	UBS	LITTLE MIAMI OHIO SCH	537292KY9	345,000.00		0.00	345,000.00	345,000	1.76%
160726	7/26/2024	UBS	FHLMC	3134G9N78	500,000.00		0.00	500,000.00	500,000	1.25%
160727	5/1/2022	UBS	NORTH BRAND SCHOOL	657740F50	500,000.00		0.00	500,000.00	500,000	2.08%
160601	2/15/2022	UBS	MCALLEN TAX'	582018Ff5	200,000.00		0.00	200,000.00	200,000	1.75%
160613	12/1/2020	UBS	SCHILLER PARK TAX	8062721LM6	325,000.00		0.00	325,000.00	325,000	2.50%
160526	5/1/2020	UBS	MILAN MICH SCHOOL TA	598801JD1	500,000.00		0.00	500,000.00	500,000	1.51%
160412	5/1/2019	UBS	LINCOLN SD TAX	533883NG5	500,000.00		0.00	500,000.00	500,000	2.03%
160422	5/15/2021	UBS	UNIVERSITY OF CA TAX	91412GFS9	500,000.00		0.00	500,000.00	500,000	1.91%
160428	10/28/2022	UBS	FNMA	3136G3JS5	250,000.00		0.00	250,000.00	250,000	1.00%
161018	7/1/2024	UBS	SELMA ALA TAX	816459QV6	500,000.00		0.00	500,000.00	500,000	2.50%
161026	10/1/2024	UBS	HONOLULU TAX	4386705W7	300,000.00		0.00	300,000.00	300,000	2.37%
130611	5/21/2018	UBS	FNMA	3135GOXDO	750,000.00		0.00	750,000.00	750,000	1.29%
030630A	6/15/2018	UBS	FHR 2628 AB	31393VMQ1C	2,641.38		1,645.57	995.81	200,000	3.12%
030730A	8/25/2018	UBS	FNR 2003-74-KN	31393EAL3C	4,910.50		3,245.91	1,664.59	300,000.00	3.59%
030930A	9/15/2018	UBS	FHR 2677 KH	31394JTP2	56.81		56.88	-0.07	300,000	4.50%
121207	11/1/2018	UBS	NYC GEN TAX	64971QH55	500,000.00		0.00	500,000.00	500,000	1.28%
140710	7/10/2019	UBS	CD-AMERICAN EXPRESS	02587CAC4	240,000.00		0.00	240,000.00	240,000	1.95%
040730A	7/15/2019	UBS	FHR 2822 DB	31395C3S8	6,325.23		4,553.24	1,771.99	500,000	5.00%
130606B	11/1/2019	UBS	NYC GEN TAX	64971QH63	1,000,000.00		0.00	1,000,000.00	1,000,000	1.73%
150310	4/1/2020	UBS	MONTGOMERY ALA TAX	613035L69	400,000.00		0.00	400,000.00	400,000	2.15%
151207	12/1/2020	UBS	SACRAMENTO TAXABLE	786060BB8	300,000.00		0.00	300,000.00	300,000	3.00%
970625	2/25/2021	UBS	FNMA FNR-1991-7 H	31358FZW2	1,000.00		0.00	1,000.00	129,000	7.84%
970917B	9/15/2021	UBS	FHLMC REMIC SERIES FF	312904GT6C	357.00		226.42	130.58	255,714	7.21%
151119A	11/19/2021	UBS	FNMA	3136G2SA6	500,000.00		0.00	500,000.00	500,000	1.05%
151104	3/1/2022	UBS	NEW YORK TAXALBE	64966KQC0	500,000.00		0.00	500,000.00	500,000	2.26%
001127	7/25/2022	UBS	FNR G92-35	31358PHV2C	981.33		219.02	762.31	75,215	7.49%
021004	8/25/2022	UBS	FNR 1992-125L	31358PS40C	1,076.65		194.45	882.20	52,000	7.00%
020826	10/15/2022	UBS	FHR 1391D	312912LUO	957.62		254.55	703.07	59,990	6.00%
150812	6/1/2023	UBS	CHARLOTTE TAXABLE	161037L61	300,000.00		0.00	300,000.00	300,000	2.65%
010328	6/25/2023	UBS	FHG14A	312916PD5R	2,000.00		0.00	2,000.00	152,000	6.00%
151009	9/1/2024	UBS	NJ ENVIRONMENTAL INF	645791CAO	270,000.00		0.00	270,000.00	270,000	3.15%
151023	10/1/2024	UBS	MADISON TAXABLE	55844RKN3	640,000.00		0.00	640,000.00	640,000	2.39%
150311	3/11/2025	UBS	CD-HBSC BANK	40434ASB6	240,000.00		0.00	240,000.00	240,000	2.25%

2017 CASH AND INVESTMENT ACTIVITY

CITY INVEST #	STATED MAT DATE	BROKER	SECURITY DESCRIP	CUSIP	PRIN BAL 1/1/2017	PURCH 2017	SOLD/ MATURE 2017	BV PRIN BAL 12/31/2017	PAR	YTM
								15,164,910.48		
	TOTAL INVESTMENTS				57,425,022.30	18,339,000.00	17,198,542.12	58,565,480.18		
			Unamortized Premiums		1,454,478.04	468.50		1,454,946.54		
			Unamortized Discounts		(3,290,662.99)	(2,001.20)		(3,292,664.19)		
			BOW		4,039,093.60	29,830,565.19	29,269,696.65	4,599,962.14		
			Money Market Accounts		5,284,956.44	7,716,364.60	8,414,439.45	4,586,881.59		
			Net Cash and Investments		64,912,887.39	55,884,397.09	54,882,678.22	65,914,606.26		

CC Regular Session **4. 2.**

Meeting Date: 11/14/2017

By: Jo Thieling, Administrative Services

Information

Title

Approve the Following Meeting Minutes:

1. City Council Work Session dated 10/24/2017
2. City Council Regular dated 10/24/2017

Purpose/Background:

Purpose: The purpose of this case is for Council review and approval of meeting minutes.

Background: Attached are the meeting minutes referenced above.

Action:

Motion to approve the following Council meeting minutes:

1. City Council Work Session dated 10/24/2017
2. City Council Regular dated 10/24/2017

Attachments

CCWS Mts

CC Mts

Form Review

Form Started By: Jo Thieling Started On: 11/09/2017 01:48 PM

Final Approval Date: 11/09/2017

CITY COUNCIL WORK SESSION
CITY OF RAMSEY
ANOKA COUNTY
STATE OF MINNESOTA

The Ramsey City Council conducted a City Council Work Session on Tuesday, October 24, 2017, at the Ramsey Municipal Center, 7550 Sunwood Drive NW, Ramsey, Minnesota.

Members Present: Mayor Sarah Strommen (arrived at 6:02 p.m.)
Councilmember Jill Johns
Councilmember Mark Kuzma
Councilmember John LeTourneau
Councilmember Chris Riley
Councilmember Melody Shryock

Members Absent: None

Also Present: Asst. City Administrator/Economic Development Manager Patrick Brama
Police Chief Jeff Katers
Human Resources Manager Colleen Lasher

1. CALL TO ORDER

Acting Mayor LeTourneau called the City Council Work Session to order at 5:31 p.m.

2. TOPICS FOR DISCUSSION

2.01: City Board and Commission Interviews

Human Resources Manager Lasher reviewed the staff report.

Councilmember Kuzma asked if these positions are partial terms or full terms.

Human Resources Manager Lasher replied that these would all be partial terms.

The Council asked the standard questions to the applicant and he provided his answers.

Human Resources Manager Lasher asked for more information on a potential conflict of interest.

Councilmember Riley asked if there is a preference of which Commission or Board the applicant would like to join.

Human Resources Manager Lasher confirmed the applicant's ranking preference for the open positions on the Boards and Commissions.

The Council asked the standard questions to the next applicant and he provided his answers.

Councilmember Kuzma asked if the applicant would resign his position on a Board/Committee that the applicant currently holds in Elk River. He stated that he believes that there would be a conflict of interest and if a position is offered to the applicant for a Board/Commission in Ramsey, he would feel that the applicant should resign from the Elk River Board/Commission position.

Mayor Strommen arrived at 6:02 p.m.

The Council asked the standard questions to the next applicant and he provided his answers.

The Council asked the standard questions to the next applicant and he provided his answers.

Mayor Strommen asked for a list of the available positions.

Human Resources Manager Lasher provided details on the two available terms on the Economic Development Authority and the Park and Recreation Commission, noting that there is one available position on each Commission. She advised of another applicant she was in contact with that had trouble submitting his application, noting that she does have the application information with her should the Council be interested in reviewing the information. She provided additional details on an applicant that was interviewed who previously sat on the Planning Commission but had to resign because he moved out of the City noting that the applicant has moved back to Ramsey.

Councilmember Kuzma stated that he believed Andrew would be a great fit for the Park and Recreation Commission.

Councilmember Johns agreed.

Councilmember LeTourneau stated that he would not disagree with appointing Andrew to Parks, but believed he would be a good fit for the EDA position.

Councilmember Riley noted that he had marked down Andrew for the available EDA position.

Councilmember LeTourneau stated that Ryan appears to have the best business background and asked for input from the Council.

Councilmember Kuzma stated that Ryan has a real estate background and currently works with Elk River and the use of their TIF. He stated that he did not believe that

Mayor Strommen stated that she does believe there would be a conflict with the position Ryan holds in Elk River and noted that there is already a family member of Ryan on the EDA.

Councilmember Kuzma stated that he believed that Dominic's background would be helpful for the EDA.

Councilmember LeTourneau agreed that Dominic interviewed well and liked his overall approach to the world and building community.

Councilmember Kuzma stated that Dominic was also a good listener which is an asset.

Councilmember Shryock stated that the background and experiences that Dominic has had would make him a strong and honest person that would be a great asset to the EDA.

Mayor Strommen stated that Dominic does not bring the traditional experience to the EDA but would provide a different aspect and is a very thoughtful person who appreciates community and would be a refreshing perspective.

Councilmember LeTourneau asked for input from Councilmember Riley as he has been a member of the EDA and has seen the different contributions that members provide.

Councilmember Riley stated that he is looking for a stronger personality that would willingly participate. He stated that he did not hear business experience but would provide fresh perspective from an area that is not currently represented. He was unsure that this would be the perfect candidate but noted that he did not see his perfect candidate for the position tonight.

Councilmember Kuzma stated that he believes the last candidate would be a good candidate for the future.

The consensus of the Council was to select Andrew for the Park and Recreation Commission and Dominic for the Economic Development Authority.

Mayor Strommen noted that the electronic applications asked for personal information that should not have been included in the process.

Human Resources Manager Lasher noted that the City is using new software and are still learning how to tweak the questions and will ensure that those questions are not included.

Mayor Strommen stated that there should be additional discussion in the future on the questions that are asked to each applicant.

2.02: Discussion Regarding the 2018 Contract Negotiations with Law Enforcement Labor Services (LES) Captains Group (Discussion Closed to the Public)

Human Resources Manager Lasher reviewed the staff report.

RECESS AND RECONVENE

Motion by Councilmember LeTourneau, seconded by Councilmember Riley, to recess the Work Session meeting to Closed Session at 6:48 p.m.

Motion carried. Voting Yes: Mayor Strommen, Councilmembers LeTourneau, Riley, Johns, Kuzma, and Shryock. Voting No: None.

The Work Session reconvened at 6:59 p.m.

2.03: Discussion Regarding the Process for the City Administrator's Next Annual Performance Evaluation

It was the consensus of the Council to postpone discussion of this item to the next Work Session because of the time constraint.

3. TOPICS FOR FUTURE DISCUSSION

3.01: Review Future Topics/ Calendar

Noted.

4. MAYOR / COUNCIL / STAFF INPUT

None.

5. ADJOURNMENT

The Work Session of the City Council was adjourned at 6:59 p.m.

Respectfully submitted,

_____
Kurtis G. Ulrich
City Administrator

ATTEST:

_____
Jo Ann M. Thieling
City Clerk

Drafted by Amanda Staple
TimeSaver Off Site Secretarial, Inc.

TABLE OF CONTENTS

1. CALL TO ORDER 2
2. PRESENTATION 2
2.01: Congressional Update 2
3. CITIZEN INPUT 2
4. CONSENT AGENDA 3
5. APPROVE AGENDA 3
6. PUBLIC HEARING 4
6.01: Public Hearing to Consider Introducing Ordinance #17-17 to Vacate Drainage and Utility Easements on Outlot A, Estates of Silver Oaks (Project No. 17-119); Case of Royal Oaks Realty 4
7. COUNCIL BUSINESS 5
7.01: Consider Adopting Resolution #17-10-274 Accepting Quotes and Awarding Contract for Improvement Project #17-13, Potassium Street Cul-De-Sac Improvements 5
7.02: Consider Introducing Ordinance #17-15 Vacating Pedestrian Trail Easement on Lot 6, Block 3, Wildlife Sanctuary Third Addition (Item removed from the agenda) 6
7.03: Consider Adoption of Resolution Approving Drainage and Utility Easement Encroachment for Eave Overhangs in the Riverstone Subdivision; Case of Capstone Homes/Riverstone Development, LLC (Item moved to be considered following 7.06) 6
7.04: Consider Adoption of Resolution #17-10-271 Accepting Feasibility Report and Ordering Public Hearing for Improvement Project #18-00, Stanhope Terrace Street Reconstructions 6
7.05: Consider Adoption of Resolution #17-10-272 Accepting Feasibility Report and Ordering Public Hearing for Improvement Project #18-01, North Forty Street Reconstructions 7
7.06: Consider Adoption of Resolution #17-10-273 Accepting Updated Feasibility Report and Ordering Public Hearing for Improvement Project #17-02, River's Bend Street Reconstructions 7
7.03: Consider Adoption of Resolution Approving Drainage and Utility Easement Encroachment for Eave Overhangs in the Riverstone Subdivision; Case of Capstone Homes/Riverstone Development, LLC 8
7.07: Consider Introducing Ordinance #17-18 Amending Street Names in the Riverstone Subdivision; Case of Capstone Homes/Riverstone Development, LLC 8
7.08: Consider Actions Related to Pearson Place (Project No. 16-31); Case of Development Consulting Services, LLC 9
7.09: Preliminary Approvals Related to Proposed North Fork Meadows Subdivision; Case of Paxmar, LLC (Project No. 17-126) 10
7.10: Consider Filling Vacancies on Commissions, Committees, and/or Boards Created by Resignation of Councilmember Williams 14
7.11: Consider Adoption of Resolution #17-10-279 Amending Policy for Donation of Surplus Equipment to a Nonprofit Organization 15
8. MAYOR, COUNCIL AND STAFF INPUT 15
9. ADJOURNMENT 15

CITY COUNCIL
CITY OF RAMSEY
ANOKA COUNTY
STATE OF MINNESOTA

The Ramsey City Council conducted a regular meeting on Tuesday, October 24, 2017, at the Ramsey Municipal Center, 7550 Sunwood Drive NW, Ramsey, Minnesota.

Members Present: Mayor Sarah Strommen
Councilmember Jill Johns
Councilmember Mark Kuzma
Councilmember John LeTourneau
Councilmember Chris Riley
Councilmember Melody Shryock

Members Absent: None

Also Present: Asst. City Administrator/Economic Development Manager Patrick Brama
Police Chief Jeff Katers
Community Development Director Timothy Gladhill
City Engineer Bruce Westby
City Planner Chris Anderson

1. CALL TO ORDER

Mayor Strommen called the regular meeting of the Ramsey City Council to order at 7:05 p.m., followed by the Pledge of Allegiance led by Mayor Strommen.

2. PRESENTATION

2.01: Congressional Update

Stacy Morse, District Director from Congressman Emmer's Office, stated that the framework for tax reform was recently introduced and provided an update of some of the proposed changes. She stated that the framework will go through a series of committee meetings and would be amended along the way, but noted that it is believed that these changes should be completed before the end of the calendar year.

Mayor Strommen expressed appreciation for the update and thanked Ms. Morse for taking the time to speak to the Council tonight.

3. CITIZEN INPUT

None.

4. CONSENT AGENDA

Motion by Councilmember LeTourneau, seconded by Councilmember Shryock, to approve the following items on the Consent Agenda:

4.01: Receive September 2017 Financial Reports – General Fund and Enterprise Funds
4.02: Note the Following Boards and Commissions Meeting Minutes:
- Park and Recreation Commission Meeting Minutes dated August 10, 2017
- Planning Commission Meeting Minutes dated September 7, 2017
- Economic Development Authority Meeting Minutes dated September 14, 2017

4.03: Approve the following Meeting Minutes:
1) City Council Work Session dated October 10, 2017
2) City Council Regular dated October 10, 2017

4.04: Approve Rental Licenses
4.05: Approve Amending Council and Public Works Meeting Schedule for December
4.06: Adopt Resolution #17-10-275 Approving Cash Disbursements Made and Authorizing Payment of Accounts Payable Invoicing Received During the Period of October 5, 2017 through October 18, 2017
4.07: Adopt Resolution #17-10-245 Approving the Issuance of a Conditional Use Permit to Anoka Ramsey Farm and Garden, located at 7435 Highway 10 (Project No. 17-148) to Increase Square Footage of a Ground Sign on a Property in the H-1 Highway 10 Business District and Declaring Terms of Same
4.08: Adopt Resolution #17-10-265 Authorizing Partial Payment to North Valley, Inc. for IP #17-00, Sunwood Drive Reconstruction
4.09: Adopt Resolution #17-10-266 Authorizing Partial Payment to North Valley, Inc. for IP #17-01, Alpine Drive Reconstruction
4.10: Adopt Resolution #17-10-267 Authorizing Partial Payment to Metro Utilities, Inc. for IP #17-09, Bunker Lake Boulevard Utilities Extension
4.11: Adopt Resolution #17-10-248 Authorizing Partial Payment to Douglas-Kerr Underground, LLC for IP #16-20, Riverdale Drive Extension Improvements
4.12: Adopt Resolution #17-10-270 Ordering Feasibility Report for Improvement Project #18-03, 2018 Overlay Improvements
4.13: Adopt Resolution #17-10-277 to Authorize Hiring a Police Officer

Motion carried. Voting Yes: Mayor Strommen, Councilmembers LeTourneau, Shryock, Johns, Kuzma, and Riley. Voting No: None.

5. APPROVE AGENDA

Mayor Strommen noted that it has been requested to remove Item 7.02 (Consider Introduction of Ordinance #17-15) from the agenda and to move Item 7.03 (Consider Adoption of Resolution #17-10-278) to be considered after Item 7.06 (Consider Adoption of Resolution #17-10-273).

Motion by Councilmember Riley, seconded by Councilmember Johns, to approve the agenda as amended.

Motion carried. Voting Yes: Mayor Strommen, Councilmembers Riley, Johns, Kuzma, LeTourneau, and Shryock. Voting No: None.

6. PUBLIC HEARING

6.01: Public Hearing to Consider Introducing Ordinance #17-17 to Vacate Drainage and Utility Easements on Outlot A, Estates of Silver Oaks (Project No. 17-119); Case of Royal Oaks Realty

Presentation

City Planner Anderson reviewed the staff report and recommendation to introduce Ordinance #17-17 to vacate the drainage and utility easement over, under, and across Outlot A, Estates of Silver Oaks.

Public Hearing

Mayor Strommen called the public hearing to order at 7:14 p.m.

Citizen Input

Jay Guimont, 5720 164th Avenue NW, asked why the easements are proposed to be removed, noting that his property is adjacent to the proposed development. He explained that the previous development that occurred caused drainage problems on his property and is concerned that continued development in this area will make the problems even worse.

City Planner Anderson explained that while it is proposed to vacate these underlying drainage and utility easements, new drainage and utility easements would be dedicated with the plat. He noted that the proposed plat has come forward and drainage and utility easements shown on the plat and would be recorded with that plat. He noted that he can provide a copy of Final Plat showing the proposed easements to the resident. He noted that the City Engineer has also reviewed the plans for stormwater management to ensure that the development would not cause problems on neighboring properties.

Mr. Guimont stated that he continues to have drainage problems from the last development and urged the City staff to ensure that the stormwater management will be sufficient before vacating any drainage and utility easements.

Mayor Strommen stated that City staff can follow-up with Mr. Guimont to provide additional information on the easements that would be dedicated with the Final Plat. She noted that the City Engineer could also have discussions with the resident to ensure that his drainage concerns with the previous development are also considered. She noted that the action tonight is to introduce the ordinance and therefore the item will still come back to the Council for adoption at a future meeting.

Councilmember Kuzma thanked Mr. Guimont for expressing his concerns, noting that the public hearing is the appropriate place for residents to express concerns with the proposed action.

Motion by Councilmember LeTourneau, seconded by Councilmember Kuzma, to close the public hearing.

Motion carried. Voting Yes: Mayor Strommen, Councilmembers LeTourneau, Kuzma, Johns, Riley, and Shryock. Voting No: None.

The public hearing was closed at 7:19 p.m.

Council Business

Motion by Councilmember Kuzma, seconded by Councilmember Johns, to introduce Ordinance #17-17 Vacating Drainage and Utility Easements on Outlot A Estates of Silver Oaks.

Further discussion: Mayor Strommen asked that staff report back to the Council when the case comes forward for adoption of the Ordinance to ensure the comments of the adjacent property owner have been addressed.

Motion carried. Voting Yes: Mayor Strommen, Councilmembers Kuzma, Johns, LeTourneau, Riley, and Shryock. Voting No: None.

7. COUNCIL BUSINESS

7.01: Consider Adopting Resolution #17-10-274 Accepting Quotes and Awarding Contract for Improvement Project #17-13, Potassium Street Cul-De-Sac Improvements

City Engineer Westby reviewed the staff report noting that in order to ensure that maintenance, service, and emergency response vehicles are able to turn around at the north end of Potassium Street within the near future, staff recommends adoption of Resolution #17-10-274 accepting quotes and awarding a contract to Dave Perkins Contracting, Inc. in the amount of $34,877 for Improvement Project #17-13, Potassium Street Cul-De-Sac Improvements. He noted that approving this option would also allow this matter to be resolved without incurring additional legal fees that would be required if the City were to seek a declaratory judgement through Anoka County District Court; however, anticipated legal fees associated with seeking a declaratory judgement on this matter could be much less than the cost to construct the temporary cul-de-sac.

Mayor Strommen asked if staff believes that Shade Tree Communities, LLC understands the time constraints the City is under.

City Engineer Westby replied that it was a quick email conversation and the timeline was not addressed. He stated that he did mention timing in his response and that he would provide an update to Shade Tree the following day.

Councilmember Kuzma referenced the funding of the project, which would come from the public improvement revolving fund and asked if that fund typically is used for this type of improvement.

City Engineer Westby stated that fund is used for unfunded or unexpected projects and therefore this would be a typical use.

Councilmember Kuzma asked the balance of the fund.

City Engineer Westby stated that he was not certain of the balance but noted that the balance is substantial, estimating over $500,000.

Councilmember Riley asked how the price of $1 per square foot was determined and whether that was included in the projected estimate for the project.

City Engineer Westby stated that is the high-end that the City would pay for easement and therefore staff would hope the easement cost would be less than that cost. He stated that the higher-end limit was included for proposed Council action in order to keep the project moving along but again hoped that the negotiation would come in lower.

Mayor Strommen provided the opportunity for the Schmitz's to speak and they declined. She referenced the counter-offers made by the Schmitz's and the cost change that would occur if the December 31st timeline is exceeded. She believed that the language of the motion should be clear to identify that timeline and noted that if the project is not complete by December 31st, the case should return to the Council.

Motion by Councilmember Johns, seconded by Councilmember LeTourneau, to Adopt Resolution #17-10-274 Accepting Quotes and Awarding Contract for Improvement Project #17-13, Potassium Street Cul-De-Sac Improvements contingent upon staff obtaining an easement, for the proposed cul-de-sac, from Shade Tree Communities LLC, in an amount not to exceed $1 per square foot and authorize staff to enter into a settlement agreement with the Schmitz's that in consider of an $8,050 contribution, the City will proceed with the project, retain any necessary easements upon the Schmitz's property, and negotiate a reasonable time for completion of December 31, 2017 (if not complete by that date the case shall return to the Council), subject to the review and approval of the City Attorney.

Motion carried. Voting Yes: Mayor Strommen, Councilmembers Johns, LeTourneau, Kuzma, Riley, and Shryock. Voting No: None.

~~7.02: Consider Introducing Ordinance #17-15 Vacating Pedestrian Trail Easement on Lot 6, Block 3, Wildlife Sanctuary Third Addition~~ (Item removed from the agenda)

~~7.03: Consider Adoption of Resolution Approving Drainage and Utility Easement Encroachment for Eave Overhangs in the Riverstone Subdivision; Case of Capstone Homes/Riverstone Development, LLC~~ (Item moved to be considered following 7.06)

7.04: Consider Adoption of Resolution #17-10-271 Accepting Feasibility Report and Ordering Public Hearing for Improvement Project #18-00, Stanhope Terrace Street Reconstructions

City Engineer Westby reviewed the staff report and recommendation to adopt Resolution #17-10-271 accepting the Feasibility Report and ordering a public hearing for November 14, 2017, for Improvement Project #18-00, Stanhope Terrace Street Reconstructions. He noted that this will allow the project to be constructed as part of the 2018 Street Maintenance Program and to allow for the use of special assessments to pay for a portion of the project costs per the applicable provisions of the City Charter, the City's Special Assessments Policy, and Minnesota Statute, Chapter 429.

Councilmember Riley asked if the City would be testing depths to ensure the correct amount of aggregate is provided.

City Engineer Westby noted that the City conducts that action with all projects, noting that there is a standard required and City staff does provide testing to ensure the appropriate result is provided to ensure consistent aggregate is provided to the City standard.

Motion by Councilmember Shryock, seconded by Councilmember Johns, to Adopt Resolution #17-10-271 Accepting the Feasibility Report and Ordering Public Hearing for Improvement Project #18-00 Stanhope Terrace Street Reconstructions.

Motion carried. Voting Yes: Mayor Strommen, Councilmembers Shryock, Johns, Kuzma, LeTourneau, and Riley. Voting No: None.

7.05: Consider Adoption of Resolution #17-10-272 Accepting Feasibility Report and Ordering Public Hearing for Improvement Project #18-01, North Forty Street Reconstructions

City Engineer Westby reviewed the staff report and recommendation to adopt Resolution #17-10-272 accepting the Feasibility Report and ordering a public hearing for November 14, 2017, for Improvement Project #18-01, North Forty Street Reconstructions. He noted that this will allow the project to be constructed as part of the 2018 Street Maintenance Program, and to allow for the use of special assessments to pay for a portion of the project costs per the applicable provisions of the City Charter, the City's Special Assessment Policy and Minnesota Statute, Chapter 429.

Motion by Councilmember Kuzma, seconded by Councilmember LeTourneau, to Adopt Resolution #17-10-272 Accepting Feasibility Report and Ordering Public Hearing for Improvement Project #18-01 The North Forty Street Reconstructions.

Motion carried. Voting Yes: Mayor Strommen, Councilmembers Kuzma, LeTourneau, Johns, Riley, and Shryock. Voting No: None.

7.06: Consider Adoption of Resolution #17-10-273 Accepting Updated Feasibility Report and Ordering Public Hearing for Improvement Project #17-02, River's Bend Street Reconstructions

City Engineer Westby reviewed the staff report and recommendation to adopt Resolution #17-10-273 accepting the updated Feasibility Report and ordering a public hearing for November 14, 2017, for Improvement Project #17-02, River's Bend Street Reconstructions. He noted that this will allow the project to be constructed as part of the 2018 Street Maintenance Program, and to allow the use of special assessments to pay for a portion of the project costs per the applicable provision of the City Charter, the City's Special Assessments Policy, and Minnesota Statute, Chapter 429.

Councilmember LeTourneau noted that this project was postponed in order to tie into the Stanhope project with an anticipated benefit related to economies of scale. He asked if there was actually a benefit received.

City Engineer Westby stated that the same contractor would perhaps bid all three projects and noted that while he would anticipate a benefit related to economies of scale that would be unknown until the bids are received.

Motion by Councilmember LeTourneau, seconded by Councilmember Shryock, to Adopt Resolution #17-01-273 Accepting Updated Feasibility Report and Ordering Public Hearing for Improvement Project #17-02 River's Bend Street Reconstructions.

Motion carried. Voting Yes: Mayor Strommen, Councilmembers LeTourneau, Shryock, Johns, Kuzma, and Riley. Voting No: None.

7.03: Consider Adoption of Resolution Approving Drainage and Utility Easement Encroachment for Eave Overhangs in the Riverstone Subdivision; Case of Capstone Homes/Riverstone Development, LLC

Community Development Director Gladhill reviewed the staff report and recommendation to adopt the resolution based on past practice and updates to overall City Code design standards over the winter.

Motion by Councilmember Riley, seconded by Councilmember Kuzma, to Adopt Resolution #17-10-278 Approving Drainage and Utility Easement Encroachments for Eave Overhangs in the Riverstone Subdivision.

Motion carried. Voting Yes: Mayor Strommen, Councilmembers Riley, Kuzma, Johns, LeTourneau, and Shryock. Voting No: None.

7.07: Consider Introducing Ordinance #17-18 Amending Street Names in the Riverstone Subdivision; Case of Capstone Homes/Riverstone Development, LLC

Community Development Director Gladhill reviewed the staff report and recommendation to introduce Ordinance #17-18 amending street names in the Riverstone subdivision.

Councilmember Johns asked if the public works and fire departments were asked for input on Snowy Owl and whether that would be an issue since Andover uses bird names. She also asked if the street names would carry over in other areas of the City.

Community Development Director Gladhill noted that the Public Works Committee had provided input throughout this process and Chief Katers has also been involved. He stated that there would not be a conflict with the use of these names as they do not exist in the other communities. He stated that the street names could be carried over throughout the City but noted that there is not a lot of developable area in this area of the grid that would use the same names.

Councilmember LeTourneau stated that the Council did agree with these name changes in concept in previous discussion.

Motion by Councilmember LeTourneau, seconded by Councilmember Johns, to introduce Ordinance #17-18 amending street names in the Riverstone subdivision.

Motion carried. Voting Yes: Mayor Strommen, Councilmembers LeTourneau, Johns, Kuzma, Riley, and Shryock. Voting No: None.

7.08: Consider Actions Related to Pearson Place (Project No. 16-31); Case of Development Consulting Services, LLC

a) Adopt Ordinance #17-10 Approving Zoning Amendment
b) Adopt Resolution #17-10-269 Granting Approval of Final Plat and Development Agreement for Pearson Place

City Planner Anderson reviewed the staff report and recommendation to approve the Final Plat and Zoning Amendment for Pearson Place, contingent upon compliance with the Staff Review Letter. He stated that the bulk standards of the R-1 district and the new Mississippi River Critical Corridor Area (MRCCA) district standards are generally met with this proposal with the exception of the use of private utilities rather than municipal sewer and water. He explained that the use of private utilities matches the existing development pattern on Bowers Drive and includes both primary and alternate locations for septic system on each lot. He stated that since this is a transition time between the existing MRCCA rules and the new MRCCA rules, staff would support the use of a PUD to address the difference in standards with the inclusion of the outlot that will serve as a buffer for the existing homes along Bowers Drive against potential development in the future. He noted that the Planning Commission also supports these actions.

John Dobbs, the applicant, stated that he agrees with all the comments made by City Planner Anderson. He stated that Capstone will most likely be the builder for the homes, which he is excited about.

Councilmember LeTourneau stated that he is a neighbor on the Bower's Drive cul-de-sac and the consensus is to support the project as this would be an adequate use of the property.

Motion by Councilmember LeTourneau, seconded by Councilmember Riley, to waive the City Charter requirement to read the ordinance aloud and adopt Zoning Amendment Ordinance #17-10 Amending Section 117-90 "Map" of Chapter 117 of the City Code of Ramsey, Minnesota.

Further discussion: Councilmember Johns stated that there are certain elements required for a PUD, including a 20 percent requirement for public open space, and asked if the buffer would help to establish that 20 percent. City Planner Anderson replied and confirmed that the buffer and corridor together would address the 20 percent requirement.

A roll call vote was performed by the Recording Secretary:

Councilmember Riley	aye
Councilmember Shryock	aye
Councilmember LeTourneau	aye
Councilmember Johns	aye
Councilmember Kuzma	aye
Mayor Strommen	aye

Motion carried.

Motion by Councilmember LeTourneau, seconded by Councilmember Johns, to Adopt Resolution #17-10-269 Granting Approval of the Final Plat and Development Agreement for Pearson Place.

Motion carried. Voting Yes: Mayor Strommen, Councilmembers LeTourneau, Johns, Kuzma, Riley, and Shryock. Voting No: None.

7.09: Preliminary Approvals Related to Proposed North Fork Meadows Subdivision; Case of Paxmar, LLC (Project No. 17-126)

1. **Introduce Ordinance #17-16 Approving a Conditional Zoning Amendment to Planned Unit Development**
2. **Adopt Resolution #17-10-276 Authorizing Conditional Rezoning Agreement**

Community Development Director Gladhill reviewed the staff report. He noted that Planning Commissioner Surma actually voted in support of the action and wanted to clarify that as the record did not reflect that action. He noted that when considering a recommendation, staff reviewed the concept again and the points raised during the first stages of review: consistency with the Comprehensive Plan; the need for a more compelling reason to amend the Comprehensive Plan, or leave as Low Density Residential (LDR); and the desire to create a more meaningful Density Transitioning Plan (DTP), with wider lots and deeper lots. He stated that considering those factors, staff feels that this is a reasonable compromise and would support the Planning Commission and City Council in approving this project. He noted that as a reminder, the City is not obligated to approve the project and this is a policy level decision that requires direction from the City Council.

Councilmember Kuzma asked the potential consequences could result from this action.

Community Development Director Gladhill stated that this request would fall under the conditional rezoning request, which is acceptable to the City. He noted that the City Attorney provided input and did not feel that this would be contract rezoning. He stated that the applicant can also provide input on why they would want the conditional rezoning before spending the large amount that will be required to move through the process for this proposed development.

Alan Roessler, Paxmar, stated that they have spoken with the Council, Planning Commission, and the neighborhood in previous meetings. He stated that they have significantly changed their proposal throughout this process in attempt to appease all parties. He noted that the current proposal would include 97 units, would not require a Comprehensive Plan amendment, would fit within the R-1 zoning standards and density, would provide a buffer zone and the required buffer zone plantings, and would provide the trail easement for the greenway corridor. He reviewed the concerns that they heard from adjacent residents about the original development proposal and reviewed the related elements that were made to the plan to address those concerns. He stated that there were some comments expressed by residents at the meeting of the Planning Commission expressed that they would like the property to simply develop under R-1. He noted that the properties along the eastern border match the R-1 lot width and therefore the views of those neighbors will be the same regardless.

Councilmember Kuzma asked why the zoning amendment is requested prior to the Preliminary Plat.

Mr. Roessler replied that the Preliminary Plat is the most expensive part of the preparation process. He stated that they would not want to spend that $200,000 without some assurance that the requested density for the project would be allowed, as that item would be the deciding factor in whether the project would be financially viable.

Councilmember Riley stated that staff identified some risks to rezoning prior to the project and asked if there are also tools in place that would appease those concerns.

Community Development Director Gladhill confirmed that there are tools in place that require the necessary protection. He noted there will also be an additional agreement recorded through this process to ensure that what is agreed upon is provided.

Councilmember Johns asked if the buffer would become City property. She referenced the greenway corridor and noted that it was mentioned that is off this plat and asked for additional details.

Community Development Director Gladhill confirmed that the greenway corridor is off this plat but will become a part of the plat during this process. He stated that the City will not own the buffer area. He stated that the depth for R-1 is not met by the eastern boundary lots and wanted to ensure that it is clear that is part of the PUD. He stated that a separate easement would be placed over the buffer, similar to what occurred with the Woodlands development.

Councilmember Shryock asked for information on the lot depth and buffer that would exist between the existing homes and the proposed development.

Mayor Strommen stated that she does not feel that she has enough information on whether the public benefit being received is commensurate for the additional lots. She appreciated the compromises that have occurred thus far but noted that she is not using that original request as the starting point but instead is using the existing City standards as the starting point with this proposal as the comparison. She stated that typically the open space being provided for a PUD is within the same plat. She noted that a lot of the open space is wetland and the trail corridor and therefore she is not sure if that is of equal benefit or whether that would be gained through park dedication under normal development of this property. She stated that she is on board with the process of a greenway corridor but she was unsure if that is something that would only be provided in this proposal or whether that would come in through the development of this area. She stated that the language states that the permittee controls the greenway land but the owner actually controls the land. She did not feel that she had enough information to make a decision on this. She stated that the eastern boundary should meet the design standards of the R-1 zoning district and was still unsure that the public benefit is equal to the additional density and flexibility being provided. She noted that the decision needs to be made as to whether the deviation from the Comprehensive Plan and zoning standards is equal to the public benefit that would be provided.

Community Development Director Gladhill noted that the item was reviewed by the Park Commission and noted that minutes from that meeting can come back to the Council when this is discussed again. He asked if there is conceptual consensus with this proposal.

Mayor Strommen stated that she does not have enough data to move forward in a concept. She stated that she does not see the comparable data and is not comfortable moving forward without that input from the Park Commission and Environmental Policy Board (EPB).

City Planner Anderson stated that the EPB reviewed this information at their October meeting and generally supported the proposal. He noted that the group focused on density transitioning and did support the public benefit of securing the land for the greenway corridor. He noted that the group did not discuss the upland/wetland ratio.

Councilmember Shryock stated that she also shared the concern of Mayor Strommen and agreed that the Park Commission would discuss whether to accept land or funds for park dedication and therefore she wondered whether this would be provided under normal development.

Councilmember Riley stated that he was unsure if the greenway would become part of the plat.

Community Development Director Gladhill stated that the greenway could be included as an outlot as part of the plat itself.

Councilmember Riley stated that these are two very different issues of park dedication and the public areas that would be gained.

Community Development Director Gladhill agreed that if this is accepted as the public benefit, he would feel that the next iteration would need to show the park dedication in addition to this public benefit.

Mr. Roessler stated that they would not be contributing park land and would pay park dedication in addition to the greenway and trail contribution. He explained that the density was determined by reviewing the property values of the existing homes in the area and the values proposed by Capstone. He explained that they would need to match the values of the surrounding area and would not want to be a "unicorn" in terms of pricing in that area. He stated that if you were to develop the property at the R-1 standards throughout the development, the prices would far exceed the values of the neighboring developments and therefore they attempted to provide a range of units that would fall around that range.

Councilmember Johns stated that if this is going to move on as a PUD she would like to see additional public benefit provided above the greenway. She agreed that there are additional details that need to be provided before this moves forward.

Mr. Roessler replied that the 45-foot buffer is without the berm and therefore the density transitioning berm can be created and the difference in the lot depth would only fall five feet short of the R-1 requirement.

Mayor Strommen stated that while that would help to know that, she still does not feel that there is sufficient information to make this decision.

Councilmember LeTourneau stated that there seems to be too much moving around in this discussion. He stated that the attempt is to try to develop land in the community that will increase the population and could result in additional benefits to the City, such as bringing in additional service businesses. He stated that the input of the neighboring residents has been provided and considered throughout this process. He stated that the addition of the greenway was a little late in the game and is somewhat separate from the reason of this request. He stated that he is willing to take a bit of a risk to conceptually approve the PUD today so that the Council can learn more about it tomorrow. He stated that while he does not want to dismiss the concerns brought forth tonight, he also wanted to remind the Council of their purpose tonight. He stated that he would like the Council to accept that there is still a lot of work to do and this would be taking a step, in good faith, to continue to work on this development.

Mayor Strommen stated that she did not feel that she would not be able to support this request but stated that she did not have enough information. She stated that in order to approve a PUD there has to be a public benefit provided and therefore she is attempting to determine if this public benefit is commensurate for the flexibility requested. She stated that her starting place for review is what is allowed today and then weighing that against what is being asked for and what is being received in terms of public benefit in return. She stated that this site will develop eventually. She appreciated that she and Councilmember LeTourneau are coming from different points of view.

Councilmember LeTourneau stated that he also appreciates the different points of view and noted that he also agrees that there would be additional information required but felt that this would be the first step.

Community Development Director Gladhill asked for the input the Council would like to receive before this comes back.

Councilmember Shryock stated that she would like to see a comparison of what would be provided through normal development of this property and then a comparison of what would be provided through this proposal.

Councilmember Kuzma asked for input on the timeline of the developer.

Mr. Roessler provided input on the timeline for the potential project. He noted that there is flexibility but advised that delaying action for one month could delay the construction from April to May.

Motion by Councilmember Kuzma, seconded by Councilmember Johns, to direct this case to go back before the appropriate Commissions/Boards for additional input for the Council to review.

Further discussion: Councilmember LeTourneau asked what would result from the Commissions/Boards reviewing this request again. Community Development Director Gladhill summarized the discussion points that were made tonight, noting that staff would attempt to develop a proforma that the Commissions/Boards could review to determine what would be provided under normal development compared to this proposal. Mr. Roessler stated that he would have concern spending funds on a survey if this is not going to move forward. Mayor Strommen noted that this would not have be a formal survey and provided additional details noting that the City's corridor map could be used.

Motion carried. Voting Yes: Mayor Strommen, Councilmembers Kuzma, Johns, LeTourneau, and Shryock. Voting No: Councilmember Riley.

7.10: Consider Filling Vacancies on Commissions, Committees, and/or Boards Created by Resignation of Councilmember Williams

Asst. City Administrator/Economic Development Manager Brama reviewed the staff report and recommendation to ratify Mayor Strommen's appointment of Councilmember LeTourneau to serve as the representative for the EDA with Councilmember Johns to serve as the alternate, and to delay filling the other vacancies until the Council vacancy is filled.

Motion by Councilmember Kuzma, seconded by Councilmember Riley, to ratify Mayor Strommen's appointment of Councilmember LeTourneau to fill the vacancy on the Economic Development Authority and Councilmember Johns to fill the position of alternate.

Motion carried. Voting Yes: Mayor Strommen, Councilmembers Kuzma, Riley, Johns, LeTourneau, Riley, and Shryock. Voting No: None.

7.11: Consider Adoption of Resolution #17-10-279 Amending Policy for Donation of Surplus Equipment to a Nonprofit Organization

Police Chief Katers reviewed the staff report and recommendation to replace the definition of "surplus equipment" in the City of Ramsey Donation of Surplus Equipment Policy to include the following language:

A. Any tangible property or furnishings which are owned, retained, or in possession of City operated departments or facilities. It specifically includes equipment that is no longer needed by the City departments.
B. Unclaimed, lost, or confiscated property which has been retained by the Police Department for over 90 days. This shall include, but is not limited to, unclaimed bicycles and other non-evidentiary items.
C. Equipment or property obtained through administrative or judicial criminal forfeiture under Minnesota State Statutes 169A.63 or 609.5315 cannot be deemed surplus property and thus municipalities are prohibited from donation and restricted on the sale of such property.

He stated that included in the case is a strike-through version of the policy which identifies the language proposed to be added and deleted.

Motion by Councilmember Kuzma, seconded by Councilmember Johns, to Adopt Resolution #17-10-279 Amending Policy for Donation of Surplus Equipment to a Non-Profit Organization.

Motion carried. Voting Yes: Mayor Strommen, Councilmembers Kuzma, Johns, LeTourneau, Riley, and Shryock. Voting No: None.

8. MAYOR, COUNCIL AND STAFF INPUT

Asst. City Administrator/Economic Development Manager Brama announced upcoming meetings and events.

Councilmember Riley noted that the School District is having an election on November 7th and encouraged residents to become informed voters and vote.

Mayor Strommen noted that a long-time resident and City contributor Bruce Bacon recently passed away. She stated that she has been touched by the many stories she has heard about him.

9. ADJOURNMENT

Motion by Councilmember Kuzma, seconded by Councilmember LeTourneau, to adjourn the meeting.

Motion carried.

The regular meeting of the City Council adjourned at 9:17 p.m.

Respectfully submitted,

_____
Kurtis G. Ulrich
City Administrator

ATTEST:

_____
Jo Ann M. Thieling
City Clerk

Drafted by Amanda Staple
TimeSaver Off Site Secretarial, Inc.

CC Regular Session **4. 3.**

Meeting Date: 11/14/2017

By: JoAnn Shaw, Community Development

Information

Title

Approve Rental Licenses

Purpose/Background:

Purpose: The purpose of this case is to approve rental license requests for 2017.

Background: Detached Single-Family Homes and Attached Single-Family Homes (townhomes, duplexes, etc.) are required to obtain a license (registration), but are not subject to inspections (unless the City has sufficient evidence of a violation of City Code).

Multi-Family Units (apartments, condos, etc.) will continue to be subject to the license and inspection program as required today, but the inspection frequency will be reduced.

New license application requests are attached for Council approval.

Recommendation:

Staff recommends approval of license applications.

Action:

Motion to approve rental license applications.

Attachments

Rental Licenses

Form Review

Inbox	Reviewed By	Date
Kurt Ulrich	Kurt Ulrich	11/09/2017 11:32 AM
Form Started By: JoAnn Shaw		Started On: 11/08/2017 08:51 AM
Final Approval Date: 11/09/2017		

Report Name: Rental License - License Types
Council Dates: 11/14/2017 to 11/14/2017
Status: Active, Inactive
License Type(s): Rental, Rental-Type I-3 Year, Rental-Type II-2 Year, Rental-Type III-1 Year, Rental-Type IV-6 Months, Rental-Type IV-Pending

City of Ramsey
Rental License - License Types

Company	Location	Complex	Exp. Date	Council Date	Statu
Rental					
Thomas Hunt	6881 137th Ave NW		11/14/2020	11/14/2017	A
Thomas Hunt	6870 139th La NW #2		11/14/2020	11/14/2017	A
Thomas Hunt	7305 147th Ter NW		11/14/2020	11/14/2017	A
Success by MOXI, LLC	7815 156th Ave NW		11/14/2020	11/14/2017	A
Fieldhouse Properties, Inc.	7346 Bunker Lake Blvd NW		11/14/2020	11/14/2017	A
Corey Hollister	7239 E Ramsey Pkwy		11/14/2020	11/14/2017	A
Fieldhouse Properties, Inc.	14640 Rhinestone St NW		11/14/2020	11/14/2017	A
Weidner Property Managment	7700 Sunwood Dr NW	Residence at the COR	11/14/2020	11/14/2017	A

Rental License Count: 8

Total Licenses: 8

CC Regular Session **4. 4.**

Meeting Date: 11/14/2017

Submitted For: Patrick Brama, Administrative Services

By: Patrick Brama, Administrative Services

Information

Title:

Approve CBRE Real Estate Listing Contract: Amendment #3

Purpose/Background:

PURPOSE

The purpose of this case is to approve the attached Listing Agreement Amendment #3 with CBRE. Changes summarized below.

(1) Former BA Cylinder site added to listing agreement.
No other changes made.

Notification:

NA

Observations/Alternatives:

(1) Former BA Cylinder site added to listing agreement.

This site was a part of the original CBRE contract. Staff accidently took it off as part of the last contract amendment (#2). Staff would like to update the CBRE contract accordingly. Staff would note, CBRE has seen strong interest for this parcel from a commercial user.

NOTE: McDonald's parcel review with EDA.

As the EDA/ Council knows, the city recently took back possession of the former McDonald's site. Staff would like to update the CBRE contract accordingly. Staff would note, both staff and CBRE have been working with multiple prospects on this site. At the EDA meeting on 11/09, it was requested this specific listing not be added to the CBRE contract, and it be brought back to the EDA for further discussion. Therefore, the former McDonald's site is NOT included in the attached amendment.

Funding Source:

NA

Recommendation:

Staff is generally supportive of this amendment. The proposed change is consistent with past discussions. No other changes are being made (including term). The EDA reviewed this case on 11/09, with three total EDA members in attendance. Informal direction from the EDA was to adopt the attached amendment.

Action:

Motion to recommend the City Council:

Approve the attached Listing Agreement Amendment #3.

Attachments

Amendment 3
Amendment 2
Amendment 1
Original Contract
Listings

Form Review

Inbox	Reviewed By	Date
Kurt Ulrich	Kurt Ulrich	11/09/2017 02:23 PM
Form Started By: Patrick Brama		Started On: 11/07/2017 08:31 AM
Final Approval Date: 11/09/2017		

AMENDMENT #3 TO LISTING AGREEMENT

CBRE, INC.
BROKERAGE AND MANAGEMENT
LICENSED REAL ESTATE BROKER

November _____, 2017

This is a third Amendment to the Exclusive Sales Listing Agreement ("Listing Agreement") dated January 28, 2014, between the CITY OF RAMSEY and the RAMSEY HOUSING & REDEVELOPMENT AUTHORITY ("Owner") and CBRE, INC. ("Broker") for the real property described in Exhibit A.

Owner and Broker hereby agree to amend the Listing Agreement as follows:

1. That Exhibit A of the original Listing Agreement shall be amended as described on page two.

2. Except as expressly set forth in this Amendment, the Listing shall remain in full force and effect.

BROKER:

CBRE, Inc.
Licensed Real Estate Broker

By: _____
Blake R. Hastings
Title: Managing Director

Address: 1900 LaSalle Plaza
800 LaSalle Avenue
Minneapolis, MN 55402

Telephone: (952) 924-4600

Date: _____

OWNER:

CITY OF RAMSEY

By: _____
Sarah Strommen
Title: Mayor

By: _____
Kurt Ulrich
Title: City Administrator

Address: 7550 Sunwood Drive NW
Ramsey, MN 55303

Telephone: (763) 427-1410

Date: _____

EXHIBIT A – LISTED PROPERTIES

- #06: 283225410081 (old muni center site, Phase II, under contract with GS Land)
- #08: 253225430043 (former amoco) 5195 142nd Ave NW
- #11: 113225430004 (water tower) 16600 St Francis Blvd
- #37: 273225330006 (former BA Cylinder site) 14165 Ramsey Blvd NW
- #40: 343225130005 (former bookstore) 6710 Highway 10 NW
- #42: 283225230013, 283225230011, (west side of COR, former McDonald's sites)
- #45: 293225140009, 293225140010, 293225140013, 293225140014 (NW of Armstrong interchange)
- #46: 283225220058 (NW corner of COR, large retail pad)
- #48: 283225240009, 283225240011, 283225240010, 283225240013, 28322540012, 28322524003 (partial), 283225240008 (partial) (NW COR-1 and COR-2)
- #47: 283225230010 (COR west of common bond, includes Stone Brook proposal)
- #50: 283225410020 (COR east, office park area near Casey's)
- #51: 283225140094 (NE corner of The COR near bunker, residential)
- #52: 283225240005, 283225130034, 283225130033 (Aeon and the keyhole, north central COR)

Change Log

~~RED~~ – removed from Exhibit A, null/void.

GREEN – added
(due new PIDs, split PIDs, or missing PIDs)

AMENDMENT #2 TO LISTING AGREEMENT

CBRE, INC.
BROKERAGE AND MANAGEMENT
LICENSED REAL ESTATE BROKER

July 25, 2017

This is an Amendment to the Exclusive Sales Listing Agreement ("Listing Agreement") dated January 28, 2014, between the CITY OF RAMSEY and the RAMSEY HOUSING & REDEVELOPMENT AUTHORITY ("Owner") and CBRE, INC. ("Broker") for the real property described as: please see attached Exhibit A.

Owner and Broker hereby agree to amend the Listing Agreement as follows:

1. That the Listing Agreement Term be extended for another period commencing July 31, 2017 and ending midnight July 30, 2018.

2. The early cancellation option, outlined in Paragraph 1 in the original Listing Agreement, shall be amended from 90 days to 30 days with written notice.

3. In accordance with Paragraph 5 of the original Listing Agreement, Broker must submit the "protective list" to the Owner before this second amendment is executed.

4. Except as expressly set forth in this Amendment, the Listing shall remain in full force and effect.

BROKER:

CBRE, Inc.
Licensed Real Estate Broker

By: _____
Blake R. Hastings
Title: Managing Director

Address: 1900 LaSalle Plaza
800 LaSalle Avenue
Minneapolis, MN 55402

Telephone: (952) 924-4600

Date: _____

OWNER:

CITY OF RAMSEY

By: _____
Sarah Strommen
Title: Mayor

By: _____
Kurt Ulrich
Title: City Administrator

Address: 7550 Sunwood Drive NW
Ramsey, MN 55303

Telephone: (763) 427-1410

Date: _____

EXHIBIT A – LISTED PROPERTIES

1. 253225430043 (former amoco)
2. 113225430004 (water tower)
3. ~~273225440003~~ (small industrial, issues) [removed from Exhibit A]
4. ~~063225140009~~ (sold, remnant residential, windsorwood) [removed from Exhibit A]
5. ~~273225330006~~ (ramsey blvd industrial, issues) [removed from Exhibit A]
6. 343225130005 (former bookstore)
7. ~~283225220011, 283225220013~~ (both PIDs don't exist) [removed from Exhibit A]
8. ~~353225310018~~ (former condemned residential, sold) [removed from Exhibit A]
9. 283225220058 (NW corner of COR)
10. ~~2832255230010, 283225310019~~ (both PIDs don't exist) [removed from Exhibit A]
11. ~~283225240009~~, 283225240009, 283225240011, 283225240010, 283225240013, 28322540012, 28322524003 (partial), 283225240008 (partial) (NW COR-1 and COR-2)
12. ~~283225420017, 283225420018~~ (psd COR-1 NE, sold) [removed from Exhibit A]
13. ~~283225410009~~ (both PID doesn't exist) [removed from Exhibit A]
14. 283225140094 (cor NE corner bunker)
15. 283225240005, 283225130034, 283225130033 (aeon and keyhole, N cor)
16. ~~283225210035, 283225210030~~ (u-shape and triangle, both sold) [removed from Exhibit A]
17. ~~North Commons, Four 9,000 sq. ft. Lots~~ (no PIDs, sold) [removed from Exhibit A]
18. 293225140009, 293225140010, 293225140013, 293225140014 (NW of armstrong interchange)
19. ~~293225140013, 293225140014~~ (double stated) [removed from Exhibit A]
20. ~~203225310003~~ (too small of parcel) [removed from Exhibit A]
21. 283225230013, 283225230011 (COR W, pad sites, retail)
22. 283225230010 (COR W of common bond)
23. 283225410020 (COR E office park)
24. 283225410081 (old muni center site)

~~RED~~ – removed from Exhibit A, null/void.

YELLOW – confirmed.

GREEN – added Exhibit A.
(due new PIDs, split PIDs, or missing PIDs)

AMENDMENT TO LISTING AGREEMENT

CBRE, INC.
BROKERAGE AND MANAGEMENT
LICENSED REAL ESTATE BROKER

January 24, 2017

This is an Amendment to the Exclusive Sales Listing Agreement ("Listing") dated January 28, 2014, between the CITY OF RAMSEY ("Owner") and CBRE, INC. ("Broker") for the real property described as: please see attached Exhibit A.

Owner and Broker hereby agree to amend the Listing as follows:

1. That the Listing Term be extended for another period commencing January 29, 2016 and ending midnight July 31, 2017.

2. All other terms and conditions remain the same.

Except as expressly set forth in this Amendment, the Listing shall remain in full force and effect.

BROKER:

CBRE, Inc.
Licensed Real Estate Broker

By: _____
Blake R. Hastings
Title: Managing Director

Address: 1900 LaSalle Plaza
800 LaSalle Avenue
Minneapolis, MN 55402

Telephone: (952) 924-4600

Date: _____

OWNER:

CITY OF RAMSEY

By: _____
Sarah Strommen
Title: Mayor

By: _____
Kurt Ulrich
Title: City Administrator

Address: 7550 Sunwood Drive NW
Ramsey, MN 55303

Telephone: (763) 427-1410

Date: _____

EXHIBIT A – LISTED PROPERTIES

1. 253225430043
2. 113225430004
3. 273225440003
4. 063225140009
5. 273225330006
6. 343225130005
7. 283225220011, 283225220013
8. 353225310018
9. 283225220058
10. 2832255230010, 283225310019
11. 283225240009 (partial), 283225240009, 283225240011, 283225240010, 283225240013, 28322540012
12. 283225420017,283225420018
13. 283225410009
14. 283225140094
15. 283225240005, 283225130034, 283225130033
16. 283225210035, 283225210030
17. North Commons, Four 9,000 sq. ft. Lots (no PIDs) (283225210033)
18. 293225140009, 293225140010
19. 293225140013, 293225140014
20. 203225310003

CBRE

EXCLUSIVE SALES LISTING AGREEMENT
CBRE, INC.
BROKERAGE AND MANAGEMENT

1. In consideration of the listing for sale the real property hereinafter described (the "Property") by CBRE, Inc. ("Broker") and Broker's agreement to use commercially reasonable efforts to effect a sale of same, the City of Ramsey and the Ramsey Housing & Redevelopment Authority ("Owner") hereby grants to Broker the exclusive right to list for sale the Property for a period commencing January 28, 2014, and ending midnight January 28, 2017. This agreement will be for three (3) years, with the option to cancel after Year One with a ninety (90) day written notice (with no penalty) by either party (the "Term"), at a price of the following terms, or such other terms, as owner may agree.

   The Properties are situated in the City of Ramsey, County of Anoka, State of Minnesota, is located at and is further described as (see Exhibit "A").

   References herein to the Property shall be understood to include portions of the Property.

2. **NOTICE: THE COMPENSATION FOR THE SALE, LEASE, RENTAL, OR MANAGEMENT OF REAL PROPERTY SHALL BE DETERMINED BETWEEN EACH INDIVIDUAL BROKER AND THE BROKER'S CLIENT.**
   Owner agrees to pay Broker a sales commission in accordance with Broker's Schedule of Sale and Lease Commissions (the "Schedule"), a copy of which is executed by Owner, attached hereto and hereby made a part hereof. This commission shall be earned for services rendered, if, during the Term: (a) the Property is sold to a purchaser procured by Broker, Owner, or anyone else; (b) any contract for the sale of the Property is entered into by Owner; (c) Property is transferred due to eminent domain or the threat thereof, foreclosure, or conveyance in lieu of foreclosure; (d) Owner contributes or conveys the Property to a partnership, joint venture, or other business entity; or (e) Owner is a corporation, partnership, or other business entity and an interest in such corporation, partnership or other business entity is transferred, whether by merger, outright purchase, or otherwise, in lieu of a sale of the Property. Broker is authorized to cooperate with and to share its commission with other licensed real estate brokers, regardless of whether said brokers represent prospective purchasers (hereinafter "Cooperating Brokers") or assist Broker.

3. As used in this Agreement the term "sale" shall include an exchange of the Property, and also the granting of an option to purchase the Property. Owner agrees that in the event such an option is granted, Owner shall pay Broker a sales commission in accordance with the Schedule on the price paid for the option and for any extensions thereof. This commission shall be paid upon receipt by Owner of any such payment(s). In the event such an option is exercised, either during the term or within one year thereafter, Owner shall also pay Broker a sales commission on the gross sales price of the Property, in accordance with the Schedule. Notwithstanding the foregoing, to the extent that all or part of the price paid for the option or any extension thereof is applied to the sales price of the Property, then any commission previously paid by Owner to Broker on account of such option payment(s) shall be credited against the commission payable to Broker on account of the exercise of the option.

4. Owner further agrees that Owner shall pay Broker a commission in accordance with the Schedule, if, within one hundred eighty (180) calendar days after the expiration or termination of the Term (the "Override Period"), the Property is sold to, or Owner enters into a contract of sale of the Property with any person or entity (including his/her/its successors, assigns or affiliates) with whom Broker has negotiated (either directly or through another broker or agent) or to whom the Property has been submitted prior to the expiration or termination of the Term. Broker is authorized to continue negotiations with such persons or entities. Broker agrees to submit a protective list of such persons or entities to Owner within seventy-two (72) hours following the expiration or termination of the Term as required by M.S.A. §82.21. The protective list may include only persons who have, during the Term, either made an affirmative showing of interest in the Property by responding to an advertisement or by contacting Broker or has been physically shown the Property by Broker, provided, however, that if a written offer has been submitted it shall not be necessary to include the offeror's name on the list. The parties on the protective list must acknowledge in writing that the Property has been presented to such party. The submitted list will include submitted offers, groups currently under contract, and groups identified on the CBRE monthly update list.

5. Broker agrees Owner shall not pay Broker commission fees in accordance with the Schedule, if, within one hundred eighty (180) calendar days after commencement of this Exclusive Sales Listing Agreement, Property is sold to, or Owner enters into a contract of sale of Property with any person or entity as indicated in Appendix B.

6. Owner further agrees that (a) if a lease of the Property is entered into during the Term by anyone, or (b) if, during the Override Period, the Property is leased to, or owner enters into a contract to lease the Property with, or negotiations continue, resume or commence and thereafter continue leading to the lease of the Property to any person or entity (including his/her/its successors, assigns or affiliates) with whom Broker has negotiated (either directly or through another broker or agent) or to whom the Property has been submitted prior to the expiration or termination of the Term, Owner shall pay Broker a leasing commission in accordance with the Schedule.

   IF YOU RELIST WITH ANOTHER BROKER WITHIN THE OVERRIDE PERIOD AND THEN SELL YOUR PROPERTY TO ANYONE WHOSE NAME APPEARS ON THIS LIST, YOU COULD BE LIABLE FOR FULL COMMISSIONS TO BOTH BROKERS. IF THIS NOTICE IS NOT FULLY UNDERSTOOD, SEEK COMPETENT ADVICE.

7. Commissions shall be payable hereunder when earned or at the earlier of closing of escrow, recordation of the deed, lease execution, or taking of possession by the purchaser or tenant.

8. Check one of the following:

[ ] Owner agrees to have Broker arrange for closing services.
[x] Owner shall arrange for closing services to be provided by a third-party.

8. Unless otherwise provided herein, the terms of sale shall be, at the option of the purchaser, either cash or cash to any existing loan. Any offer may contain normal and customary contingencies such as those relating to the condition of the Property, title report, and timing of closing.

9. Owner shall reimburse Broker, monthly or upon request, for its direct out-of-pocket expenses reasonably incurred and approved by Owner in the preparation of the offering brochures required for print advertising, and for other activities involved in marketing the Property hereunder. The reimbursement for these expenses shall not exceed the sum of $0 Dollars ($__0_____). Except as expressly provided in this paragraph, all expenses incurred by Broker in the performance of its service shall be borne by Broker, not Owner.

10. Owner agrees to cooperate with Broker in bringing about a sale of the Property and to refer immediately to Broker all inquiries of anyone interested in the Property. All negotiations are to be through Broker. Broker is authorized to accept a deposit from any prospective purchaser and to handle it in accordance with the instructions of the parties unless contrary to applicable law. Broker is exclusively authorized to advertise the Property and, exclusively, to place a sign(s) on the Property if, in Broker's opinion, such would facilitate the sale of the Property. Owner and its counsel will be responsible for determining the legal sufficiency of any purchase and sale agreement and other documents relating to any transaction contemplated by this Agreement.

11. In the event the Property is removed from the market due to the opening of an escrow or acceptance of an offer to purchase the Property during the Term, or any extension thereof, and the sale is not consummated for any reason then, in that event, the Term shall be extended for a period of time equal to the number of days that the escrow had been opened and/or the Property had been removed from the market, whichever is longer, provided that, in no event shall such extension(s) exceed one hundred eighty (180) calendar days in the aggregate.

12. Owner agrees to disclose to Broker and to prospective tenants or purchasers any and all information which Owner has regarding present and future zoning and environmental matters affecting the Property and regarding the condition of the Property, including, but not limited to structural, mechanical and soils conditions, the presence and location of asbestos, PCB transformers, other toxic, hazardous or contaminated substances, and underground storage tanks in, on, or about the Property. Broker is authorized to disclose any such information to prospective purchasers or tenants.

13. Owner represents that it is the owner of the Property and that, except as may be set forth in an addendum attached hereto, no person or entity who has an ownership interest in the Property is a foreign person as defined in the Foreign Investment in Real Property Tax Act (commonly known as "FIRPTA").

14. If earnest money or similar deposits made by a prospective purchaser or tenant are forfeited, in addition to any other rights of Broker pursuant to this Agreement, Broker shall be entitled to one-half (1/2) thereof, but not to exceed the total amount of the anticipated commission.

15. To the extent permitted by applicable law, Broker is authorized to deduct its commissions from any deposits, payments or other funds, including proceeds of sale or rental payments, paid by a purchaser or tenant in connection with a transaction contemplated by this Agreement, and Owner hereby irrevocably assigns said funds and proceeds to Broker to the extent necessary to pay said commissions. Broker is authorized to provide a copy of this Agreement to any escrow or closing agent working on such transaction, and such escrow or closing agent, or tenant, is hereby instructed by Owner to pay Broker's commissions from any such funds or proceeds available. Owner shall remain liable for the entire amount of said commissions regardless of whether Broker exercises its rights under this paragraph.

16. Owner and Broker designate the individual(s) identified below as the legal agent(s) of Owner, to the exclusion of all other licensees of Broker (individually or collectively referred to as "Designated Agent(s)"). Owner acknowledges that Broker is a national brokerage firm and that in some cases it may represent prospective purchasers or tenants. Owner desires that the Property be presented to such persons or entities, and consents to any dual representation created in the event that such purchaser or tenant is also represented by Designated Agent(s). Designated Agent(s) shall not disclose the confidential information of one principal to the other.

Designated Agent(s); Brian Pankratz, Richard Palmiter, Krista Flemming

17. In the event that the Property comes under the jurisdiction of a bankruptcy court, Owner shall immediately notify Broker of the same, and shall promptly take all steps necessary to obtain court approval of Broker's appointment, unless Broker shall elect to terminate this Agreement upon said notice.

18. In the event that the Property becomes the subject of foreclosure proceedings prior to the expiration of this Agreement, then Broker may, in its sole and absolute discretion (i) suspend this Agreement until such time as Broker may elect, in its sole and absolute discretion, to reinstate this Agreement, or (ii) terminate this Agreement and be free to enter into a listing agreement with any receiver, the party initiating the foreclosure, the party purchasing the Property at a foreclosure sale, or any other person having an interest in the Property.

19. In the event Owner fails to make payments within the time limits set forth herein, then from the date due until paid, the delinquent amount shall bear interest at the four percent (4%) per year.

20. Each signatory to this Agreement represents and warrants that (s)he has full authority to sign this Agreement on behalf of the party for whom (s)he signs and that this Agreement binds such party.

21. This Agreement constitutes the entire agreement between Owner and Broker and supersedes all prior discussions, negotiations and agreements, whether oral or written. Owner and Broker each represent and warrant to the other that in entering into this Agreement, they are not relying upon any discussions, representations, understandings or agreements, other than the matters specifically stated herein. No amendment, alteration, cancellation or withdrawal of this Agreement shall be valid or binding unless made in writing and signed by both Owner and Broker. This Agreement shall be binding upon, and shall benefit, the heirs, successors, and assignees of the parties. In the event any clause, provision, paragraph or term of this Agreement shall be deemed to be unenforceable or void based on any controlling state or federal law, the remaining provisions hereof, and each part, shall remain unaffected and shall continue in full force and effect.

22. The parties hereto agree to comply with all applicable federal, state and local laws, regulations, codes, ordinances and administrative orders having jurisdiction over the parties, Property or the subject matter of this Agreement, including, but not limited to, the 1964 Civil Rights Act and all amendments thereto, the Foreign Investment In Real Property Tax Act, the Comprehensive Environmental Response Compensation and Liability Act, and The Americans With Disabilities Act. Owner and Broker agree that the Property will be offered in compliance with all applicable anti-discrimination laws.

The undersigned Owner hereby acknowledges receipt of a copy of this Agreement.

BROKER:

CBRE, Inc.
Licensed Real Estate Broker

By: _____
Richard Palmiter
Title: *Vice President*

By: _____
Brian Pankratz
Title: *Vice President*

Address: *4400 West 78th Street*
Suite 200
Minneapolis, MN 55435

Telephone: *(952) 924-4600*

Date: *1-28-14*

OWNER:

City of Ramsey

By: _____
Sarah Strommen
Title: *Mayor*

By: _____
Kurt Ulrich
Title: *City Administrator*

Address: *7550 Sunwood Drive NW*
Ramsey, MN 55303

Telephone: *763-427-1410*

Date: *January 28, 2014*

OWNER:

Ramsey Housing & Redevelopment Authority (HRA)

By: _____
Randy Backous
Title: *HRA Chair*

By: _____
Ted LaFrance
Title: *Executive Director*

Address: *7550 Sunwood Drive NW*
Ramsey, MN 55303

Telephone: *763-427-1410*

Date: *January 28, 2014*

CONSULT YOUR ADVISORS – This document has legal consequences. No representation or recommendation is made by Broker as to the legal or tax consequences of this Agreement or the transaction(s) which it contemplates. These are questions for your attorney and financial advisors.

Owner Marketing Approval

Property Name:	**City of Ramsey Land**
Property Address:	**(See Exhibit "A"), City of Ramsey, MN**
Broker(s):	**Brian Pankratz, Richard Palmiter, Krista Flemming**

I hereby authorize CBRE to actively market the above-referenced property with signage, spec sheets, brochures, postcards, company web page, MNCAR, Co-Star & Loopnet:

OWNER:

City of Ramsey

By: _____
Sarah Strommen
Title: *Mayor*

By: _____
Kurt Ulrich
Title: *City Administrator*

Date: *January 28, 2014*

OWNER:

Ramsey Housing & Redevelopment Authority (HRA)

By: _____
Randy Backous
Title: *HRA Chair*

By: _____
Ted LaFrance
Title: *Executive Director*

Date: *January 28, 2014*

© 2011 CBRE, Inc. The information about this property has been obtained from sources believed reliable. While we do not doubt its accuracy, we have not verified it and make no guarantee, warranty or representation about it. It is your responsibility to independently confirm its accuracy and completeness. Any projections, opinions, assumptions or estimates used are for example only and do not represent the current or future performance of the property. The value of this transaction to you depends on tax and other factors which should be evaluated by your tax, financial and legal advisors. You and your advisors should conduct a careful, independent investigation of the property to determine to your satisfaction the suitability of the property for your needs.

CBRE

SCHEDULE OF LAND SALE COMMISSIONS

CBRE, INC.
BROKERAGE AND MANAGEMENT
LICENSED REAL ESTATE BROKER

FOR PROPERTY: (See Exhibit "A")

NOTICE: THE COMMISSION RATE FOR THE SALE, LEASE, RENTAL, OR MANAGEMENT OF REAL PROPERTY SHALL BE DETERMINED BETWEEN EACH INDIVIDUAL BROKER AND ITS CLIENT.

As to all sales of real property, the commission shall be calculated on the basis of five percent (5%) of the gross sales price of the property paid to owners at closing. If a cooperative broker is involved, the total commission payable to Broker and cooperative Broker shall be calculated on the basis of seven percent (7%) of the gross sales price of the property paid to owners at closing. This commission shall be paid at the time of execution and delivery of the Deed; provided that if the transaction calls for a contract for deed, then upon execution of said contract. In the event a joint venture agreement is effected in lieu of a sale, then the commission shall be calculated on the basis of the value of the property as determined for purposes of the joint venture agreement and the percentage of interest thereof which is being conveyed to the new joint venture partners and the commission in this event shall be paid upon execution of the joint venture agreement.

The minimum gross sale price for industrial and office land, for the purpose of calculating CBRE's commission only, shall be $2.00 per square foot. CBRE shall receive a minimum fee of $5,000.00 for the sale of any residential parcel of land greater than $45,000; and, a minimum fee of $3,500.00 for the sale of any residential parcel of land less than or equal to $45,000.

The provisions hereof are subject to the terms and provisions of any Authorization of Sale, Exclusive Leasing Agreement or other agreement to which this Schedule may be attached and which is executed by the parties hereto.

In the event Owner fails to make payments within the time limits called for herein, then from the date due until paid, the delinquent payment shall bear interest at four percent per year. In addition, should it become necessary for CBRE to take legal action to collect payments due hereunder, and if CBRE prevails in such action, Owner shall pay all reasonable attorneys fees and court costs incurred by CBRE in connection therewith.

The undersigned Owner hereby acknowledges receipt of a copy of this Schedule and further agrees that it shall be binding upon the heirs, successors and assigns of the undersigned. The term "Owner", when used herein, shall be deemed to mean the owner of the property, a tenant under a ground lease, and any tenant desiring to effect subleases.

APPROVED this 28th day of January, 2014

CBRE, Inc.
Licensed Real Estate Broker

By: _____
Richard Palmiter
Title: Vice President

By: _____
Brian Pankratz
Title: Vice President

OWNER:
City of Ramsey

By: _____
Sarah Strommen
Its: Mayor

By: _____
Kurt Ulrich
Its: City Administrator

OWNER:
Ramsey Housing and Redevelopment Authority (HRA)

By: _____
Randy Backous
Its: HRA Chair

By: _____
Ted LaFrance
Its: Executive Director

Exhibit A

Exclusive Sale Listing Agreement:
Property Listing Descriptions

Parcels to be listed for sale by CBRE

Property Identification Number (PID)	Unique Ramsey Identification Number
1. 253225430043	08
2. 113225430004	11
3. 273225440003	28
4. 063225140009	34
5. 273225330006	37
6. 343225130005	40
7. 283225220011, 283225220013	42
8. 353225310018	44
9. 283225220058	46
10. 2832255230010, 283225310019	47
11. 283225240009 (partial), 283225240009, 283225240011, 283225240010, 283225240013, 28322540012	48
12. 283225420017, 283225420018	49
13. 283225410009	50
14. 283225140094	51
15. 283225240005, 283225130034, 283225130033	52
16. 283225210035, 283225210030	53
17. North Commons, Four 9,000 sq. ft. Lots (no PIDs) (283225210033)	54

Exhibit B

Exclusive Sale Listing Agreement:
Owner Prospect List

Parcels CBRE receives no regular commission fees in accordance with the Schedule, during the first six months of the executed Exclusive Listing Agreement, if said properties are sold to the following prospect buyers (July 28, 2014).

Property Identification Number (PID)	Ramsey ID	Prospect Buyer
15. North Commons, Four Lots (no PIDs)	54	Greg Bauer Trilogy Homes, Inc. 9340 Highway 10 NW Ramsey, MN 55303
4. 063225140009	34	Nathan Gunn Homes of Influence, LLC 14228 Vintage Street NW Andover, MN 55304 Nathan Gunn Foundational Realty, LLC 14228 Vintage Street NW Andover, MN 55304
6. 283225220011, 283225220013	42	Casey's General Store, Inc. One Convenience Boulevard Ankeny, IA 50021
8. 353225310018	44	Nathan Gunn Homes of Influence, LLC 14228 Vintage Street NW Andover, MN 55304 Nathan Gunn Foundational Realty, LLC 14228 Vintage Street NW Andover, MN 55304
12. 283225410009	50	Casey's General Store, Inc. One Convenience Boulevard Ankeny, IA 50021

See paragraph 5 of Exclusive Listing Agreement for details.

City of RAMSEY

LAND PARCELS OFFERING MEMORANDUM

CBRE

TABLE OF CONTENTS

EXECUTIVE SUMMARY.....3

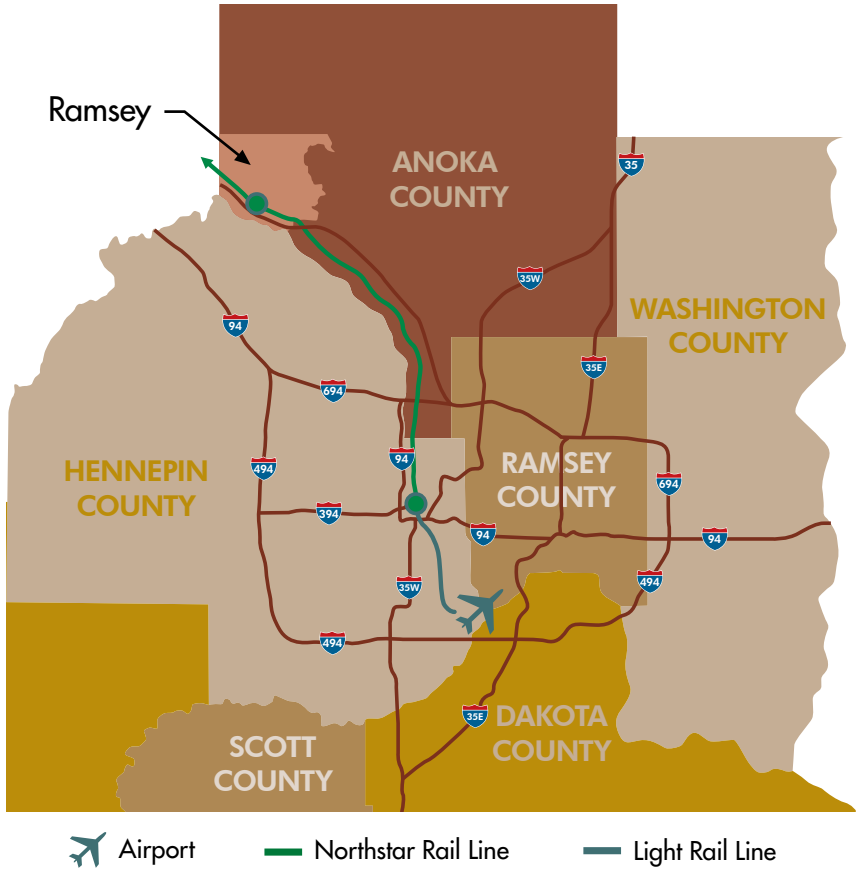
PARCEL LISTINGS.....4

CITY OF RAMSEY.....5

THE COR.....11

HWY 10/ARSMSTONG BLVD REALIGNMENT.....15

NORTHSTAR COMMUTER RAIL.....16



DISCLAIMER
© 2016 CBRE, Inc. The information contained in this document has been obtained from sources believed reliable. While CBRE, Inc. does not doubt its accuracy, CBRE, Inc. has not verified it and makes no guarantee, warranty or representation about it. It is your responsibility to independently confirm its accuracy and completeness. Any projections, opinions, assumptions or estimates used are for example only and do not represent the current or future performance of the property. The value of this transaction to you depends on tax and other factors which should be evaluated by your tax, financial and legal advisors. You and your advisors should conduct a careful, independent investigation of the property to determine to your satisfaction the suitability of the property for your needs.

EXECUTIVE SUMMARY

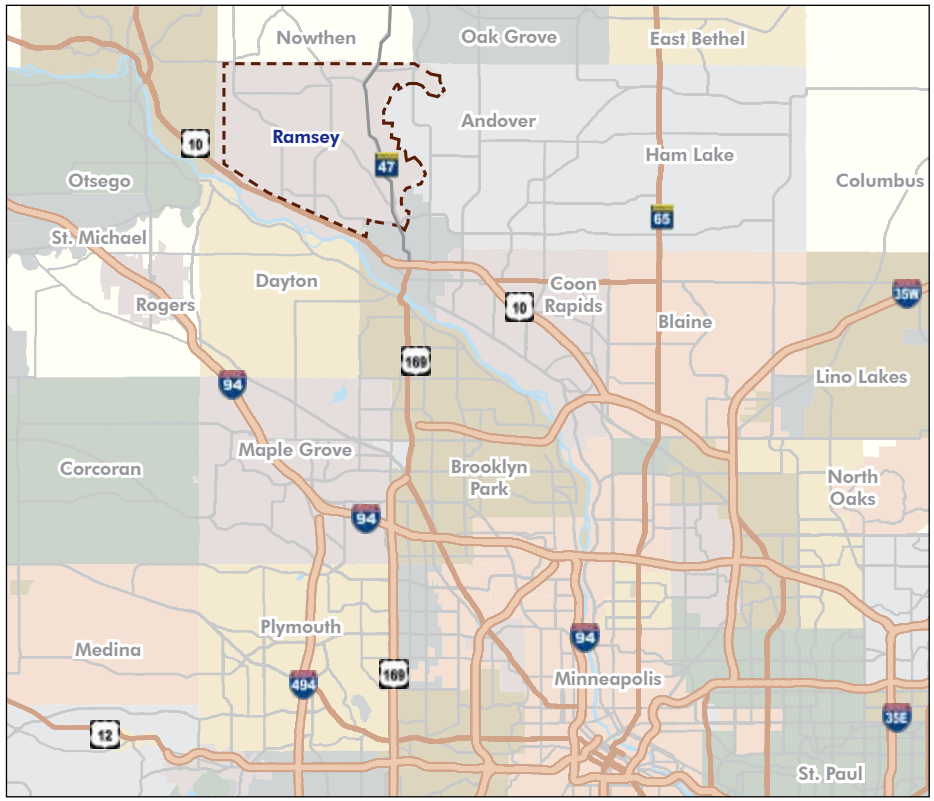
CITY OF RAMSEY OVERVIEW

Ramsey is a northwestern Twin Cities suburb in Anoka County with an estimated 2015 population of 25,580., and is the second-fastest growing city in Anoka County. It is 28 square miles with 15% wetlands, 565 acres park and open space, and bordered by the Rum and Mississippi Rivers. The City is also known for its unique COR development that encompasses over 400 acres of residential, commercial, retail, educational and recreational uses. The COR is the Twin Cities' first and only mixed-use development on the Northstar Commuter Line that services downtown Minneapolis, and offers a unique transit oriented development providing easy access to home, work, and neighborhood services. Highways 10/169 and 47 are two larger transportation routes.

As of the census of 2010, there were 23,668 people, 8,033 households, and 6,484 families residing in the city of Ramsey. The population density was 821.5 inhabitants per square mile (317.2/km2). There were 8,302 housing units at an average density of 288.2 per square mile (111.3/km2).

There were 8,033 households of which 43.9% had children under the age of 18 living with them, 67.6% were married couples living together, 8.5% had a female householder with no husband present, 4.6% had a male householder with no wife present, and 19.3% were non-families. 13.7% of all households were made up of individuals and 3% had someone living alone who was 65 years of age or older. The average household size was 2.95 and the average family size was 3.24.

The median age in the city was 34.9 years. 28.7% of residents were under the age of 18; 7.8% were between the ages of 18 and 24; 29.4% were from 25 to 44; 27.4% were from 45 to 64; and 6.7% were 65 years of age or older. The gender makeup of the city was 50.3% male and 49.7% female

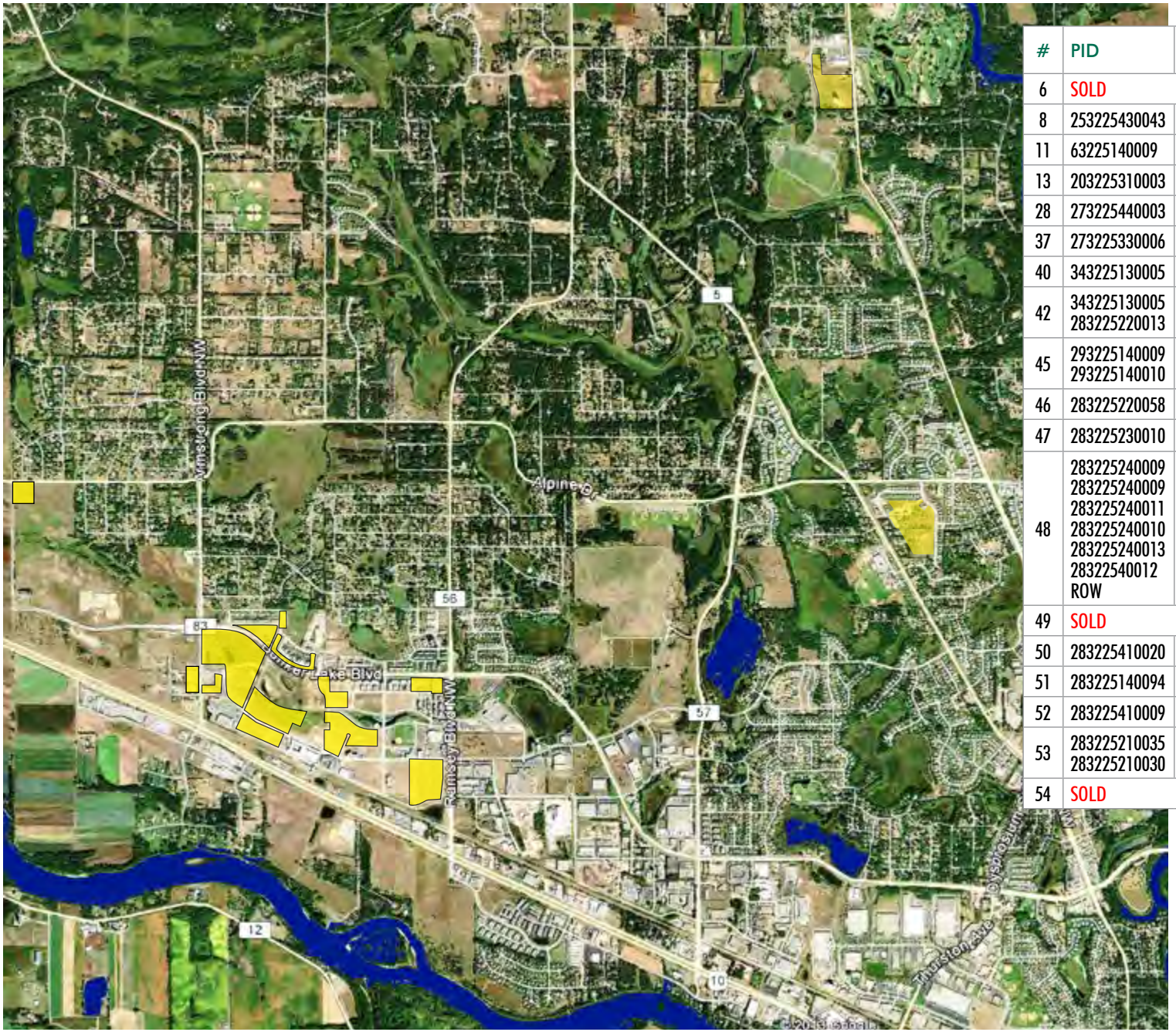


30 minutes to Downtown Minneapolis (±22 miles)

DEMOGRAPHICS, LIVABILITY, WORKFORCE

- 2015 Population 25,580
- Median Household Income: $83,115
- Anoka County Labor Force: 194,170
- Manufacturing hub: 33% of businesses in Ramsey; second highest percentage in Anoka County
- Nearly 1,300 businesses & non-profit organizations; more than 6,000 jobs
- Top Minneapolis Suburb for young couples (movoto.com, 2015)
- Home to the Game Fair, The Draw Event Series, and Happy Days
- 565 acres of parkland and extensive trail system
- 15% of Ramsey is protected wetland

PARCEL LISTINGS



#	PID	ACRES	LAND USE	LIST PRICE
6	SOLD			
8	253225430043	1.01	Commercial	$153,985
11	63225140009	6.75	Residential	$256,800
13	203225310003	4.11	Residential	$164,000
28	273225440003	0.95	Commercial	$82,764
37	273225330006	4.14	Office	$450,000
40	343225130005	1.23	Commercial	$215,000
42	343225130005 283225220013	2.61	Commercial	$1,365,000/$12 PSF
45	293225140009 293225140010	2.88	Mixed	$10/SF
46	283225220058	30.9	Commercial	$6,730,000
47	283225230010	4.94	Mixed	$1,075,932/$5 PSF
48	283225240009 283225240009 283225240011 283225240010 283225240013 28322540012 ROW	20.00	Mixed	$3,485,000
49	SOLD			
50	283225410020	13.34	Commercial	From $6 PSF
51	283225140094	4.30	Residential	$350,000
52	283225410009	4.96	Residential	$450,000
53	283225210035 283225210030	7.38	Residential	$210,000
54	SOLD			

Click on any numbered box to open the brochure for that parcel

THE CITY OF RAMSEY - FACTS

OVERVIEW

- Second-fastest growing City in Anoka County
- U.S. HWY 10, State Highway 169, State Highway 47 and Northstar Commuter Rail (linking to MSP) access
- Manufacturing hub (33% of businesses in Ramsey)
- Relevant, nearby, educational opportunities and workforce for manufacturing businesses
- Home to The COR, a new urban downtown development with direct access to the Northstar Commuter Rail
- Bordered by the Mississippi River, Rum River and Trott Brook, Ramsey is one of Minnesota's premier places to live

EDUCATION

- **Over 50 universities located** - within 50 miles
- **Anoka Technical College** - within 1 mile
- **PACT Charter School** - located on Ramsey Blvd & E Ramsey Pkwy, 600 current students and 2,000 on waiting list

HIGHLIGHTS

- **Coborn's Grocery Store** - anchors approximately 100,000 SF of retail in The COR and provides full service grocery, liquor, fuel and pharmacy.
- Northstar Station
- VA Clinic
- US Highway 10 - highest traveled road in the state
  - Ramsey Blvd @ Hwy 10: 44,000 VPD
  - Armstrong Blvd @ Hwy 10: 39,000 VPD

CITY and COUNTY CONTACTS

www.ci.ramsey.mn.us

Kurt Ulrich
City Administrator
763 433 9845
kulrich@ci.ramsey.mn.us

Patrick Brama
Economic Development Manager
763 433 9868
pbrama@cityoframsey.com

Tim Gladhill
Community Development Director
763 433 9826
tgladhill@cityoframsey.com

THE CITY OF RAMSEY - CONSTRUCTION & HOUSING

	2008	2009	2010	2011	2012	2013	2014	2015
New APT	0	0	0	0	230	72	0	168
New TH	18	0	0	0	8	66	0	39
New SF	57	45	60	23	57	96	66	83

THE CITY OF RAMSEY - CONSTRUCTION & HOUSING

RESIDENTIAL DEVELOPMENT PATTERNS

2012, 295 total housing units
- Single Family, 57 units
- Townhomes, 8 units
- Multi Family, 230 units

2013, 234 total housing units
- Single Family, 96 units
- Townhomes, 66 units
- Multi Family, 72 units

2014, 66 total housing units
- Single Family, 66 units
- Townhomes, 0 units
- Multi Family, 0 units

2015, 290 total housing units
- Single Family, 83 units
- Townhomes, 39 units
- Multi Family, 168 units

MAJOR ACTIVE DEVELOPMENTS

- Single-family Construction – GS Land/ Harvest Estates PLAT, up to 44 lots located in east central Ramsey.
- Single-family Construction –Lennar Homes/ Woodlands PLAT, up to 85 lots located in central Ramsey.
- Townhome Construction –D.R. Horton/ The Station PLAT, up to 77 units located in The COR.

THE CITY OF RAMSEY - BUSINESS GROWTH

MANUFACTURING HOT SPOT

- Vision Ease Lens
- Connexus Energy
- Diamond Graphics Printing
- Cullinan Rigging & Erecting
- Life Fitness
- Ace Solid Waste

LABOR MARKET

- Anoka County Labor Force: 194,170
- Over 600 existing businesses and non-profit organizations in Ramsey
- **VA Clinic** - Opened in November 2011, the facility provides critical services to over 30,000 of our most honored citizens
- **Allina Clinic** - 30,000 square foot facility is the newest prototype in the Allina program featuring dominant architectural features; the general medicine facility also includes a sports medicine component

LARGEST EMPLOYERS	EMPLOYEES
Life Fitness	457
Vision Ease Lens	349
Connexus Energy	250
Anderson Dahlen Inc.	175
Zero Zone Inc.	174

BUSINESS PARKS

The City of Ramsey is proud to be a pro-economic development community. This is not only demonstrated by a rich history of successfully developing business parks, it is demonstrated by the commitment to the future of economic development within the community. The City has placed an emphasis on encouraging economic development within the Council strategic plans, EDA workplans, and Comprehensive Plan.

Both the City of Ramsey and the City of Anoka share a large business park spanning across 1,000 acres of land. This business park includes various office, warehouse, assembly, and a wide-variety of manufacturing users. Nearly 10,000 jobs have been created by this business park. The City of Ramsey and Anoka share a major economic engine that serves not only the Twin Cities, but also the national and global market place.

The City of Ramsey will consider moving forward with a new 93-acre greenfield business park located just northwest of the new full-access grade-separated Armstrong Boulevard/ U.S. Highway 10 Interchange in April 2016. The new business park has 25 acres of land shovel-ready today.

THE CITY OF RAMSEY - DEMOGRAPHICS

CBRE

DEMOGRAPHIC BRIEF

RAMSEY CITY CENTER

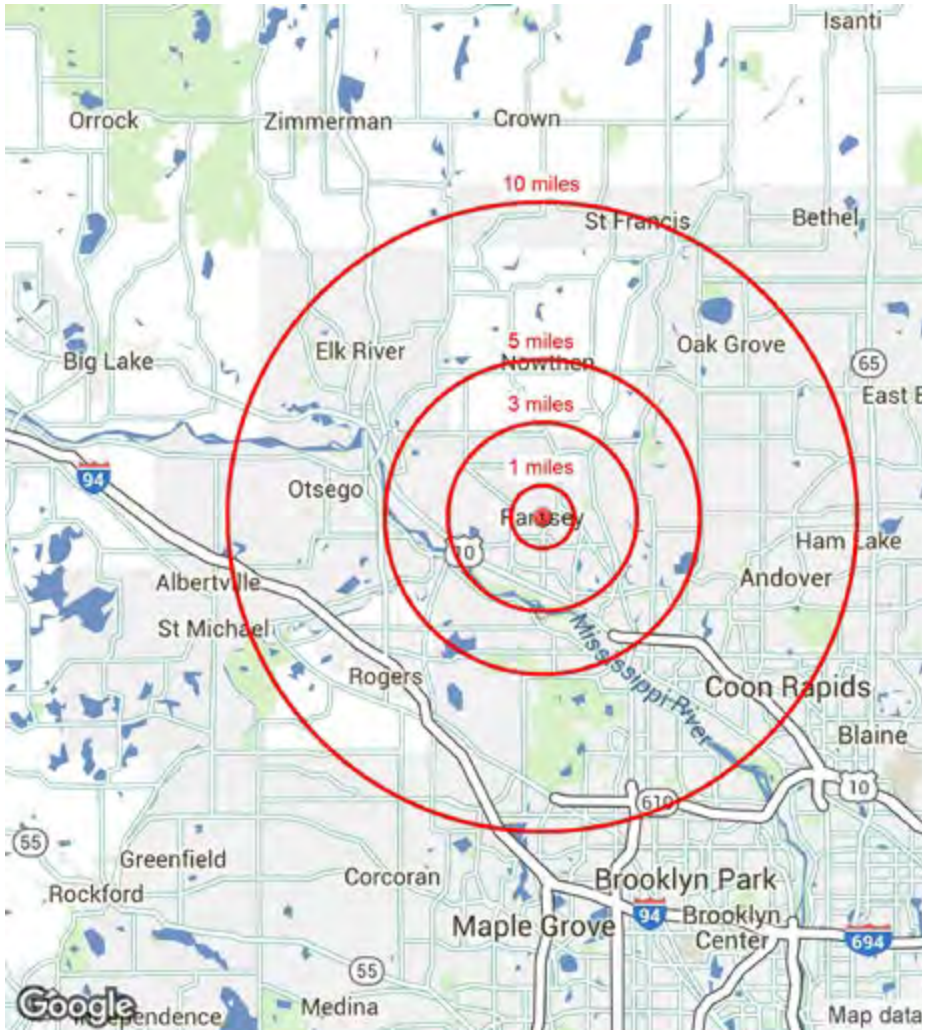
	1 Mile		3 Miles		5 Miles		10 Miles	
POPULATION								
2016 Population	2,493		23,952		50,866		252,652	
2021 Population	2,679		25,575		53,433		265,483	
2010 Population	2,259		21,908		47,789		236,800	
2000 Population	1,933		16,998		40,581		200,404	
Percent Pop Change: 2010 to 2016	10.4%		9.3%		6.4%		6.7%	
Percent Pop Change: 2016 to 2021	7.5%		6.8%		5.1%		5.1%	
AGE								
2016 Median Age	37.7		37.0		37.8		37.9	
2016 Average Age	37.5		36.6		37.5		37.5	
HOUSEHOLDS								
2016 Households	891		8,094		18,110		90,502	
2021 Households	969		8,687		19,114		95,240	
2010 Households	784		7,368		16,897		84,665	
2000 Households	626		5,373		13,501		68,453	
Percent HH Change: 2010 to 2016	13.5%		9.9%		7.2%		6.9%	
Percent HH Change: 2016 to 2021	8.8%		7.3%		5.5%		5.2%	
Average Household Size	2.8		2.9		2.8		2.8	
INCOME								
2016 Median Household Income	$78,781		$83,624		$79,169		$78,267	
2016 Average Household Income	$87,403		$95,434		$91,266		$92,347	
2016 Per Capita Income	$31,224		$32,251		$32,494		$33,079	
HOUSING UNITS								
2016 Housing Units	915		8,341		18,757		94,083	
2016 Occupied Housing Units	891		8,094		18,110		90,502	
2016 Vacant Housing Units	24		247		647		3,580	
2016 Owner-Occupied Housing Units	843		7,420		15,525		75,960	
2016 Renter-Occupied Housing Units	48		674		2,585		14,542	
EDUCATION								
2016 Population Age 25 and Over	1,667		15,545		33,618		166,878	
High School thru Associates	1,144	68.6%	10,387	66.8%	22,454	66.8%	107,522	64.4%
Bachelor's Degree	301	18.1%	3,238	20.8%	6,816	20.3%	36,265	21.7%
Graduate Degree	105	6.3%	1,075	6.9%	2,366	7.0%	14,266	8.5%
PLACE OF WORK								
Total Businesses	27		627		1,564		8,672	
Daytime Employment (Total Employees)	65		6,154		15,654		100,660	

©2016 CBRE. This information has been obtained from sources believed reliable. We have not verified it and make no guarantee, warranty or representation about it. Any projections, opinions, assumptions or estimates used are for example only and do not represent the current or future performance of the property. You and your advisors should conduct a careful, independent investigation of the property to determine to your satisfaction the suitability of the property for your needs. Source: Nielsen Page 1 ProjectID:81390

CBRE

DEMOGRAPHIC BRIEF

RAMSEY CITY CENTER



	Name	Latitude	Longitude
1	RAMSEY CITY CENTER	45.2611	-93.45

THE CITY OF RAMSEY - EDA FINANCING TOOLS

The City of Ramsey has a number of financial tools available for economic development projects. Below is an overview of common economic development tools.

GAP FINANCING

- Ramsey Revolving Loan Fund (RLF)
- Minnesota Investment Fund (MIF)

SBA FINANCING

- Small Business Administration (SBA) Loans
- Small Business Administration (SBA) Loan Guarantees

PROPERTY TAX PROGRAMS

- Tax Abatement
- Tax Increment Financing (TIF)

PRIMARY FINANCING

- Private Primary Lending Lender and/or Owner Equity (no involvement from city)
- Industrial Revenue Bonds (IRB)

DISCLOSURE

Eligibility for financing tools is based on the merit of an individual project, compliance with specific program requirements and in many cases approval from the Ramsey EDA and City Council. The City Ramsey targets quality projects with high quality job growth. Typically, projects will require owner equity and/or private financing.

THE CITY OF RAMSEY - THE COR

THE COR

The COR (Center of Ramsey) is the City of Ramsey's downtown development. This 400 acre development is a true, transit oriented and walkable, urban development. The COR is centered on U.S. Highway 10/ U.S. Highway 169 and the Northstar Rail (Ramsey Station). This mixed use development is home to a long list of successful projects including residential, retail, office, recreation, government facilities, and much more!

The COR, known formerly as Ramsey Town Center, was purchased by the City of Ramsey in 2009. About 130 acres of land is available for development in The COR today; about 90 acres is City-owned. Located directly adjacent to The COR is 90 acres of additional land available for commercial (retail) development.

RECENT MAJOR ACTIVITY

1. Rental apartments – 121 units of market rate apartments being developed by PSD LLC in The COR, near The Draw Park and Amphitheatre. Construction is underway, completion is anticipated for winter 2016.

2. Rental apartments - 47 units of workforce housing being developed by Common Bond Communities in The COR, near The Ramsey Northstar Commuter Rail Station. Construction is underway, completion is anticipated for fall 2016.

3. Casey's Convenience Store – 4,500 square foot convenience retail store completed by Casey's Retail Company, near Ramsey Boulevard/ Sunwood Drive. Construction is completed, operations began in January of 2016.

4. Quick Service Restaurant – 4,500 square foot restaurant to be developed by McDonald's USA LLC in The COR, near the new Armstrong Interchange. Construction anticipated for completion in 2017.

5. Armstrong Blvd Interchange – new full-access grade-separated interchange, intersection of U.S. Highway 10 and Armstrong Boulevard. Final completion set for summer 2016.

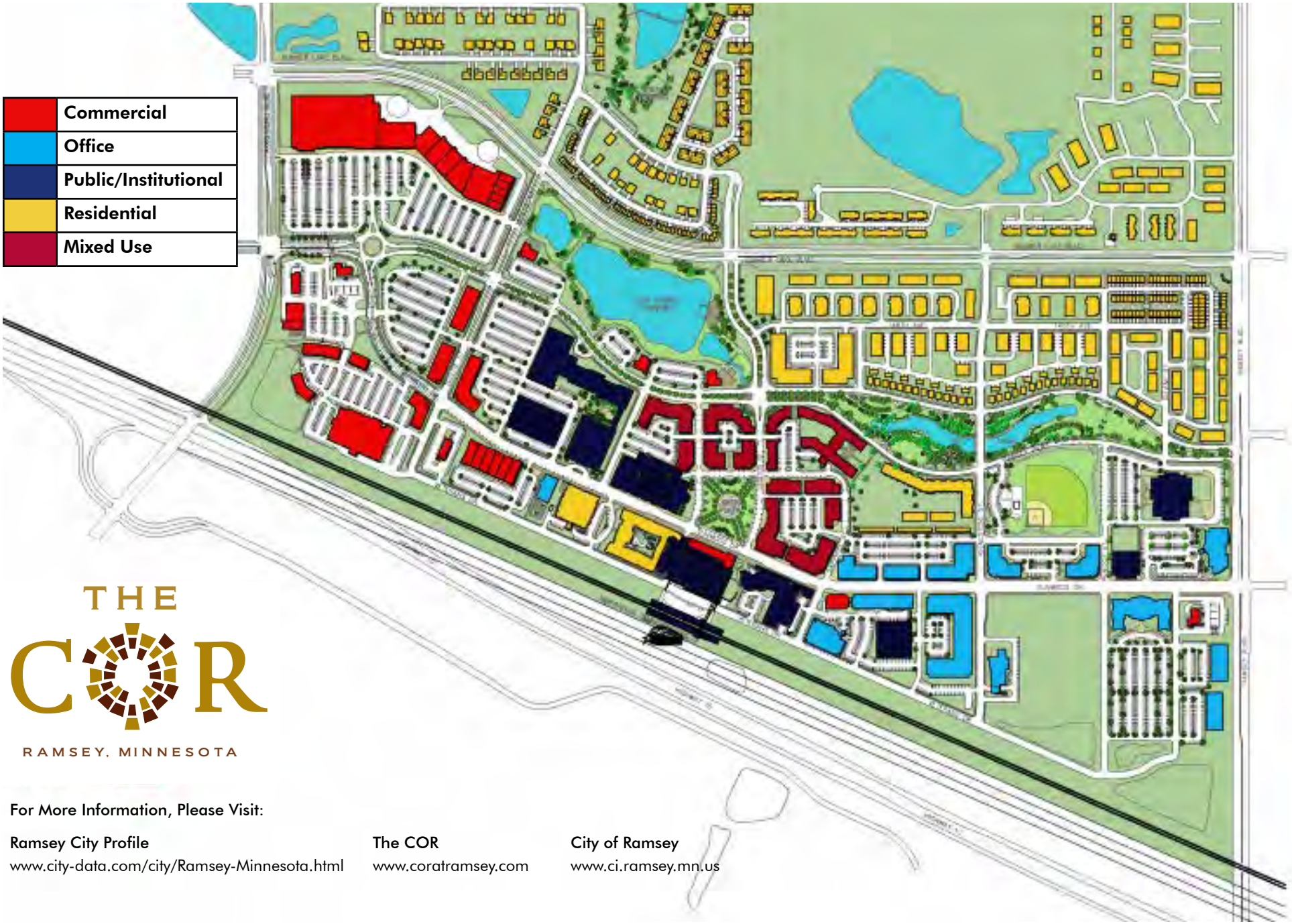
6. Townhomes – 15 units of town homes completed in 2016, 77 additional units under review for platting by D.R. Horton within The COR, near The Draw Park & Amphitheatre.

7. Renovation – Coborn's completed a half-million dollar remodel and upgrade to their convenience and liquor spaces in late 2015. Coborn's is 60,000 square

PRE-2015 COR PROJECTS INCLUDE:

- 95,000 square foot Coborn's anchored multi-tenant retail center, over 90% occupancy
- PACT Charter School (K-12)
- Ramsey Municipal Center (60,000 square feet)
- Veterans Affairs Outpatient Clinic (40,000 square feet)
- Ramsey Office Plaza (80,000 square feet), over 90% occupancy
- Midwest Medical Examiner's Office
- NAU County Insurance Office (42,000 square feet)
- Northgate Church & Community Performing Arts Center (500 seats)
- Allina Medical Clinic (25,000 square feet)
- 230-unit luxury apartment complex (Residence at The COR)
- $3M The Draw park & amphitheater
- Ramsey Rail Station: connected to covered 800 stall parking ramp by skyway with service to Minneapolis
- Various single family and townhome developments totaling several hundred households

COR CONCEPT PLAN



THE COR

RAMSEY, MINNESOTA

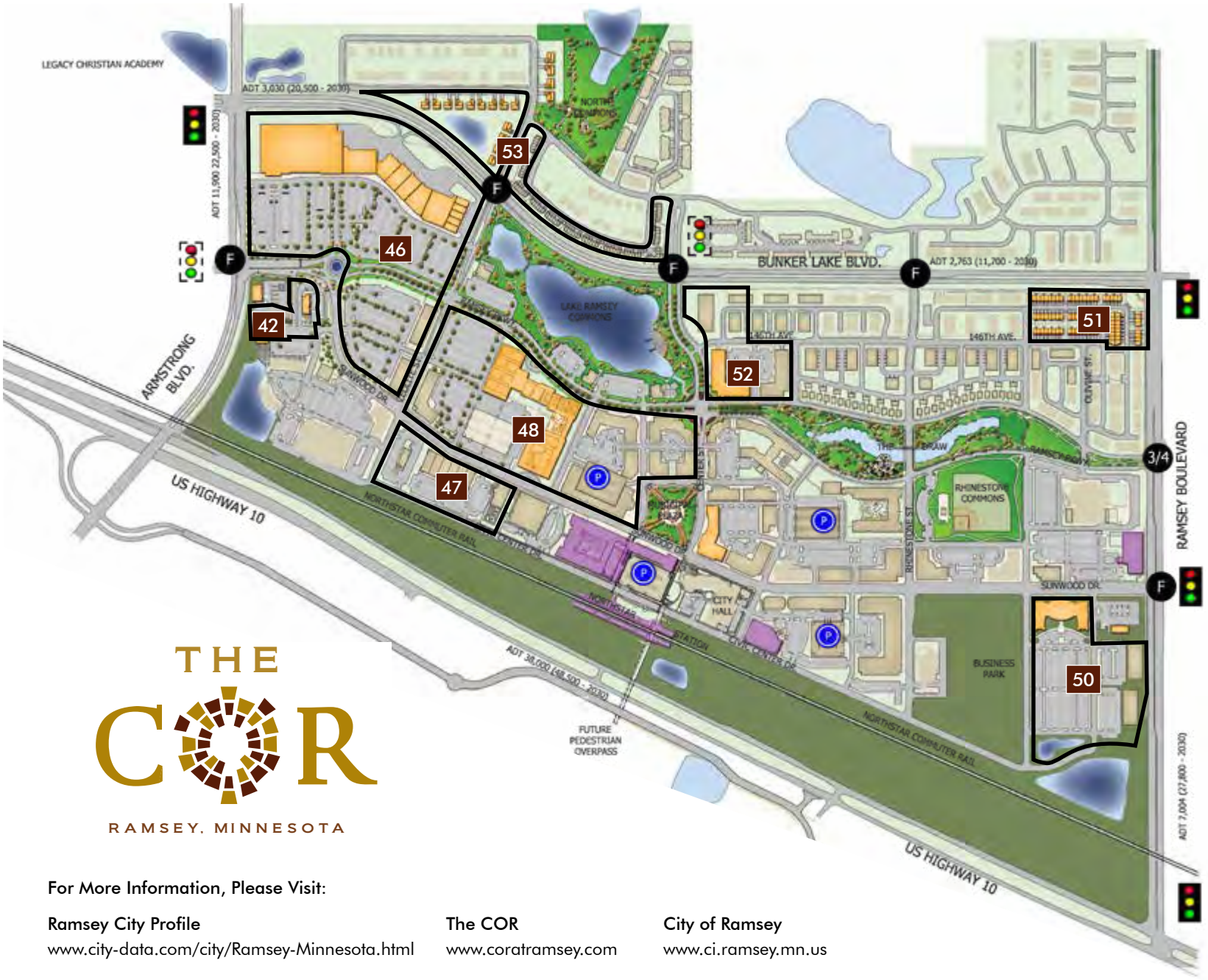
For More Information, Please Visit:

Ramsey City Profile
www.city-data.com/city/Ramsey-Minnesota.html

The COR
www.coratramsey.com

City of Ramsey
www.ci.ramsey.mn.us

COR - AVAILABLE PARCELS



Outlines show parcels for sale

THE COR

RAMSEY, MINNESOTA

For More Information, Please Visit:

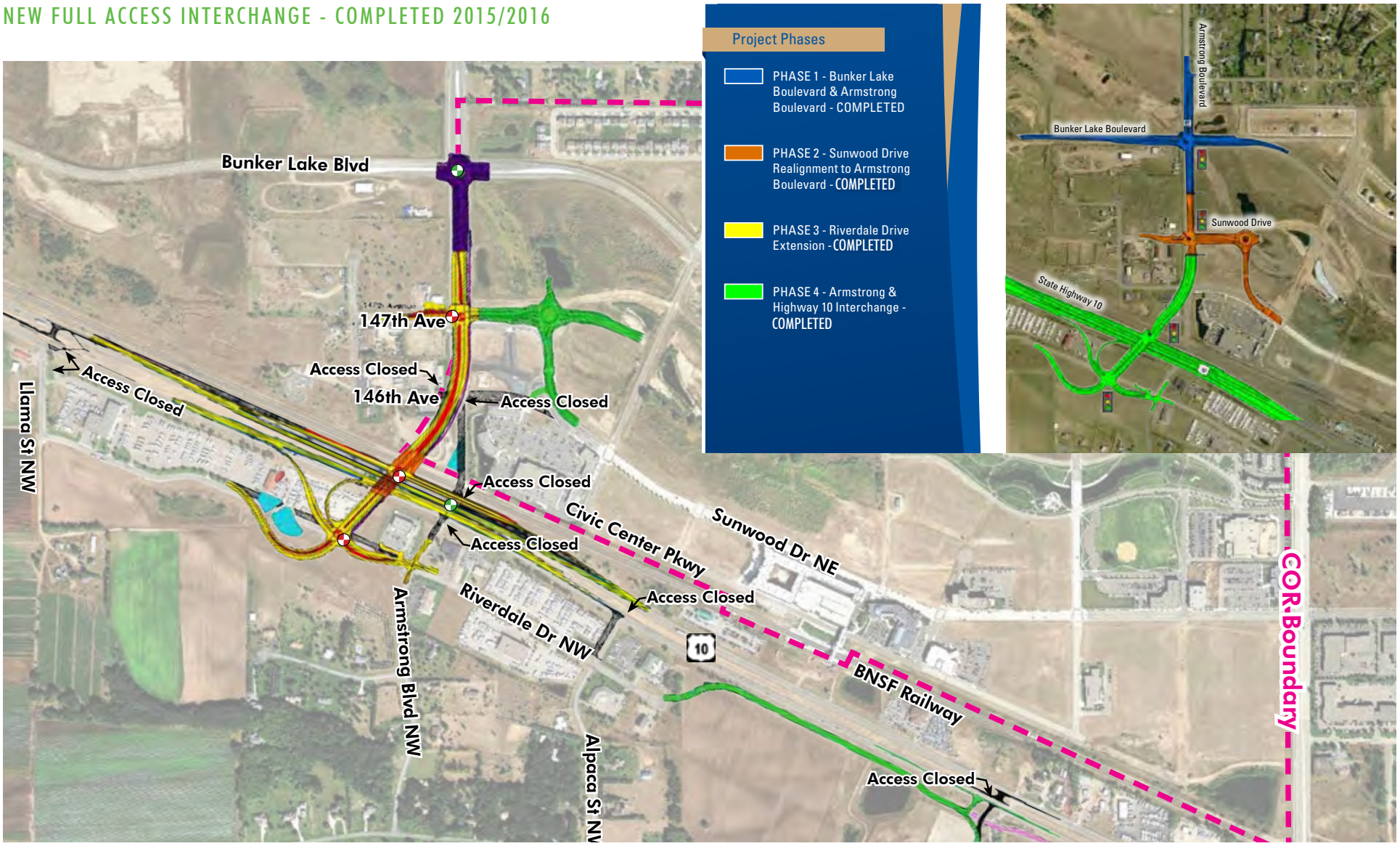
Ramsey City Profile
www.city-data.com/city/Ramsey-Minnesota.html

The COR
www.coratramsey.com

City of Ramsey
www.ci.ramsey.mn.us

HWY 10/ARMSTRONG BLVD REALIGNMENT

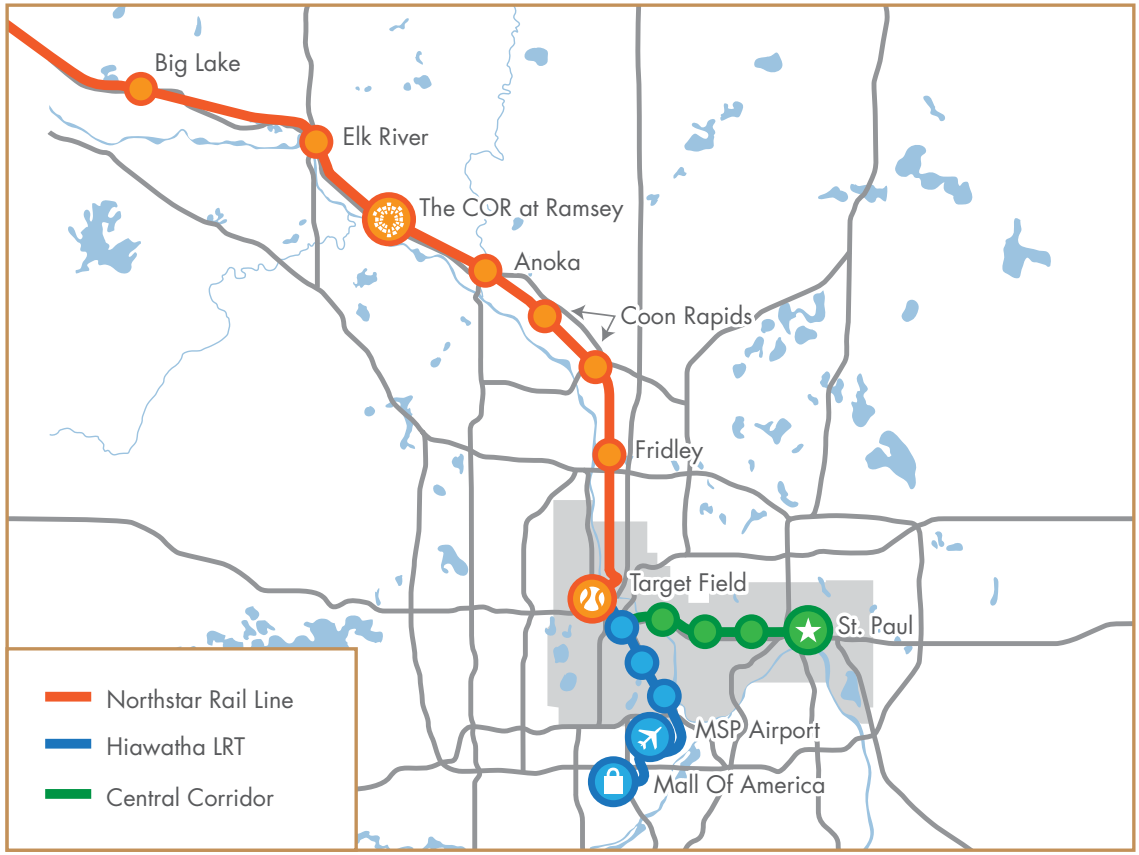
NEW FULL ACCESS INTERCHANGE - COMPLETED 2015/2016



ROAD CONSTRUCTION TIMING

Construction of the Armstrong Interchange has been completed. Additionally, there is a large Hwy 10 Access Planning Study under way to improve the safety and flow of Hwy 10. Hwy 10 is already a tremendous asset to the community but its positive impact will continue to grow with improvements to the corridor between Anoka, Ramsey and Elk River.

NORTHSTAR COMMUTER RAIL



STATION SPOTLIGHTS

The Ramsey Rail Station is now open and is the newest stop on the Northstar Commuter Rail. With safe, convenient, affordable and reliable transportation to downtown Minneapolis, and connections to the Airport and Mall of America, this regional transit solution is a critical part of the transit services provided in The COR. It's the only station connected by skyway to a public parking ramp and is located inthe center of The COR, Ramsey's new downtown development.

The $13 million Ramsey Station investment is leveraging $80 million in residential, retail and other investments in The COR. Rail service has also sparked new development around the station area, including the new Veterans Administration Clinic, Allina Medical Clinic, Falls Café, and Legacy Christian Academy.

Outside of downtown Minneapolis, seven stations are located along the 40-mile corridor: Target Field in Minneapolis, Fridley, Coon Rapids/Riverdale, Anoka, Ramsey, Elk River, and Big Lake. Another 3 stations are proposed in St. Cloud, Becker and Coon Rapids/Foley.

DAILY RIDERSHIP AVERAGES 2,539 RIDERS PER DAY WITH A TARGET OF 5,900 RIDERS PER DAY BY 2030.

www.metrotransit.org/northstar

For More Information, Please Contact:

Richard Palmiter
Vice President
+1 952 924 4603
richard.palmiter@cbre.com

Brian Pankratz
Vice President
+1 952 924 4665
brian.pankratz@cbre.com

For More Information, Please Visit:

Ramsey City Profile
www.city-data.com/city/Ramsey-Minnesota.html

The COR
www.coratramsey.com

Northstar Commuter Rail Line
www.metrotransit.org/northstar

City of Ramsey
www.ci.ramsey.mn.us

AFFILIATED BUSINESS DISCLOSURE

CBRE, Inc. operates within a global family of companies with many subsidiaries and/or related entities (each an "Affiliate") engaging in a broad range of commercial real estate businesses including, but not limited to, brokerage services, property and facilities management, valuation, investment fund management and development. At times different Affiliates may represent various clients with competing interests in the same transaction. For example, this Memorandum may be received by our Affiliates, including CBRE Investors, Inc. or Trammell Crow Company. Those, or other, Affiliates may express an interest in the property described in this Memorandum (the "Property") may submit an offer to purchase the Property and may be the successful bidder for the Property. You hereby acknowledge that possibility and agree that neither CBRE, Inc. nor any involved Affiliate will have any obligation to disclose to you the involvement of any Affiliate in the sale or purchase of the Property. In all instances, however, CBRE, Inc. will act in the best interest of the client(s) it represents in the transaction described in this Memorandum and will not act in concert with or otherwise conduct its business in a way that benefits any Affiliate to the detriment of any other offeror or prospective offeror, but rather will conduct its business in a manner consistent with the law and any fiduciary duties owed to the client(s) it represents in the transaction described in this Memorandum.

CONFIDENTIALITY AGREEMENT

This is a confidential Memorandum intended solely for your limited use and benefit in determining whether you desire to express further interest in the acquisition of the Property.

This Memorandum contains selected information pertaining to the Property and does not purport to be a representation of the state of affairs of the Property or the owner of the Property (the "Owner"), to be all-inclusive or to contain all or part of the information which prospective investors may require to evaluate a purchase of real property. All financial projections and information are provided for general reference purposes only and are based on assumptions relating to the general economy, market conditions, competition and other factors beyond the control of the Owner and CBRE, Inc. Therefore, all projections, assumptions and other information provided and made herein are subject to material variation. All references to acreages, square footages, and other measurements are approximations. Additional information and an opportunity to inspect the Property will be made available to interested and qualified prospective purchasers. In this Memorandum, certain documents, including leases and other materials, are described in summary form. These summaries do not purport to be complete nor necessarily accurate descriptions of the full agreements referenced. Interested parties are expected to review all such summaries and other documents of whatever nature independently and not rely on the contents of this Memorandum in any manner.

Neither the Owner or CBRE, Inc, nor any of their respective directors, officers, Affiliates or representatives make any representation or warranty, expressed or implied, as to the accuracy or completeness of this Memorandum or any of its contents, and no legal commitment or obligation shall arise by reason of your receipt of this Memorandum or use of its contents; and you are to rely solely on your investigations and inspections of the Property in evaluating a possible purchase of the real property.

The Owner expressly reserved the right, at its sole discretion, to reject any or all expressions of interest or offers to purchase the Property, and/or to terminate discussions with any entity at any time with or without notice which may arise as a result of review of this Memorandum. The Owner shall have no legal commitment or obligation to any entity reviewing this Memorandum or making an offer to purchase the Property unless and until written agreement(s) for the purchase of the Property have been fully executed, delivered and approved by the Owner and any conditions to the Owner's obligations therein have been satisfied or waived.

By receipt of this Memorandum, you agree that this Memorandum and its contents are of a confidential nature, that you will hold and treat it in the strictest confidence and that you will not disclose this Memorandum or any of its contents to any other entity without the prior written authorization of the Owner or CBRE, Inc. You also agree that you will not use this Memorandum or any of its contents in any manner detrimental to the interest of the Owner or CBRE, Inc.

If after reviewing this Memorandum, you have no further interest in purchasing the Property, kindly return this Memorandum to CBRE, Inc.

CBRE

CC Regular Session **4. 5.**

Meeting Date: 11/14/2017

By: Jackie Lipski, Finance

Information

Title

Adopt Resolution # 17-11-287 Approving Cash Disbursements Made and Authorizing Payment of Accounts Payable Invoicing Received During the Period of October 17, 2017 through November 8, 2017

Action:

Motion to Adopt Resolution # 17-11-287 Approving Cash Disbursements Made and Authorizing Payment of Accounts Payable Invoicing Received During the Period of October 17, 2017 through November 8, 2017.

Attachments

Bills List 11/14/2017

Resolution 11/14/2017

Form Review

Inbox	Reviewed By	Date
Diana Lund	Diana Lund	11/09/2017 08:27 AM
Kurt Ulrich	Kurt Ulrich	11/09/2017 11:32 AM
Form Started By: Jackie Lipski		Started On: 11/08/2017 10:13 AM
Final Approval Date: 11/09/2017		

CITY OF RAMSEY - FINANCE OFFICE Printed 11/8/2017

RAMSEY CITY COUNCIL MEETING

11/14/2017

BILLS LIST

DISBURSEMENTS TO BE APPROVED THIS MEETING:

DISBURSEMENT TYPE:	SUBMITTED FOR APPROVAL
Purchase Journal:	
Prepaids 10/17/17-11/8/17	351,074.98
Accounts Payable 10/17/17-11/8/17	410,990.11
Payroll 10/20/17 and 11/3/17	304,985.59

TOTAL SUBMITTED FOR APPROVAL THIS MEETING **$ 1,067,050.68**

	APPROVED PREV. MTG	2017 Y.T.D.
DISBURSEMENTS PREVIOUSLY APPROVED AND PAID:		
NET PAYROLL TOTAL	$ 140,934.45	$ 3,224,343.38
- CORRECTION TO PAYROLL		
PREPAIDS	430,223.33	6,406,098.21
- PREPAID ADJUSTMENTS		
WIRE TRANSFERS FOR DEBT SERVICE		1,154,731.26
- CORRECTION TO D.S.		
ACCOUNTS PAYABLE INVOICING - PREVIOUS MEETING:		
- BILLS LIST SUBMITTED	149,102.24	4,688,067.76
ADD (DELETE) BILLS LIST SUBMITTED		
PAY ESTIMATE(S)	304,104.28	2,142,280.63
- CHECKS VOIDED	0.00	0.00
TOTAL CASH DISBURSEMENTS PREVIOUSLY APPROVED	**$ 1,024,364.30**	**$ 17,615,521.24**

Check #	Date	Amount	Supplier / Explanation	PO #	Doc No	Inv No	Account No	Subledger	Account Description
104136	10/19/2017		100012 ACE SOLID WASTE INC						
		84.53	FD OCT 17 TRASH		88774	3182593	0220.6374		REFUSE/RECYCLING
		84.53							
104137	10/19/2017		110734 CITY OF RAMSEY						
		40.00	# 689024534		88775	101917	9601.4651		WATER REVENUE
		40.00							
104138	10/19/2017		115997 ELSEN, RICK AND LYNN						
		6,500.00	REF GRADE/LAND ESC 15090 152ND		88776	101717	9252.1155.1		MANUAL-ACCOUNTS REC
		1,500.00	REF ERO ESC 15090 152ND TERR		88777	101717A	9804.6433	00115324	REFUNDS
		8,000.00							
104139	10/19/2017		115231 EVERGREEN RECYCLING						
		1,470.00	SUMMER 2017 RECYCLE		88780	2066	9604.6249		MISCELLANEOUS OPERA
		1,470.00							
104140	10/19/2017		115998 GUZZO, SANDY						
		155.00	REFUND DAM/KEY DEPOSIT		88778	101817	9804.1160		KEY & DAMAGE DEPOSIT
		155.00							
104141	10/19/2017		115574 HEALTHPARTNERS						
		38,397.00	NOV 17 MEDICAL COVERAGE		88779	75992703	9101.2176		LIFE/HEALTH-EMPLOYEE
		38,397.00							
104142	10/19/2017		100391 POSTMASTER						
		1,611.54	NOV/DEC 17 RAM RES/CHAM MAG		88781	101117	0195.6322		POSTAGE
		1,611.54							
104143	10/19/2017		100393 PRAIRIE RESTORATIONS INC						
		3,214.00	CENTRAL PARK RAIN GARDEN		88782	8127	9805.6315		MISCELLANEOUS PROFE
		3,214.00							
104144	10/19/2017		115999 STEWART, BROOKE						
		155.00	REFUND DAMAGE DEPOSIT		88783	101217	9804.1160		KEY & DAMAGE DEPOSIT
		155.00							
104145	10/19/2017		100510 VERIZON WIRELESS						
		696.14	SEPT/OCT 17 SERVICE		88784	9793726583	0211.6415		OTHER EQUIPMENT REN
		103.00	SEPT/OCT 17 SERVICE		88784	9793726583	0280.6415		OTHER EQUIPMENT REN
		799.14							
104146	10/19/2017		111137 WRIGHT HENNEPIN COOPERATIVE ELECTRIC						
		27.95	5650 ALPINE DR FIRE STATION 2		88785	150-1691-2206 SEPT 17	0220.6489		OTHER CONTRACTED SE
		27.95							
104147	10/19/2017		116000 TUFF SHED						
		10,117.15	STORAGE SHED FOR ARAA		88800	00067986	9805.6315		MISCELLANEOUS PROFE
		10,117.15							
104148	10/24/2017		100257 LAW ENFORCEMENT LABOR SRV INC						
		490.00			88528	1004171515012	9101.2177		UNION DUES
		588.00			88792	1019171047252	9101.2177		UNION DUES
		1,078.00							

Check #	Date	Amount	Supplier / Explanation	PO #	Doc No	Inv No	Account No	Subledger	Account Description
104149	10/24/2017		100298 MN AFSCME COUNCIL 5						Continued.
		778.36			88529	1004171515013	9101.2177		UNION DUES
		778.36			88793	1019171047253	9101.2177		UNION DUES
		1,556.72							
104237	10/26/2017		111377 ANOKA MUNICIPAL UTILITY						
		125.89	CTY RD 116/HWY 47 SIGNAL		88801	22-613120-01 OCT 17	0260.6371		ELECTRIC UTILITIES
		38.13	BUNKER LK BLVD/DYSPOSIUM SIGNA		88802	22-612000.01 OCT 17	0260.6371		ELECTRIC UTILITIES
		50.06	14034 DYSPOSIUM ST LT		88803	22-610280-00 OCT 17	9603.6371		ELECTRIC UTILITIES
		56.80	RAMSEY STREET LIGHTS		88804	22-990005-01 OCT 2017	9603.6371		ELECTRIC UTILITIES
		270.88							
104238	10/26/2017		113133 CALIBER HOMES INC						
		5,000.00	REFUND LAND ESC 5685 152ND CT		88805	102517	9252.1155.1		MANUAL-ACCOUNTS RE(
		1,500.00	REFUND ERO ESC 5685 152ND CT		88806	102517A	9804.6433	00115425	REFUNDS
		6,500.00							
104239	10/26/2017		100297 CENTERPOINT ENERGY						
		65.59	14515 E TOWN CENTER		88807	8782239-1 OCT 17	9601.6373		GAS
		792.89	7550 SUNWOOD DR NW		88808	6702493-5 OCT 17	0194.6373		GAS
		67.35	5650 ALPINE DR		88809	5961540-1 OCT 17	0220.6373		GAS
		23.77	15050 ARMSTRONG BLVD		88810	5914352-9 OCT 17	0220.6373		GAS
		26.19	6701 HWY 10		88811	6011580-5 OCT 17	9410.6373	00041012	GAS
		975.79							
104240	10/26/2017		110734 CITY OF RAMSEY						
		101.10	# 678110935		88812	102617	9601.4651		WATER REVENUE
		300.00	# 722409		88812	102617	9601.4651		WATER REVENUE
		200.00	# 721662		88812	102617	9601.4651		WATER REVENUE
		601.10							
104241	10/26/2017		106583 DELTA DENTAL PLAN OF MINNESOTA						
		2,523.85	ACCT 2720750001 NOV 17		88813	7070208	9101.2170		DENTAL/DISABILITY/LIFE
		2,523.85							
104242	10/26/2017		115328 LENNAR						
		1,500.00	REFUND ERO ESC 15996 URANIMATE		88814	102517	9804.6433	00115811	REFUNDS
		1,500.00	REFUND ERO ESC 15974 SAPPHIRE		88815	102517A	9804.6433	00115812	REFUNDS
		3,000.00							
104243	10/26/2017		106570 MBPTA						
		90.00	E. KRUEGER FALL SEMINAR		88816	101917	0240.6335		TRAINING
		90.00							
104244	10/26/2017		101110 PATCHIN MESSNER DODD AND BRUMM						
		5,162.50	SERVICES THROUGH OCT 17		88817	21715-A	9435.6530	00201700	IMPROVEMENTS OTHER
		5,162.50							

Check #	Date	Amount	Supplier / Explanation	PO #	Doc No	Inv No	Account No	Subledger	Account Description
104244	10/26/2017		101110 PATCHIN MESSNER DODD AND BRUMM						Continued.
104245	10/26/2017		100391 POSTMASTER						
		80.80	BAL DUE NOV/DEC RAM RESIDENT		88818	102417	0195.6322		POSTAGE
		80.80							
104246	10/26/2017		115851 PROKOPENKO, ALEKSANDR						
		51.86	REPLACE CHECK UB REFUND		88819	102617	9601.4651		WATER REVENUE
		51.86							
104247	10/26/2017		113737 RATWIK ROSZAK AND MALONEY PA						
		2,784.50	SEPT 17 RETAINER		88820	61247	0161.6304		LEGAL FEES
		203.00	SEPT 17 RETAINER		88820	61247	9435.6304		LEGAL FEES
		72.50	SEPT 17 RETAINER		88820	61247	9804.6304	00115804	LEGAL FEES
		941.32	SEPT 17 SERVICES		88821	61246	0161.6304		LEGAL FEES
		594.50	SEPT 17 SERVICES		88821	61246	9214.6304		LEGAL FEES
		29.00	SEPT 17 SERVICES		88821	61246	9402.6304		LEGAL FEES
		29.00	SEPT 17 SERVICES		88821	61246	9410.6304	00041007	LEGAL FEES
		148.00	SEPT 17 SERVICES		88821	61246	9804.6304	00115237	LEGAL FEES
		129.50	SEPT 17 SERVICES		88821	61246	9804.6304	00115804	LEGAL FEES
		4,931.32							
104248	10/26/2017		109261 RIVENWICK MASTER ASSOCIATION						
		150.00	REF ROOM DEP FROM 2006		88822	102417	9804.1160		KEY & DAMAGE DEPOSIT
		150.00							
104249	10/26/2017		116006 SIRLEAF, M AMADU						
		155.00	DAM/KEY DEP REFUND		88823	102517	9804.1160		KEY & DAMAGE DEPOSIT
		155.00							
104250	10/26/2017		100510 VERIZON WIRELESS						
		13.01	SEPT/OCT 17 SERVICE		88824	100917	0301.6323		CELLULAR PHONES
		13.01	SEPT/OCT 17 SERVICE		88824	100917	9601.6323		CELLULAR PHONES
		26.02							
104251	11/2/2017		116014 ACCAP RESOURCE GUIDE						
		20.00	10 PRINTED COPIES		88925	110217	0211.6204		STATIONERY, ENVELOPE
		20.00							
104252	11/2/2017		115203 ALL AMERICAN TITLE CO INC						
		34.39	UB REFUND 16571 ZIRCONIUM ST		88920	103117	9601.4651		WATER REVENUE
		216.25	UB REFUND 5545 144TH AVE NW		88921	103117A	9601.4651		WATER REVENUE
		250.64							
104253	11/2/2017		110744 ALLINA HEALTH SYSTEM						
		1,718.19	2017 3RD QTR BILLING		88922	II10022357	0220.6335		TRAINING
		1,718.19							
104254	11/2/2017		113045 ANCONA TITLE AND ESCROW						
		64.89	UB REFUND 15763 POTASSIUM ST		88923	103117	9601.4651		WATER REVENUE
		64.89							
104255	11/2/2017		113508 APPRIZE TECHNOLOGY SOLUTIONS						
		320.00	SEPT 17 ELECT. ENROLLMENT		88924	14823	0130.6315		MISCELLANEOUS PROFE
		320.00							

Check #	Date	Amount	Supplier / Explanation	PO #	Doc No	Inv No	Account No	Subledger	Account Description
									Continued.
104256	11/2/2017		113929 BAGNE, JAMES						
		16.18	REIMBURSE-1ST RESP TRAINING		88926	103117	0211.6331		TRAVEL & LODGING
		16.18							
104257	11/2/2017		114249 CAMBRIA TITLE TRUST						
		242.04	UB REFUND 14780 WILLEMITE WAY		88927	103117	9601.4651		WATER REVENUE
		242.04							
104258	11/2/2017		112663 CAPSTONE HOMES INC						
		1,500.00	REFUND ERO ESC 7046 167TH		88928	110217	9804.6433	00115815	REFUNDS
		1,500.00							
104259	11/2/2017		100297 CENTERPOINT ENERGY						
		39.38	MISC PW ACCTS		88929	8000014064-2 OCT 17	0311.6373		GAS
		64.73	MISC PW ACCTS		88929	8000014064-2 OCT 17	0452.6373		GAS
		13.13	MISC PW ACCTS		88929	8000014064-2 OCT 17	9601.6373		GAS
		13.13	MISC PW ACCTS		88929	8000014064-2 OCT 17	9602.6373		GAS
		13.11	MISC PW ACCTS		88929	8000014064-2 OCT 17	9605.6373		GAS
		143.48							
104260	11/2/2017		106670 CENTRAL POWER DISTRIBUTORS INC						
		48.99	TRIMMER LINE		88930	123190	0452.6229		SHOP MATERIALS
		76.86	PLASTIC DECK WHEEL		88931	123189	0452.6257		OTHER VEHICLE PARTS
		125.85							
104261	11/2/2017		110734 CITY OF RAMSEY						
		100.00	# 48903907		88932	110117	9601.4651		WATER REVENUE
		250.81	# 720116		88932	110117	9601.4651		WATER REVENUE
		150.00	# 719280		88932	110117	9601.4651		WATER REVENUE
		220.00	# 726177		88932	110117	9601.4651		WATER REVENUE
		720.81							
104262	11/2/2017		114609 CLEAR TITLE LLC						
		501.57	UB REFUND 14749 KAMACITE ST NW		88933	103117	9601.4651		WATER REVENUE
		391.36	UB REFUND 15426 SODIUM ST		88934	103117A	9601.4651		WATER REVENUE
		892.93							
104263	11/2/2017		100116 CONNEXUS ENERGY						
		12.69	6401 HWY 10- SHELL STATION		88935	444931-270863	9603.6371		ELECTRIC UTILITIES
		740.01	16300 ST FRANCIS BLVD-IRRIG		88936	444931-267449 OCT 17	0452.6371		ELECTRIC UTILITIES
		752.70							
104264	11/2/2017		100870 EDINA REALTY TITLE						
		382.79	UB REFUND 5365 140TH CT		88937	103117	9601.4651		WATER REVENUE
		41.87	UB REFUND 5711 164TH LANE NW		88938	103117A	9601.4651		WATER REVENUE
		424.66							
104265	11/2/2017		116027 ELLIOTT, BRANDON						
		10.00	REIMBURSE-EMR TRAINING		88939	110117	0211.6331		TRAVEL & LODGING
		10.00							

Check #	Date	Amount	Supplier / Explanation	PO #	Doc No	Inv No	Account No	Subledger	Account Description
104265	11/2/2017		116027 ELLIOTT, BRANDON						Continued.
104266	11/2/2017		113517 FIRST AMERICAN TITLE						
		230.30	UB REFUND 5030 143RD AVE NW		88940	103117	9601.4651		WATER REVENUE
		230.30							
104267	11/2/2017		115393 GLOBAL CLOSING AND TITLE SERVICES						
		84.97	UB REFUND 5790 158TH LANE NW		88941	103117	9601.4651		WATER REVENUE
		84.97							
104268	11/2/2017		113278 HEMMERICH, KYLE						
		38.71	REIMBURSE-TCD CONF.		88942	102717	0211.6331		TRAVEL & LODGING
		38.71							
104269	11/2/2017		113561 HOME TITLE INC						
		226.12	UB REFUND 15764 OSMIUM ST NW		88943	103117	9601.4651		WATER REVENUE
		282.80	UB REFUND 5419 145TH AVE NW		88944	103117A	9601.4651		WATER REVENUE
		203.91	UB REFUND 14707 WACO ST NW		88945	103117B	9601.4651		WATER REVENUE
		712.83							
104270	11/2/2017		114268 HURD, SUE						
		79.98	REIMBURSE- STAFF AWARDS		88946	102717	0130.6249		MISCELLANEOUS OPERA
		79.98							
104271	11/2/2017		113464 LAND TITLE						
		213.42	UB REFUND 7260 149TH AVE NW		88947	103117	9601.4651		WATER REVENUE
		213.42							
104272	11/2/2017		111865 LIBERTY TITLE INC						
		179.84	UB REFUND 5678 154TH CROSSING		88948	103117	9601.4651		WATER REVENUE
		173.89	UB REFUND 15396 RADIUM ST		88949	103117A	9601.4651		WATER REVENUE
		81.98	UB REFUND 14731 COBALT #43		88950	103117B	9601.4651		WATER REVENUE
		64.30	UB REFUND 14701 FLUORINE ST		88951	103117C	9601.4651		WATER REVENUE
		23.30	UB REFUND 14660 COBALT #56		88952	103117D	9601.4651		WATER REVENUE
		523.31							
104273	11/2/2017		116024 LUBY, JENNIFER						
		39.89	UB REFUND 17956 JUNKITE ST		88953	103117	9601.4651		WATER REVENUE
		39.89							
104274	11/2/2017		115606 LYNCH, MICHAEL W.						
		400.00	STAR WATCH EVENT 10/30/17		88954	103117	0452.6489		OTHER CONTRACTED SE
		400.00							
104275	11/2/2017		116022 MEYER, DERIN						
		204.15	UB REFUND 14430 RADIUM ST		88955	103117	9601.4651		WATER REVENUE
		204.15							
104276	11/2/2017		116025 MINNESOTA TITLE						
		356.00	UB REFUND 5435 144TH WAY		88957	103117	9601.4651		WATER REVENUE
		356.00							
104277	11/2/2017		101089 MN APA						
		25.00	AD- SENIOR PLANNER		88956	110117	0130.6354		HELP WANTED ADVERTI
		25.00							

Check #	Date	Amount	Supplier / Explanation	PO #	Doc No	Inv No	Account No	Subledger	Account Description
104278	11/2/2017		109213 MOLDENHAUER, DREW						Continued.
		10.00	REIMB- TRAINING		88958	102717	0211.6331		TRAVEL & LODGING
		10.00							
104279	11/2/2017		100351 NCPERS MINNESOTA						
		336.00	NOV 2017 LIFE INS		88959	70481117	9101.2170		DENTAL/DISABILITY/LIFE
		336.00							
104280	11/2/2017		115847 NORTH TITLE INC						
		219.88	UB REFUND 6984 139TH LN		88960	103117	9601.4651		WATER REVENUE
		219.88							
104281	11/2/2017		116018 PARTNERS TITLE						
		37.27	UB REFUND 14235 BOWERS DR		88961	103117	9601.4651		WATER REVENUE
		37.27							
104282	11/2/2017		116019 PARTNERS TITLE						
		238.20	UB REFUND 16111 URANMITE ST		88962	103117	9601.4651		WATER REVENUE
		238.20							
104283	11/2/2017		115125 ROYAL VENDING INC						
		240.00	WATER FILTERS		88963	22872	0194.6382		MACHINERY & EQUIPMEI
		240.00							
104284	11/2/2017		101103 SPRINT						
		55.75	SEPT/OCT 2017 SERVICE		88964	570683319-191	0130.6323		CELLULAR PHONES
		111.50	SEPT/OCT 2017 SERVICE		88964	570683319-191	0191.6323		CELLULAR PHONES
		55.75	SEPT/OCT 2017 SERVICE		88964	570683319-191	0240.6323		CELLULAR PHONES
		526.96	SEPT/OCT 2017 SERVICE		88964	570683319-191	0211.6323		CELLULAR PHONES
		125.50	SEPT/OCT 2017 SERVICE		88964	570683319-191	0194.6323		CELLULAR PHONES
		161.31	SEPT/OCT 2017 SERVICE		88964	570683319-191	0301.6323		CELLULAR PHONES
		274.25	SEPT/OCT 2017 SERVICE		88964	570683319-191	0311.6323		CELLULAR PHONES
		323.23	SEPT/OCT 2017 SERVICE		88964	570683319-191	0452.6323		CELLULAR PHONES
		123.75	SEPT/OCT 2017 SERVICE		88964	570683319-191	0220.6323		CELLULAR PHONES
		111.50	SEPT/OCT 2017 SERVICE		88964	570683319-191	0192.6321		TELEPHONE
		119.46	SEPT/OCT 2017 SERVICE		88964	570683319-191	9601.6323		CELLULAR PHONES
		1,988.96							
104285	11/2/2017		116021 STEINMETZ, MIKE AND BRANDI						
		310.17	UB REFUND 14481 IODINE ST NW		88965	103117	9601.4651		WATER REVENUE
		310.17							
104286	11/2/2017		116017 SUNFLOWER RIDGE TOWNHOMES ASSOCIATION						
		200.00	REF DEP 2/23/07 & 5/28/10		88966	102617	9804.1160		KEY & DAMAGE DEPOSIT
		200.00							
104287	11/2/2017		116023 SUTTON, CHAD						
		182.57	UB REFUND 6940 147TH AVE NW		88967	103117	9601.4651		WATER REVENUE
		182.57							
104288	11/2/2017		105706 TINKLENBERG GROUP INC						
		3,300.00	NOV 17 RETAINER 5 OF 12		88969	102717	9400.6315		MISCELLANEOUS PROFE
		3,300.00							
104289	11/2/2017		114172 TITLE GROUP INC						
		37.80	UB REFUND 6431 170TH LN		88970	103117	9601.4651		WATER REVENUE

Check #	Date	Amount	Supplier / Explanation	PO #	Doc No	Inv No	Account No	Subledger	Account Description
									Continued.
104289	11/2/2017		114172 TITLE GROUP INC						
		37.80							
104290	11/2/2017		115456 TITLE SMART						
		83.16	UB REFUND 14763 PERIDOT ST		88971	103117	9601.4651		WATER REVENUE
		83.16							
104291	11/2/2017		114074 TITLE SPECIALIST INC						
		38.84	UB REFUND 6210 177TH LN NW		88972	103117	9601.4651		WATER REVENUE
		194.44	UB REFUND 15751 KRYPTON		88973	103117A	9601.4651		WATER REVENUE
		233.28							
104292	11/2/2017		116020 TM INVESTMENTS LLC						
		31.84	UB REFUND 5440 144TH WAY		88968	103117	9601.4651		WATER REVENUE
		31.84							
104293	11/2/2017		113688 TRI COUNTY ABSTRACT AND TITLE GUARANTY						
		138.34	UB REFUND 5719 162ND LN NW		88974	103117	9601.4651		WATER REVENUE
		138.34							
104294	11/2/2017		105628 WELLS CATERING SERVICE						
		567.51	EDA BREAKFAST EVENT 50%		88975	43043	9230.6249	00923003	MISCELLANEOUS OPERA
		567.51							
104295	11/2/2017		111690 WEST TITLE LLC						
		71.70	UB REFUND 7421 150TH LANE NW		88976	103117	9601.4651		WATER REVENUE
		71.70							
104296	11/2/2017		111137 WRIGHT HENNEPIN COOPERATIVE ELECTRIC						
		24.95	7550 SUNWOOD DR		88977	150-1681-6340 OCT 17	0194.6489		OTHER CONTRACTED SE
		24.95	7650 SUNWOOD DR		88978	150-1681-4280 OCT 17	9240.6315		MISCELLANEOUS PROFE
		27.95	6701 HWY 10- YOUTH FIRST		88979	150-1687-1105 OCT 2017	9410.6315	00041012	MISCELLANEOUS PROFE
		77.85							
90438005	10/20/2017		100398 PUBLIC EMPLOYEES RETIREMENT ASSN						
		50.00			88761	1017171554041	9101.2174		PERA-EMPLOYEE
		50.00			88762	1017171554042	9101.2183		PERA-EMPLOYER
		17,505.84			88794	1019171047254	9101.2174		PERA-EMPLOYEE
		23,228.29			88795	1019171047255	9101.2183		PERA-EMPLOYER
		40,834.13							
90439656	11/3/2017		100398 PUBLIC EMPLOYEES RETIREMENT ASSN						
		17,787.12			88914	110217745524	9101.2174		PERA-EMPLOYEE
		23,655.91			88915	110217745525	9101.2183		PERA-EMPLOYER
		41,443.03							
93641729	10/20/2017		101306 IRS						
		388.79			88740	1017171204592	9101.2171		FEDERAL WITHHOLDING
		1,606.05			88741	1017171204593	9101.2173		FICA & MEDICARE-EMPL(
		1,606.05			88742	1017171204594	9101.2182		FICA & MEDICARE-EMPL(
		389.36			88764	1017171554044	9101.2171		FEDERAL WITHHOLDING
		268.25			88765	1017171554045	9101.2173		FICA & MEDICARE-EMPL(
		268.25			88766	1017171554046	9101.2182		FICA & MEDICARE-EMPL(

Check #	Date	Amount	Supplier / Explanation	PO #	Doc No	Inv No	Account No	Subledger	Account Description
									Continued.
93641729	10/20/2017		101306 IRS						
		25,736.42			88797	1019171047257	9101.2171		FEDERAL WITHHOLDING
		11,886.38			88798	1019171047258	9101.2173		FICA & MEDICARE-EMPL(
		11,886.38			88799	1019171047259	9101.2182		FICA & MEDICARE-EMPL(
		54,035.93							
94145472	11/3/2017		100601 MN DEPT OF REV WH						
		10,278.25			88916	110217745526	9101.2172		STATE WITHHOLDING
		10,278.25							
94465088	10/20/2017		100601 MN DEPT OF REV WH						
		347.09			88739	1017171204591	9101.2172		STATE WITHHOLDING
		83.00			88763	1017171554043	9101.2172		STATE WITHHOLDING
		10,318.02			88796	1019171047256	9101.2172		STATE WITHHOLDING
		10,748.11							
94677899	11/3/2017		101306 IRS						
		25,800.30			88917	110217745527	9101.2171		FEDERAL WITHHOLDING
		11,628.25			88918	110217745528	9101.2173		FICA & MEDICARE-EMPL(
		11,628.25			88919	110217745529	9101.2182		FICA & MEDICARE-EMPL(
		49,056.80							
98102017	10/20/2017		115568 ALERUS FINANCIAL NA						
		741.00			88527	10041715150114	9101.2176		LIFE/HEALTH-EMPLOYEE
		960.00			88791	10191710472514	9101.2176		LIFE/HEALTH-EMPLOYEE
		1,701.00							
98110317	11/3/2017		115568 ALERUS FINANCIAL NA						
		863.00			88911	1102177455214	9101.2176		LIFE/HEALTH-EMPLOYEE
		863.00							
99101917	10/19/2017		107885 DEPARTMENT OF LABOR AND INDUSTRY						
		2,852.03	Sept Surcharges		88685	09302017	9101.2081		SURCHARGES-PERMITS
		57.04-	Sept Surcharges		88685	09302017	9101.4604		SURCHARGES
		2,794.99							
99102017	10/20/2017		107962 TOTAL ADMINISTRATIVE SERVICE CORP						
		3,096.56			88787	10191710472510	9101.2176		LIFE/HEALTH-EMPLOYEE
		3,096.56							
99110317	11/3/2017		107962 TOTAL ADMINISTRATIVE SERVICE CORP						
		3,096.56			88907	1102177455210	9101.2176		LIFE/HEALTH-EMPLOYEE
		3,096.56							
99244423	11/3/2017		114790 GREAT WEST LIFE AND ANNUITY INS CO						
		7,210.00			88909	1102177455212	9101.2175		DEFERRED COMPENSAT
		7,210.00							
99245377	11/3/2017		114790 GREAT WEST LIFE AND ANNUITY INS CO						
		1,296.58			88910	1102177455213	9101.2176		LIFE/HEALTH-EMPLOYEE
		1,296.58							
99384270	10/20/2017		114790 GREAT WEST LIFE AND ANNUITY INS CO						
		7,080.00			88789	10191710472512	9101.2175		DEFERRED COMPENSAT
		7,080.00							

Check #	Date	Amount	Supplier / Explanation	PO #	Doc No	Inv No	Account No	Subledger	Account Description
									Continued.
99384592	**10/20/2017**		**114790 GREAT WEST LIFE AND ANNUITY INS CO**						
		1,232.45			88790	10191710472513	9101.2176		LIFE/HEALTH-EMPLOYEE
		1,232.45							
99493748	**10/20/2017**		**100223 ICMA RETIREMENT TRUST 457**						
		2,045.33			88786	1019171047251	9101.2175		DEFERRED COMPENSAT
		2,045.33							
99503153	**11/3/2017**		**100223 ICMA RETIREMENT TRUST 457**						
		2,045.33			88906	110217745521	9101.2175		DEFERRED COMPENSAT
		2,045.33							
99724107	**10/20/2017**		**114486 SUN LIFE ASSURANCE COMPANY OF CANADA**						
		857.67			88524	10041715150111	9101.2176		LIFE/HEALTH-EMPLOYEE
		873.48			88788	10191710472511	9101.2176		LIFE/HEALTH-EMPLOYEE
		21.40	COBRA LIFE		88788	10191710472511	9101.2176		LIFE/HEALTH-EMPLOYEE
		823.77	LTD		88788	10191710472511	9101.2170		DENTAL/DISABILITY/LIFE
		2,576.32							
		351,074.98	Grand Total						

Payment Instrument Totals

Checks	109,640.61
EFT Payments	241,434.37
Total Payments	351,074.98

R04570

CITY OF RAMSEY
Create Payment Control Groups

Bank Account	00002224 CASH IN BANK
Version	LOGIS004V
Originator	JLIPSKI
Payment Instrument	Check Payment
Pay Through Date	12/31/2017

Payee Number	Payee Name / Mailing Address	Stub Message	Document Ty	Document Number	Itm	Co	Due Date	Invoice Number	Payment Amount
111610	A DYNAMIC DOOR CO. INC.	PW DOOR 1 REPAIR	PV	88869	001	09101	10/30/2017	21710262	36.63
	A DYNAMIC DOOR CO. INC.	PW DOOR 1 REPAIR	PV	88869	002	09101	10/30/2017	21710262	522.78
	4588 194TH AVENUE NE				Summary Total				559.41
	EAST BETHEL MN 55092	DOOR/FRAME-CENTRAL PARK	PV	88981	001	09101	10/30/2017	21710233	4,357.00
					Summary Total				4,357.00
					Payment Amount				4,916.41
100012	ACE SOLID WASTE INC	RECYCLE DAYS- OCT 2017	PV	89027	001	09604	11/1/2017	3260704	550.00
	ACE SOLID WASTE INC				Summary Total				550.00
	6601 MCKINLEY STREET NW	CITY CONTRACT RECYCLE NOV 17	PV	89028	001	09604	11/1/2017	3260689	25,458.50
	RAMSEY MN 55303				Summary Total				25,458.50
		MISC PW ACCTS NOV 17	PV	89029	001	09101	11/1/2017	3260705	185.86
		MISC PW ACCTS NOV 17	PV	89029	002	09101	11/1/2017	3260705	106.13
		MISC PW ACCTS NOV 17	PV	89029	003	09101	11/1/2017	3260705	35.38
		MISC PW ACCTS NOV 17	PV	89029	004	09101	11/1/2017	3260705	35.38
		MISC PW ACCTS NOV 17	PV	89029	005	09101	11/1/2017	3260705	35.37
		MISC PW ACCTS NOV 17	PV	89029	006	09101	11/1/2017	3260705	424.80
		MISC PW ACCTS NOV 17	PV	89029	007	09101	11/1/2017	3260705	119.58
					Summary Total				942.50
					Payment Amount				26,951.00
111385	ACHIEVE SERVICES INC	SHREDDING	PV	88825	001	09101	10/17/2017	15915	141.00
	ACHIEVE SERVICES INC				Summary Total				141.00
	1201 89TH AVENUE NE								
	BLAINE MN 55434				Payment Amount				141.00
100017	AIRGAS USA, LLC	WHEEL CUTOFF	PV	88826	001	09101	10/13/2017	9068680937	49.60
	AIRGAS USA LLC				Summary Total				49.60
	P O BOX 802576								
	CHICAGO IL 60680-2576				Payment Amount				49.60
100058	ANOKA RAMSEY FARM AND GARDEN	MULCH	PV	88870	001	09101	10/20/2017	102017	135.00
	ANOKA RAMSEY FARM AND GARDEN				Summary Total				135.00

CITY OF RAMSEY
Create Payment Control Groups

Bank Account	00002224	CASH IN BANK
Version	LOGIS004V	
Originator	JLIPSKI	
Payment Instrument		Check Payment
Pay Through Date	12/31/2017	

Payee Number	Payee Name / Mailing Address	Stub Message	Document Ty	Number	Itm	Co	Due Date	Invoice Number	Payment Amount
	7435 HIGHWAY 10	MULCH	PV	88871	001	09101	10/20/2017	102017A	90.00
	RAMSEY MN 55303							Summary Total	90.00
								Payment Amount	225.00
111311	APACHE LOCK AND KEY	REPAIR SO. DOOR-6701 HWY10	PV	88982	001	09410	9/20/2017	9199	115.00
	APACHE LOCK AND KEY 1000 87TH AVENUE NW COON RAPIDS MN 55433							Summary Total	115.00
								Payment Amount	115.00
113508	APPRIZE TECHNOLOGY SOLUTIONS	NOV 17 ELECT ENROLL	PV	89030	001	09101	11/1/2017	15189	320.00
	APPRIZE TECHNOLOGY SOLUTIONS 10405 6TH AVENUE NORTH SUITE 100 PLYMOUTH MN 55441							Summary Total	320.00
								Payment Amount	320.00
100063	ASPEN MILLS	OVRPYMT ON 090745	PD	88873	001	09101	10/31/2017	090745 CM	10.00-
	ASPEN MILLS							Summary Total	10.00-
	8201 C CENTRAL AVE NE	HINNENKAMP-PANTS/SHIRTS	PV	88874	001	09101	10/26/2017	205922	586.05
	SPRING LAKE PARK MN 55432							Summary Total	586.05
								Payment Amount	576.05
116015	AXON ENTERPRISE INC	BATTERIES/TACTICAL	PV	88872	001	09101	10/20/2017	SI1506560	246.48
	AXON ENTERPRISE INC 17800 NORTH 85TH STREET SCOTTSDALE AZ 85255							Summary Total	246.48
								Payment Amount	246.48
108635	BEBERGS LANDSCAPE SUPPLY	BOULDERS	PV	88875	001	09101	10/16/2017	160849	1,022.00
	BEBERGS LANDSCAPE SUPPLY 13535 GROUSE ST NW ANDOVER MN 55304							Summary Total	1,022.00
								Payment Amount	1,022.00
116026	BINDER HEATING AND AIR	REPAIR ON TITAN UNIT	PV	88983	001	09101	10/27/2017	67617	720.00

Bank Account	00002224 CASH IN BANK
Version	LOGIS004V
Originator	JLIPSKI
Payment Instrument	Check Payment
Pay Through Date	12/31/2017

Payee Number	Payee Name / Mailing Address	Stub Message	Document Ty	Number	Itm	Co	Due Date	Invoice Number	Payment Amount
	INC								
	BINDER HEATING AND AIR INC 222 HARDMAN AVE N SOUTH ST PAUL MN 55075			Summary Total					720.00
				Payment Amount					720.00
100086	BLUE VELVET INC	PD WASHES 16/17	PV	88984	001	09101	10/26/2017	169	435.77
	BLUE VELVET INC 14101 ST FRANCIS BLVD			Summary Total					435.77
		BUILDING MAINT. WASHES	PV	89056	001	09101	10/26/2017	167	69.93
	RAMSEY MN 55303			Summary Total					69.93
				Payment Amount					505.70
100647	BOLTON AND MENK INC	MISS SKYWAY FINAL DESIGN	PV	88876	001	09101	10/12/2017	0209434	54,864.00
				Summary Total					54,864.00
	BOLTON AND MENK INC 1960 PREMIER DRIVE	RAMSEY/BUNKER/PUMA ST IMPROV	PV	88985	001	09437	10/12/2017	0209448	39,841.00
	MANKATO MN 56001-5900			Summary Total					39,841.00
		RIVERDALE EXT	PV	88986	001	09402	10/12/2017	0209435	4,244.50
				Summary Total					4,244.50
				Payment Amount					98,949.50
106670	CENTRAL POWER DISTRIBUTORS INC	CHAIN- CHAIN SAW	PV	88877	001	09101	10/26/2017	126988	10.32
	CENTRAL POWER DISTRIBUTORS INC 3801 THURSTON AVENUE ANOKA MN 55303			Summary Total					10.32
				Payment Amount					10.32
114549	CHET S SHOES INC	BOOTS- G. TALBOT	PV	89031	001	09101	10/1/2017	36922	150.00
	CHET S SHOES INC 8870 RENDOVA STREET NE CIRCLE PINES MN 55014			Summary Total					150.00
				Payment Amount					150.00
110734	CITY OF RAMSEY	6701 HWY 10	PV	88827	001	09410	10/25/2017	719019 3RD QTR 17	112.37
	CITY OF RAMSEY P O BOX 251100			Summary Total					112.37
		7650 SUNWOOD DR	PV	88828	001	09240	10/25/2017	444931372 3RD QTR	112.37

Bank Account	00002224 CASH IN BANK
Version	LOGIS004V
Originator	JLIPSKI
Payment Instrument	Check Payment
Pay Through Date	12/31/2017

Payee Number	Payee Name / Mailing Address	Stub Message	Document Ty	Number	Itm	Co	Due Date	Invoice Number	Payment Amount
								17	
	ST PAUL MN 55125-6100			Summary Total					112.37
		7550 SUNWOOD DR	PV	88829	001	09101	10/25/2017	444931294 3RD QTR 17	1,198.82
				Summary Total					1,198.82
		6860 RIVERDALE	PV	88878	001	09101	10/25/2017	723960 3RD QTR 17	1,447.83
				Summary Total					1,447.83
		15050 ARMSTRONG BLVD	PV	88879	001	09101	10/25/2017	727978 3RD QTR 17	483.52
				Summary Total					483.52
		5650 ALPINE DR NW	PV	88880	001	09101	10/25/2017	726528 3RD QTR 17	1,082.22
				Summary Total					1,082.22
		14779 ZEOLITE ST NW	PV	88881	001	09101	10/25/2017	722164 3RD QTR 17	1,763.14
				Summary Total					1,763.14
		16303 QUICKSILVER-IRRIG	PV	88882	001	09101	10/25/2017	724931 3RD QTR 17	91.40
				Summary Total					91.40
		14700 ERKIUM ST NW	PV	88883	001	09101	10/25/2017	726294 3RD QTR 17	40.14
				Summary Total					40.14
		7401 E RAMSEY PKWY	PV	88884	001	09101	10/25/2017	724628 3RD QTR 17	110.78
				Summary Total					110.78
		16303 QUICKSILVER	PV	88885	001	09101	10/25/2017	724874	126.05
				Summary Total					126.05
		161ST AVE/URAN WEST MTR	PV	88886	001	09101	10/25/2017	727919 3RD QTR 17	58.76
				Summary Total					58.76
		14700 TOWN CENTER DR	PV	88887	001	09101	10/25/2017	724470 3RD QTR 17	1,028.59
				Summary Total					1,028.59
		161ST AVE/URAN EAST MTR	PV	88888	001	09101	10/25/2017	727918 3RD QTR 17	125.36
				Summary Total					125.36
		SHELL STATION-6401 HWY 10	PV	88987	001	09410	10/25/2017	728107 3RD QTR	342.85
				Summary Total					342.85
				Payment Amount					8,124.20
115993	CORE AND MAIN LP CORE AND MAIN LP P O BOX 249 FARMINGTON MN 55024-0249	MISC PARTS	PV	88830	001	09601	10/16/2017	0389556	1,779.56
				Summary Total					1,779.56

Bank Account	00002224 CASH IN BANK
Version	LOGIS004V
Originator	JLIPSKI
Payment Instrument	Check Payment
Pay Through Date	12/31/2017

Payee Number	Payee Name / Mailing Address	Stub Message	Document Ty	Number	Itm	Co	Due Date	Invoice Number	Payment Amount
				Payment Amount					1,779.56
100167	CORNERSTONE FORD	REPAIR ON 566	PV	88831	001	09101	10/13/2017	16194832/1	908.46
	CORNERSTONE FORD 17219 HIGHWAY 10 NW PO BOX 304 ELK RIVER MN 55330			Summary Total					908.46
				Payment Amount					908.46
100125	COUNTRYSIDE PRINTING INC	NOV/DEC 17 RAM RESIDENT	PV	88989	001	09101	10/18/2017	34933	5,232.50
	COUNTRYSIDE PRINTING 6250 BUNKER LAKE BLVD NW SUITE 113 RAMSEY MN 55303			Summary Total					5,232.50
		SEPTIC PUMP PERMITS	PV	89032	001	09101	10/11/2017	34923	262.50
				Summary Total					262.50
				Payment Amount					5,495.00
100127	CROW RIVER FARM EQUIPMENT COMPANY	TUBING	PV	88988	001	09602	10/31/2017	186436	41.47
	CROW RIVER FARM EQUIPMENT COMPANY 17685 - 53RD STREET NE ROGERS MN 55374			Summary Total					41.47
				Payment Amount					41.47
111818	DEANO'S COLLISION SPECIALISTS INC	HOOD PANEL 332	PV	88832	001	09101	10/18/2017	48754	300.00
	DEANO'S COLLISION SPECIALISTS INC	HOOD PANEL 332	PV	88832	002	09101	10/18/2017	48754	34.80
	11063 173RD AVENUE ELK RIVER MN 55330			Summary Total					334.80
				Payment Amount					334.80
113306	DEFINITIVE TECHNOLOGY SOLUTIONS INC	COPIER CONTRACT OCT/NOV 17	PV	88990	001	09101	10/22/2017	INV153160	620.52
	DEFINITIVE TECHNOLOGY SOLUTIONS INC 9401 JAMES AVENUE SOUTH SUITE 120 BLOOMINGTON MN 55431			Summary Total					620.52
				Payment Amount					620.52

Bank Account 00002224 CASH IN BANK
Version LOGIS004V
Originator JLIPSKI
Payment Instrument Check Payment
Pay Through Date 12/31/2017

Payee Number	Name / Mailing Address	Stub Message	Document Ty	Number	Itm	Co	Due Date	Invoice Number	Payment Amount
100144	DEHN OIL COMPANY	DIESEL FUEL	PV	89033	001	09101	11/1/2017	59822	1,090.05
				Summary Total					1,090.05
	DEHN OIL COMPANY 6735 141ST AVENUE NW	MISC SUPPLIES	PV	89034	001	09101	11/6/2017	25110754	1,279.88
	RAMSEY MN 55303			Summary Total					1,279.88
		DIESEL FUEL	PV	89035	001	09101	11/1/2017	59821	1,125.00
				Summary Total					1,125.00
				Payment Amount					3,494.93
112275	DESTINY SOFTWARE INC	SOFTWARE LIC 10/17-09/18	PV	88991	001	09101	10/1/2017	3959	3,500.00
				Summary Total					3,500.00
	DESTINY SOFTWARE INC P O BOX 827 WOODINVILLE WA 98072								
				Payment Amount					3,500.00
100158	ECM PUBLISHERS INC	ORD 17-11	PV	88833	001	09101	10/20/2017	540110	75.25
				Summary Total					75.25
	ECM PUBLISHERS INC 4095 COON RAPIDS BLVD	BIDS- PD PROSECUTION SERVICES	PV	88889	001	09101	10/13/2017	537756	43.00
	COON RAPIDS MN 55433			Summary Total					43.00
		HEAR-SILVER OAKS ESTATES	PV	89036	001	09804	10/13/2017	537757	64.50
				Summary Total					64.50
		NOV 2ND- PH	PV	89037	001	09804	10/20/2017	540111	64.50
				Summary Total					64.50
		HEAR-VILLAS AT NORTHFORK	PV	89038	001	09804	10/20/2017	540112	123.63
				Summary Total					123.63
				Payment Amount					370.88
106624	EHLERS AND ASSOCIATES, INC	DISCLOSURE REPORTING	PV	88834	001	09435	10/6/2017	74913	1,140.00
	EHLERS & ASSOCIATES, INC	DISCLOSURE REPORTING	PV	88834	002	09435	10/6/2017	74913	380.00
	3060 CENTRE POINTE DRIVE	DISCLOSURE REPORTING	PV	88834	003	09435	10/6/2017	74913	380.00
	ROSEVILLE MN 55113-1105	DISCLOSURE REPORTING	PV	88834	004	09435	10/6/2017	74913	380.00
		DISCLOSURE REPORTING	PV	88834	005	09435	10/6/2017	74913	380.00
		DISCLOSURE REPORTING	PV	88834	006	09435	10/6/2017	74913	380.00

CITY OF RAMSEY
Create Payment Control Groups

Bank Account	00002224	CASH IN BANK
Version	LOGIS004V	
Originator	JLIPSKI	
Payment Instrument		Check Payment
Pay Through Date	12/31/2017	

Payee Number	Payee Name / Mailing Address	Stub Message	Ty	Document Number	Itm	Co	Due Date	Invoice Number	Payment Amount
		DISCLOSURE REPORTING	PV	88834	007	09435	10/6/2017	74913	380.00
		DISCLOSURE REPORTING	PV	88834	008	09435	10/6/2017	74913	380.00
							Summary Total		3,800.00
							Payment Amount		3,800.00
100164	ELECTRIC SYSTEMS OF ANOKA INC	REPAIR SIREN 1	PV	88835	001	09101	10/12/2017	6819	157.50
	ELECTRIC SYSTEMS OF ANOKA INC	REPAIR SIREN 1	PV	88835	002	09101	10/12/2017	6819	509.88
	6314 HIGHWAY 10 NW ANOKA MN 55303						Summary Total		667.38
							Payment Amount		667.38
104267	ELITE SANITATION	FALL CLEAN UP DAY	PV	88836	001	09604	10/10/2017	24379	92.00
							Summary Total		92.00
	ELITE SANITATION PO BOX 526	PARK TOILET RENTAL	PV	88890	001	09101	10/16/2017	24450	480.00
	ELK RIVER MN 55330						Summary Total		480.00
							Payment Amount		572.00
100169	EMERGENCY APPARATUS MAINTENANCE INC	REPAIR ON 560	PV	88891	001	09101	10/23/2017	96556	501.87
	EMERGENCY APPARATUS MAINTENANCE INC 7512 4TH AVENUE LINO LAKES MN 55014						Summary Total		501.87
							Payment Amount		501.87
113321	FACTORY MOTOR PARTS CO	ELEMENT- 341	PV	88837	001	09101	10/16/2017	6-1486371	34.88
							Summary Total		34.88
	FACTORY MOTOR PARTS CO BIN 139107	SPLASHWASH	PV	88838	001	09101	10/16/2017	6-1486370	23.88
	P O BOX 9107 MINNEAPOLIS MN 55480-9107						Summary Total		23.88
							Payment Amount		58.76
107099	FASTENAL	MISC SUPPLIES	PV	88992	001	09601	10/27/2017	MNTC8158262	23.49
							Summary Total		23.49
	FASTENAL COMPANY P O BOX 1286 WINONA MN 55987								
							Payment Amount		23.49

CITY OF RAMSEY
Create Payment Control Groups

Bank Account	00002224 CASH IN BANK
Version	LOGIS004V
Originator	JLIPSKI
Payment Instrument	Check Payment
Pay Through Date	12/31/2017

Payee Number	Payee Name / Mailing Address	Stub Message	Document Ty	Number	Itm	Co	Due Date	Invoice Number	Payment Amount
110760	FIRE SAFETY USA, INC FIRE SAFETY USA, INC 3253 19TH STREET NW ROCHESTER MN 55901	BATTERY	PV	88993	001	09101	10/24/2017	104346	147.00
				Summary Total					147.00
				Payment Amount					147.00
112421	FIRST SCRIBE FIRST SCRIBE 110 CHESHIRE LANE SUITE 105 MINNETONKA MN 55305	ROWAY WEB NOV 17	PV	89039	001	09101	11/1/2017	2475046	200.00
				Summary Total					200.00
				Payment Amount					200.00
116002	FPI PAVING CONTRACTORS INC FPI PAVING CONTRACTORS INC 3230 RICE STREET ST PAUL MN 55126-3047	PAVE-ALPINE PARK	PV	88839	001	09101	10/13/2017	1710259.00	34,393.00
				Summary Total					34,393.00
				Payment Amount					34,393.00
100186	FRANKENSIGNS INC FRANKENSIGNS 9133 DAVENPORT STREET NE P O BOX 490301 BLAINE MN 55449	PD OFFICE SIGNS	PV	89057	001	09101	10/26/2017	270721	48.00
				Summary Total					48.00
				Payment Amount					48.00
100189	G AND K SERVICES INC G AND K SERVICES INC P O BOX 842385 BOSTON MA 02284-2385	UNIFORM CLEANING	PV	88840	001	09101	10/25/2017	6006741369	5.00
		UNIFORM CLEANING	PV	88840	002	09101	10/25/2017	6006741369	21.00
		UNIFORM CLEANING	PV	88840	003	09101	10/25/2017	6006741369	26.51
		UNIFORM CLEANING	PV	88840	004	09101	10/25/2017	6006741369	26.51
				Summary Total					79.02
		UNIFORM CLEANING	PV	88841	001	09101	10/18/2017	6006730365	21.00
		UNIFORM CLEANING	PV	88841	002	09101	10/18/2017	6006730365	5.00
		UNIFORM CLEANING	PV	88841	003	09101	10/18/2017	6006730365	25.34
		UNIFORM CLEANING	PV	88841	004	09101	10/18/2017	6006730365	25.34
				Summary Total					76.68
		FD MATS	PV	88892	001	09101	10/25/2017	6006741367	16.56
				Summary Total					16.56
		UNIFORM CLEANING	PV	89040	001	09101	11/1/2017	6006752436	21.00

R04570

CITY OF RAMSEY
Create Payment Control Groups

Bank Account	00002224 CASH IN BANK
Version	LOGIS004V
Originator	JLIPSKI
Payment Instrument	Check Payment
Pay Through Date	12/31/2017

Payee Number	Payee Name / Mailing Address	Stub Message	Document Ty	Number	Itm	Co	Due Date	Invoice Number	Payment Amount
		UNIFORM CLEANING	PV	89040	002	09101	11/1/2017	6006752436	5.00
		UNIFORM CLEANING	PV	89040	003	09101	11/1/2017	6006752436	21.50
		UNIFORM CLEANING	PV	89040	004	09101	11/1/2017	6006752436	21.50
						Summary Total			69.00
						Payment Amount			241.26
100200	GOPHER STATE ONE CALL INC	OCT 17 214 TICKETS	PV	88994	001	09601	10/31/2017	7100666	96.30
	GOPHER STATE ONE CALL	OCT 17 214 TICKETS	PV	88994	002	09601	10/31/2017	7100666	96.30
	7223 PARKWAY DRIVE	OCT 17 214 TICKETS	PV	88994	003	09601	10/31/2017	7100666	96.30
	SUITE 210								
	HANOVER MD 21076-1317					Summary Total			288.90
						Payment Amount			288.90
100650	GRAINGER	BATTERY	PV	88842	001	09101	10/16/2017	9585847123	103.36
	GRAINGER INC					Summary Total			103.36
	DEPT. 806511127	SHOVEL/BOW RAKES	PV	88995	001	09101	10/26/2017	9597233189	146.07
	PALATINE IL 60038-0001	SHOVEL/BOW RAKES	PV	88995	002	09101	10/26/2017	9597233189	146.07
						Summary Total			292.14
						Payment Amount			395.50
109910	GREAT NORTHERN LANDSCAPE INC	MISC TREE PLANTING	PV	88843	001	09101	10/13/2017	12264	1,700.00
	GREAT NORTHERN LANDSCAPE INC					Summary Total			1,700.00
	19720 IGUANA STREET NW	2017 LANDSCAPE MAINTENAANCE	PV	88893	001	09101	10/23/2017	12338	600.00
	ELK RIVER MN 55330					Summary Total			600.00
		ALPINE PRK SOD REPAIR	PV	88996	001	09805	10/19/2017	12436	3,100.00
						Summary Total			3,100.00
						Payment Amount			5,400.00
100209	HAKANSON ANDERSON ASSOC INC	SHELL STATION DEMO	PV	88997	001	09410	10/26/2017	38955	9,478.00
	HAKANSON ANDERSON ASSOC INC					Summary Total			9,478.00
	3601 THURSTON AVENUE	GENERAL ENG SERVICE	PV	88998	001	09410	10/25/2017	38950	180.00
	ANOKA MN 55303-1063					Summary Total			180.00
						Payment Amount			9,658.00

Bank Account	00002224 CASH IN BANK
Version	LOGIS004V
Originator	JLIPSKI
Payment Instrument	Check Payment
Pay Through Date	12/31/2017

Payee Number	Payee Name / Mailing Address	Stub Message	Document Ty	Number	Itm	Co	Due Date	Invoice Number	Payment Amount
110386	HEALTH PARTNERS	M. JORDAN- HEP B	PV	88844	001	09101	10/9/2017	900004971 OCT 17	121.00
	HEALTH PARTNERS P O BOX 77026 MINNEAPOLIS MN 55480-7726					Summary Total			121.00
						Payment Amount			121.00
112564	HEALTH PARTNERS GROUP HEALTH-WORKSITE	EAP OCTOBER 2017	PV	88845	001	09101	10/17/2017	W814270	73.00
	HEALTH PARTNERS GROUP HEALTH-WORKSITE MAIL STOP # 21109A P O BOX 64059 ST PAUL MN 55164-0059					Summary Total			73.00
						Payment Amount			73.00
115760	HENRY SCHEIN INC	GLOVES/GAUZE	PV	88846	001	09101	10/4/2017	46140148	71.74
	HENRY SCHEIN INC DEPT CH 10241 PALATINE IL 60055-0241					Summary Total			71.74
						Payment Amount			71.74
116031	HOGLUND BODY AND EQUIPMENT INC	REPAIR 560	PV	89041	001	09702	11/3/2017	13072	1,022.00
	HOGLUND BODY AND EQUIPMENT INC P O BOX 1147 MONTICELLO MN 55362					Summary Total			1,022.00
						Payment Amount			1,022.00
112475	INNOVATIVE OFFICE SOLUTIONS	MISC OFFICE SUPPLIES	PV	88894	001	09101	10/18/2017	IN 1792941	158.07
	INNOVATIVE OFFICE SOLUTIONS AB # 1004 P O BOX 249004 APPLE VALLEY MN 55124-9017					Summary Total			158.07
						Payment Amount			158.07
115007	ITERIS, INC	NOV 17 SERVICE	PV	88999	001	09101	11/1/2017	324099 NOV 17	400.00
	ITERIS, INC P O BOX 842123 LOS ANGELES CA 90084-2123					Summary Total			400.00

Bank Account	00002224 CASH IN BANK
Version	LOGIS004V
Originator	JLIPSKI
Payment Instrument	Check Payment
Pay Through Date	12/31/2017

Payee Number	Payee Name / Mailing Address	Stub Message	Document Ty	Number	Itm	Co	Due Date	Invoice Number	Payment Amount
				Payment Amount					400.00
107714	JOHNSON CONTROLS INC	CONTROL REPAIRS	PV	89000	001	09101	10/25/2017	1-57355168307	452.00
	JOHNSON CONTROLS INC P O BOX 730068 DALLAS TX 75373			Summary Total					452.00
				Payment Amount					452.00
100258	LEAGUE OF MINNESOTA CITIES	MEMBERSHIP DUES 17-18	PV	88847	001	09101	10/27/2017	257757	19,672.00
	LEAGUE OF MN CITIES FINANCE DEPT 145 UNIVERSITY AVE WEST ST PAUL MN 55103-2044			Summary Total					19,672.00
				Payment Amount					19,672.00
100259	LEAGUE OF MN CITIES INS TRUST	RE: C. HASSEL	PV	89042	001	09702	11/1/2017	11613	132.89
	LEAGUE OF MN CITIES INS TRUST C/O BERKLEY RISK SERVICES INC P O BOX 581517 MINNEAPOLIS MN 55458-1517			Summary Total					132.89
				Payment Amount					132.89
100266	LOGIS	SEPTEMBER 17 SERVICES	PV	88848	001	09101	9/30/2017	44250	12,372.00
	LOCAL GOVERNMENT INFORMATION SYSTEMS ASS			Summary Total					12,372.00
	5750 DULUTH STREET	SEPT 17 NETWORK	PV	89001	001	09101	9/30/2017	44347	373.75
	GOLDEN VALLEY MN 55422-4036			Summary Total					373.75
				Payment Amount					12,745.75
114282	LOUCKS ASSOCIATES	COR MASTER PLAN	PV	89002	001	09214	10/18/2017	32624	612.50
	LOUCKS ASSOCIATES 7200 HEMLOCK LANE SUITE 300 MINNEAPOLIS MN 55369			Summary Total					612.50
				Payment Amount					612.50
100271	MAIN MOTORS	HINGE	PV	89003	001	09101	11/1/2017	329082	81.10
	MAIN MOTORS			Summary Total					81.10

CITY OF RAMSEY
Create Payment Control Groups

Bank Account	00002224	CASH IN BANK
Version	LOGIS004V	
Originator	JLIPSKI	
Payment Instrument		Check Payment
Pay Through Date	12/31/2017	

Payee Number	Name / Mailing Address	Stub Message	Document Ty	Number	Itm	Co	Due Date	Invoice Number	Payment Amount
	435 WEST MAIN STREET ANOKA MN 55303								
				Payment Amount					81.10
106616	MARTIN MCALLISTER, INC	ASSESSMENT-I. TOURE	PV	89043	001	09101	10/31/2017	11319	500.00
	MARTIN MCALLISTER, INC 3900 IDS CENTER MINNEAPOLIS MN 55402			Summary Total					500.00
				Payment Amount					500.00
100283	MENARDS COON RAPIDS	MISC SUPPLIES- FIRE DEPT.	PV	89004	001	09101	10/25/2017	58864	32.70
	MENARDS COON RAPIDS 3045 MAIN STREET COON RAPIDS MN 55433			Summary Total					32.70
		MISC SUPPLIES- PARKS	PV	89005	001	09101	10/27/2017	59003	110.15
				Summary Total					110.15
				Payment Amount					142.85
100284	MENARDS ELK RIVER	MISC SUPPLIES	PV	88850	001	09101	10/14/2017	43156	104.10
	MENARDS ELK RIVER 19521 EVANS STREET NW ELK RIVER MN 55330-1077			Summary Total					104.10
				Payment Amount					104.10
100285	MET COUNCIL ENVIRONMENTAL SRV	WASTE WATER DEC 17	PV	89006	001	09602	11/6/2017	0001073827	62,966.65
	MET COUNCIL ENVIRONMENTAL SRV P O BOX 856513 MINNEAPOLIS MN 55485-6513			Summary Total					62,966.65
				Payment Amount					62,966.65
100289	METRO SALES INC	COPIER CONTRACT OCT 2017	PV	88895	001	09101	10/23/2017	INV919061	856.24
	METRO SALES INC	COPIER CONTRACT OCT 2017	PV	88895	002	09101	10/23/2017	INV919061	255.76
	1620 EAST 78TH STEET MINNEAPOLIS MN 55423			Summary Total					1,112.00
				Payment Amount					1,112.00

CITY OF RAMSEY
Create Payment Control Groups

Bank Account	00002224	CASH IN BANK
Version	LOGIS004V	
Originator	JLIPSKI	
Payment Instrument		Check Payment
Pay Through Date	12/31/2017	

Payee Number	Name / Mailing Address	Stub Message	Document Ty	Number	Itm	Co	Due Date	Invoice Number	Payment Amount
101164	MILLER CHEVROLET	MISC WORK 343	PV	89007	001	09101	10/31/2017	CTCS586989	283.99
	MILLER CHEVROLET	MISC WORK 343	PV	89007	002	09101	10/31/2017	CTCS586989	59.99
	21150 JOHN MILLESS DR P O BOX 130 ROGERS MN 55374						Summary Total		343.98
							Payment Amount		343.98
106555	MINNEAPOLIS, CITY OF	SEPT 17 BILLABLE TRANSACTIONS	PV	88896	001	09101	10/18/2017	400451001537	116.10
	MINNEAPOLIS FINANCE DEPT P O BOX 77038 MINNEAPOLIS MN 55480-7738						Summary Total		116.10
							Payment Amount		116.10
100309	MN MAYORS ASSN	MEMBERSHIP 2017/2018	PV	88849	001	09101	10/26/2017	102617	30.00
	MINNESOTA MAYORS ASSN C/O LEAGUE OF MN CITIES 145 UNIVERSITY AVENUE WEST ST PAUL MN 55103-2044						Summary Total		30.00
							Payment Amount		30.00
100313	MN RECREATION AND PARK ASSN	M. RIVERBLOOD-ANNUAL CONF.	PV	88897	001	09101	10/19/2017	9344	240.00
	MN RECREATION AND PARK ASSN 200 CHARLES STREET NE FRIDLEY MN 55432						Summary Total		240.00
							Payment Amount		240.00
100314	MN SAFETY COUNCIL	AED PADS	PV	89008	001	09101	10/25/2017	52861	383.95
	MN SAFETY COUNCIL 474 CONCORDIA AVENUE ST PAUL MN 55103						Summary Total		383.95
							Payment Amount		383.95
115375	MUTT MITT	MUTT MITTS	PV	89044	001	09101	10/30/2017	182448	1,041.38
	MUTT MITT 12316 WORLD TRADE DRIVE SUITE 102 SAN DIEGO CA 92128						Summary Total		1,041.38
							Payment Amount		1,041.38

CITY OF RAMSEY
Create Payment Control Groups

Bank Account	00002224 CASH IN BANK
Version	LOGIS004V
Originator	JLIPSKI
Payment Instrument	Check Payment
Pay Through Date	12/31/2017

Payee Number	Name / Mailing Address	Stub Message	Document Ty	Number	Itm	Co	Due Date	Invoice Number	Payment Amount
100345	NAPA AUTO PARTS ELK RIVER	RELAY 661	PV	88851	001	09101	10/16/2017	931835	29.98
				Summary Total					29.98
	NAPA AUTO PARTS ELK RIVER 17137 YALE STREET NW	OIL/FUEL/AIR FILTERS	PV	88898	001	09101	10/26/2017	933333	58.24
				Summary Total					58.24
	P O BOX 1041 ELK RIVER MN 55330	HEADLIGHT BULB	PV	89009	001	09101	10/31/2017	934197	9.29
				Summary Total					9.29
				Payment Amount					97.51
115167	NET TRANSCRIPTS INC	TRANSCRIPTIONS	PV	88899	001	09101	9/30/2017	0015302	693.95
				Summary Total					693.95
	NET TRANSCRIPTS INC 3707 N. 7TH STREET SUITE 320	OCT 17 TRANSCRIPTIONS	PV	89010	001	09101	10/31/2017	0015503	265.13
	PHOENIX AZ 85014			Summary Total					265.13
				Payment Amount					959.08
100354	NEWMAN TRAFFIC SIGNS	SIGN MATERIAL	PV	88852	001	09101	10/18/2017	TI-0315176	193.98
				Summary Total					193.98
	NEWMAN TRAFFIC SIGNS PO BOX 1728	FLAGGER SYM	PV	88853	001	09101	10/12/2017	TI-0315001	280.01
	JAMESTOWN ND 58402-1728			Summary Total					280.01
		SIGN MATERIAL	PV	89045	001	09101	10/31/2017	0315542	652.68
				Summary Total					652.68
				Payment Amount					1,126.67
100360	NORTH STAR TOWING INC	INV 56176/56194	PV	89046	001	09101	11/1/2017	110117	130.00
				Summary Total					130.00
	NORTH STAR TOWING INC 833 NORTH STREET ANOKA MN 55303			Payment Amount					130.00
100363	NORTHERN SANITARY SUPPLY CO	CUPS	PV	88854	001	09101	10/19/2017	188266	57.80
				Summary Total					57.80
	NORTHERN SANITARY SUPPLY CO 341 COON RAPIDS BLVD	MISC SUPPLIES	PV	88855	001	09101	10/17/2017	188243	333.88
	MINNEAPOLIS MN 55433			Summary Total					333.88
				Payment Amount					391.68

Bank Account	00002224 CASH IN BANK
Version	LOGIS004V
Originator	JLIPSKI
Payment Instrument	Check Payment
Pay Through Date	12/31/2017

Payee Number	Name / Mailing Address	Stub Message	Document Ty	Number	Itm	Co	Due Date	Invoice Number	Payment Amount
115232	NORTHERN TECHNOLOGIES LLC	RIVERSTONE 1ST ADD.	PV	89011	001	09804	9/30/2017	23358	2,156.00
	NORTHERN TECHNOLOGIES LLC					Summary Total			2,156.00
	3522 4TH AVENUE S	SUNWOOD DR RECONST.	PV	89012	001	09435	9/30/2017	23397	2,229.25
	FARGO ND 58103					Summary Total			2,229.25
		COVENANT MEADOWS	PV	89013	001	09804	9/30/2017	23372	1,808.25
						Summary Total			1,808.25
		BROOKFIELD 8TH ADD.	PV	89014	001	09804	9/30/2017	23362	2,172.75
						Summary Total			2,172.75
		ALPINE DR 17-01	PV	89015	001	09435	9/30/2017	23360	3,783.75
						Summary Total			3,783.75
						Payment Amount			12,150.00
110547	NORTHWEST LIGHTING SYSTEMS CO.	MISC BULBS/SUPPLIES	PV	89058	001	09101	11/3/2017	104561	494.69
	NORTHWEST LIGHTING SYSTEMS CO. 12001 RIVERWOOD DRIVE BURNSVILLE MN 55337					Summary Total			494.69
						Payment Amount			494.69
106375	NOWTHEN NURSERY	TREE/MULCH	PV	89016	001	09101	10/31/2017	26459	237.48
	NOWTHEN NURSERY 19720 IGUANA STREET NW NOWTHEN MN 55330					Summary Total			237.48
						Payment Amount			237.48
110480	OPUS 21 MANAGEMENT SOLUTIONS	SEPTEMBER 17 SERVICE	PV	89047	001	09601	10/30/2017	170961	32.39
	OPUS 21 MANAGEMENT SOLUTIONS	SEPTEMBER 17 SERVICE	PV	89047	002	09601	10/30/2017	170961	32.39
	680 COMMERCE DRIVE SUITE 160	SEPTEMBER 17 SERVICE	PV	89047	003	09601	10/30/2017	170961	32.39
	WOODBURY MN 55125	SEPTEMBER 17 SERVICE	PV	89047	004	09601	10/30/2017	170961	32.39
		SEPTEMBER 17 SERVICE	PV	89047	005	09601	10/30/2017	170961	32.35
						Summary Total			161.91
						Payment Amount			161.91
100393	PRAIRIE RESTORATIONS INC	ZONE A/D WOODY REMOVAL	PV	88856	001	09101	10/16/2017	9515	275.00
	PRAIRIE RESTORATIONS INC					Summary Total			275.00

Bank Account	00002224 CASH IN BANK
Version	LOGIS004V
Originator	JLIPSKI
Payment Instrument	Check Payment
Pay Through Date	12/31/2017

Payee Number	Payee Name / Mailing Address	Stub Message	Document Ty	Number	Itm	Co	Due Date	Invoice Number	Payment Amount
	31646 128TH STREET	RE: SUNFISH LK PRK	PV	88900	001	09101	10/20/2017	9577	928.75
	PRINCETON MN 55371						Summary Total		928.75
							Payment Amount		1,203.75
113444	PRECISE	OCT 2017	PV	89017	001	09101	10/30/2017	IN200-1014583	508.04
	PRECISE						Summary Total		508.04
	501 EAST CLIFF ROAD SIUTE 100								
	BURNSVILLE MN 55337						Payment Amount		508.04
107978	PREMIER COMMERCIAL PROPERTIES INC	LEASE FEE 6701 HWY 10 CHURCH	PV	88857	001	09410	10/6/2017	5509	3,503.09
	PREMIER COMMERCIAL PROPERTIES INC						Summary Total		3,503.09
	299 COON RAPIDS BLVD NW #200	OCT 17 HWY 10 MANAGEMENT	PV	89018	001	09410	10/31/2017	5525	200.00
	COON RAPIDS MN 55433	OCT 17 HWY 10 MANAGEMENT	PV	89018	002	09410	10/31/2017	5525	200.00
		OCT 17 HWY 10 MANAGEMENT	PV	89018	003	09410	10/31/2017	5525	200.00
		OCT 17 HWY 10 MANAGEMENT	PV	89018	004	09410	10/31/2017	5525	200.00
							Summary Total		800.00
							Payment Amount		4,303.09
114682	PRO TEC DESIGN INC	CRAIGSLIST CAMERA ADDITION	PV	88858	001	09101	10/13/2017	82368	1,202.35
	PRO TEC DESIGN INC						Summary Total		1,202.35
	5929 BAKER ROAD SUITE 400	CRAIGSLIST CAM ADD-LABOR	PV	88859	001	09101	10/13/2017	82369	880.00
	MINNETONKA MN 55345						Summary Total		880.00
							Payment Amount		2,082.35
100413	RANDALL GOODRICH AND HAAG PLC	PROSECUTION OCT 17	PV	88860	001	09101	10/17/2017	101717	3,037.00
	RANDALL GOODRICH AND HAAG PLC						Summary Total		3,037.00
	2140 FOURTH AVENUE NORTH								
	ANOKA MN 55303						Payment Amount		3,037.00
111839	REGENTS OF THE	RESILIENT COM	PV	88867	001	09101	10/17/2017	2010545885	40,000.00

Bank Account	00002224	CASH IN BANK
Version	LOGIS004V	
Originator	JLIPSKI	
Payment Instrument		Check Payment
Pay Through Date	12/31/2017	

Payee Number	Name / Mailing Address	Stub Message	Document Ty	Number	Itm	Co	Due Date	Invoice Number	Payment Amount
	UNIVERSITY OF MINNESOTA	PROJECT 17/18							
	REGENTS OF THE UNIVERSITY OF MINNESOTA NW 5957 P O BOX 1450 MINNEAPOLIS MN 55485-5957			Summary Total					40,000.00
				Payment Amount					40,000.00
107880	RICK JOHNSON DEER AND BEAVER INC	OCT 17- 3 DEER CALLS	PV	89048	001	09101	11/1/2017	2017 OCT 17	270.00
	RICK JOHNSON DEER AND BEAVER INC 18595 XENOLITH STREET NW BURNS TOWNSHIP MN 55303			Summary Total					270.00
				Payment Amount					270.00
115583	SANDARIN, BARBARA	NOV 17 YOGA CLASSES (7)	PV	88901	001	09101	10/27/2017	102717	300.00
	BARBARA SANDARIN 1824 113TH LANE NW COON RAPIDS MN 55433			Summary Total					300.00
				Payment Amount					300.00
107711	SCHINDLER ELEVATOR	4TH QTR 17 CITY HALL	PV	89019	001	09101	11/1/2017	8104656267	611.73
	SCHINDLER ELEVATOR P O BOX 93050 CHICAGO IL 60673-3050			Summary Total					611.73
				Payment Amount					611.73
115843	SCOTT, ABBY L	OCT 17 ZUMBA CLASSES	PV	89020	001	09101	10/31/2017	103117	120.00
	ABBY L SCOTT 15406 KRYPTON ST NW RAMSEY MN 55303			Summary Total					120.00
				Payment Amount					120.00
111128	SHERBURNE COUNTY SHERIFFS OFFICE	RANGE USE OCT 17	PV	88902	001	09101	10/23/2017	0201710-RPD	790.00
	SHERBURNE COUNTY SHERIFFS OFFICE 13880 BUSINESS CENTER DRIVE NW ELK RIVER MN 55330			Summary Total					790.00
				Payment Amount					790.00

Bank Account 00002224 CASH IN BANK
Version LOGIS004V
Originator JLIPSKI
Payment Instrument Check Payment
Pay Through Date 12/31/2017

Payee Number	Name / Mailing Address	Stub Message	Document Ty	Number	Itm	Co	Due Date	Invoice Number	Payment Amount
114269	SPEEDCUTTERS OUTDOOR MAINTENANCE LLC	TURF CARE OCT 2017	PV	89021	001	09101	10/24/2017	5015	1,775.06
	SPEEDCUTTERS OUTDOOR MAINTENANCE LLC 18523 OLSON STREET NW ELK RIVER MN 55330					Summary Total			1,775.06
						Payment Amount			1,775.06
100469	STREICHER'S POLICE EQUIPMENT	BOOTS- HEMMERICH	PV	88861	001	09101	10/16/2017	I1283944	139.99
	STREICHER'S POLICE EQUIPMENT					Summary Total			139.99
	10911 WEST HWY 55	HOLSTER	PV	88903	001	09101	10/24/2017	I1285035	136.99
	MINNEAPOLIS MN 55441					Summary Total			136.99
						Payment Amount			276.98
100485	TIMESAVER OFF SITE SECRETARIAL INC	MTGS SEPT/OCT 2017	PV	88862	001	09101	10/13/2017	M23281	603.00
	TIMESAVER OFF SITE SECRETARIAL INC					Summary Total			603.00
	5291 RIVER OAK DRIVE	OCT 17 MEETINGS	PV	89022	001	09101	10/31/2017	M23320	886.13
	SAVAGE MN 55378					Summary Total			886.13
						Payment Amount			1,489.13
112688	TITAN MACHINERY	HYDRAULIC LEAK- 688	PV	88863	001	09605	10/19/2017	833989 CL	866.69
	TITAN MACHINERY					Summary Total			866.69
	14375 JAMES ROAD	BOSCH RELAY 661	PV	88904	001	09101	10/24/2017	10074317	63.78
	ROGERS MN 55374					Summary Total			63.78
						Payment Amount			930.47
108522	TOTAL CONTROL SYSTEMS, INC	SCADA IMPROV.	PV	88864	001	09601	10/16/2017	8056	3,274.33
	TOTAL CONTROL SYSTEMS, INC					Summary Total			3,274.33
	P O BOX 40	REWIRED POWER SUPPLY	PV	89026	001	09602	11/1/2017	8058	279.05
	STANCHFIELD MN 55080					Summary Total			279.05
						Payment Amount			3,553.38
116001	TRUCK VAULT INC	EMERG RESP 2	PV	88866	001	09101	10/13/2017	178522	2,106.59
	TRUCK VAULT INC P O BOX 734					Summary Total			2,106.59

Bank Account	00002224 CASH IN BANK
Version	LOGIS004V
Originator	JLIPSKI
Payment Instrument	Check Payment
Pay Through Date	12/31/2017

Payee Number	Payee Name / Mailing Address	Stub Message	Document Ty	Number	Itm	Co	Due Date	Invoice Number	Payment Amount
	SEDRO WOOLLEY WA 98284								
				Payment Amount					2,106.59
107705	TWIN CITY GARAGE DOOR CO	REPAIR DOOR FIRE STAT 2	PV	88865	001	09702	10/2/2017	491912	1,875.00
				Summary Total					1,875.00
	TWIN CITY GARAGE DOOR CO 5601 BOONE AVE N	REPAIR AT FIRE STATION 2	PV	89059	001	09101	10/18/2017	493067	859.00
	MINNEAPOLIS MN 55428								
				Summary Total					859.00
				Payment Amount					2,734.00
111084	UNIVERSITY OF MINNESOTA	E.KRUEGER ANNUAL CONF 2018	PV	89023	001	09101	10/31/2017	103117	250.00
	UNIVERSITY OF MINNESOTA								
				Summary Total					250.00
				Payment Amount					250.00
115839	VOLKER, ANDREA	4 OCT YOGA CLASSES	PV	88905	001	09101	10/27/2017	102717	180.00
				Summary Total					180.00
	ANDREA VOLKER 1312 3RD STREET SOUTH PRINCETON MN 55371								
				Payment Amount					180.00
105628	WELLS CATERING SERVICE	CC MEAL 10/24/17	PV	88868	001	09101	10/24/2016	43346	81.23
				Summary Total					81.23
	WELLS CATERING SERVICE 7533 SUNWOOD DRIVE SUITE 108 RAMSEY MN 55303								
				Payment Amount					81.23
112515	WSB AND ASSOCIATES INC	SHOVEL READY-SEPT 2017	PV	89024	001	09201	10/18/2017	9 1973-120 SEPT 17	711.00
				Summary Total					711.00
	WSB AND ASSOCIATES INC 701 XENIA AVENUE SOUTH SUITE 300	2040 COMP PLAN- SEPT 17	PV	89049	001	09101	10/18/2017	1201973-160 OCT 17	1,427.00
	MINNEAPOLIS MN 55416								
				Summary Total					1,427.00
		SOLAR EXPAN. SEPT 17	PV	89050	001	09804	10/18/2017	3 1973-170 OCT 17	64.00
				Summary Total					64.00
		CODE ENFORCE/ SEPT 17	PV	89051	001	09101	10/18/2017	9-1973-220 OCT 17	1,722.00

CITY OF RAMSEY
Create Payment Control Groups

Bank Account	00002224	CASH IN BANK
Version	LOGIS004V	
Originator	JLIPSKI	
Payment Instrument		Check Payment
Pay Through Date	12/31/2017	

Payee Number	Payee Name / Mailing Address	Stub Message	Document Ty	Number	Itm	Co	Due Date	Invoice Number	Payment Amount
				Summary Total					1,722.00
		BONIFAS COND. USE PERMIT SEPT	PV	89052	001	09804	10/18/2017	3 1973-330 OCT 17	42.00
				Summary Total					42.00
		GREENWAY TERRACE DEVEL.	PV	89053	001	09804	10/17/2017	4 R-010229-000 OCT 17	63.00
				Summary Total					63.00
		GENERAL PLANNING	PV	89054	001	09101	10/18/2017	9-1973-210 OCT 17	4,410.00
				Summary Total					4,410.00
				Payment Amount					8,439.00
100541	ZARNOTH BRUSH WORKS INC ZARNOTH BRUSH WORKS INC PO BOX 141 CHILTON WI 53014-0141	GUTTER BROOM/DIRT SHOES	PV	89025	001	09605	10/20/2017	0167248	1,004.00
				Summary Total					1,004.00
				Payment Amount					1,004.00
106402	ZEP MANUFACTURING COMPANY ZEP SALES & SERVICE 13237 COLLECTIONS CENTER DRIVE CHICAGO IL 60693	ZEP BRAKE WASH	PV	89055	001	09101	10/31/2017	9003109548	709.19
				Summary Total					709.19
				Payment Amount					709.19
				Total Amount to be Processed					410,990.11
				Total Number of Payments to be Processed					96

Councilmember introduced the following resolution and moved for its adoption:

RESOLUTION #17-11-287

RESOLUTION APPROVING CASH DISBURSEMENTS MADE AND AUTHORIZING PAYMENT OF ACCOUNTS PAYABLE INVOICING RECEIVED DURING THE PERIOD OF OCTOBER 19, 2017 THROUGH NOVEMBER 8, 2017.

WHEREAS, the City of Ramsey Finance Department has made cash disbursements and received accounts payable invoicing during the period of October 19, 2017, through November 8, 2017, in the amount of $1,067,050.68 and

WHEREAS, the City Council of the City of Ramsey is required to authorize payment for all disbursement transactions.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RAMSEY, ANOKA COUNTY, STATE OF MINNESOTA, as follows:

1) That the Ramsey City Council hereby approves the cash disbursements made and authorizes payment of the accounts payable invoices as detailed in the attached Bills List for the period October 19, 2017, through November 8, 2017, in the amount of $1,067,050.68.

The motion for the adoption of the foregoing resolution was duly seconded by Councilmember , and upon vote being taken thereon, the following voted in favor thereof:

and the following voted against the same:

and the following abstained:

and the following were absent:

Whereupon said resolution was declared duly passed and adopted by the Ramsey City Council this the 14th day of November, 2017.

_____

Mayor

ATTEST:

City Clerk

Our Mission: To work together to resposibly grow our community, and to provide quality, cost-effective, and efficient government services.

CC Regular Session **4. 6.**

Meeting Date: 11/14/2017

Submitted For: Grant Riemer, Engineering/Public Works

By: Grant Riemer, Engineering/Public Works

Information

Title:

Adopt Resolution # 17-11-263 Accepting Quotes and Awarding Contract for the Installation of Emergency Generator for Well #3, Improvement Project # 17-06

Purpose/Background:

Purpose:

The purpose of this case is to adopt resolution # 17-11-263 accepting quotes and awarding a contract for the installation of an emergency generator for well # 3, Improvement Project # 17-06. This project is listed in the 2017-2026 CIP under Water Improvements.

Background:

Currently we have one emergency generator connected to well # 5 which produces a maximum of 850 gallons per minute. Our current consumption rate is 1120 GPM. In a extended power outage we would not be able to keep up with our daily demand for water. The second emergency generator would be connected to Well # 3 which produces 1650 GPM and would give us the ability to meet our current daily demand under emergency conditions.

At the March 21st , 2017 PW Committee meeting the committee accepted staff recommendation to enter into a contract with Bolton & Menk Inc. to provide design and construction management for the purchase and installation of an emergency backup natural gas generator for Well # 3, with a not to exceed amount of $11,310.00. Bolten & Menk Inc. has prepared plans and specifications and received quotes from three qualified contractors. The quotes received were as follows:

Contractor	**Total Quote**
Killmer Electric	$90,500.00
Meier Electric	Did not Submit
Levin Electric	Did not Submit

Because of Killmers original quote of $195,000.000 staff chose to go with a diesel generator, instead of the natural gas option originally proposed to the PW committee. Staff also explored options of buying the generator outright though one of our cooperative purchasing memberships.The city will now purchase the diesel generator directly through our membership with the National Joint Powers Alliance. By switching to a diesel generator and having the city purchase the generator set, the cost of the generator is now $53,684.61, instead of the originally quoted price of $101,000.00 through the contractor for a natural gas generator. The total cost of the project is now $144,184.61

Notification:

No notifications are required for with this case.

Observations/Alternatives:

Alternative # 1 Motion to adopt Resolution # 17-11-263 accepting quotes and awarding contract for installation of emergency generator for well # 3 Improvement Project # 17-06 to Killmer Electric for the amount of $90,500.00

Alternative # 2 Motion denying adoption of Resolution # 17-11-263 at this time.

Funding Source:

Funding for this project is proposed to come from the water fund.

Recommendation:

City staff recommends Alternative # 1 Motion to adopt Resolution # 17-11-263 accepting quotes and awarding contract for installation of emergency generator for well # 3 Improvement Project # 17-06 to Killmer Electric for the amount of $90,500.00

Action:

Adopt Resolution # 17-11-263 accepting quotes and awarding contract for Improvement Project # 17-06 Installation of Emergency Generator for Well #3

Attachments

Generator Quote

Killmer Quote

Res 17 11 263

Form Review

Inbox	Reviewed By	Date
Kurt Ulrich	Kurt Ulrich	11/09/2017 11:47 AM
Form Started By: Grant Riemer		Started On: 10/12/2017 01:55 PM
Final Approval Date: 11/09/2017		

Proposal by

Date: October 20, 2017

Proposal No. EPG238236rev2

8050 County Road 101East
Shakopee, MN 55379
952-887-4574

To: City of Ramsey

Attn: Mr. Grant Riemer

Re: Caterpillar Standby Generator
NJPA Contract #080613 – Ramsey Member #17939

"Well House No. 3"

WE PROPOSE TO FURNI SH IN ACCORDANCE WITH THE FOLLOWING SPECIFICATIONS, TERMS AND CONDITIONS

QUANTITY:	One (1) new Caterpillar generator set in level 2 outdoor insulated/sound attenuated Enclosure rated 73dBA @ 23 feet
MODEL:	D200 (Diesel)
RATING:	200kW Standby Rated
VOLTAGE:	480/277 volts, 3 phase, 4 wire, 60 HZ, 1800 RPM
CIRCUIT BREAKER:	One (1) ABB mainline adjustable LSI circuit breaker, 400 amps 3 poles, 100% rated w/ aux contacts & shunt trip
FUEL TANK:	UL listed 408 gallon sub base fuel tank, 24 hour capacity, locking fuel fill
SWITCHGEAR:	None
WARRANTY:	Four (4) years, 2000 hours
INSTALLATION:	By others

CATERPILLAR LIST PRICE:	**$ 68,195 .00**
NJPA DISCOUNT 33%:	**($ 25,504 .35)**
GENERATOR PRICE:	**$ 42,690 .65**
FACTORY FREIGHT:	**$ 3,900 .96**
DEALER PREP:	**$ 3,859 .00**
DELIVERY TO RAMSEY, MN:	**$ 765 .00**
STARTUP :	**$ 2,469 .00**
NJPA BID PRICE:	**$ 53,684.61***

****Please refer to the attached Bill of Material.***

APPROXIMATE SHIPPING: 12-14 weeks after submittal approval ***F.O.B.*** Jobsite, on truck

TERMS: Net 20 days

THIS PROPOSAL SUBJECT TO ALL PROVISIONS OF THE CONTRACT AND WARRANTY ON REVERSE SIDE

ACCEPTED:

By

Its

Respectfully submitted,
ZIEGLER INC.

By: Logan Cameron
Logan Cameron, Sales Engineer

Subject to approval by
ZIEGLER INC.

By

APPROVED:

ONE (1) EMERGENCY STANDBY GENERATOR SET, RATED AT 200KW STANDBY, 3 PHASE, 60 HZ, 480/277 VOLT, 1800 RPM.

ENGINE SPECIFICATIONS
Meets EPA Regulations – UL2200 listed / NFPA110 Compliant
C7.1 In-line 6, 4-cycle diesel
Electronic governor
Oil filter, spin-on type
Radiator cooling system, blower fan
Water pump
12V. DC starting system
Jacket water heater, 120 volt, 1500 watt
Alternator, 30 ampere, 12 VDC
Fuel system: Diesel

STANDARD ENGINE SAFETY FEATURES
Shutdowns with individual warning lamps
Fail to start / over-crank
High coolant temperature
Low lube oil pressure
Over-speed
Over-voltage

GENERATOR SPECIFICATIONS
Class H insulation, rotor and stator, single bearing design
Flexible coupling
Brushless excitation
Solid-state regulator, +/- l. % regulation
Permanent magnetic generator (PMG)
Generator anti-condensation heater
UL mainline circuit breaker, 400 amps, 3 poles, 100% rated, adjustable LSI trip, shunt & aux contacts

SYSTEM CONTROLS
• Voltage (all phases) • Current (all phases)
• Power factor • kW
• KVAR
• Transfer switch status
• Engine speed
• Low fuel pressure
• Run hours
• Service reminders
• Fault history
• Oil pressure
• Coolant temperature
• Time and date
• Low oil pressure shutdown
• High coolant temperature shutdown
• Overvoltage
• Over-speed
• Low coolant level
• Exercise speed
• Protection

Fail to start shutdown
Low oil pressure shutdown
Low/High battery voltage
Battery charger failure
Under-speed/Over-speed
Loss of engine speed detection□□
• I^2T function for alternator protection from line to neutral and line to line short circuits
• Emergency stop
• Programmable auto crank function
• 2 wire start for any transfer switch
• Adjustable engine speed at exerciser
• RS232 port for GenLink® control
• RS485 port remote communication
• Canbus addressable
• Governor controller and voltage regulator are built into the master control board
• Temperature range -40 °C to 70 °C

SWITCHGEAR
NONE

ANCILLARY EQUIPMENT
Enclosure, Level 2 outdoor insulated/sound attenuated rating of 73dBA @ 23 feet
Dual wall UL listed sub-base fuel tank, 24 hour capacity (408 gallons), lockable fuel fill cap
Color, CAT White
Battery charger, 10 ampere, static, generator mounted
Battery, with battery rack and cables
Exhaust silencer
Exhaust-flex connector
Motorized louvers, 100A load center panel, gravity dampers
Interior AC lights
GFCI convenience outlet

PROJECT MANAGEMENT SERVICES
Submittal drawings
{ Dimensional drawings
{ Electrical schematics
{ Product specifications
Prototype testing/Production testing
Jobsite startup
{ Operation and maintenance manual, Engine, generator
Warranty, four (4) years – 2000 hours ***(*included at no cost with NJPA purchases)***
Four (4) hours training of owner's personnel - at the time of jobsite testing and start-up
Four (4) hour load bank testing on site
Delivery to jobsite by Ziegler CAT

COMMENTS AND CLARIFICATIONS
Installation provided by others
Fuel not included
Crane is not included
Concrete pad is not included

NOTES
Ziegler limits the scope of supply for this quotation to the equipment and services listed.

Equipment not listed is assumed to be provided by others.

Ziegler cannot provide air emission permits for customers. We will provide emission information on the Caterpillar engine to the owner to aid in the permitting process.

Orders are subject to re-stocking charges if cancelled after release for production.

Mechanical and electrical installation provided by others.

State and local permits for fire, air, fuel tanks or building permits are not included and provided by others.

Start-up labor is to be performed during normal business hours, Monday through Friday 7:30 am to 4:00 pm. Training is to be performed at the end of start-up. Additional trips or delays required or requested due to contractor delay and/or issues with equipment not provided from Ziegler Power Systems will be billed at published field service rates.

Terms:
- Extension of contract beyond term must be at the mutual agreement of the parties.
- Ziegler Inc. shall not be liable for consequential damages or damages beyond our control.
- This quotation is subject to availability at time of order
- Customer is responsible for adequate site conditions and security.
- Customer is responsible for scheduled maintenance and fuel costs.
- Customer must provide adequate insurance to cover equipment damage or loss.
- Price(s) do not include state or local sales and/or use taxes.
- Quotation is valid for 90 days.

PROVISIONS OF THE CONTRACT AND WARRANTY

The prices quoted are current and are subject to change to those in effect at the time of shipment. Caterpillar products are sold subject to the terms of the applicable Caterpillar warranty. Copies of the warranties applicable to this purchase are attached hereto, and the purchaser by signing this order acknowledges receipt of the Caterpillar warranties on Forms.

The Purchaser agrees to pay any and all taxes, assessments, licenses, and government charges of every kind and nature whatsoever upon said equipment which may be imposed or assessed against or resulting to the Seller on account of the possession or use of said equipment by Purchaser. All provisions hereof are contingent upon government restrictions, strikes, and accidents, delays of carrier and other delays unavoidable and beyond Seller's control.

It is intended and understood that title and ownership of said equipment is and shall remain vested in the Seller, notwithstanding delivery or possession, until the entire price is paid in full.

BOLTON & MENK
Real People. Real Solutions.

7533 Sunwood Drive NW
Suite 206
Ramsey, MN 55303-5119

Ph: (763) 433-2851
Fax: (763) 427-0833
Bolton-Menk.com

M E M O R A N D U M

Date: October 31, 2017
To: Grant Riemer, Public Works Superintendent
From: Kevin Kielb, P.E., Project Manager
Subject: Quote Results and Recommendation
Well House #3 Standby Generator Improvement Project
City Project No: #17-06

Quotes were requested from three electrical contractors for the Well House #3 Standby Generator Improvement project. Two of the contractors immediately responded they would not be submitting a quote. Killmer Electric submitted the attached quote on October 27, 2017.

Killmer Electric performs the majority of electrical work for water systems and waste water systems in the Twin Cities. Additionally, Total Control Systems performs the City's controls related work and was a required subcontractor for the project.

Based on additional research, it was found that changing from a natural gas generator to a City-procured, diesel generator would reduce project costs significantly, while providing equal benefit to the City.

Our initial estimate for the project was $95,000. Killmer Electric's quote was $90,500, with the diesel generator being purchased by the City. The City will purchase the generator through the National Joint Powers Alliance for a price of $53,684.61. The total project cost is $144,184.61. The cost increase (above the estimate) is attributed to: additional improvements to the Well House (totaling $45,000) including Variable Frequency Drives (VFDs), Motor Control Center (MCC), and additional power wiring.

Three quotes were requested for the project. Responses are as follows:

CONTRACTOR	TOTAL QUOTE
Killmer Electric	$90,500.00
Meier Electric	Did not Submit
Levin Electric	Did not Submit

Based on conversations with Killmer Electric, other electrical contractors, Total Control Systems, and generator suppliers, it appears unlikely that re-bidding the work would result in reduced pricing.

A majority of the work will be completed by the end of February, 2018, but delivery times associated with the generator and transfer switch will result in project completion in March, 2018.

Our recommendation is to perform the following:

- Award the project, as Quoted, to Killmer Electric.
- Order the generator through the National Joint Powers Alliance.

ATTACHMENTS

- Killmer Electric Company, Inc. Quote
- Email Responses from Levin Electric and Meier Electric
- Ziegler Generator Quote through the National Joint Powers Alliance

Bolton & Menk is an equal opportunity employer.

SECTION 00410 - BID FORM

Well No. 3 Generator

City of Ramsey

ARTICLE 1 - BID RECIPIENT

1.01 This Bid is submitted to:

City of Ramsey

7550 Sunwood Drive NW

Ramsey, MN 55303-6140

1.02 The undersigned Bidder proposes and agrees, if this Bid is accepted, to enter into an Agreement with Owner in the form included in the Bidding Documents to perform all Work as specified or indicated in the Bidding Documents for the prices and within the times indicated in this Bid and in accordance with the other terms and conditions of the Bidding Documents.

ARTICLE 2 - BIDDER'S ACKNOWLEDGEMENTS

2.01 Bidder accepts all of the terms and conditions of the Advertisement or Instructions to Bidders, including without limitation those dealing with the disposition of Bid security. This Bid will remain subject to acceptance for 61 days after the Bid opening, or for such longer period of time that Bidder may agree to in writing upon request of Owner.

ARTICLE 3 - BIDDER'S REPRESENTATIONS

3.01 In submitting this Bid, Bidder represents that:

A. Bidder has examined and carefully studied the Bidding Documents, and any data and reference items identified in the Bidding Documents, and hereby acknowledges receipt of the following Addenda:

Addendum No.	Addendum Date
None.	

B. Bidder has visited the Site, conducted a thorough, alert visual examination of the Site and adjacent areas, and become familiar with and satisfied itself as to the general, local, and Site conditions that may affect cost, progress, and performance of the Work.

C. Bidder is familiar with and has satisfied itself as to all Laws and Regulations that may affect cost, progress, and performance of the Work.

D. Bidder has carefully studied all: (1) reports of explorations and tests of subsurface conditions at or adjacent to the Site and all drawings of physical conditions relating to existing surface or subsurface structures at the Site that have been identified in the Supplementary Conditions, especially with respect to Technical Data in such reports and drawings, and (2) reports and drawings relating to Hazardous Environmental Conditions, if any, at or adjacent to the Site that have been identified in the Supplementary Conditions, especially with respect to Technical Data in such reports and drawings.

V051915 © Bolton & Menk, Inc. 2017, All Rights Reserved

E. Bidder has considered the information known to Bidder itself; information commonly known to contractors doing business in the locality of the Site; information and observations obtained from visits to the Site; the Bidding Documents; and any Site-related reports and drawings identified in the Bidding Documents, with respect to the effect of such information, observations, and documents on (1) the cost, progress, and performance of the Work; (2) the means, methods, techniques, sequences, and procedures of construction to be employed by Bidder; and (3) Bidder's safety precautions and programs.

F. Bidder agrees, based on the information and observations referred to in the preceding paragraph, that no further examinations, investigations, explorations, tests, studies, or data are necessary for the determination of this Bid for performance of the Work at the price bid and within the times required, and in accordance with the other terms and conditions of the Bidding Documents.

G. Bidder is aware of the general nature of work to be performed by Owner and others at the Site that relates to the Work as indicated in the Bidding Documents.

H. Bidder has given Engineer written notice of all conflicts, errors, ambiguities, or discrepancies that Bidder has discovered in the Bidding Documents, and confirms that the written resolution thereof by Engineer is acceptable to Bidder.

I. The Bidding Documents are generally sufficient to indicate and convey understanding of all terms and conditions for the performance and furnishing of the Work.

J. The submission of this Bid constitutes an incontrovertible representation by Bidder that Bidder has complied with every requirement of this Article, and that without exception the Bid and all prices in the Bid are premised upon performing and furnishing the Work required by the Bidding Documents.

ARTICLE 4 - BIDDER'S CERTIFICATION

4.01 Bidder certifies that:

A. This Bid is genuine and not made in the interest of or on behalf of any undisclosed individual or entity and is not submitted in conformity with any collusive agreement or rules of any group, association, organization, or corporation;

B. Bidder has not directly or indirectly induced or solicited any other Bidder to submit a false or sham Bid;

C. Bidder has not solicited or induced any individual or entity to refrain from bidding; and

D. Bidder has not engaged in corrupt, fraudulent, collusive, or coercive practices in competing for the Contract. For the purposes of this Paragraph 4.01.D:

1. "corrupt practice" means the offering, giving, receiving, or soliciting of anything of value likely to influence the action of a public official in the bidding process;

2. "fraudulent practice" means an intentional misrepresentation of facts made (a) to influence the bidding process to the detriment of Owner, (b) to establish bid prices at artificial non-competitive levels, or (c) to deprive Owner of the benefits of free and open competition;

3. "collusive practice" means a scheme or arrangement between two or more Bidders, with or without the knowledge of Owner, a purpose of which is to establish bid prices at artificial, non-competitive levels; and

4. "coercive practice" means harming or threatening to harm, directly or indirectly, persons or their property to influence their participation in the bidding process or affect the e execution of the Contract.

ARTICLE 5 - BASIS OF BID

5.01 Bidder will complete the Work in accordance with the Contract Documents for the following price:

V051915 © Bolton & Menk, Inc. 2017, All Rights Reserved

A. Bidder will complete the work in accordance with the Contract Documents at the lump sum price shown in the attached Bidding Schedule.

ARTICLE 6 - TIME OF COMPLETION

6.01 Bidder agrees that the Work will be substantially complete and will be completed and ready for final payment in accordance with the General Conditions on or before the dates or within the number of calendar days indicated in the Agreement.

6.02 Bidder accepts the provisions of the Agreement as to liquidated damages.

ARTICLE 7 - ATTACHMENTS TO THIS BID

7.01 The following documents are submitted with and made a condition of this Bid:

A. Required Bid security (Section 00430 – Bid Bond)

ARTICLE 8 - DEFINED TERMS

8.01 The terms used in this Bid with initial capital letters have the meanings stated in the Instructions to Bidders, the General Conditions, and the Supplementary Conditions.

V051915 © Bolton & Menk, Inc. 2017, All Rights Reserved

BIDDING SCHEDULE

Well No. 3 Generator

Ramsey, Minnesota

Bidder agrees to perform all of the work described in the CONTRACT DOCUMENTS for the following lump sums:

NOTE: BIDS shall include sales tax and all applicable taxes and fees.

TOTAL PROJECT BASE BID PRICE

1. Construction of all Facilities as shown on the Contract Drawings and as specified in the Contract Specifications. $ 90,500.00

(Ninety Thousand, Five-Hundred and 00/100----------

DOLLARS)

**** END OF SECTION ****

ARTICLE 9 - BID SUBMITTAL

BIDDER:

Killmer Electric Company, Inc.

By:
[Signature] Brian Palmer

[Printed name] Brian Palmer, President

(If Bidder is a corporation, a limited liability company, a partnership, or a joint venture, attach evidence of authority to sign.)

Attest:
[Signature] Ray Palmer

[Printed name] Raymond Palmer

Title: Secretary

Submittal Date: October 27, 2017

Address for giving notices:

5141 Lakeland Ave N

Crystal, MN 55429

Telephone Number: 763-425-2525

Fax Number: 763-424-1258

Contact Name and e-mail address: Matthew Pettit

mpettit@killmerelectric.com

Bidder's License No.: EA001003

(where applicable)

NOTE TO USER: Use in those states or other jurisdictions where applicable or required.

V051915 © Bolton & Menk, Inc. 2017, All Rights Reserved

INITIAL CONTRACTOR VERIFICATION OF COMPLIANCE

By signing this document I certify that I am an owner or officer of the company, and I swear under oath that:

My company meets each of the minimum criteria in subclauses (1) – (6) of Minn. Stat. § 16C.285, subd. 3, the Responsible Contractor statute.

The undersigned understands that a failure to meet or verify compliance with the minimum criteria established for a "responsible contractor" as defined in Minn. Stat. § 16C.285, subd. 3, renders a bidder ineligible to be awarded a construction contract for the Project or to perform work on the Project.

The undersigned understands that a false statement under oath verifying compliance with any of the minimum criteria shall make the undersigned, ineligible to be awarded a construction project and may result in termination of a contract awarded to the undersigned. A contracting authority shall not be liable for declining to award a contract or terminating a contract based on a reasonable determination that the contractor failed to verify compliance with the minimum criteria or falsely stated that it meets the minimum criteria.

The undersigned understands that, if the undersigned is the apparent low bidder, the undersigned will be required to submit a supplemental verification under oath as a condition precedent to the execution of the contract. If the undersigned fails to provide the required supplemental verification, it could forfeit its bid bond.

I have attached a list of all of my company's first-tier subcontractors that I intend to retain for work on the project.

Initial Contractor Verification of Compliance - 2017 Puma Street Utility Improvements	
Authorized Signature of Owner or Officer:	Printed Name: Brian Palmer
Title: President	Date: October 27th, 2017
Company Name: Killmer Electric Co, Inc.	

V030215 © Bolton & Menk, Inc. 2017, All Rights Reserved

SUBCONTRACTORS LIST

SUBCONTRACTOR NAMES (Legal name of company as registered with the Secretary of State)	Name of City Where Company Home Office is Located
No Subcontractors, Only Suppliers	

Attach additional sheets if necessary.

Subcontractors List - 2017 Puma Street Utility Improvements	
Authorized Signature of Owner or Officer:	Printed Name: Brain Palmer
Title: President	Date: October 27, 2017
Company Name: Killmer Electric Company, Inc.	

V030215 © Bolton & Menk, Inc. 2017, All Rights Reserved

THE AMERICAN INSTITUTE OF ARCHITECTS

AIA Document A310

Bid Bond

KNOW ALL MEN BY THESE PRESENTS, that we

Killmer Electric Co., Inc.
5141 Lakeland Avenue North
Crystal, MN 55429

as Principal, hereinafter called Principal, and

United Fire & Casualty Company
P. O. Box 73909, 118 2nd Avenue SE
Cedar Rapids, IA 52407-3909

a corporation duly organized under the laws of the State of **Iowa**
as Surety, hereinafter called Surety, are held and firmly bound unto

City of Ramsey
7550 Sunwood Drive NW
Ramsey, MN 55303-6140

as Obligee, hereinafter called Obligee, in the sum of **Five Percent (5%) of Total Amount Bid**

Dollars (5%),

for the payment of which sum well and truly to be made, the said Principal and the said Surety, bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, the Principal has submitted a bid for (Here insert full name, address and description of project)

Well No. 3 Generator

NOW, THEREFORE, if the Obligee shall accept the bid of the Principal and the Principal shall enter into a Contract with the Obligee in accordance with the terms of such bid, and give such bond or bonds as may be specified in the bidding or Contract Documents with good and sufficient surety for the faithful performance of such Contract and for the prompt payment of labor and material furnished in the prosecution thereof, or in the event of the failure of the Principal to enter such Contract and give such bond or bonds, if the Principal shall pay to the Obligee the difference not to exceed the penalty hereof between the amount specified in said bid and such larger amount for which the Obligee may in good faith contract with another party to perform the Work covered by said bid, then this obligation shall be null and void, otherwise to remain in full force and effect.

Signed and sealed this **27th** day of **October**, **2017**.

(Witness)	**Killmer Electric Co., Inc.** (Principal) (Seal) (Title) **Brian Palmer, President**
(Witness)	**United Fire & Casualty Company** (Surety) (Seal) (Title) **Lin Ulven, Attorney-in-Fact**

CORPORATE ACKNOWLEDGMENT

State of **Minnesota**)
) ss
County of Hennepin)

On this **27th** day of **October** **2017**, before me appeared **Brian Palmer**, to me personally known, who, being by me duly sworn, did say that he/she is the **President** of **Killmer Electric Co., Inc.**, a corporation, that the seal affixed to the foregoing instrument is the corporate seal of said corporation, and that said instrument was executed in behalf of said corporation by authority of its Board of Directors, and that said **Brian Palmer** acknowledged said instrument to be the free act and deed of said corporation.

JACQUELINE E MADICH
Notary Public
Minnesota
My Commission Expires January 31, 2020

Jacqueline E Madich

Notary Public Hennepin County, MN
My commission expires 1-31-20

SURETY ACKNOWLEDGMENT

State of Minnesota)
) ss
County of Hennepin)

On this **27th** day of **October** **2017**, before me appeared **Lin Ulven**, to me personally know, who being by me duly sworn, did say that (s)he is the Attorney-in-Fact of **United Fire & Casualty Company**, a corporation, that the seal affixed to the foregoing instrument is the corporate seal of said corporation and that said instrument was executed in behalf of said corporation by authority of its Board of Directors; and that said **Lin Ulven** acknowledged said instrument to be the free act and deed of said corporation.

HANNA ROSE LARSON
NOTARY PUBLIC - MINNESOTA
My Commission Expires
January 31, 2022

Notary Public Hennepin County, Minnesota
My commission expires 1/31/2022

UNITED FIRE & CASUALTY COMPANY, CEDAR RAPIDS, IA
UNITED FIRE & INDEMNITY COMPANY, WEBSTER, TX
FINANCIAL PACIFIC INSURANCE COMPANY, ROCKLIN, CA
CERTIFIED COPY OF POWER OF ATTORNEY
(original on file at Home Office of Company – See Certification)

Inquiries: Surety Department
118 Second Ave SE
Cedar Rapids, IA 52401

KNOW ALL PERSONS BY THESE PRESENTS, That UNITED FIRE & CASUALTY COMPANY, a corporation duly organized and existing under the laws of the State of Iowa; UNITED FIRE & INDEMNITY COMPANY, a corporation duly organized and existing under the laws of the State of Texas; and FINANCIAL PACIFIC INSURANCE COMPANY, a corporation duly organized and existing under the laws of the State of California (herein collectively called the Companies), and having their corporate headquarters in Cedar Rapids, State of Iowa, does make, constitute and appoint R.W. FRANK, JOHN E. TAUER, JOSHUA R. LOFTIS, TED JORGENSEN, R.C. BOWMAN, NICOLE STILLINGS, RACHEL THOMAS, CRAIG REMICK, LIN ULVEN, BRIAN J. OESTREICH, JEROME T. OUIMET, SANDRA M. ENGSTRUM, COLBY D. WHITE, MELINDA C. BLODGETT, KURT C. LUNDBLAD, EACH INDIVIDUALLY of MINNEAPOLIS MN

their true and lawful Attorney(s)-in-Fact with power and authority hereby conferred to sign, seal and execute in its behalf all lawful bonds, undertakings and other obligatory instruments of similar nature provided that no single obligation shall exceed $100,000,000.00 and to bind the Companies thereby as fully and to the same extent as if such instruments were signed by the duly authorized officers of the Companies and all of the acts of said Attorney, pursuant to the authority hereby given and hereby ratified and confirmed.

The Authority hereby granted is continuous and shall remain in full force and effect until revoked by UNITED FIRE & CASUALTY COMPANY, UNITED FIRE & INDEMNITY COMPANY, AND FINANCIAL PACIFIC INSURANCE COMPANY.

This Power of Attorney is made and executed pursuant to and by authority of the following bylaw duly adopted on May 15, 2013, by the Boards of Directors of UNITED FIRE & CASUALTY COMPANY, UNITED FIRE & INDEMNITY COMPANY, and FINANCIAL PACIFIC INSURANCE COMPANY.

"Article VI – Surety Bonds and Undertakings"

Section 2, Appointment of Attorney-in-Fact. "The President or any Vice President, or any other officer of the Companies may, from time to time, appoint by written certificates attorneys-in-fact to act in behalf of the Companies in the execution of policies of insurance, bonds, undertakings and other obligatory instruments of like nature. The signature of any officer authorized hereby, and the Corporate seal, may be affixed by facsimile to any power of attorney or special power of attorney or certification of either authorized hereby; such signature and seal, when so used, being adopted by the Companies as the original signature of such officer and the original seal of the Companies, to be valid and binding upon the Companies with the same force and effect as though manually affixed. Such attorneys-in-fact, subject to the limitations set forth in their respective certificates of authority shall have full power to bind the Companies by their signature and execution of any such instruments and to attach the seal of the Companies thereto. The President or any Vice President, the Board of Directors or any other officer of the Companies may at any time revoke all power and authority previously given to any attorney-in-fact.

IN WITNESS WHEREOF, the COMPANIES have each caused these presents to be signed by its vice president and its corporate seal to be hereto affixed this 27th day of March, 2014

UNITED FIRE & CASUALTY COMPANY
UNITED FIRE & INDEMNITY COMPANY
FINANCIAL PACIFIC INSURANCE COMPANY

By: Dennis J. Richmann Vice President

State of Iowa, County of Linn, ss:
On 27th day of March, 2014, before me personally came Dennis J. Richmann

to me known, who being by me duly sworn, did depose and say; that he resides in Cedar Rapids, State of Iowa; that he is a Vice President of UNITED FIRE & CASUALTY COMPANY, a Vice President of UNITED FIRE & INDEMNITY COMPANY, and a Vice President of FINANCIAL PACIFIC INSURANCE COMPANY the corporations described in and which executed the above instrument; that he knows the seal of said corporations; that the seal affixed to the said instrument is such corporate seal; that it was so affixed pursuant to authority given by the Board of Directors of said corporations and that he signed his name thereto pursuant to like authority, and acknowledges same to be the act and deed of said corporations.

Judith A. Davis
Iowa Notarial Seal
Commission number 173041
My Commission Expires 04/23/2018

Judith A Davis Notary Public
My commission expires: 04/23/2018

I, David A. Lange, Secretary of UNITED FIRE & CASUALTY COMPANY and Assistant Secretary of UNITED FIRE & INDEMNITY COMPANY, and Assistant Secretary of FINANCIAL PACIFIC INSURANCE COMPANY, do hereby certify that I have compared the foregoing copy of the Power of Attorney and affidavit, and the copy of the Section of the bylaws and resolutions of said Corporations as set forth in said Power of Attorney, with the ORIGINALS ON FILE IN THE HOME OFFICE OF SAID CORPORATIONS, and that the same are correct transcripts thereof, and of the whole of the said originals, and that the said Power of Attorney has not been revoked and is now in full force and effect.

In testimony whereof I have hereunto subscribed my name and affixed the corporate seal of the said Corporations this 27th day of October, 2017.

By: David A. Lange

Secretary, UF&C
Assistant Secretary, UF&I/FPIC

Kevin Kielb

Subject: FW: City of Ramsey - 200 kW Generator for Well No. 3 - Request for Bid

From: Levin Electric [mailto:levinelectric@yahoo.com]
Sent: Tuesday, October 10, 2017 9:28 AM
To: Jason Cook <jasonco@bolton-menk.com>
Subject: Re: City of Ramsey - 200 kW Generator for Well No. 3 - Request for Bid

not interested THANKS FOR THE INVITE

On Monday, October 9, 2017 4:20 PM, Jason Cook <jasonco@bolton-menk.com> wrote:

Les,

The City of Ramsey has put together the attached project manual for the installation of a 200 kW Generator at Well No. 3.

Please review the attached document and let me know if you would be interested in bidding this project.

A hard copy of the project manual has also been sent to you for your consideration.

If you are not interested, please let me know as well.

Thank you,

Jason W Cook P.E. (MN, ND)
Project Manager
Bolton & Menk, Inc.
7533 Sunwood Drive NW, Suite 206
Ramsey, MN 55303-5119
Phone: 763-433-2851 ext. 2693
Mobile: 763-200-2444
Bolton-Menk.com

This email has been scanned by the Symantec Email Security.cloud service.
For more information please visit http://www.symanteccloud.com

This email has been scanned by the Symantec Email Security.cloud service.
For more information please visit http://www.symanteccloud.com

Kevin Kielb

Subject: FW: City of Ramsey - 200 kW Generator for Well No. 3 - Request for Bid

From: Mike Meier [mailto:mike@meierelectric.com]
Sent: Tuesday, October 10, 2017 9:31 AM
To: Jason Cook <jasonco@bolton-menk.com>
Subject: RE: City of Ramsey - 200 kW Generator for Well No. 3 - Request for Bid

Jason,

Thank you for the opportunity to bid this project, unfortunately I must decline.

The Project Location and quick completion date is not a good fit with our current schedule.

Thank you,

Mike

From: Jason Cook [mailto:jasonco@bolton-menk.com]
Sent: Monday, October 09, 2017 4:18 PM
To: 'mike@meierelectric.com'
Subject: City of Ramsey - 200 kW Generator for Well No. 3 - Request for Bid

Mike,

The City of Ramsey has put together the attached project manual for the installation of a 200 kW Generator at Well No. 3.

Please review the attached document and let me know if you would be interested in bidding this project.

A hard copy of the project manual has also been sent to you for your consideration.

If you are not interested, please let me know as well.

Thank you,

Jason W Cook P.E. (MN, ND)
Project Manager
Bolton & Menk, Inc.
7533 Sunwood Drive NW, Suite 206
Ramsey, MN 55303-5119
Phone: 763-433-2851 ext. 2693
Mobile: 763-200-2444
Bolton-Menk.com

Proposal by

Date: October 20, 2017

Proposal No. EPG238236rev2

8050 County Road 101East
Shakopee, MN 55379
952-887-4574

To: City of Ramsey

Attn: Mr. Grant Riemer

Re: Caterpillar Standby Generator
NJPA Contract #080613 – Ramsey Member #17939

"Well House No. 3"

WE PROPOSE TO FURNI SH IN ACCORDANCE WITH THE FOLLOWING SPECIFICATIONS, TERMS AND CONDITIONS

QUANTITY:	One (1) new Caterpillar generator set in level 2 outdoor insulated/sound attenuated Enclosure rated 73dBA @ 23 feet
MODEL:	D200 (Diesel)
RATING:	200kW Standby Rated
VOLTAGE:	480/277 volts, 3 phase, 4 wire, 60 HZ, 1800 RPM
CIRCUIT BREAKER:	One (1) ABB mainline adjustable LSI circuit breaker, 400 amps 3 poles, 100% rated w/ aux contacts & shunt trip
FUEL TANK:	UL listed 408 gallon sub base fuel tank, 24 hour capacity, locking fuel fill
SWITCHGEAR:	None
WARRANTY:	Four (4) years, 2000 hours
INSTALLATION:	By others

CATERPILLAR LIST PRICE:	**$ 68,195 .00**
NJPA DISCOUNT 33%:	**($ 25,504 .35)**
GENERATOR PRICE:	**$ 42,690 .65**
FACTORY FREIGHT:	**$ 3,900 .96**
DEALER PREP:	**$ 3,859 .00**
DELIVERY TO RAMSEY, MN:	**$ 765 .00**
STARTUP :	**$ 2,469 .00**
NJPA BID PRICE:	**$ 53,684.61***

****Please refer to the attached Bill of Material.***

APPROXIMATE SHIPPING: 12-14 weeks after submittal approval ***F.O.B.*** Jobsite, on truck

TERMS: Net 20 days

THIS PROPOSAL SUBJECT TO ALL PROVISIONS OF THE CONTRACT AND WARRANTY ON REVERSE SIDE

ACCEPTED:

By

Its

Respectfully submitted,
ZIEGLER INC.

By: Logan Cameron
Logan Cameron, Sales Engineer

Subject to approval by
ZIEGLER INC.

By

APPROVED:

ONE (1) EMERGENCY STANDBY GENERATOR SET, RATED AT 200KW STANDBY, 3 PHASE, 60 HZ, 480/277 VOLT, 1800 RPM.

ENGINE SPECIFICATIONS
Meets EPA Regulations – UL2200 listed / NFPA110 Compliant
C7.1 In-line 6, 4-cycle diesel
Electronic governor
Oil filter, spin-on type
Radiator cooling system, blower fan
Water pump
12V. DC starting system
Jacket water heater, 120 volt, 1500 watt
Alternator, 30 ampere, 12 VDC
Fuel system: Diesel

STANDARD ENGINE SAFETY FEATURES
Shutdowns with individual warning lamps
Fail to start / over-crank
High coolant temperature
Low lube oil pressure
Over-speed
Over-voltage

GENERATOR SPECIFICATIONS
Class H insulation, rotor and stator, single bearing design
Flexible coupling
Brushless excitation
Solid-state regulator, +/- l. % regulation
Permanent magnetic generator (PMG)
Generator anti-condensation heater
UL mainline circuit breaker, 400 amps, 3 poles, 100% rated, adjustable LSI trip, shunt & aux contacts

SYSTEM CONTROLS
• Voltage (all phases) • Current (all phases)
• Power factor • kW
• KVAR
• Transfer switch status
• Engine speed
• Low fuel pressure
• Run hours
• Service reminders
• Fault history
• Oil pressure
• Coolant temperature
• Time and date
• Low oil pressure shutdown
• High coolant temperature shutdown
• Overvoltage
• Over-speed
• Low coolant level
• Exercise speed
• Protection

Fail to start shutdown
Low oil pressure shutdown
Low/High battery voltage
Battery charger failure
Under-speed/Over-speed
Loss of engine speed detection□□
• I^2T function for alternator protection from line to neutral and line to line short circuits
• Emergency stop
• Programmable auto crank function
• 2 wire start for any transfer switch
• Adjustable engine speed at exerciser
• RS232 port for GenLink® control
• RS485 port remote communication
• Canbus addressable
• Governor controller and voltage regulator are built into the master control board
• Temperature range -40 °C to 70 °C

SWITCHGEAR
NONE

ANCILLARY EQUIPMENT
Enclosure, Level 2 outdoor insulated/sound attenuated rating of 73dBA @ 23 feet
Dual wall UL listed sub-base fuel tank, 24 hour capacity (408 gallons), lockable fuel fill cap
Color, CAT White
Battery charger, 10 ampere, static, generator mounted
Battery, with battery rack and cables
Exhaust silencer
Exhaust-flex connector
Motorized louvers, 100A load center panel, gravity dampers
Interior AC lights
GFCI convenience outlet

PROJECT MANAGEMENT SERVICES
Submittal drawings
{ Dimensional drawings
{ Electrical schematics
{ Product specifications
Prototype testing/Production testing
Jobsite startup
{ Operation and maintenance manual, Engine, generator
Warranty, four (4) years – 2000 hours ***(*included at no cost with NJPA purchases)***
Four (4) hours training of owner's personnel - at the time of jobsite testing and start-up
Four (4) hour load bank testing on site
Delivery to jobsite by Ziegler CAT

COMMENTS AND CLARIFICATIONS
Installation provided by others
Fuel not included
Crane is not included
Concrete pad is not included

NOTES
Ziegler limits the scope of supply for this quotation to the equipment and services listed.

Equipment not listed is assumed to be provided by others.

Ziegler cannot provide air emission permits for customers. We will provide emission information on the Caterpillar engine to the owner to aid in the permitting process.

Orders are subject to re-stocking charges if cancelled after release for production.

Mechanical and electrical installation provided by others.

State and local permits for fire, air, fuel tanks or building permits are not included and provided by others.

Start-up labor is to be performed during normal business hours, Monday through Friday 7:30 am to 4:00 pm. Training is to be performed at the end of start-up. Additional trips or delays required or requested due to contractor delay and/or issues with equipment not provided from Ziegler Power Systems will be billed at published field service rates.

Terms:
- Extension of contract beyond term must be at the mutual agreement of the parties.
- Ziegler Inc. shall not be liable for consequential damages or damages beyond our control.
- This quotation is subject to availability at time of order
- Customer is responsible for adequate site conditions and security.
- Customer is responsible for scheduled maintenance and fuel costs.
- Customer must provide adequate insurance to cover equipment damage or loss.
- Price(s) do not include state or local sales and/or use taxes.
- Quotation is valid for 90 days.

PROVISIONS OF THE CONTRACT AND WARRANTY

The prices quoted are current and are subject to change to those in effect at the time of shipment. Caterpillar products are sold subject to the terms of the applicable Caterpillar warranty. Copies of the warranties applicable to this purchase are attached hereto, and the purchaser by signing this order acknowledges receipt of the Caterpillar warranties on Forms.

The Purchaser agrees to pay any and all taxes, assessments, licenses, and government charges of every kind and nature whatsoever upon said equipment which may be imposed or assessed against or resulting to the Seller on account of the possession or use of said equipment by Purchaser. All provisions hereof are contingent upon government restrictions, strikes, and accidents, delays of carrier and other delays unavoidable and beyond Seller's control.

It is intended and understood that title and ownership of said equipment is and shall remain vested in the Seller, notwithstanding delivery or possession, until the entire price is paid in full.

Councilmember introduced the following resolution and moved for its adoption:

RESOLUTION #17-11-263

RESOLUTION ACCEPTING QUOTES AND AUTHORIZING AWARD OF CONTRACT FOR IMPROVEMENT PROJECT #17-06; INSTALLATION OF EMERGENCY GENERATOR FOR WELL # 3

WHEREAS, City staff proposes to install a diesel generator for Well# 3 to increase pumping capacity during extended power outages to meet our daily water demand, per the 2017 - 2026 Capital Improvement Program; and

WHEREAS, the city will purchase the generator through the National Joint Powers Alliance at a substantial savings to the residents at the total cost of $53,684.61; and

WHEREAS, requests for proposals were submitted to three contractors for the purpose of obtaining quotes for completing the proposed services; and

WHEREAS, quotes were received from three contractors on October 17th, and were found to comply with the request for proposals; and

WHEREAS, the three quotes received are tabulated below; and

Contractor	**Total Quote**
Killmer Electric	$90,500.00
Meier Electric	Did Not Submit
Levin Electric	Did Not Submit

WHEREAS, the quote of Killmer Electric in the amount of $90,500.00 for the total quote for said services in accordance with the prepared proposal is the lowest responsible quote and their quote shall be and hereby is accepted.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RAMSEY, ANOKA COUNTY, AND STATE OF MINNESOTA:

1) The Mayor and City Administrator are hereby authorized and directed to enter into a contract with Killmer Electric for said services for and on behalf of the City of Ramsey.

The motion for the adoption of the foregoing resolution was duly seconded by Councilmember , and upon vote being taken thereon, the following voted in favor thereof:

and the following voted against the same:

and the following abstained:

and the following were absent:

Whereupon said resolution was declared duly adopted by the Ramsey City Council this the 14th day of November, 2017.

_____
Mayor

ATTEST:

_____
City Clerk

CC Regular Session **4. 7.**

Meeting Date: 11/14/2017

Submitted For: Tim Gladhill, Community Development

By: Eric Maass, Community Development

Information

Title

Adopt Resolution #17-11-288 Releasing previously approved allocation agreement between the City and D.R. Horton, Inc as well as releasing an allocation agreement and a secondary development contract between the City and K. Hovnanian T&C Homes at Minnesota L.L.C, for property to be developed as Greenway Terrace.

Purpose/Background:

The purpose of this case is to release the identified agreements currently identified on the title work for the subject property which AEON will be constructing its project, Greenway Terrace. A new development agreement has been approved by the City Council and will be recorded against the property to provide backing for the required public improvements including the second lift of asphalt along Traprock and 146th in addition to sidewalks.

Notification:

No notification is required for this action.

Observations/Alternatives:

The City is selling the subject property and the buyer (AEON) wishes to have the subject documents released by the City to clear the title work. The obligations owed to the City pursuant to the agreements identified have been fulfilled, no longer needed, or will be covered within the development agreement between the City and Aeon for the purposes of the Greenway Terrace development project.

Alternatives:

Alternative 1: Adopt Resolution #17-11-288 Releasing previously approved allocation agreement between the City and D.R. Horton, Inc as well as releasing an allocation agreement and a secondary development contract between the City and K. Hovnanian T&C Homes at Minnesota L.L.C, for property to be developed as Greenway Terrace. Staff supports this alternative.

Alternative 2: Do not adopt Resolution #17-11-288 that would release the identified agreements. Staff does not support this alternative.

Funding Source:

The Applicant is responsible for all costs associated with this request.

Recommendation:

Staff recommends adoption of Resolution #17-11-288.

Action:

Motion to adopt Resolution #17-11-288 Approving the Release of an allocation agreement between the City and D.R. Horton, Inc as well as release an allocation agreement and secondary development contract between the City and K. Hovnanian T&C Homes at Minnesota L.L.C, for property to be developed as Greenway Terrace.

Attachments

Site Location Map

Allocation Agreement Doc 1891854

Secondary Development Agreement Doc 1977751.011

Allocation Agreement Doc 1977751.010

Property Title Work

Res. 17-11-288 - Resolution Releasing Former Development Agreement and Allocation Agreements on Subject Property

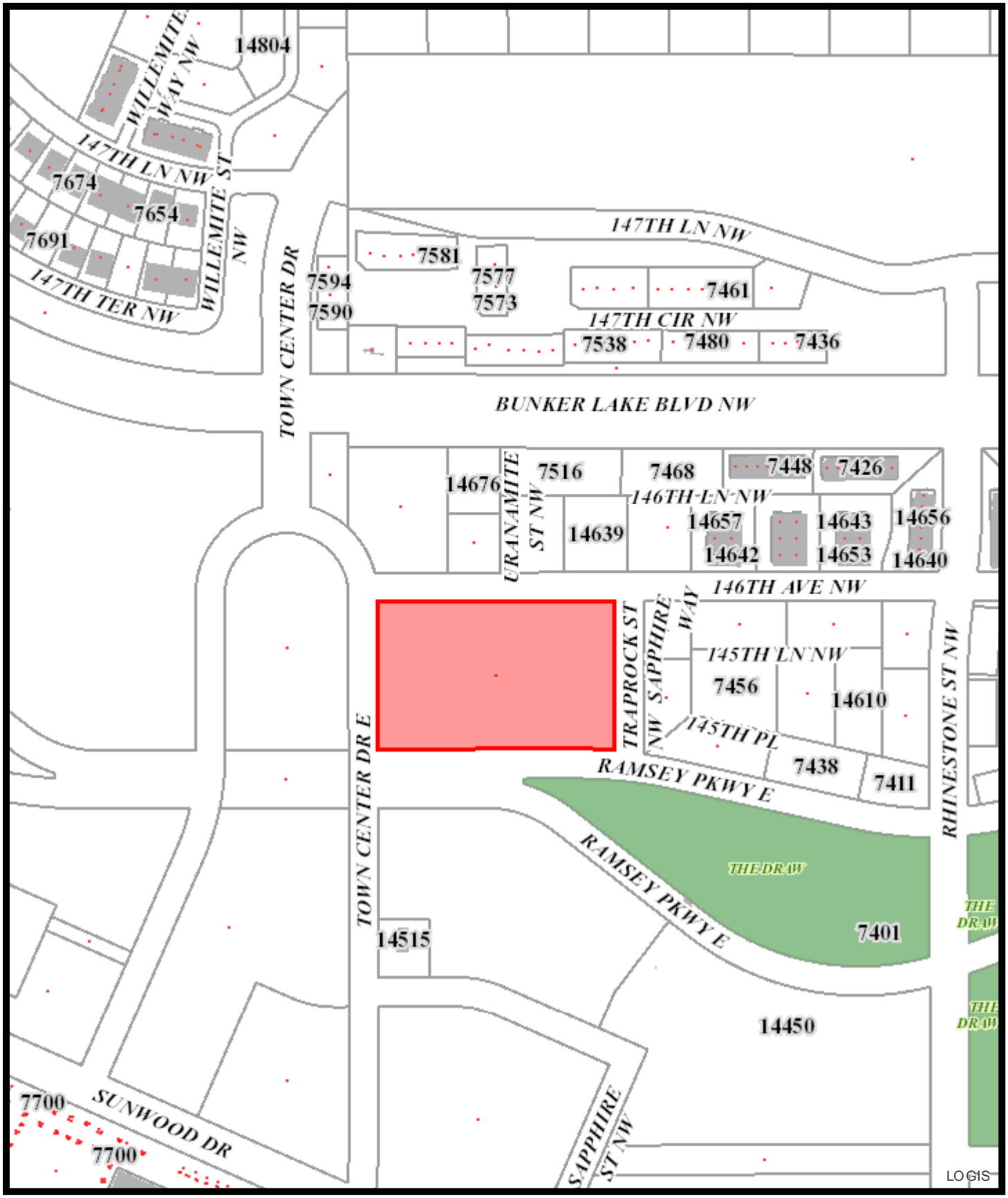
---

Form Review

Inbox	Reviewed By	Date
Tim Gladhill	Tim Gladhill	11/09/2017 11:53 AM
Kurt Ulrich	Kurt Ulrich	11/09/2017 02:39 PM
Form Started By: Eric Maass		Started On: 11/09/2017 08:53 AM
Final Approval Date: 11/09/2017		

Site Location Map

Greenway Terrace



Feet

0 65 130 260 390 520

Print Date: June 13, 2017

1891854 457481

ALLOCATION AGREEMENT

THIS ALLOCATION AGREEMENT (this "Agreement"), is made and entered into as of December 16, 2003, by and between **RAMSEY TOWN CENTER LLC**, a Minnesota limited liability company ("Seller"), **D.R. HORTON, INC.-MINNESOTA**, a Delaware corporation, ("Purchaser"), and **CITY OF RAMSEY**, a Minnesota municipal corporation (the "City")

RECITALS

A Seller and the City have entered into that certain Master Development Agreement for Ramsey Town Center, dated September 17, 2003, recorded Sept. 24, 2003 as Document No * (Anoka County Abstract) and Document No _____ (Anoka County Torrens) (the "Master Development Agreement").
* 446333 (Torrens) 1854364 (Abstract)

B. Seller and Purchaser have entered into that certain Option Contract, dated as of August 4, 2003 (the "Option Contract"), with respect to a portion of the real property governed by the Master Development Agreement. The property subject to the Option Contract is legally described on the attached Exhibit A and referred to herein as the "Property."

C Pursuant to the Option Contract, Purchaser intends to acquire finished residential lots from Seller, and accordingly, Seller shall be the Secondary Developer for the Property, although plans are not yet sufficiently developed to submit a development proposal to the City

D. Pursuant to Section 14.1(a) of the Master Development Agreement, Seller may convey the Property to Purchaser if the City joins in an agreement with Seller and Purchaser describing the allocation of rights and obligations under the Master Development Agreement.

E Seller and Purchaser desire that this Agreement serve as the agreement describing the allocation of rights and obligations under the Master Development Agreement

F As part of the development of Final Plans for the Property, Seller and the City shall enter into one or more Secondary Development Agreements that will implement the allocation of rights and obligations established hereby with respect to the Property.

NOW, THEREFORE, in consideration of the mutual agreements contained herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereby agree as follows:

1 Master Development Agreement Purchaser acknowledges and agrees that the Property remains subject to the Master Development Agreement Except to the extent expressly modified in this Agreement, Seller and Purchaser are both subject to all of the restrictions in the Master Development Agreement that relate to the Property, Seller remains liable for the performance of all of the Developer's obligations under the Master Development Agreement and the City remains liable to Seller for the performance of all of the City's obligations under the Master Development Agreement Except as expressly set forth in this Agreement, Purchaser is not liable to the City for the performance of the Developer's obligations under the Master Development Agreement and the City is not liable to Purchaser for the performance of the City's obligations under the Master Development Agreement Except as expressly set forth in this

Agreement, any rights under the Master Development Agreement that this Agreement grants to Purchaser and any obligations under the Master Development Agreement that this Agreement imposes upon Purchaser relate only to the portions of the Property Purchaser actually acquires Except as expressly set forth in this Agreement, if Purchaser does not acquire any portion of the Property, Purchaser shall acquire no rights and assume no obligations under the Master Development Agreement with respect to such portion of the Property

2. Purchaser's Rights and Obligations under the Master Development Agreement. Purchaser's rights and obligations under the Master Development Agreement with respect to the Property shall be as follows.

a Both Seller and Purchaser shall have the benefit of Section 4.7 of the Master Development Agreement, such that either Seller or Purchaser may enforce Section 4 7 against the City Notwithstanding the foregoing, Purchaser may enforce Section 4 7 of the Master Development Agreement only with respect to that portion of the Property in which Purchaser has rights, either as option holder or fee owner So long as Purchaser has rights in any portion of the Property, as option holder, both Seller and Purchaser must consent, in writing, to any requested change to the RTC Controls that affect that portion of the Property So long as Purchaser has rights in any portion of the Property, as fee owner, Purchaser must consent, in writing, to any requested change to the RTC Controls that affect that portion of the Property.

b. Seller shall be solely responsible for obtaining all permits and payment of all fees associated with all permits required for development of the Property, except for the building permit for each residential unit to be constructed on the Property (including the fee for issuance of each such building permit), which shall be the responsibility of Purchaser Purchaser acknowledges and agrees that the current fee for issuance of each building permit for a residential lot includes (i) the "Sanitary Sewer Connection charge/res Equivalent" ($577.00 per residential unit for calendar year 2003) and (ii) the "Water Connection charge/res. Equivalent" ($1,285.00 per residential unit for calendar year 2003) as set forth in Exhibit G to the Master Development Agreement. Purchaser acknowledges and agrees that to obtain a building permit with respect to each of the residential lots included within the Property, the City's requirements may include, without limitation, an obligation for Purchaser to (i) install utilities from the point Seller is required to stub the utilities pursuant to the Option Contract to the point the utilities connect to the residential unit on each such residential lot, (ii) pave driveways and any sidewalks within each such residential lot, and (iii) landscape each such residential lot.

c Purchaser acknowledges that it is subject to and bound by the terms of Section 4.18 (Special Service District—Park Improvements) and waives the right to object to the establishment of the special service district, waives its right to appeal the establishment of the special service district, and waives its right to file an objection to the ordinance, pursuant to Minn Stat. Ch. 428A as cited in Section 4.18, with respect to the Property

d Purchaser acknowledges that it is subject to and bound by the terms of Section 4 19 (Special Service District—AUAR Roadway Improvements) and waives the

right to object to the establishment of the special service district, waives its right to appeal the establishment of the special service district, and waives its right to file an objection to the ordinance, pursuant to Minn. Stat. Ch 428A as cited in Section 4 19, with respect to the Property

e Purchaser agrees to enter into an escrow agreement, in form and substance satisfactory to Seller, Purchaser and the City, as contemplated by Sections 7.7, 7.13 and 9 7 of the Master Development Agreement, with respect to Purchaser's acquisition of each portion of the Property, which shall include the consents and waivers by Purchaser required thereby

3 Seller's Rights and Obligations under the Master Development Agreement. Except to the extent provided otherwise in Section 2 above, Seller shall have all rights and obligations of the Developer under the Master Development Agreement with respect to the Property. Without limiting the generality of the foregoing, Seller agrees as follows with respect to the Property·

a Any payments or obligations to the City arising under the Master Development Agreement or any Secondary Development Agreement relating to the Property are the sole responsibility of Seller, except to the extent Purchaser has expressly assumed such payments or other obligations in writing Without limiting the generality of the foregoing, Seller shall be responsible for the payment of all park and trail fees pursuant to Section 4.12 of the Master Development Agreement

b Seller shall be responsible for complying with Section 4.14 (preparation of final plans for grading within a phase) of the Master Development Agreement with respect to the Property In addition, Seller agrees to rough and final grade all of the residential lots that Purchaser elects to purchase.

c Seller agrees to enter into an escrow agreement, in form and substance satisfactory to Seller, Purchaser and the City, as contemplated by Sections 7.7, 7 13 and 9.7 of the Master Development Agreement, at each closing with respect to the Property and to escrow the amounts required thereby

This Section 3 is an agreement between Seller and Purchaser, and is not binding on the City.

4. City Agreement. The City hereby agrees as follows

a. The City, Seller and Purchaser agree that for purposes of Section 4 16 of the Master Development Agreement, the total taxable market value of the residential Development to be constructed on the Property upon complete build out is deemed to be $241,815,000 00 To ensure that Purchaser's development of the Property is not delayed due to a failure of Seller to commence construction of non-residential Development sufficient to comply with Section 4 16 of the Master Development Agreement, the City agrees not to approve Final Plans for residential Development on portions of the Subject Property other than the Property until (i) non-residential benchmarks set forth in Section 4 16 of the Master Development Agreement are achieved which permit such additional residential Development (EXAMPLE. If the $19,271,537 00 non-residential

Development benchmark is achieved, the City may approve Final Plans for only an additional $48,363,000 00 of residential Development, because $241,815,000.00 of residential Development is hereby reserved for the Property.); (ii) the City waives the applicability of Section 4.16 of the Master Development Agreement to such additional residential Development, or (iii) Purchaser's option rights with respect to a portion of the Property expire or are terminated prior to Purchaser's acquisition of fee title to such portion of the Property If Purchaser's option rights with respect to a portion of the Property expire or are terminated prior to Purchaser's acquisition of fee title to such portion of the Property, the City may, pursuant to subsection (iii) above, approve Final Plans for residential Development on portions of the Subject Property other than the Property, provided, however, the total taxable market value of the residential Development the City approves pursuant to subsection (iii) may not exceed an amount equal to the product of $241,815,000 00 and a fraction the numerator of which is the number of square feet within that portion of the Property with respect to which Purchaser's option rights have expired or have terminated and the denominator of which is the total number of square feet within the Property. If Purchaser's option rights with respect to a portion of the Property expire or are terminated before Purchaser acquires fee title to that portion of the Property, Seller may submit an affidavit to the City certifying that Purchaser's option rights have expired or terminated with respect to a stated area of the Property, and the City may rely on such affidavit, without inquiry, for purposes of approving Final Plans pursuant to subsection (iii) above If the Property is totally built out with residential dwellings and the total taxable market value of the Property is less than $241,815,000.00, the actual total taxable market value of the Property shall thereafter be used in making any further determinations of whether benchmarks have been satisfied under Section 4 16.

b The City's remedies under Section 15.1 of the Master Development Agreement are hereby modified as follows with respect to each portion of the Property (so long as Purchaser has option rights or fee ownership with respect to such portion of the Property).

(1) The City shall provide Purchaser with Formal Notice of default by Seller under the terms of the Master Development Agreement, if the default specifically relates to the construction of improvements necessary for the Development of all or any portion of the Property, at the same time the City gives notice to Seller, and Purchaser shall have the same cure rights as Seller has under the Master Development Agreement For purposes of such Formal Notice, Purchaser's address shall be D.R. Horton, Inc.-Minnesota, 20860 Kenbridge Court, Suite 100, Lakeville, MN 55044, with a copy to D.R. Horton, Inc.-Minnesota, Emerald Corporate Office, 1525 Lake Front Circle, The Woodlands, Texas, Attn· Randall Birdwell, with a copy to John C. Kuehn, Esq., Leonard, Street and Deinard P A , 150 South Fifth Street, Suite 2300, Minneapolis, MN 55402, or to such other address as Purchaser shall have previously designated by Formal Notice given by Purchaser to the City in accordance with the "Formal Notice" provision in the Master Development Agreement Notices shall be deemed to have been duly given on the date of service if served personally on the party to whom notice is to be given, or on the third day after mailing if mailed as

provided above; provided, that a notice not given as provided above is, if it is in writing, deemed given if and when actually received by a party

(2) The City hereby grants Purchaser the right to provide the City with assurances that Purchaser will cure Seller's defaults under the Master Development Agreement that specifically relate to the construction of improvements necessary for the Development of all or any portion of the Property, and the right to perform Seller's obligations under the Master Development Agreement that specifically relate to the construction of improvements necessary for the Development of all or any portion of the Property as contemplated in Section 15.1(b) of the Master Development Agreement If the City deems the assurances the Purchaser provides to be adequate and the Purchaser commences and continues performance of Seller's obligations under the Master Development Agreement in conformance with such assurances, the City agrees not to suspend any work, improvement or obligation to be performed by the City that is necessary for the Development of all or any portion of the Property as a result of such Seller default

(3) Under Section 15 1(d) of the Master Development Agreement, the City will not deny building permits for buildings within a Phase of the Property and will not withhold approval of Final Plans for any residential units on any residential lots within a Phase of the Property if the default under the terms of the Master Development Agreement does not specifically relate to the construction of improvements necessary for the Development of all or any portion of the Phase or, if the default does specifically relate to the construction of improvements necessary for the Development of all or any portion of the Phase, until Purchaser has received notice and had an opportunity to cure as provided above. The City agrees that Seller's default in the performance of one or more of the obligations the letters of credit described in Sections 7.2(c) and 7 8(d) of the Master Development Agreement secure do not specifically relate to the construction of improvements necessary for the development of all or any portion of a Phase, and the City agrees not to deny building permits for buildings within a Phase of the Property and not to withhold approval of Final Plans for any residential units on any residential lots within a Phase of the Property if the Seller defaults in the performance of one or more of the obligations the Letters of Credit described in Sections 7.2(c) and 7 8(d) of the Master Development Agreement secure

(4) To the extent a default by Seller under the Master Development Agreement specifically relates to the construction of improvements necessary for the Development or all or any portion of the Property, Purchaser's construction of the improvements that Seller is obligated to construct pursuant to the Master Development Agreement shall be deemed a cure of any default of Seller relating to the failure to construct such improvements, and the City agrees to accept Purchaser's performance as performance by Seller.

For purposes of the various subsections of this Section 4(b), the question of whether a default relates to the construction of improvements necessary for the Development of all

or any portion of the Property or a Phase within the Property shall be based on a reasonable determination by the City.

c Seller and the City agree that the security delivered to secure Seller's obligations under Section 10 1(a) of the Master Development Agreement or under any Secondary Development Agreement pertaining to the Property shall be established separately such that there shall be clearly identified separate security for any obligations that specifically relate to the construction of improvements necessary for the Development of all or any portion of the Property All of the separate security described above in this subsection c. delivered by Seller to the City that specifically relates to the construction of improvements necessary for the Development of all or any portion of the Property shall be collectively called the "Property Security " The City may use the Property Security only to secure Seller's obligations that specifically relate to the construction of improvements necessary for the Development of all or any portion of the Property Purchaser acknowledges and agrees that the City is not obligated to require Seller to provide all of the security the Master Development Agreement contemplates, and the City's determination of the amount of the Property Security the City will require from time to time shall be final and binding on Purchaser If Seller defaults in the performance of one or more of Seller's obligations secured by the Property Security, the City shall give Seller and Purchaser notice of the default pursuant to the terms of the Master Development Agreement and Section 4(b) above. If the default is cured to the satisfaction of the City and Purchaser delivers to the City an affidavit stating (i) that Purchaser cured all or some portion of the default at Purchaser's cost and expense, and (ii) the amount of the costs and expenses Purchaser incurred to cure the default, and if the affidavit is accompanied by paid invoices, lien waivers or other evidence the City may reasonably request to justify Purchaser's claim for reimbursement, Seller agrees that the City may and the City agrees that the City will promptly draw on the Property Security (to the extent permitted under the terms of the Property Security, if the Property Security is a Letter of Credit) to the extent necessary to reimburse Purchaser for the lesser of (i) the amount set forth in Purchaser's affidavit, or (ii) the total amount of the Property Security allocable to the work Purchaser performed, as determined by the City, and the City will, within 10 business days after the City's receipt of the proceeds of the draw, tender to the Purchaser such lesser amount Seller and Purchaser acknowledge and agree that the City will need to exercise judgment in determining any amount of reimbursement to be made to Purchaser. Accordingly, Seller and Purchaser agree that the City may rely on Purchaser's affidavit without inquiry and the City's determination of the amount of reimbursement to be made to Purchaser shall be final and binding on Seller and Purchaser The City's right to require Purchaser to submit invoices, lien waivers or other evidence that the City may reasonably request to justify Purchaser's claim for reimbursement is for the benefit of the City, and Seller agrees that Seller shall have no claim against the City if the City elects not to require invoices, lien waivers or other evidence to justify Purchaser's claim for reimbursement or for the City's failure to investigate the accuracy of any invoices, lien waivers or other evidence provided Any Letter of Credit that is posted as a part of the Property Security shall provide that the City may draw on the Letter of Credit to pay Purchaser if Purchaser cures a default as provided in this Section 4(c). Purchaser acknowledges that any security the City requires Seller to post is for the benefit of the City Accordingly, the City shall have no liability to

Purchaser for failing to require Seller to post security or for permitting any security to lapse

d. The City agrees to use reasonable efforts to provide to Purchaser, by facsimile and by U.S. mail, written notice of all meeting time, dates, locations and agendas of the Ramsey Town Center Review Board, and Purchaser shall be entitled to attend and participate in all such Review Board meetings, provided, however, the City shall have no liability for failure to provide such notice and the failure to provide such notice shall not prejudice the effectiveness of any action taken at any such meetings.

e The City hereby consents to the conveyance of the Property from Seller to Purchaser

f. The City acknowledges and agrees that, except as specifically amended herein and as described in this Section 4(f), the Master Development Agreement is in full force and effect and has not been modified or amended; and there are no defaults under the Master Development Agreement or facts or circumstances which with the passing of time or giving of notice would constitute a default on the part of either Seller or the City under the Master Development Agreement. Notwithstanding the terms of Section 10 1 of the Master Development Agreement, the City has allowed the Developer to commence the first phase of the mass grading and storm water management system construction without requiring the Developer to submit a letter of credit in an amount equal to 125% of the full cost of the mass grading for the Subject Property and 125% of the cost of the storm water management system which is a part of the first phase. Instead, the City has allowed the Developer to commence specified mass grading and storm water management system construction based on a letter of credit in a amount the City deems sufficient to secure the Developer's performance of the specified activities.

5 Option Contract. The Option Contract sets forth the rights and obligations of Seller and Purchaser with respect to each other. In the event of any ambiguity or contradiction between the terms of this Agreement and the Option Contract, the terms of the Option Contract shall control This Section 5 shall not be binding upon the City

6 Miscellaneous Provisions

a The terms, provisions, covenants, and agreements contained in this Agreement shall apply to, be binding upon, and inure to the benefit of, the parties hereto and their respective legal representatives, successors, and assigns.

b. The paragraph headings used in this Agreement are for convenience purposes only, and shall not be used in the interpretation of this Agreement.

c Failure of a party to insist in any one or more instances upon the performance of any of the covenants, agreements, and/or conditions of this Agreement, or to exercise any right or privilege herein conferred shall not be construed as a waiver of any such covenant or condition

d This Agreement cannot be varied except by written agreement executed by Seller, Purchaser and the City

e If any items, terms, or provisions contained in this Agreement are in conflict with any applicable Federal, state, or local laws, this Agreement shall be affected only as to its application to such items, terms, or provisions, and shall in all other respects remain in full force and effect

f Nothing contained herein is intended to make, nor shall it ever be construed to make, Seller and Purchaser partners or joint venturers.

g The provisions of this Agreement are severable, and if any provision or part hereof or the application thereof to any person or circumstances shall ever be held by any court of competent jurisdiction to be invalid or unconstitutional for any reason, the remainder of this Agreement and the application of such provisions or part hereof to other persons or circumstances shall not be affected thereby.

h. In the event Seller or Purchaser breaches any of the terms, provisions, covenants, or agreements contained in this Agreement and Seller and Purchaser become involved in litigation with regard to breach hereof, the prevailing party shall be entitled to be paid its reasonable attorneys' fees

i Purchaser represents and warrants to the City that Purchaser is a Delaware corporation and is in good standing under the laws of the State of Minnesota The individual executing this Agreement on behalf of Purchaser is duly authorized to execute this Agreement on behalf of Purchaser.

j All capitalized terms used in this Agreement but not defined herein shall have the meanings set forth in the Master Development Agreement

IN WITNESS WHEREOF, Seller, Purchaser and City have executed this Agreement in multiple copies, each of which shall be deemed to be an original, as of the date first above written

SELLER:

RAMSEY TOWN CENTER LLC
a Minnesota limited liability company

Telephone: (763) 757-2926
Facsimile. (763) 757-0649

By _____
Name: John P. Fogges
Its _____

Date. 12/16/03

PURCHASER:

D R HORTON, INC -MINNESOTA
a Delaware corporation

Telephone (952) 985-7272
Facsimile: (952) 985-7800

By _____
Neil G. Hansen
President

Date. 12-16-03

STATE OF MINNESOTA)
) ss
COUNTY OF ANOKA)

The foregoing instrument was acknowledged before me this 16 day of December, 2003, by John Pieges the President of the RAMSEY TOWN CENTER LLC, a Minnesota limited liability company, on behalf of the company

Karen C. Applegate
Notary Public

KAREN C. APPLEGATE
Notary Public
Minnesota
My Commission Expires ...2005

STATE OF MINNESOTA)
) ss
COUNTY OF ANOKA)

The foregoing instrument was acknowledged before me this 16 day of December, 2003, by Neil G Hansen, the President of D R HORTON, INC -MINNESOTA, a Delaware corporation, on behalf of the corporation

Karen C. Applegate
Notary Public

KAREN C. APPLEGATE
Notary Public
Minnesota
My Commission Expires ...2005

Signature Page to Allocation Agreement

Date December 16, 2003

CITY OF RAMSEY, MINNESOTA

By _____
Its Mayor

By _____
Its City Administrator

STATE OF MINNESOTA)
) ss.
COUNTY OF ANOKA)

The foregoing instrument was acknowledged before me this 16 day of December, 2003, by Thomas G Gamec and James E Normon, Mayor and City Administrator of the City of Ramsey, a Minnesota municipal corporation, on behalf of the corporation.

_____
Notary Public

WILLIAM K GOODRICH
Notary Public
Minnesota
My Commission Expires Jan 31 2005

THIS INSTRUMENT AND DRAFTED BY

DORSEY & WHITNEY LLP
Suite 1500
50 South Sixth Street
Minneapolis, Minnesota 55402-1498
Attention: Mark E Hamel, Esq.

PROPERTY DESCRIPTION
D. R. HORTON ALLOCATION AGREEMENT
January 14, 2004
PARCEL 1

All that part of OUTLOT BB, RAMSEY TOWN CENTER ADDITION, according to the recorded plat thereof, described as follows

Beginning at the southeast corner of said OUTLOT BB; thence on an assumed bearing of North 0 degrees 02 minutes 49 seconds West along the easterly line of said OUTLOT BB for 616.15 feet; thence on a bearing of WEST for 713 87 feet, thence on a bearing of NORTH for 307.62 feet to the northerly line of said OUTLOT BB; thence North 89 degrees 42 minutes 54 seconds West along said northerly line for 577.10 feet to the northwest corner of said OUTLOT BB; thence on a bearing of SOUTH along the westerly line of said OUTLOT BB for 112.96 feet to a point of curvature in said westerly line; thence southerly for 133.43 feet along said westerly line along a tangential curve concave to the west, radius 1040 00 feet and central angle 07 degrees 21 minutes 03 seconds to a point of tangency in said westerly line; thence South 07 degrees 21 minutes 03 seconds West along said westerly line for 100.00 feet to a point of curvature in said westerly line; thence southerly for 123 16 feet along said westerly line along a tangential curve concave to the east, radius 960.00 feet and central angle 07 degrees 21 minutes 03 seconds, to a point of tangency in said westerly line; thence on a bearing of SOUTH along said westerly line for 262.98 feet to the southwest corner of said OUTLOT BB; thence northeasterly for 162.37 feet along the southerly line of said OUTLOT BB along a non-tangential curve concave to the northwest, radius 677.00 feet and central angle of 13 degrees 44 minutes 29 seconds, the chord of said curve bears North 76 degrees 47 minutes 46 seconds East to a point of tangency in said southerly line; thence North 69 degrees 55 minutes 32 seconds East along said southerly line for 102.08 feet to a point of curvature in said southerly line; thence easterly for 451 97 feet along said southerly line along a tangential curve concave to the south, radius 573.00 feet and central angle 45 degrees 11 minutes 37 seconds to a point of compound curvature in said southerly line, thence southeasterly 325 23 feet along said southerly line along a compound curve, concave to the southwest, radius 1258 00 feet and central angle of 14 degrees 48 minutes 46 seconds to a point of reverse curvature in said southerly line, thence southeasterly for 220.93 feet along said southerly line along a reverse curve concave to the northeast, radius 317 00 feet and central angle of 39 degrees 55 minutes 55 seconds to a point of tangency in said southerly line; thence on a bearing of EAST along said southerly line for 150.28 feet to the point of beginning.

PROPERTY DESCRIPTION
D R HORTON ALLOCATION AGREEMENT
January 14, 2004
PARCEL 2

All that part of OUTLOT U, RAMSEY TOWN CENTER ADDITION, according to the recorded plat thereof, Anoka County, Minnesota, described as follows.

Beginning at the northeast corner of said OUTLOT U; thence on an assumed bearing of North 89 degrees 42 minutes 54 seconds West along the northerly line of said OULTO U for 1149.17 feet, thence on a bearing of SOUTH for 82.14 feet; thence southeasterly for 201.88 feet along a non-tangential curve concave to the southwest, radius 297.01 feet and central angle 38 degrees 56 minutes 37 seconds, the chord of said curve bears South 28 degrees 13 minutes 33 seconds East; thence on a bearing of EAST for 440.94 feet, thence on a bearing of SOUTH for 372 81 feet to the southerly line of said OUTLOT U; thence easterly for 75 84 feet along said southerly line along a non-tangential curve concave to the south, radius 1023.00 feet and central angle 04 degrees 14 minutes 50 seconds, the chord of said curve bears South 79 degrees 35 minutes 59 seconds East, to a point of tangency in said southerly line; thence South 77 degrees 28 minutes 34 seconds East along said southerly line for 378 28 feet to a point of curvature in said southerly line, thence easterly for 142.66 feet along said southerly line along a tangential curve concave to the north, radius 677.00 feet and central angle 12 degrees 04 minutes 25 seconds to the southeast corner of said OUTLOT U; thence on a bearing of NORTH along the easterly line of said OUTLOT U for 267.08 feet to a point of curvature in said easterly line; thence northerly for 133 43 feet along said easterly line along a tangential curve concave to the west, radius 1040.00 feet and central angle of 07 degrees 21 minutes 03 seconds to a point of tangency in said easterly line, thence North 07 degrees 21 minutes 03 seconds East along said easterly line for 100.00 feet to a point of curvature in said easterly line; thence northerly for 123.16 feet along said easterly line along a tangential curve concave to the west, radius 960.00 feet and central angle 07 degrees 21 minutes 03 to a point of tangency in said easterly line, thence on a bearing of NORTH along said easterly line for 113.35 feet to the point of beginning

DRHORTONAAPARCEL2rev#2

no

PROPERTY DESCRIPTION
D R. HORTON ALLOCATION AGREEMENT
January 14, 2004
PARCEL 3

All that part of OUTLOT J, RAMSEY TOWN CENTER ADDITION, according to the recorded plat thereof, Anoka County, Minnesota, described as follows·

Commencing at the northeast corner of said OUTLOT J, thence on an assumed bearing of North 89 degrees 42 minutes 57 seconds West along the northerly line of said OUTLOT J for 43.54 feet to a point of curvature in said northerly line; thence westerly for 106.64 feet along said northerly line along a tangential curve concave to the north, radius 1159.07 feet and central angle 05 degrees 16 minutes 17 seconds, to the actual point of beginning, thence continue westerly and northwesterly for 759.73 feet along said northerly line along last described curve, radius 1159.07 feet and central angle 37 degrees 33 minutes 20 seconds to a point of tangency in said northerly line ; thence North 46 degrees 53 minutes 20 seconds West along said northerly line for 195.47 feet to the northwest corner of said OUTLOT J, thence South 23 degrees 43 minutes 04 seconds West along the westerly line of said OUTLOT J for 283 83 feet to the most westerly corner of said OUTLOT J, thence southeasterly for 417.03 feet along the boundary of said OUTLOT J along a non-tangential curve concave to the southwest, radius 628 00 feet and central angle 38 degrees 02 minutes 51 seconds, the chord of said curve bears South 35 degrees 27 minutes 35 seconds East to a point of reverse curvature in said boundary; thence southeasterly for 302.86 feet along said boundary along a tangential reverse curve concave to the northeast, radius 702.00 feet and central angle 24 degrees 43 minutes 09 seconds; thence North 23 degrees 43 minutes 04 seconds East for 288.62 feet; thence South 66 degrees 16 minutes 56 seconds East for 279 25 feet, thence southeasterly for 94 17 feet along an tangential curve concave to the northeast, radius 470.00 feet and central angle 11 degrees 28 minutes 48 seconds; thence northeasterly for 200 83 feet along a non-tangential curve concave to the southeast, radius 297 01 feet and central angle 38 degrees 44 minutes 34 seconds, the chord of said curve bears North 28 degrees 16 minutes 27 seconds East; thence on a bearing of NORTH for 119 20 feet to the point of beginning

DRHORTONAAPARCEL3rev#2

no

PROPERTY DESCRIPTION
D. R. HORTON ALLOCATION AGREEMENT
January 14, 2004
PARCEL 4

OUTLOT F, RAMSEY TOWN CENTER ADDITION, according to the recorded plat thereof, Anoka County, Minnesota.

DRHORTONAAPARCEL4rev#3

PROPERTY DESCRIPTION
D R. HORTON ALLOCATION AGREEMENT
January 14, 2004
PARCEL 5

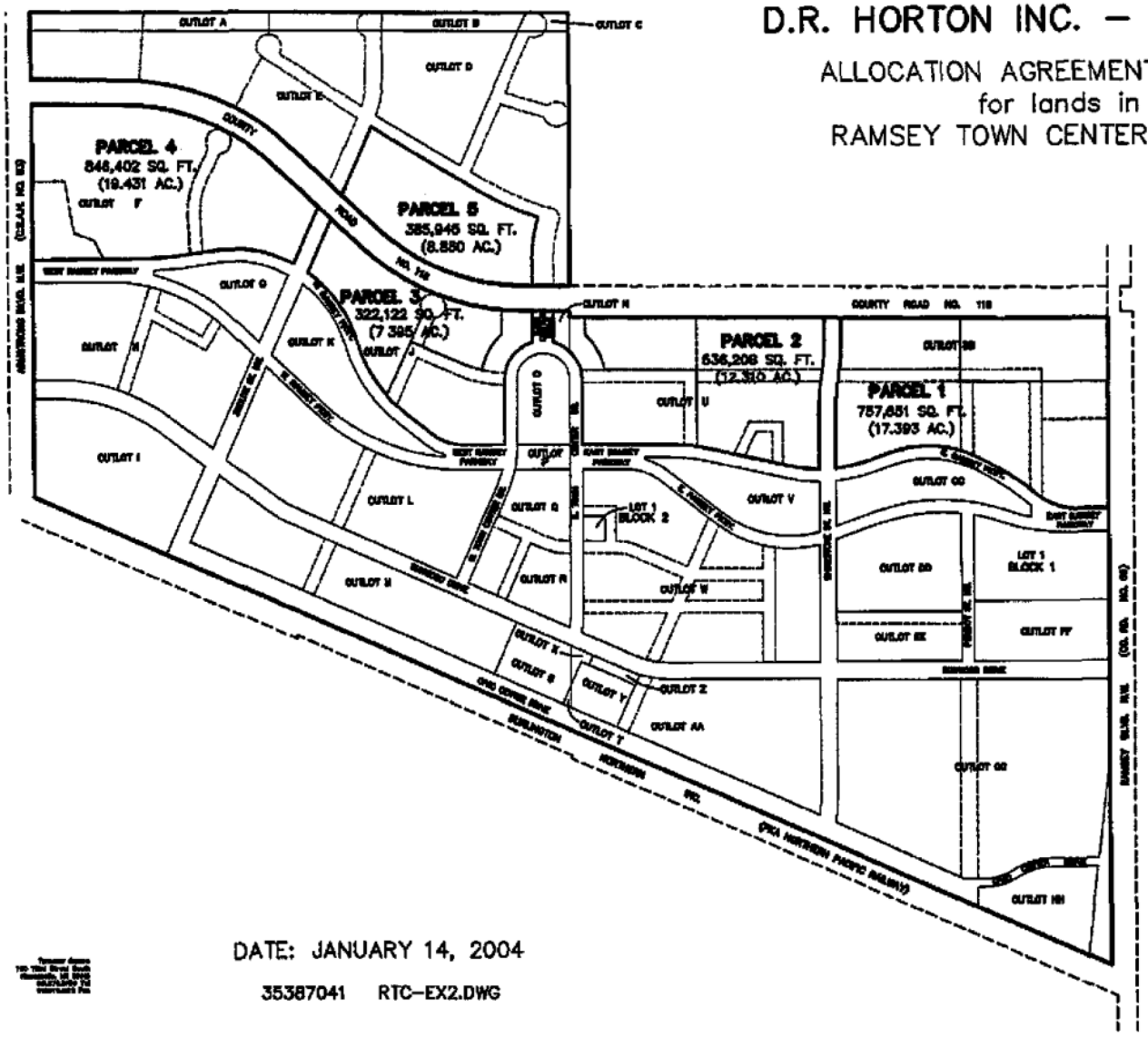
All that part of OUTLOT E, RAMSEY TOWN CENTER ADDITION, according to the recorded plat thereof, Anoka County, Minnesota, described as follows

Commencing at the southeast corner of said OUTLOT E; thence on an assumed bearing of North 89 degrees 42 minutes 57 seconds West along the southerly line of said OUTLOT E for 177 29 feet to the actual point of beginning; thence continue North 89 degrees 42 minutes 57 seconds West along said southerly line for 42.94 feet to a point of curvature in said southerly line; thence westerly and northwesterly for 776.67 feet along said southerly line along a tangential curve concave to the northeast, radius 1039.07 feet and central angle 42 degrees 49 minutes 37 seconds to a point of tangency in said southerly line; thence North 46 degrees 53 minutes 20 seconds West along said southerly line for 237.71 feet, thence North 23 degrees 43 minutes 04 seconds East for 357 01 feet; thence South 59 degrees 16 minutes 59 seconds East for 595.60 feet; thence southeasterly for 323 94 feet along a tangential curve concave to the northeast, radius 1480.00 feet and central angle 12 degrees 32 minutes 26 seconds, thence southerly for 185.69 feet along a non-tangential curve concave to the east, radius 600.00 feet and central angle 17 degrees 43 minutes 56 seconds, the chord of said curve bears South 08 degrees 51 minutes 58 seconds West; thence on a bearing of SOUTH for 149.26 feet to the point of beginning.

DRHORTONAAPARCEL5rev#2

D.R. HORTON INC. – MINNESOTA

ALLOCATION AGREEMENT EXHIBIT
for lands in
RAMSEY TOWN CENTER ADDITION



DATE: JANUARY 14, 2004

35387041 RTC-EX2.DWG

URS

TORRENS

Receipt # 14372/30
Date/Time 1/22/04, 9:45
Doc Order ____ of 1

Recordability QP
Filing Fees $ 30

Well Cert Rec'd

- [ ] Tax Lien/Release
- [ ] Transfer
- [ ] Division
- [ ] Status
- [ ] New legal Description
- [ ] GAC
- [ ] Deferred Specials
- [x] No Change

- [ ] Certified Copy/____
- [x] Non-standard Document
- [ ]
- [x] From Certificate 100095 A # New Certificates 0

3" margin

BK 266 Page/Cert 100095

DOCUMENT NO 457481.0 TORRENS

ANOKA COUNTY MINNESOTA

I HEREBY CERTIFY THAT THE WITHIN INSTRUMENT WAS FILED IN THIS OFFICE FOR RECORD ON JAN 22 2004 AT 9:45 AM AND WAS DULY RECORDED FEES AND TAXES IN THE AMOUNT OF $30.00 PAID

2004014372
RECEIPT NO

MAUREEN J DEVINE
ANOKA COUNTY PROPERTY TAX ADMINISTRATOR/RECORDER/REGISTRAR OF TITLES
JMD

BY _____
DEPUTY PROPERTY TAX ADMINISTRATOR/RECORDER/REGISTRAR OF TITLES

ABSTRACT

Receipt # 14375/30
Date/Time 1/22/04, 9:45
Document Order ____ of ____
PINs QP
Recordability QP
Filing Fees $ 30
Copy/Additional Pg Fees $ ____
Well Cert Fees $ ____

- [ ] Incomplete Form
- [ ] Missing Attachment
- [ ] No Legal Description
- [ ] Non-existent Legal Description
- [ ] Part(s) Illegible

- [ ] Incorrect/No Reference #
- [x] Non-standard Document
- [ ] Certified Copy/ ____

3" margin

- [ ] Tax Lien/Release
- [ ] Transfer
- [ ] Division
- [x] Status
- [ ] New legal Description
- [ ] GAC
- [ ] Deferred Specials
- [x] No Change

DOCUMENT NO. 1891854.0 ABSTRACT

ANOKA COUNTY MINNESOTA

I HEREBY CERTIFY THAT THE WITHIN INSTRUMENT WAS FILED IN THIS OFFICE FOR RECORD ON JAN 22 2004 AT 9:45 AM AND WAS DULY RECORDED FEES AND TAXES IN THE AMOUNT OF $30 PAID

2004014375
RECEIPT NO

MAUREEN J DEVINE
ANOKA COUNTY PROPERTY TAX ADMINISTRATOR/RECORDER/REGISTRAR OF TITLES
JMD

BY _____
DEPUTY PROPERTY TAX ADMINISTRATOR/RECORDER/REGISTRAR OF TITLES

[illegible]
Attorney at Law
6734 Tee Ct
Lino Lakes, MN 55038

FILED IN [illegible]

457481.0 TORRENS
MAUREEN R [illegible]
CITY OF LINO
6734 TEE CT
LINO LAKES MN 55038

Record ID 1593646

1977751.011

CITY OF RAMSEY
SECONDARY DEVELOPMENT CONTRACT
FOR RAMSEY TOWN CENTER 7TH ADDITION
SYMPHONY AT TOWN CENTER

STEWART TITLE-JW
115867

CONTRACT dated this 24th day of August, 2005, by and between the **CITY OF RAMSEY**, a , Minnesota municipal corporation (the "**CITY**") and **RAMSEY TOWN CENTER, LLC,** a Minnesota limited liability company and **K. HOVNANIAN T&C HOMES AT MINNESOTA, LLC**, a Minnesota limited liability company, (collectively the "**DEVELOPERS**" and individually "**RTC**" and "**T&C**").

1. Request for Plat Approval. The **DEVELOPERS** have asked the **CITY** to approve a **Plat** for RAMSEY TOWN CENTER 7th ADDITION (also referred to in this Contract as the "**Plat**"). The land is legally described as:

Outlot U, Ramsey Town Center Addition, according to the recorded plat thereof, Anoka County, Minnesota

And

All that part of Outlot B, Ramsey Town Center 2nd Addition, according to the recorded plat thereof, described as follows:

Beginning at the northwest corner of said Outlot B; thence on an assumed bearing of south 89 degrees 42 minutes 54 seconds east along the northerly line of said Outlot B, for 607.10 feet; thence on a bearing of south for 247.47 feet to a southerly line of said Outlot B; thence on a bearing of west along said southerly line and its westerly extension for 616.21 feet to the westerly line of said Outlot B; thence north 07 degrees 21 minutes 03 seconds east, along said westerly line for 4.51 feet to a point of curvature in said westerly line; thence northerly for 133.43 feet, along said westerly line, along a tangential curve concave to the west, radius 1040.00 feet and central angle 07 degrees 21 minutes 03 seconds, to a point of tangency in said westerly line; thence on a bearing of north, along said westerly line for 112.96 feet to the point of beginning.

(the "**Subject Property**")

2. Other Agreements. By execution of this Contract, **DEVELOPERS** acknowledge the **Subject Property** and its development contemplated by the Final **Plat** is subject to the terms and conditions of that certain other documents entitled:

"CITY OF RAMSEY
MASTER DEVELOPMENT AGREEMENT
FOR RAMSEY TOWN CENTER
By and Between
CITY OF RAMSEY
And
RAMSEY TOWN CENTER LLC
Dated September 17, 2003"

(the "**Master Development Agreement**")

and

"FIRST AMENDMENT TO CITY OF RAMSEY
MASTER DEVELOPMENT AGREEMENT
FOR RAMSEY TOWN CENTER
By and Between
CITY OF RAMSEY
And
RAMSEY TOWN CENTER LLC
Dated February 28, 2005"

(the "**First Amendment**")

The terms and conditions of the aforementioned agreements are incorporated herein by reference as if fully set forth at this point. **DEVELOPERS** further acknowledge, by execution of this Contract, receipt of a copy of the aforementioned agreements.

In the event of a conflict between the terms of this Contract and the terms of the aforementioned agreements shall control.

3. Conditions of Approval. The **CITY** hereby approves the Plat on condition that:

a. the **DEVELOPERS** enter into this Contract, and

b. the **DEVELOPERS** provide the necessary security in accordance with the terms of this Contract, and in accordance with their respective responsibilities.

4. Development Plans. The **DEVELOPERS** shall develop the **Plat** in accordance with the Final Plat and Final Engineering Plans prepared by URS and dated June 24, 2005, and

the 24-sheet set of civil plans prepared by Landform, dated June 24, 2005. The plans shall not be attached to this Contract, but are in **CITY** files

5. Stage I Improvements Required. The improvements the **CITY** requires **RTC,** to construct within the **Plat** are as follows:

a. Trunk and lateral sanitary sewer system
b. Trunk and lateral watermains and appurtenances
c. Public streets with concrete curb and gutter (East Town Center Drive, 146th Avenue N.W. west of Rhinestone Street, Traprock Street N.W. – to be constructed RTC)
d. Trunk and lateral storm drainage facilities
e. Sidewalk Construction along 146th Avenue, East Ramsey Parkway, East Town Center Drive and Traprock Street, and Bunker Lake Blvd.
f. Trail construction along Bunker Lake Blvd. **T&C** shall secure a license agreement from the County of Anoka to permit the construction of the trail.
g. Natural gas
h. Telephone service
i. Electric service
j. Street lights (installment arranged by the **CITY** during Stage I Improvements and paid for by **RTC** as Stage II Improvement)
k. RTC shall be responsible for completing the rough grading

(**"Stage I Improvements"**). The location of The Stage I Improvements are indicated on Exhibit B.

RTC agrees to construct the Stage I Improvements according to the terms and conditions of this Contract and in accordance with plans submitted to the **CITY**. Said plans shall be in conformance with the Final Plat and Final Engineering Plans dated June 24, 2005. All of the plans are subject to revisions per City Staff Review Letter dated July 7, 2005 and City Memo dated June 27, 2005. The final construction plan for the Stage I Improvements shall be submitted to the **CITY** Engineer for review and approval prior to commencement of construction.

RTC shall be responsible for completing the rough grading and providing lot corner stakes prior to the installation of underground utilities.

6. Stage I Improvement Financial Guarantee. **RTC** shall provide a financial guarantee to the **CITY** guaranteeing the construction of the Stage I Improvements and their timely completion. **RTC**, shall be responsible for a financial guarantee in the amount set out in Exhibit A. The financial guarantee shall be deposited with the **CITY** at the time of execution of this Contract in accordance with the Escrow Agreement dated the date hereof (the "Escrow Agreement") between the **CITY**, **RTC** and **T&C**, and Stewart Title. Upon completion of Stage I Improvements (including the removal of "temporary" erosion control measures as identified in the approved Grading Plan), acceptance by the **CITY**, supported by appropriate lien waivers, **RTC** may request a reduction in the amount of the financial guarantee, but only if the

landscaping maintenance guarantee required by Paragraph 24b below has been deposited. RTC may also request interim disbursements in accordance with the Escrow Agreement.

7. RTC Inspection Fees. **RTC** shall be responsible for all inspection costs incurred by the **CITY** related to the installation of Stage I Improvements. **RTC** shall make a cash deposit into the appropriate escrow account at the **CITY** and the **CITY** shall have the authority to draw upon these funds for the purpose of compensating for inspection services. The amount of the deposit shall be equal to five percent (5%) of the estimated cost of the Stage I Improvements. **RTC**, shall be responsible for a cash deposit in the amount of Thirty Three Thousand Two Hundred Dollars and no cents ($33,200.00). Upon completion of the Improvements to the satisfaction of the **CITY**, any surplus balance remaining in the **CITY**'s escrow account shall be refunded to **RTC.**

8. Stage I Improvement Maintenance Financial Guarantee. **RTC** shall post a Stage I Improvement maintenance guarantee with the **CITY**. Said maintenance guarantee shall be deposited with the **CITY** at the time Stage I Improvements are accepted by the **CITY** and prior to release by the **CITY** of the financial guarantee required by Paragraph 7 above. The amount of the maintenance guarantee shall be Ten Thousand and 00/100 Dollars ($10,000.00) or five percent (5%) of the cost of the Stage I Improvements, whichever is greater. Said maintenance guarantee shall be held by the **CITY** for a one (1) year period from the date of its deposit. This financial guarantee is for the purpose of ensuring that the Stage I Improvements have been constructed in accordance with **CITY** standards and may be called upon at the **CITY**'s discretion during said one (1) year period if the **CITY** determines it necessary to repair and/or replace any of the Stage I improvements. Said financial guarantee shall be in the form of cash or a letter of credit, approved as to form by the **CITY**.

9. Stage II Improvements Required. The Stage II Improvements which the **CITY** requires to be installed within the Plat are as follows:

a) Street striping and signing
b) Traffic signing
c) Future Through Street Signing
d) Street lights
e) Street light maintenance
f) Street sweeping
g) Seal coating

("Stage II Improvements").

10. Payment for Stage II Improvements. The **CITY** will install in the Plat the Stage II Improvements. **RTC** and **T&C** shall deposit an amount that is set forth below that was determined by the **CITY** to be adequate to aid in the operation and maintenance of street lights in locations within the Plat determined by the **CITY** Engineer and installed by Connexus for the first three (3) years after final plat approval. The **CITY** will bill residents in the Plat at least quarterly for street light maintenance and operation costs; billing will be initiated at the time a residence connects to municipal water and sanitary sewer. **RTC** and **T&C** will pay to the **CITY**

an amount equal to 100% of the **CITY** Engineer's estimated construction cost of the items prior to recording of the final Plat. The **CITY** Engineer's estimated cost of construction is:

	RTC Obligations	T&C Obligations	Total
Street signing ($200.00 each)	9 - $1,800.00	16 - $3,200.00	$ 5,000.00
Street striping ($.20/ft.)	3,220 - $640.00	4,000 - $800.00	$ 1,440.00
Traffic signs ($200.00 each)	15 - $3,000.00	12 -$240,000	$ 5,400.00
Future Through Street Signing (0)	N/A	N/A	N/A
Street lights ($1,500.00 each)	23 - $34,500.00	25 - $37,500.00	$ 72,000.00
Street light maintenance ($270 each)	23 - $6,210.00	25 - $6,750.00	$ 12,960.00
Street sweeping	$500	$500	$ 1,000.00
Seal coating ($.85 sq. yd.)	17,000 - $14,450.00	17,100 - $14,535.00	$ 28,985.00
TOTAL	$61,100.00	$65,685.00	$126,785.00

It is agreed that **RTC** will deposit the sum of $61,100.00 and that **T&C** shall deposit the sum of $65,685.00.

11. **Required Improvements.** As specifically indicated below, one of the **DEVELOPERS** shall construct and install the following site improvements on the Site in accordance with the specifications and location as shown on the **Plat** and site plan. The Required Improvements are as follows:

    a. Site grading in accordance with the Grading Plan prepared by URS dated June 24, 2005. RTC is responsbile for all grading requirements of the interim grading plan prepared by Landform. T&C is responsible for the balance of the grading.
    b. Private streets with concrete curb and gutter. **T&C's responsibility.**
    c. Installation of storm sewer and appurtenances. **RTC's responsibility except to the extent located within platted blocks, which is T&C's responsibility.**
    d. Sanitary sewer system. **RTC's responsibility except to the extent located within platted blocks, which is T&C's responsibility.**
    e. Watermains and appurtenances. **RTC's responsibility except to the extent located within platted blocks, which is T&C's responsibility.**
    f. Trunk and lateral storm drainage facilities. **RTC's responsibility except to the extent located within platted blocks, which is T&C's responsibility.**
    g. Installation of bituminous driveways, parking lots, and maneuvering areas. **T&C's responsibility**
    h. Installation of continuous, surmountable concrete curbing and gutter around the perimeter of all bituminous surfaces. **RTC has the responsibility for only public street improvements; T&C has the responsibility for private street improvements.**
    i. Installation of Landscaping in accordance with the Landscape Plan, dated June 24, 2005. **RTC except to the extent located within platted blocks, which is T&C's responsibility.**

j. Irrigation metering and backflow devices shall be approved as part of the Utility Plan, and installed accordingly by **T&C.**

k. Irrigation rain sensors shall be installed and appropriately placed throughout the development by **T&C.**

l. Establishment of turf in areas disturbed during construction and in accordance with the Plat. **RTC's responsibility except to the extent located within platted blocks, which is T&C's responsibility.**

m. Temporary and permanent erosion control. **RTC's responsibility except to the extent located within platted blocks, which is T&C's responsibility.**

n. Natural gas. **RTC's responsibility except to the extent located within platted blocks, which is T&C's responsibility.**

o. Telephone service. **RTC's responsibility except to the extent located within platted blocks, which is T&C's responsibility.**

p. Electric service. **RTC's responsibility except to the extent located within platted blocks, which is T&C's responsibility.**

("Required Improvements").

12. **Required Improvements Completion Date.** The Required Improvements shall be completed on or before July 30, 2006.

13. **Required Improvements Financial Guarantee.** In order to ensure the installation of the Required Improvements in accordance with City specifications and in a timely manner, **T&C** shall be required to deposit with the City a cash escrow or letter of credit, approved as to form by the City, in the amounts set forth on Exhibit A attached hereto, which is 125% of the City's estimated cost of the Required Improvements. The foregoing deposits by **T&C** shall be in accordance with the Escrow Agreement. Prior to the issuance of the building permit, all financial guarantees must be provided as required herein. As provided in Section 6, the parties may request interim disbursements in accordance with the Escrow Agreement.

Upon completion of the construction of the Required Improvements, the financial guarantee shall be returned to the party that made the deposit and each Developer shall be required to provide the landscaping maintenance guarantee described in paragraph 24b of this Development Contract. The determination of completion of the construction of the Required Improvements shall be made by the City Council after consultation with the City Engineer. In the event the **DEVELOPERS** fail to construct and install the Required Improvements as required herein, the City Council may order the completion of the Required Improvements with City day labor and/or by letting contracts for said completion and draw upon the escrow for payment. Only the City Council shall have the authority to direct completion of the Required Improvements and withdraw from the escrow account. The **DEVELOPERS** hereby grant permission and a license to the City and/or its contractors and assigns to enter upon the Site for the purpose of completing the construction and installation of the Required Improvements in the event of a default by the **DEVELOPERS.**

The Required Improvements shall be installed in accordance with the the Final Plat and Final Engineering Plans dated June 24, 2005, and in accordance with **CITY** standards, **CITY** Code and plans and specifications which have been prepared by a competent registered professional engineer furnished to the **CITY** and approved by the **CITY** Engineer. The **DEVELOPERS** shall obtain all necessary permits from all agencies before proceeding with construction. Within thirty (30) days after the completion of the Improvements and before the security is released, each Developer shall supply the **CITY** with a complete set of reproducible "As Built" plans for the portions of the Required Improvements it constructed.

14. T&C Inspection Fees. **T&C** shall be responsible for inspection costs incurred by the City related to the installation of the portion of Required Improvements to be constructed by **T&C**. **T&C** shall make a cash deposit into the appropriate escrow account at the City and the City shall have the authority to draw upon these funds for the purpose of compensating for inspection services. The amount of the deposit shall be equal to five percent (5%) of the estimated cost of the Required Improvements, which equates to Fifty Two Thousand Dollars and no cents ($52,000.00). Upon completion of the Improvements to the satisfaction of the City, any surplus balance remaining in the City's escrow account shall be refunded to **T&C**.

15. Payment of Sewer and Water Charges. **RTC** will pay Sewer Trunk Fees in the amount of $1,862 per Unit and Water Trunk Fees in the amount of $1,100 per Unit upon final plat approval. **T&C** will pay SAC Fees, SAC Handling Fees, and WAC Fees when it secures building permits. The fees reflected in this Section are subject to adjustment by the City.

16. Ramsey Town Center Phase I Roadway Improvements, Phase II Roadway Improvements, AUAR Roadway Improvements, Parking Facility Improvements: In accordance with City of Ramsey Resolutions 05-02-065, 05-02-066, 05-02-067 and 05-02-068, assessments for Ramsey Town Center Phase I Roadway Improvements, Phase II Roadway Improvements, AUAR Roadway Improvements, and parking facility improvements shall be payable to the **CITY** in a single installment prior to the release of the final plat mylars for recording.

    a. As a part of the terms of the June 15, 2005 closing of the sale of part of Outlot B, Ramsey Town Center 2nd Addition, from **RTC**, to D.R. Horton, a total payment in the amount of One Hundred Seventy Four Thousand Seven Hundred Ninety Two Dollars and ninety-six cents ($174,792.96) (principal of $171,449.00 + $3,343.96 interest at a rate of 6.3% per annum from February 22, 2005 until June 15, 2005). was received by the **CITY** as satisfaction of the assessments due on that portion of the **Plat** lying on Outlot B, east of Rhinestone Street N.W.

    b. The remainder of assessments due to the **CITY** for that part of the **Plat** lying on Outlot U less those parts of Outlot U to be platted as Outlots A and B, Ramsey Town Center 7th Addition are equal to approximately 6% of the overall assessments due on Ramsey Town Center, or Six Hundred Twenty Three Thousand Four Hundred Fifty One Dollars and 99/100 cents ($623,451.00), plus interest at a rate of 6.3% per annum commencing Februrary 22, 2005 to the actual

date of payoff, which amount shall be paid by **RTC**. The assessments on this part of Outlot U are as follows:

1.	Phase I Roadway Improvements:	$52,562.00.
2.	Phas II Roadway Improvements:	$30,899.00.
3.	AUAR Roadway Improvements:	$180,000.00.
4.	Municipal Parking Improvements:	$360,000.00.
	TOTAL	$623,451.00

c. Reconciliation of Outlot B. It has been determined by the **CITY** that there was an error in the area calculation for computing the assessments due on part of Outlot B, which assessments were collected at the June 15, 2005, closing between D.R. Horton and K. Hovanian T&C Homes at Minnesota, LLC. The area calculation has been adjusted and the remaining assessment due on part of Outlot B is Forty Thousand Five Hundred Forty Eight dollars and Seventeen Cents ($40,548.17) (principal of $39,485.00, plus interest in the amount of $1,063.17 at a rate of 6.3% per annum from February 22, 2005 until July 28, 2005)

17. Stormwater Management Fee. The current Stormwater Management Fee is $384.00 per unit. Stormwater management fee obligations for the development are Seventy Two Thousand Nine Hundred Sixty Dollars and no cents ($72,960.00) (190 x $384.00), which fees will be paid by **T&C** at the time of release of final mylar plats.

18. Hard Surfaced Driveways. Hard surfaced driveways (bituminous or concrete) are a requirement for each lot in the Plat. Driveways shall be installed by the building permit applicant or the homeowner at the time the Certificate of Occupancy is issued or as soon thereafter as possible, weather permitting. In the event the driveway is not timely installed on a lot, **T&C** and/or **T&C's** assign(s), agree that the **CITY** may install the driveway on the lot and specially assess the cost therefore against the lot. **T&C** waives all right to a public hearing and other statutory rights or **CITY** Charter rights granted a property owner relating to special assessments, including the right to appeal the special assessment for installation of the hard surfaced driveway. In addition, **T&C** grants the **CITY** a license to enter on each lot of the **Plat** in order to install the improvement described in this paragraph if the same has not been previously constructed.

19. Street Cleaning. After the street surfacing is installed, the **DEVELOPERS** shall clear any soil, earth, or debris from the streets within the **Plat** resulting from any construction within the **Plat** by the **DEVELOPERS** or its successors and assigns. From time to time, the **CITY** may remove accumulations of soil, earth and debris from the streets resulting from the construction of the Plat. It shall be the **DEVELOPERS'** responsibility to pay the costs associated with this necessary street cleaning. Invoices from the **CITY** to the

DEVELOPERS for such costs shall be paid within fifteen (15) days of the date of invoice. The duty to clear and/or to reimburse the **CITY** shall be allocated to **RTC** as to public streets and **T&C** as to private streets.

20. Private Streets and On-Street Parking. On-street parking shall be prohibited on private streets unless otherwise indicated on the final plans. All parking restrictions shall be signed and said signing shall be subject to the approval of the **CITY**. At no time will the private streets be maintained or accepted for ownership by the **CITY**. These items shall be clearly stated in the covenants drafted as part of the homeowners association. The association documents shall include appropriate enforcement provisions. **T&C** will provide the **CITY** a copy of the restrictive covenants for review.

21. Private Street Cleaning. In the event the **CITY** determines that the private streets and driveway collectors are contributing to the increased sedimentation of the ponds that the **CITY** is required to maintain, the **CITY** shall provide the homeowner's association with thirty (30) days written notice to sweep the streets. If the association fails to comply within the thirty (30) day time frame, the **CITY** or its contractor will sweep the streets and the associated costs shall be the responsibility of the homeowner's association. **CITY** expenses incurred in sweeping the private streets and/or driveway collectors shall be paid within 30 days of billing. Failure to compensate the **CITY** for the services shall be cause for a special assessment to be levied against the Plat and certified to the County Auditor for collection in the manner as taxes and special assessments are certified and collected. **T&C** grants permission and a license to the **CITY** or its contractors and assigns to enter upon the Plat for the purpose of cleaning the private streets and/or driveway collectors. **T&C** shall also be responsible for including these provisions in the covenants drafted as a part of the homeowner's association.

22. Time of Performance. The **DEVELOPERS** shall install all Required Improvements by July 30, 2006. The **DEVELOPERS** may, however, request an extension of time from the **CITY**. If an extension is granted, it shall be conditioned upon updating the security posted by **DEVELOPERS** to reflect cost increases.

23. Ownership of Improvements. Upon the completion of the work and construction required to be done by this Contract, the Improvements lying within public easements shall become **CITY** property without further notice or action.

24. Landscaping.

a. Compliance With Plans. The **DEVELOPERS** shall landscape the Plat in accordance with approved plans. The landscaping shall be accomplished in accordance with a time schedule approved by the **CITY**.

b. Maintenance Guarantee for Landscaping. **RTC** and **T&C** shall provide a maintenance guarantee to ensure the survival of the plantings in the **Plat**. Said maintenance guarantee shall consist of cash or a Letter of Credit, approved as to form by the **CITY**, in the amount of fourty-six thousand nine hundred eighty dollars and no cents ($46,980) [required

plantings (451 trees; 2,230 shrubs) x cost/planting ($100/tree, $50/shrub) x 30% average non-survival rate], which guarantee shall be in effect for a two-year period commencing on the date of the **CITY**'s acceptance of said plantings as part of the Required Improvements. **RTC** and **T&C** shall be required to establish with the **CITY** an escrow to secure payment of said $46,980 (the "Landscaping Escrow"). **RTC** shall be responsible for establishing the portion of the escrow allocated to landscaping for public streets; **T&C** shall be responsbile for establishing the portion of the escrow allcoated to landscaping for private streets, which allocation is shown on Exhibit A. The Landscaping Escrow does not include the plantings along Rhinestone St (42 trees), which are a part of the overall streetscape of Town Center that are covered through a separate surety.

At the end of the two-year period, the maintenance guarantee escrow shall be returned to **RTC** and **T&C** in proportion to their contributions. The determination that all plantings that have been planted in accordance with the approved Landscape Plan have either survived or have been replaced shall be made by the Community Development Department. In the event the **DEVELOPERS** fail to maintain the required plantings for a two-year period, the **CITY** Council may order the replacement of plantings with **CITY** day labor and/or by letting contracts and draw upon the escrow for payment. Only the **CITY** Council shall have the authority to direct replacement of the plantings and withdraw from the escrow account. The **DEVELOPERS** hereby grant permission and a license to the **CITY** and/or its contractors and assigns to enter upon the Subject Property for the purpose of replacing plantings in the event of the **DEVELOPERS'** default.

c. Tree Disease Prevention and Disposal. The **DEVELOPERS** shall prevent the introduction and spread of tree disease into the residual tree populations of the Subject Property and adjoining properties as well as mitigate the effects of construction activity on tree health, within and outside of the Subject Property. The **DEVELOPERS,** in order to protect trees from construction damage shall:

i. Install physical barriers, such as snow fence, around trees that are to remain after initial grading. The fencing shall be located at the dripline of these 'save' trees.

ii. Insure that all equipment operators will have readily available, a tree wound dressing and will apply it immediately to damaged oak trees if wounding occurs from April 15 through July 15.

iii. Insure that trees will only be skidded against other trees that are to be removed. Trees in the middle twenty (20) feet of a road easement will be removed first, with remaining trees to be skidded toward the middle of the road easement. This same procedure will apply to building sites.

iv Mature trees, especially oak and elm, adjoining an easement so that roots enter the disturbed construction area shall first be severed by a vibratory plow to prevent shattering, scraping and exposure of roots of high value trees on adjoining

property. All exposed root zones of adjoining properties shall be immediately covered with clean topsoil and moistened to favorable conditions.

v. Recognized trees of value, suitable for tree spade removal that would otherwise be destroyed, shall be identified with ribbon and offered to the **CITY** at least five (5) business days prior to destruction.

vi. Tree wood removed during construction, road building and sewer/water installation shall be buried, burned, chipped or hauled to a licensed wood disposal site. Wood waste disposal must take into account tree disease control, especially for oak wilt and Dutch Elm disease. The **CITY** will perform a site inspection to ascertain tree disease hazards (including root damage and grade changes) prior to construction in order to minimize impact on trees to be protected within or outside of the Subject Property. Wood waste disposal by fire must also manage air quality impact and smoke nuisance to adjoining property owners as well as fire safety concerns.

vii. Whole trees may not be disposed of by burning. Trunks and limbs larger than six (6) inches in diameter must be salvaged for lumber, firewood, chipped or hauled to a licensed wood disposal site. Application may be made for an open burning permit to dispose of brush less than six (6) inches in diameter and stumps with less than four feet of main trunks attached. The location of the proposed open burn site will be specified by the **CITY**. Wood disposal by burning requires whole tree volume reduction, proposed site inspection prior to clearing and an open burning permit. Residual ash and unburned stumpage may be buried on the site at the approval of the **CITY**. Chipped material may be applied and utilized on site to mitigate root damage from grade changes or used in the right-of-way for erosion control and top soil restoration.

25. Tree, Shrub and Sod Planting Plan. The addition of trees, shrubs and sod to the **Plat** shall be in accordance with the approved Landscape Plan. The **DEVELOPERS** are required to submit a Plan for **CITY** approval that identifies existing tree growth within the **Plat** that will be protected during construction. The trees to be protected must be identified on the grading plan, and the plan must require the installation of 'tree save fences' prior to land clearing or grading. In addition, the requirement for this Plan shall be fulfilled by the **DEVELOPERS** as follows:

    Minimizing the impact of construction on trees in accordance with Minnesota Extension Service publication "Protecting Trees From Construction Damage" (Publication #NR-FO-6135-S).

26. License. The **DEVELOPERS** hereby grant the **CITY**, its agents, employees, officers and contractors, a license to enter the **Plat** to perform all necessary work and/or inspections deemed appropriate by the **CITY** during the installation of Required Improvements by the **CITY**. The license shall expire after the Required Improvements installed pursuant to the development contract have been installed and accepted by the **CITY**.

27. Clean Up. **RTC** and **T&C** shall promptly clear from public streets and property any soil, earth or debris resulting from their respective construction work or that of their agents or subcontractors.

28. **DEVELOPERS'** Default. In the event of default by the **DEVELOPERS** as to any of the work to be performed by it hereunder, the **CITY** may, at its option, perform the work and the defaulting **DEVELOPER** shall promptly reimburse the **CITY** for any expense incurred by the **CITY**, provided the **DEVELOPER** is first given written notice of the work in default, not less than 48 hours in advance. This Contract is a license for the **CITY** to act, and it shall not be necessary for the **CITY** to seek a Court order for permission to enter the land. When the **CITY** does any such work, the **CITY** may, in addition to its other remedies, assess the cost in whole or in part.

29. Miscellaneous.

A. If any portion, section, subsection, sentence, clause, paragraph or phrase of this Contract is for any reason held invalid, such decision shall not affect the validity of the remaining portion of this Contract.

B. The action or inaction of the **CITY** shall not constitute a waiver or amendment to the provisions of this Contract. To be binding, amendments or waivers shall be in writing, signed by the parties and approved by written resolution of the **CITY** Council. The **CITY**'s failure to promptly take legal action to enforce this Contract shall not be a waiver or release.

C. Compliance with Laws and Regulations. The **DEVELOPERS** represent to the **CITY** that the **Plat** complies with all **CITY**, County, metropolitan, State and Federal laws and regulations, including but not limited to: subdivision ordinances, zoning ordinances and environmental regulations. If the **CITY** determines that the **Plat** does not comply, the **CITY** may, at its option, refuse to allow any construction or development work in the **Plat** until **RTC** does comply. Upon the **CITY**'s demand, the **DEVELOPERS** shall cease work until there is compliance.

D. This Contract shall run with the land and shall be recorded against the title to the Plat by **DEVELOPERS**. After the **DEVELOPERS** have completed the work required of it under this Contract, at the **DEVELOPERS'** request the **CITY** will execute and deliver to the **DEVELOPERS** a release.

E. Mailbox Locations. The **DEVELOPERS** herein agree to cluster the mailboxes for the townhome development along the private streets where possible and placement of mailboxes along public streets is subject to the approval of the **CITY**. Utility locates will be necessary.

F. Boulevard and Area Restoration. **RTC** shall be responsible for the cost of establishing seed in all boulevards within thirty (30) days of the completion of the Stage I street improvements, and for the cost of cleaning any soil, earth or debris from the

wetlands within or adjacent to the Plat and restoring all other areas resulting from the development grading operation in accordance with the approved Grading and Erosion Control plan. **T&C** shall also be responsible for the cost of cleaning any soil, earth or debris from the wetlands within and adjacent to this **Plat** resulting from building excavation and construction, and for seeding and/or sodding of private boulevard areas adjacent to private streets.

G. Construction Entrance Signs. The **CITY** restricts construction and delivery hours to Monday through Saturday 7:00am to 10:00pm. The **DEVELOPERS** are required to provide a sign at each entrance point stating delivery and construction operation hours. In this case a sign must be posted at any private entrance from a public street or road to a private road or driveway used for construction. Said signs are not to exceed eighty (80) square feet in size and must be clearly visible at all times during the construction period.

H. Construction Site Maintenance. The **DEVELOPERS** shall adhere to all **CITY** ordinances relating to, but not limited to, dumping of garbage, site development, construction debris, open burning, etc.

I. Estimated Cost. It is understood and agreed that cost amounts set forth in this Contract as Stage I and Stage II Improvements, unless specified as fixed amounts, are estimated. The **DEVELOPERS** agree to pay the entire cost of said improvements including interest, engineering and legal charges.

J. Plat Approval Expenses. **RTC** agrees that they will pay to the **CITY** all **CITY** expenses incurred in the approval of the **Plat**, including, but not limited to administration expenses, engineering and legal fees. Said expenses shall be paid within fifteen (15) days of billing by the **CITY** and outstanding billings shall be paid prior to recording of the Final Plat. Any expenses incurred after recording of the Final Plat shall also be paid within said fifteen (15) day billing period. Failure to pay the **CITY'S** expenses within the fifteen (15) day billing period will permit the **CITY** to draw upon any of the escrows required by this contract for payment.

K. Reimbursement to the CITY. The **DEVELOPERS** agree to reimburse the **CITY** for all costs incurred by the **CITY** in defense or enforcement of this Contract, or any portion thereof, including court costs and reasonable engineering and attorney's fees.

L. Marketable Title. Prior to recording of the Final Plat, **RTC** shall provide the **CITY** with proof of marketable title to the **Plat** either through a currently certified abstract, registered property abstract or title insurance.

M. Certificate of Occupancy. The term "Certificate of Occupancy" as used in this Contract shall be defined as a document issued by the **CITY**'s Building Official, which authorizes the structure to be used for its intended purposes.

N. Invalidity of Any Section. If any portion, section, subsection, sentence, clause, paragraph or phase of this Contract is for any reason held to be invalid by a court of competent jurisdiction, such decision shall not effect or void any of the other provisions of this Contract.

O. Proof of Authority. When the **DEVELOPERS** is a corporation, the **CITY** requires proof of authority by the corporation to execute this Contract. This proof of authority may be satisfied by providing the **CITY** with a certified copy of minutes of the corporate Board of Directors granting such authority.

P. Recording of This Contract. The **DEVELOPERS** shall record this Contract in the office of the Anoka County Recorder and Registrar of Titles and agree that the terms and provisions of this Contract shall run with the land and shall bind the **DEVELOPERS**, their successor and assigns.

Q. Violation of This Contract. If the **DEVELOPERS** fails to perform any of the terms of this Contract in the manner required by the **CITY**, the **CITY** shall be entitled to recover, from the **DEVELOPERS** or the issuer of **DEVELOPERS'** financial guarantee, the full amount of any and all financial guarantees. Breach of any of the terms of this Development Contract by the **DEVELOPERS** shall also be grounds for denial of Building Permits for buildings in the **Plat.**

R. Contract Binding On Successors and Assigns. The **DEVELOPERS** agree that this Development Contract shall be binding upon its successors and assigns.

30. Requirements for Building and Occupancy Permits. No building permit for any lot in the **Plat** shall be issued until: (a) a Class 5 driving surface is installed to within 300 feet of the structure; (b) a Certificate of Survey, including that survey information required by the **CITY** has been supplied to the **CITY** Building Official; and (c) all the financial guarantees required by the **CITY** have been satisfied. All foundation approvals will require a certificate of elevation verifying that the actual elevation is in compliance with the approved grading and drainage plan. (d) Permit from the Lower Rum River Watershed Management Organization has been obtained (e) Permit from Anoka County Soil Conservation District has been obtained (f) this Development Contract has been signed and received by the **CITY**. A footings and foundation permit for two structures will be released to the **DEVELOPERS** prior to the **Plat** being recorded as long as the rest of the requirements of this section are met.

No occupancy permit for any lot in the **Plat** shall be issued until: (a) vehicular access to the lot is provided including the installation of at least one layer of bituminous surfacing; (b) all utilities are in place, operational and accepted by the **CITY**; (c) for lots that have a slope of less than 2%, a certificate of grading, prepared by a licensed (State of Minnesota), professional land surveyor, must be provided to the **CITY** documenting that the flattest grade on this lot is 1% or greater will require certificates of grading; and (d) boulevard sod and landscape tree, or escrow for same, have been provided.

31. Parkland and Trail Dedication. The **Subject Property** is located in the Greenland Hills District. In accordance with the Park and Trail Dedication Contract dated April 12, 2005, there is a park payment obligation due to the **CITY** in amount of One Hundred Forty Two Thousand Five Hundred Dollars and no cents ($142,500.00) (190 units x $750/unit). As a part of the terms of the June 15, 2005 closing of the sale of part of Outlot B, Ramsey Town Center 2nd Addition, from **RTC** to **T&C**, a total payment in the amount of Thirty Six Thousand Seven Hundred and Fifty Dollars and no cents ($36,750.00) (49 units x $750.00 per unit) was received by the **CITY** from **RTC** as satisfaction of the parkland and trail dedication obligations due on that portion of the **Plat** lying on Outlot B, east of Rhinestone Street N.W. The net payment due to the **CITY** for the remainder of the **Plat** on Oulot U is One Hundred and Five Thousand and Seven Hundred Fifty Dollars and no cents ($105,750.00) (141 units x $750 per unit), which will be paid by **RTC**.

32. Sidewalk Construction. **RTC** shall construct and pave, in accordance with **CITY** standards, a five (5) foot wide concrete sidewalk with pedestrian ramps in locations prescribed by the **CITY** as shown on the final plat submittal dated June 24, 2005, at a grade not to exceed 5%, adjacent to streets which are included in Stage I improvements. All other sidewalks shall be contructed and paved by **T&C**.

32. Notices. Required notices to the **DEVELOPERS** shall be in writing, and shall be either hand delivered to the **DEVELOPERS**, its employees or agents, or mailed to the **DEVELOPERS** by certified or registered mail at the following address:

Ramsey Town Center, LLC 4200 Central Ave. NE Minneapolis, MN 55421	K. Hovnanian T& C Homes at Minnesota, LLC 7615 Smetana Lane, Suite 180 Eden Prairie, MN 55344

Notices to the **CITY** shall be in writing and shall be either hand delivered to the **CITY** Administrator, or mailed to the **CITY** by certified mail or registered mail in care of the **CITY** Administrator at the following address:

CITY Administrator
CITY of Ramsey
15153 Nowthen Boulevard NW
Ramey, Minnesota 55303

CITY OF RAMSEY

By: _____
Its Mayor

By: _____
Its City ~~Clerk~~ Administrator

RAMSEY TOWN CENTER, LLC

By: Bruce A. Nelsgaard

Its: CHIEF MANAGER

K. HOVNANIAN T&C HOMES AT MINNESOTA, LLC

By:_____

Its:_____

RAMSEY TOWN CENTER, LLC

By:_____

Its:_____

K. HOVNANIAN T&C HOMES AT MINNESOTA, LLC

By:_____

Its: President

STATE OF MINNESOTA)
) ss.
COUNTY OF ANOKA)

On this 19th day of Aug. 2005, before me a Notary Public within and for said County, personally appeared Thomas G. Gamec and ~~JoAnn M. Thieling~~ James Norman, to me personally known, who being each by me duly sworn, each did say that they are respectively the Mayor and the City ~~Clerk~~ Administrator of the City of Ramsey, the municipal corporation named in the foregoing instrument, and that the seal affixed to said instrument was signed and sealed in behalf of said municipality by authority of its City Council and said Mayor and City ~~Clerk~~ Administrator acknowledged said instrument to be the free act and deed of said municipal corporation.

JOANN E. SHAW
Notary Public
Minnesota
My Commission Expires January 31, 2010

Joann Shaw
Notary Public

STATE OF MINNESOTA)
) ss.
COUNTY OF Hennepin)

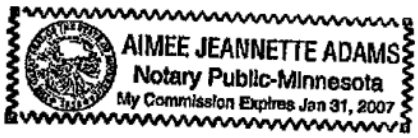
The foregoing instrument was acknowledged before me this 19th day of August, 2005, by Chief Manager Bruce Nielsgaard, the Chief Manager of Ramsey Town Center, LLC, a limited liability company organized under the laws of the State of Minnesota, on behalf of the limited liability company.

ROBIN A ARMSTRONG
NOTARY PUBLIC - MINNESOTA
My Comm. Expires Jan. 31, 2006

Robin G. C
Notary Public

STATE OF MINNESOTA)
) ss.
COUNTY OF ANOKA)

The foregoing instrument was acknowledged before me this 22nd day of August, 2005, by name, Arthur Plante, the President of K. Hovnanian T&C Homes at Minnesota, LLC, a limited liability company organized under the laws of the State of Minnesota, on behalf of the limited liability company.



Aimee Jeannette Adams
Notary Public

#3148350\4

Drafted By:
City of Ramsey
15153 Nowthen Boulevard
Ramsey, MN 55303

EXHIBIT A

Allocation of Financial Guarantees/Fees

Symphony at Ramsey Town Center
Allocation of Financial Guarantees Fees and Fees
Exhibit A - Secondary Development Agreement
Updated: 8/17/05

Developer Agreement		RTC Guarantees / Work Item		T & C Guarantees / Work Item		Notes
Activity	Section	Amount	Form of Security	Amount	Form of Security	
Stage I Improvements	6	$828,340	cash deposit	$0	NA	125% of city estimate to complete the work. City estimate is $662,672.17.
Stage I Maintenance Guaranty	6	$10,000.00 or 5% of cost of improvements	Upon acceptance of improvements	$0	NA	
Stage II Improvements	10	$61,100	cash deposit	$66,685	cash deposit	See details below for breakdown. Payable to city prior to recording final plat.
Required Improvements	13	$0	NA	$1,125,000	letter of credit	125% of city estimate to complete the work City estimate is $900,000.
Inspection Fees	7 and 14	$33,200	cash deposit	$45,000	cash deposit	5% of city estimate to complete the work. Payable to city upon execution of developers agreement.
Landscape Maintenance Guarantee	24(b)	$9,750	cash deposit	$37,230	cash deposit	City estimate to ensure required landscaping (secured by larger security noted above) is maintained to city satisfaction for two years from acceptance of planting by the City.
Assessments	16	100% paid by RTC		$0	NA	All area wide assessments paid by RTC.
Stormwater Management Fee*	17	$0		$72,960	cash deposit	Payable to city upon execution of developers agreement.
Sewer Trunk Fee *	15	$1,862	per Unit at time of platting	$0	NA	Payable to city upon execution of developers agreement.
Water Trunk Fee *	15	$1,100	per Unit at time of platting	$0	NA	Payable to city upon execution of developers agreement.
SAC Fee *	15	$0		$1,450	per Unit at time of building permitting	Payable to city upon issuance of building permit.
SAC Handling Fee *	15	$0		$200	per Unit at time of building permitting	Payable to city upon issuance of building permit.
WAC Fee *	15	$0		$1,384	per Unit at time of building permitting	Payable to city upon issuance of building permit.
Park and Trail Dedication Fees	15	$750	per Unit at time of platting	$0	NA	Payable to city upon execution of developers agreement.

* Fees noted with asterisk are subject to adjustment by the city.

Stage II Improvements - Detail

Activity - Item	Unit Cost	Units	RTC Obligations		T&C Obligations		Total Cost
			Quantity	Cost	Quantity	Cost	
Street signing	$200.00	Each	9	$1,800.00	16	$3,200.00	$5,000.00
Street striping	$0.20	Per LF	3,200	$640.00	4,000	$800.00	$1,440.00
Traffic signs	$200.00	Each	15	$3,000.00	12	$2,400.00	$5,400.00
Future Through Street Signing	$0.00	Each	0	$0.00	0	$0.00	$0.00
Street lights	$1,500	Each	23	$34,500.00	25	$37,500.00	$72,000.00
Street light maintenance	$270.00	Each	23	$6,210.00	25	$6,750.00	$12,960.00
Street sweeping	NA	Lump Sum	NA	$500.00	NA	$500.00	$1,000.00
Seal coating	$0.85	Per SY	17,000	$14,450.00	17,100	$14,535.00	$28,985.00
				$61,100.00		$65,885.00	$126,785.00

121118453_1.XLS

1/1

EXHIBIT B

Stage I Improvements

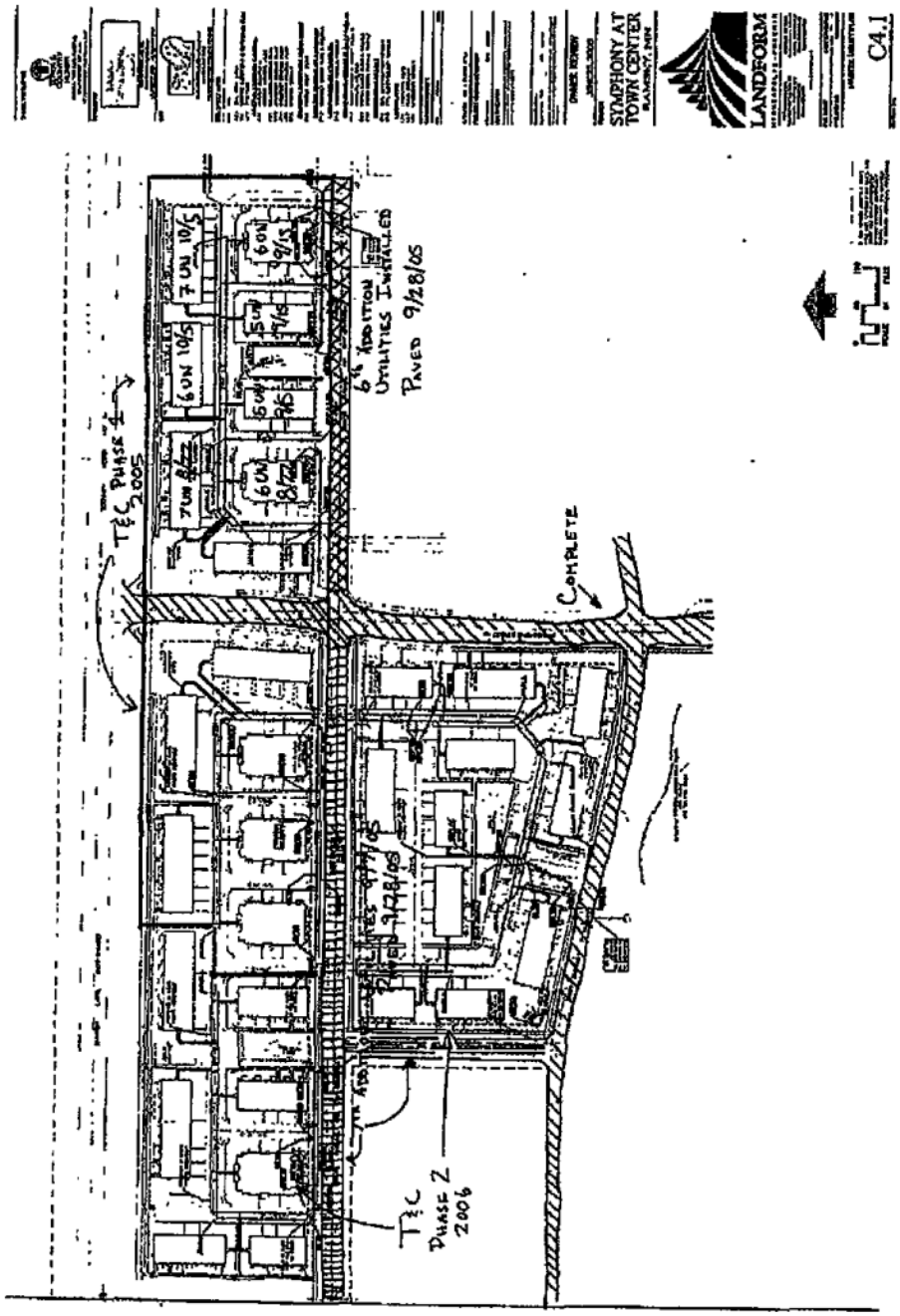


EXHIBIT B

ANOKA COUNTY MINNESOTA

Document No.: 1977751.011 ABSTRACT

I hereby certify that the within instrument was filed in this office for record on: 08/25/2005 2:15:00 PM

Fees/Taxes In the Amount of: $46.00

MAUREEN J. DEVINE

Anoka County Property Tax

Administrator Recorder Registrar of Titles

JMH, Deputy

Record ID: 1593646

Record ID 1593643

1977751.010

28-32-25-14-0092
13-0006

080805

ALLOCATION AGREEMENT

THIS ALLOCATION AGREEMENT (this "Agreement"), is made and entered into as of the 24 day of August, 2005, by and between **RAMSEY TOWN CENTER LLC**, a Minnesota limited liability company ("Seller"), **K. HOVNANIAN T&C HOMES AT MINNESOTA, L.L.C.**, a Minnesota limited liability company ("Purchaser"), and **CITY OF RAMSEY**, a Minnesota municipal corporation (the "City").

STEWART TITLE-JW
115867

RECITALS

A. Seller and the City have entered into that certain City of Ramsey Master Development Agreement for Ramsey Town Center, dated September 17, 2003, recorded September 24, 2003 as Document No. 1854364.0 (Anoka County Abstract) and Document No. 446333.0 (Anoka County Torrens), as amended by that certain First Amendment to City of Ramsey Master Development Agreement for Ramsey Town Center, dated February 28, 2005, recorded March 9, 2005 as Document No. 1973508.001 (Anoka County Abstract) and Document No. 482049.001 (Anoka County Torrens) (collectively, the "Master Development Agreement").

B. Seller and Purchaser have entered into that certain Purchase Agreement, dated as of March 30, 2005, as amended (collectively, the "Purchase Agreement"), with respect to a portion of the real property governed by the Master Development Agreement. The property subject to the Purchase Agreement that is the subject of this Agreement is legally described on the attached Exhibit A and referred to herein as the "Property."

C. Pursuant to the Purchase Agreement, Seller is required to perform "Seller's Work," which essentially requires Seller to deliver finished residential lots to Purchaser and accordingly, Seller shall be the Secondary Developer for the Property, although the Final Plans for the Property have not yet been approved by the City.

D. Pursuant to Section 14.1(a) of the Master Development Agreement, Seller may convey the Property to Purchaser if the City joins in an agreement with Seller and Purchaser describing the allocation of rights and obligations under the Master Development Agreement.

E. Seller and Purchaser desire that this Agreement serve as the agreement describing the allocation of rights and obligations under the Master Development Agreement.

10

F. As part of the development of Final Plans for the Property, Seller and the City shall enter into a Secondary Development Agreement that will implement the allocation of rights and obligations established hereby with respect to the Property.

NOW, THEREFORE, in consideration of the mutual agreements contained herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereby agree as follows:

1. Master Development Agreement. Purchaser acknowledges and agrees that the Property remains subject to the Master Development Agreement. Except to the extent expressly modified in this Agreement, Seller and Purchaser are both subject to all of the restrictions in the Master Development Agreement that relate to the Property. Seller remains liable for the performance of all of the Developer's obligations under the Master Development Agreement and the City remains liable to Seller for the performance of all of the City's obligations under the Master Development Agreement. Except as expressly set forth in this Agreement, Purchaser is not liable to the City for the performance of the Developer's obligations under the Master Development Agreement and the City is not liable to Purchaser for the performance of the City's obligations under the Master Development Agreement. Except as expressly set forth in this Agreement, any rights under the Master Development Agreement that this Agreement grants to Purchaser and any obligations under the Master Development Agreement that this Agreement imposes upon Purchaser relate only to the portions of the Property Purchaser actually acquires. Except as expressly set forth in this Agreement, if Purchaser does not acquire any portion of the Property, Purchaser shall acquire no rights and assume no obligations under the Master Development Agreement with respect to such portion of the Property.

2. Purchaser's Rights and Obligations under the Master Development Agreement. Purchaser's rights and obligations under the Master Development Agreement with respect to the Property shall be as follows:

a. Both Seller and Purchaser shall have the benefit of Section 4 7 of the Master Development Agreement, such that either Seller or Purchaser may enforce Section 4.7 against the City. Notwithstanding the foregoing, Purchaser may enforce Section 4 7 of the Master Development Agreement only with respect to that portion of the Property in which Purchaser has rights, either as equitable owner or fee owner. So long as Purchaser has rights in any portion of the Property as equitable holder, both Seller and Purchaser must consent, in writing, to any requested change to the RTC Controls that affect that portion of the Property. So long as Purchaser has rights in any portion of the Property as fee owner, Purchaser must consent, in writing, to any requested change to the RTC Controls that affect that portion of the Property.

b. Seller shall be solely responsible for obtaining all permits and payment of all fees associated with all permits required for development of the Property, except for the fees Purchaser has agreed to pay under the terms of the Purchase Agreement. Pursuant to the Purchase Agreement, Purchaser shall be solely responsible for the fees related to obtaining a building permit for each residential unit to be constructed on the Property (including the fee for issuance of each such building permit). Purchaser acknowledges and agrees that to obtain a building permit with respect to each of the

residential lots included within the Property, the City's requirements may include, without limitation, an obligation for Purchaser to (i) final grade the residential lots as required by the Final Plans; (ii) install utilities from the point Seller is required to stub the utilities pursuant to the Purchase Agreement to the point the utilities connect to the residential unit on each such residential lot; (iii) pave driveways and any sidewalks within each such residential lot, and; (iv) landscape each such residential lot.

3. Seller's Rights and Obligations under the Master Development Agreement. Except to the extent provided otherwise in Section 2 above, Seller shall have all rights and obligations of the Developer under the Master Development Agreement with respect to the Property. Without limiting the generality of the foregoing, Seller agrees as follows with respect to the Property:

a. Any payments or obligations to the City arising under the Master Development Agreement or any Secondary Development Agreement relating to the Property are the sole responsibility of Seller, except to the extent Purchaser has expressly assumed such payments or other obligations in writing, including, without limitation, in the Purchase Agreement.

b. Seller agrees to mass grade all of the residential lots that Purchaser elects to purchase in accordance with the mass grading plan Seller has submitted to the City.

This Section 3 is an agreement between Seller and Purchaser, and is not binding on the City.

4. City Consent. The City hereby consents to the conveyance of the Property from Seller to Purchaser.

5. Purchase Agreement. The Purchase Agreement sets forth the rights and obligations of Seller and Purchaser with respect to each other. In the event of any ambiguity or contradiction between the terms of this Agreement and the Purchase Agreement, the terms of the Purchase Agreement shall control. This Section 5 shall not be binding upon the City.

6. Miscellaneous Provisions.

a. The terms, provisions, covenants, and agreements contained in this Agreement shall apply to, be binding upon, and inure to the benefit of, the parties hereto and their respective legal representatives, successors, and assigns.

b. The paragraph headings used in this Agreement are for convenience purposes only, and shall not be used in the interpretation of this Agreement.

c. Failure of a party to insist in any one or more instances upon the performance of any of the covenants, agreements, and/or conditions of this Agreement, or to exercise any right or privilege herein conferred shall not be construed as a waiver of any such covenant or condition.

d. This Agreement cannot be varied except by written agreement executed by Seller, Purchaser and the City.

e. If any items, terms, or provisions contained in this Agreement are in conflict with any applicable Federal, state, or local laws, this Agreement shall be affected only as to its application to such items, terms, or provisions, and shall in all other respects remain in full force and effect.

f. Nothing contained herein is intended to make, nor shall it ever be construed to make, Seller and Purchaser partners or joint venturers.

g. The provisions of this Agreement are severable, and if any provision or part hereof or the application thereof to any person or circumstances shall ever be held by any court of competent jurisdiction to be invalid or unconstitutional for any reason, the remainder of this Agreement and the application of such provisions or part hereof to other persons or circumstances shall not be affected thereby.

h. In the event Seller or Purchaser breaches any of the terms, provisions, covenants, or agreements contained in this Agreement and Seller and Purchaser become involved in litigation with regard to breach hereof, the prevailing party shall be entitled to be paid its reasonable attorneys' fees.

i. Purchaser represents and warrants to the City that Purchaser is a Minnesota limited liability company and is in good standing under the laws of the State of Minnesota. The individual executing this Agreement on behalf of Purchaser is duly authorized to execute this Agreement on behalf of Purchaser.

j. All capitalized terms used in this Agreement but not defined herein shall have the meanings set forth in the Master Development Agreement.

IN WITNESS WHEREOF, Seller, Purchaser and City have executed this Agreement in multiple copies, each of which shall be deemed to be an original, as of the date first above written.

SELLER:

RAMSEY TOWN CENTER, LLC

Telephone: 763-757-2926
Facsimile: 763-757-0649

By: Bruce A. Nedegaard
Name: BRUCE A NEDEGAARD
Its: CHIEF MANAGER

Date: 8-19-2005

PURCHASER:

K. HOVNANIAN T&C HOMES AT MINNESOTA, L.L.C.

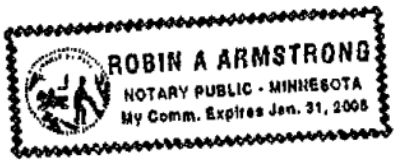
Telephone: 952-944-3455
Facsimile: 952-944-3437

By: _____
Name: _____
Its: _____

Date: _____

STATE OF MINNESOTA)
) ss.
COUNTY OF Hennepin)

The foregoing instrument was acknowledged before me this 19th day of August, 2005, by Bruce Riedy quist, the Chief Manager of the RAMSEY TOWN CENTER LLC, a Minnesota limited liability company, on behalf of the company.



Robin A. C
Notary Public

STATE OF MINNESOTA)
) ss.
COUNTY OF _____)

The foregoing instrument was acknowledged before me this ____ day of _____, 2005, by _____, the _____ of the K. HOVNANIAN T&C HOMES AT MINNESOTA, L.L.C., a Minnesota limited liability company, on behalf of the company.

_____
Notary Public

e. If any items, terms, or provisions contained in this Agreement are in conflict with any applicable Federal, state, or local laws, this Agreement shall be affected only as to its application to such items, terms, or provisions, and shall in all other respects remain in full force and effect.

f. Nothing contained herein is intended to make, nor shall it ever be construed to make, Seller and Purchaser partners or joint venturers.

g. The provisions of this Agreement are severable, and if any provision or part hereof or the application thereof to any person or circumstances shall ever be held by any court of competent jurisdiction to be invalid or unconstitutional for any reason, the remainder of this Agreement and the application of such provisions or part hereof to other persons or circumstances shall not be affected thereby.

h. In the event Seller or Purchaser breaches any of the terms, provisions, covenants, or agreements contained in this Agreement and Seller and Purchaser become involved in litigation with regard to breach hereof, the prevailing party shall be entitled to be paid its reasonable attorneys' fees.

i. Purchaser represents and warrants to the City that Purchaser is a Minnesota limited liability company and is in good standing under the laws of the State of Minnesota. The individual executing this Agreement on behalf of Purchaser is duly authorized to execute this Agreement on behalf of Purchaser.

j. All capitalized terms used in this Agreement but not defined herein shall have the meanings set forth in the Master Development Agreement.

IN WITNESS WHEREOF, Seller, Purchaser and City have executed this Agreement in multiple copies, each of which shall be deemed to be an original, as of the date first above written.

SELLER:

RAMSEY TOWN CENTER, LLC

Telephone: 763-757-2926
Facsimile: 763-757-0649

By:_____
Name:_____
Its:_____

Date:_____

PURCHASER:

K. HOVNANIAN T&C HOMES AT MINNESOTA, L.L.C.

Telephone: 952-944-3455
Facsimile: 952-944-3437

By:_____
Name: Art Plante
Its: President

Date: 8-22-05

STATE OF MINNESOTA)
) ss.
COUNTY OF _____)

The foregoing instrument was acknowledged before me this ____ day of _____, 2005, by _____, the _____ of the RAMSEY TOWN CENTER LLC, a Minnesota limited liability company, on behalf of the company.

_____
Notary Public

STATE OF MINNESOTA)
) ss.
COUNTY OF Hennepin)

The foregoing instrument was acknowledged before me this 22nd day of August, 2005, by Arthur Plante, the President of the K. HOVNANIAN T&C HOMES AT MINNESOTA, L.L.C., a Minnesota limited liability company, on behalf of the company.

AIMEE JEANNETTE ADAMS
Notary Public-Minnesota
My Commission Expires Jan 31, 2007

Aimee Jeannette Adams
Notary Public

Signature Page to Allocation Agreement

Date: _____, 2005

CITY OF RAMSEY, MINNESOTA

By _____
Its Mayor

By: _____
Its City Administrator

STATE OF MINNESOTA)
) ss.
COUNTY OF ANOKA)

The foregoing instrument was acknowledged before me this 19 day of Aug, 2005, by Thomas Garner and James Norman, Mayor and City Administrator of the City of Ramsey, a Minnesota municipal corporation, on behalf of the corporation.

JOANN E. SHAW
Notary Public
Minnesota
My Commission Expires January 31, 2010

_____
Notary Public

THIS INSTRUMENT AND DRAFTED BY:

DORSEY & WHITNEY LLP
Suite 1500
50 South Sixth Street
Minneapolis, Minnesota 55402-1498
Attention: Mark E. Hamel, Esq.

EXHIBIT A

LEGAL DESCRIPTION

The following described property located in Anoka County, Minnesota:

Outlot U, Ramsey Town Center Addition

All that part of OUTLOT B, RAMSEY TOWN CENTER 2ND ADDITION, according to the recorded plat thereof, described as follows:

Beginning at the northwest corner of said OUTLOT B; thence on an assumed bearing of South 89 degrees 42 minutes 54 seconds East, along the northerly line of said OUTLOT B, for 607.10 feet; thence on a bearing of SOUTH for 247.47 feet to a southerly line of said OUTLOT B; thence on a bearing of WEST along said southerly line and its westerly extension for 616.21 feet to the westerly line of said OUTLOT B; thence North 07 degrees 21 minutes 03 seconds East, along said westerly line, for 4.51 feet to a point of curvature in said westerly line; thence northerly for 133.43 feet, along said westerly line, along a tangential curve concave to the west, radius 1040.00 feet and central angle 07 degrees 21 minutes 03 seconds, to a point of tangency in said westerly line; thence on a bearing of NORTH, along said westerly line, for 112.96 feet to the point of beginning.

#31541862

ANOKA COUNTY MINNESOTA

Document No.: 1977751.010 ABSTRACT

I hereby certify that the within instrument was filed in this office for record on: 08/25/2005 2:15:00 PM

Fees Taxes In the Amount of: $46.00

MAUREEN J. DEVINE

Anoka County Property Tax

Administrator Recorder/Registrar of Titles

JMH, Deputy

Abstract only

Record ID: 1593643

INDEX OF SCHEDULE B DOCUMENTS

Aeon/Ramsey Apartments/CP File No. 51391

In order to open and view the documents listed on the Index, please place your cursor on the underlined document number, and press "Ctrl" on your keyboard and left click with your mouse.

Thank you for using Commercial Partners Title, LLC for your title insurance needs.

TAB	DOCUMENT	EXCEPTION NO.	DOCUMENT NO.
A	Copy of Plat of Ramsey Town Center 7th Addition	Legal	Plat
B	Allocation Agreement	9	1891854
C	Partial Release of Allocation Agreement	9	1976039.002
D	Allocation Agreement	10	1977751.010
E	City of Ramsey Secondary Development Contract For Ramsey Town Center 7th Addition Symphony At Town Center	11	1977751.011
F	Declaration of Restrictive Covenant Regarding Banking or Financial Institutions	12	1982665.001
G	Vesting Deed (Quit Claim Deed)		2101083.001

Councilmember _____ introduced the following resolution and moved for its adoption:

RESOLUTION #17-11-288

RESOLUTION RELEASING PREVIOUSLY APPROVED ALLOCATION AGREEMENT BETWEEN THE CITY AND D.R. HORTON, INC AS WELL AS RELEASING AN ALLOCATION AGREEMENT AND A SECONDARY DEVELOPMENT CONTRACT BETWEEN THE CITY AND K. HOVNANIAN T&C HOMES AT MINNESOTA L.L.C, FOR SUBJECT PROPERTY TO BE DEVELOPED AS GREENWAY TERRACE

WHEREAS, The City of Ramsey, is a party to an Allocation Agreement recorded as Document Number 1891854, an Allocation Agreement recorded as Document No. 1977751.010, and a Secondary Development Contract for Ramsey Town Center 7th Addition, Symphony at Town Center, recorded as Document No. 1977751.011 (collectively, the Subject Documents); and

WHEREAS, the Subject Documents concern one or both of the parcels of property legally described as follows:

Outlot A, Ramsey Town Center 7th Addition, Anoka County, Minnesota, and

Lot 1, Block 1, Greenway Terrace, Anoka County, Minnesota

(collectively, the Subject Property); and

WHEREAS, the City is selling the Subject Property and the buyer(s) wish to have the Subject Documents released by the City to clear title; and

WHEREAS, the obligations owed to the City pursuant to the Subject Documents, as those documents concern the Subject Property, have been fulfilled or are otherwise no longer in need of enforcement by the City.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RAMSEY, ANOKA COUNTY , STATE OF MINNESOTA, as follows:

That the Ramsey City Council hereby releases the Subject Documents to the extent the Subject Documents affect or concern the Subject Property. The Mayor and City Administrator are hereby authorized to execute any additional documentation necessary to effectuate this release.

The motion for the adoption of the foregoing resolution was duly seconded by Councilmember _____, and upon vote being taken thereon, the following voted in favor thereof:

and the following voted against the same:

and the following abstained:

and the following were absent:

whereupon said resolution was declared duly passed and adopted by the Ramsey City Council this 14th day of November, 2017.

Mayor

ATTEST:

City Clerk

CC Regular Session **4. 8.**

Meeting Date: 11/14/2017

By: Colleen Lasher, Administrative Services

Information

Title

Adopt Resolution #17-11-283 Appointing Board and Commission Members

Purpose/Background:

The purpose of this case is to appoint new Board and Commission members to partial terms on the Economic Development Authority and the Park and Recreation Commission.

While the City conducts annual Board and Commission interviews every March for terms that are set to expire on March 31st, periodically appointments will be made mid-year in order to fill any vacancies that have occurred as a result of unexpected resignations.

Currently, the City has one vacant seat on the Economic Development Authority and one vacant seat on the Park and Recreation Commission. The Mayor and Council Members conducted interviews on October 24, 2017. Per Minnesota Statute 469.095 regarding appointments to the Economic Development Authority, the Mayor makes the appointment with the approval of the City Council; therefore, Mayor Strommen selected Mr. Dominic Kanaventi to be appointed to the Economic Development Authority; the City Council had discussion and concurred. In addition, the Mayor and Council Members had discussion and selected Mr. Andrew Andrusko for appointment to the Park and Recreation Commission. In summary, the following candidates have been selected for the appointment to the City's Boards and Commissions:

1) Mr. Dominic Kanaventi to be appointed to a partial term on the Economic Development Authority with a term ending March 31, 2020; and
2) Mr. Andrew Andrusko to be appointed to a partial term on the Park and Recreation Commission with a term ending March 31, 2019.

Both new members will take the Oath of Office at the November 28, 2017 meeting and begin their terms December 1, 2017.

Notification:

Attachment: Minnesota Statute 469.095

Funding Source:

Funding for the City's Boards and Commissions is included in the General Fund Budget; therefore, there are no additional budgetary implications are associated with making the recommended appointments.

Recommendation:

To make the following board and commission appointments, effective December 1, 2017.

1) Mr. Dominic Kanaventi to be appointed to a partial term on to the Economic Development Authority with a term ending March 31, 2020; and
2) Mr. Andrew Andrusko to be appointed to a partial term on the Park and Recreation Commission with a term ending March 31, 2019.

Action:

Motion to adopt resolution #17-11-283 to make the following board and commission appointments, effective December 1, 2017:

1. Appoint Mr. Dominic Kanaventi to a partial term on the Economic Development Authority with a term ending March 31, 2020; and
2. Appoint Mr. Andrew Andrusko to a partial term on the Park and Recreation Commission with a term ending March 31, 2019.

Attachments

Statute 469.095

Resolution 1711283

Form Review

Inbox	Reviewed By	Date
Kurt Ulrich	Kurt Ulrich	11/09/2017 11:34 AM
Form Started By: Colleen Lasher		Started On: 11/06/2017 03:07 PM
Final Approval Date: 11/09/2017		

469.095 COMMISSIONERS; APPOINTMENT, TERMS, VACANCIES, PAY, REMOVAL.

Subdivision 1. **Commissioners.** Except as provided in subdivision 2, paragraph (d), an economic development authority shall consist of either three, five, or seven commissioners who shall be appointed after the enabling resolution provided for in section 469.093 becomes effective. The resolution must indicate the number of commissioners constituting the authority.

Subd. 2. **Appointment, terms; vacancies.** (a) Three-member authority: the commissioners constituting a three-member authority, one of whom must be a member of the city council, shall be appointed by the mayor with the approval of the city council. Those initially appointed shall be appointed for terms of two, four, and six years, respectively. Thereafter all commissioners shall be appointed for six-year terms.

(b) Five-member authority: the commissioners constituting a five-member authority, two of whom must be members of the city council, shall be appointed by the mayor with the approval of the city council. Those initially appointed shall be appointed for terms of two, three, four, five, and six years respectively. Thereafter all commissioners shall be appointed for six-year terms.

(c) Seven-member authority: the commissioners constituting a seven-member authority, two of whom must be members of the city council, shall be appointed by the mayor with the approval of the city council. Those initially appointed shall be appointed for terms of one, two, three, four, and five years respectively and two members for six years. Thereafter all commissioners shall be appointed for six-year terms.

(d) The enabling resolution may provide that the members of the city council shall serve as the commissioners.

(e) The enabling resolution may provide for the appointment of members of the city council in excess of the number required in paragraphs (a), (b), and (c).

(f) A vacancy is created in the membership of an authority when a city council member of the authority ends council membership. A vacancy for this or another reason must be filled for the balance of the unexpired term, in the manner in which the original appointment was made. The city council may set the term of the commissioners who are members of the city council to coincide with their term of office as members of the city council.

Subd. 3. **Increase in commission members.** An authority may be increased from three to five or seven members, or from five to seven members by a resolution adopted by the city council following the procedure provided for modifying the enabling resolution in section 469.093.

Subd. 4. **Compensation and reimbursement.** A commissioner, including the president, shall be paid for attending each regular or special meeting of the authority in an amount to be determined by the city council. In addition to receiving pay for meetings, the commissioners may be reimbursed for actual expenses incurred in doing official business of the authority. All money paid for compensation or reimbursement must be paid out of the authority's budget.

Subd. 5. **Removal for cause.** A commissioner may be removed by the city council for inefficiency, neglect of duty, or misconduct in office. A commissioner shall be removed only after a hearing. A copy of the charges must be given to the commissioner at least ten days before the hearing. The commissioner must be given an opportunity to be heard in person or by counsel at the hearing. When written charges have been submitted against a commissioner, the city council may temporarily suspend the commissioner. If the city council finds that those charges have not been substantiated, the commissioner shall be immediately reinstated.

Copyright © 2017 by the Revisor of Statutes, State of Minnesota. All Rights Reserved.

If a commissioner is removed, a record of the proceedings, together with the charges and findings, shall be filed in the office of the city clerk.

History: *1987 c 291 s 96*

Copyright © 2017 by the Revisor of Statutes, State of Minnesota. All Rights Reserved.

Councilmember introduced the following resolution and moved for its adoption:

RESOLUTION #17-11-283

RESOLUTION APPOINTING BOARD AND COMMISSION MEMBERS

WHEREAS, the City has one vacant seat on the Economic Development Authority and one vacant seat on the Park and Recreation Commission; and

WHEREAS, the vacancies were advertised in the Ramsey Resident, the Anoka County Union, on the City's website, on the City's community sign, on QCTV, on the City's Facebook, and via the city's email notification system; and

WHEREAS, The Mayor and Council Members conducted interviews on October 24, 2017; and

WHEREAS, per Minnesota Statue 469.095, pertaining to the Mayor's authority to appoint members to the Economic Develop Authority (EDA), Mayor Strommen indicated that she will select Mr. Dominic Kanaventi to serve on the EDA; and the City Council concurred with the Mayor's selection; and

WHEREAS, the City Council agreed by consensus to appoint Mr. Andrew Andrusko to the Park and Recreation Commission

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RAMSEY, ANOKA COUNTY, STATE OF MINNESOTA, as follows:

Motion to adopt resolution #17-11-283 to make the following board and commission appointments, effective December 1, 2017:

1) Appoint Mr. Dominic Kanaventi to a partial term on the Economic Development Authority with a term ending March 31, 2020; and
2) Appoint Mr. Andrew Andrusko to a partial term on the Park and Recreation Commission with a term ending March 31, 2019.

The motion for the adoption of the `foregoing resolution was duly seconded by Council Member, , and upon vote being taken thereon, the following voted in favor thereof:

and the following voted against the same:

and the following abstained:

and the following were absent:

Whereupon said resolution was declared duly passed and adopted by the Ramsey City Council this the 14th day of November, 2017.

Our Mission: To work together to resposibly grow our community, and to provide quality, cost-effective, and efficient government services.

CC Regular Session **6. 1.**

Meeting Date: 11/14/2017

By: Bruce Westby, Engineering/Public Works

Information

Title:

PUBLIC HEARING: Adopt Resolution #17-11-284 Approving Updated Feasibility Report and Ordering Plans and Specifications for Improvement Project #17-02, River's Bend Street Reconstructions

Purpose/Background:

Purpose:

The purpose of this case is to adopt Resolution #17-11-284 approving updated Feasibility Report and ordering Plans and Specifications for Improvement Project #17-02, River's Bend Street Reconstructions.

Background:

City Improvement Project #17-02 proposes to reconstruct four street segments within the River's Bend residential neighborhood including;

- 147th Lane between the west River's Bend plat line to Waco Street,
- 148th Avenue between the west River's Bend plat line to Xkimo Street,
- Xkimo Street between 147th Lane and 149th Avenue/Sunwood Drive, and
- Yakima Street between 148th Avenue and 149th Avenue/Sunwood Drive.

These streets total approximately 2,774 linear feet or 0.53 miles in length. A map showing the location and scope of the proposed improvements is included as ***Figure 1*** in ***Appendix A*** of the Feasibility Report, which is included as an attachment to this case.

According to available data, these street segments were all constructed in 1985 using approximately 2 to 3.5 inches of bituminous pavement, 4 inches of class 5 aggregate base, and surmountable concrete curb and gutter. All streets are 30 feet wide from face-of-curb to face-of-curb, centered within 60-foot wide right-of-ways. The existing storm sewer system consists of four catch basins located at a low point on Xkimo Street, which drains stormwater runoff from the street into the Rum River via concrete storm sewer pipes.

City staff evaluates and rates the condition of pavement sections on all city streets on an annual basis using the Pavement and Surface Evaluation Rating (PASER) system. In the fall of 2016, these street segments received PASER ratings of 3. This indicates these street segments are past the point of applying overlay improvements. The current condition of these streets requires City staff to patch the streets annually, particularly before winter so the streets can be plowed without further damaging pavement in the process. Pictures of these street segments are located in ***Appendix A*** of the Feasibility Report.

Proposed improvements include removing and replacing all damaged concrete curb and gutter sections, and reconstructing the existing bituminous pavement section using the Full Depth Reclamation (FDR) process. The FDR process involves milling the entire existing bituminous pavement section, along with an inch or more of existing underlying aggregate base. This reclaim material would then be spread over the reshaped and compacted

subgrade between the curb and gutter, and then the top 3½ inches of reclaim material would be removed and hauled off site. Then 3½ inches of new bituminous pavement would be installed over the remaining compacted reclaim material, resulting in a 7-ton pavement design, which is standard for residential streets.

The existing storm sewer system is in good condition. Only casting adjustments and catch basin grouting work is proposed.

The engineer's opinion of probable costs for completing the proposed improvements on River's Bend as outlined in the Feasibility Report is $301,738.31. Estimated project costs include 5-percent contingency costs and 23-percent indirect costs for administrative, engineering, finance and legal costs. A summary of the engineer's opinion of probable costs is included in ***Appendix B*** of the Feasibility Report.

Forty-four (44) parcels have been identified as receiving special benefit from the improvements. These parcels are identified in the preliminary Assessment Map and Roll, which are included in ***Appendix C*** of the Feasibility Report.

Twelve (12) pavement corings were completed by WSB and Associates (WSB) to assist with the preparation of the Feasibility Report. WSB offered pavement design recommendations, which were considered and incorporated to varying degrees within the report. A copy of WSB's report is attached in ***Appendix D*** of the Feasibility Report.

This improvement project, which is listed in the City's current Capital Improvement Program, is proposed to be funded using a combination of special assessments to benefiting properties, street reconstructions bond proceeds, and stormwater utility funds.

Staff recommends using special assessments to pay for 25-percent of eligible improvement costs in accordance with the City's Special Assessments Policy. Assessments are proposed to be equally applied across 44 benefiting parcels using the "per lot" method of assessment, which is the typical method of assessment applied to single-family parcels of roughly the same size.

All costs for this project are eligible for special assessments since the street is proposed to be reconstructed at its existing width, and since the existing and proposed pavement sections both meet 7-ton design standards meaning they are equivalent sections. This project does not include any ineligible project costs related to the use of special assessments.

Staff recommends ordering a special benefit consultation report for this project to verify that the proposed assessment amounts will not exceed the amount of benefit to any of these properties. If the report concludes that the benefit to any of the properties is less than the proposed preliminary assessment rate, Staff would propose to lower the assessment rate accordingly at the Assessment Hearing. However, if the special benefit consultation report verifies that the assessment rates as proposed are justified, Staff would propose to adopt the final assessment roll using the rate as preliminarily proposed.

On January 24, 2017, the City Council directed Staff to postpone the River's Bend Street Reconstructions project until the 2018 construction season, allowing the project to be constructed in conjunction with the Stanhope Terrace Street Reconstructions project. The intent of this direction was to provide for the most cost-effective project by combining it with a similar project in close proximity, thereby potentially realizing a cost savings due to economies of scale.

This project was initially intended to be a mill and overlay project, but after learning that the existing bituminous pavement section would not allow for a mill and overlay due to pavement thicknesses in some locations of 2-inches, the project was converted to a full pavement reconstruction.

This project is necessary, feasible, and cost-effective from an engineering standpoint, and can be constructed as proposed in the Feasibility Report. Staff proposes to bid and construct the proposed improvements in conjunction with the other street reconstruction projects proposed for 2018 in the Stanhope Terrace and North Forty developments.

Notification:

In accordance with State Statutes, the attached Notice of Public Hearing was published in the Anoka Union Herald on October 27 and November 3, 2017, and Public Hearing Notices were mailed to all benefiting property owners identified in the preliminary assessment role.

Observations/Alternatives:

Observations:

The proposed design should provide a minimum pavement life of 30 years, assuming that proactive, regular pavement maintenance treatments are performed during the life of the pavement. While a 60-year design life would typically be targeted for a reconstructed street, this project is not proposing a full street reconstruction due to the good condition of the majority of existing 30-year old curb and gutter. Then when the time comes for the remaining existing curb and gutter to be replaced, which will likely be 30 or more years in the future, the reconstructed pavement section should be re-evaluated.

Developed properties along the project corridor may have private irrigation systems. Impacts to these systems may occur where existing curb and gutter is being replaced. Staff will notify property owners in writing of the pending construction as far in advance of construction as possible to allow them time to move their irrigation system components out of the construction area, after which they may replace the components in their original locations.

Public Comment

On November 2, 2017, Staff conducted a Public Information Meeting from 5:30 - 7:00 pm at City Hall. Notices for this meeting were mailed to all benefiting property owners. Eight (8) property owners attended the meeting. The meeting was conducted as an open house forum, with Staff responding to questions one-on-one from 5:30 – 6:00 pm, and again from 6:45 – 7:00 pm. A formal presentation was provided by Staff from 6:00 – 6:45 pm, which addressed all aspects of the project including project purpose, scope, and schedule, existing conditions, proposed improvements, estimated project costs, proposed funding sources, including special assessments, and a primer on the Public Hearing.

In general, the main comment received was that special assessments should not be used to pay for a portion of the project costs, and that the project should be funded in full through the general fund. One resident questioned whether the project was needed, stating that the pavement in front of their house on Yakima Street does not need to be reconstructed, and that an overlay should be sufficient. Staff addressed this by stating that it would not be cost-effective to overlay a couple hundred feet of pavement when reconstructing the remaining one-half mile of pavement. In addition, due to the existing depth of pavement, it would likely not be possible to match grades between the overlay section and the reconstructed sections. The property owner then suggested that the City not do anything to the street segment in front of his property, and that it could be done at some other time when it in worse condition. Staff explained that this would again not be a cost-effective approach and would end up costing him, and the other taxpayer's in the City, more in the end.

Any comments received after this case was prepared will be presented to Council before the Public Hearing is opened.

Alternatives:

Alternative #1 – Motion to adopt Resolution #17-11-284 approving updated Feasibility Report and ordering Plans and Specifications for Improvement Project #17-02, River's Bend Street Reconstructions.

Alternative #2 – Motion to deny adoption of Resolution #17-11-284 at this time.

Funding Source:

City staff prepared the Feasibility Report in-house as part of staff's normal duties.

WSB and Associates, Inc. prepared a Pavement Evaluations and Recommendations report at a not-to-exceed cost of $3,290.

The engineer's opinion of probable project costs is $301,738.31. A total of 44 residential parcels will benefit from the proposed improvements and are preliminarily proposed to be assessed for 25-percent of eligible project costs, which totals $75,434.58. This equates to preliminary assessments of $1,714.42 per parcel. The City will fund the remaining 75% of project costs, which totals $226,303.73. These costs will be paid by Street Reconstruction and Overlay Program bond funds, as well as a small amount of Stormwater Utility Funds.

Assessments are proposed to be assessed over a term of ten years, with interest rates proposed at two percent above the bond interest rate.

Staff proposes to request Council authorization to order a benefit appraisal consultation for this project in accordance with the City's Special Assessments Policy at the time Council awards a construction contract.

Recommendation:

Staff recommends Alternative #1 to allow the project to be constructed as part of the 2018 Street Maintenance Program, and to allow for the use of special assessments to pay for a portion of the project costs per the applicable provisions of Chapter 8 of the City Charter, the City's Special Assessments Policy, and Minnesota Statute Chapter 429.

Action:

Motion to adopt Resolution #17-11-284 approving updated Feasibility Report and ordering Plans and Specifications for Improvement Project #17-02, River's Bend Street Reconstructions.

Attachments

Resolution 1711284
Updated Feas Report 1702
PH Notice
Spec Assessment Policy
MN Statute Ch429
City Charter Chapter 8

Form Review

Inbox	Reviewed By	Date
Kurt Ulrich	Kurt Ulrich	11/09/2017 11:41 AM
Form Started By: Bruce Westby		Started On: 11/06/2017 03:26 PM
Final Approval Date: 11/09/2017		

Councilmember _____ introduced the following resolution and moved for its adoption:

RESOLUTION #17-11-284

RESOLUTION APPROVING UPDATED FEASIBILITY REPORT AND ORDERING PLANS AND SPECIFICATIONS FOR IMPROVEMENT PROJECT #17-02 RIVER'S BEND STREET RECONSTRUCTIONS

WHEREAS, pursuant to Ramsey City Council resolution #16-12-242, adopted on December 13, 2016, the City Engineer was ordered to prepare a Feasibility Report to study the feasibility of milling and overlaying segments of 147th Lane, 148th Avenue, Xkimo Street, and Yakima Street in the River's Bend residential development as part of the 2017 Street Maintenance Program; and

WHEREAS, while preparing the Feasibility Report, twelve pavement core samples were extracted from the bituminous pavement which verified the existing pavement is too thin to mill and overlay; and

WHEREAS, pursuant to Ramsey City Council resolution #17-01-016, adopted on January 10, 2017, the City Engineer was ordered to study the feasibility of reconstructing segments of 147th Lane, 148th Avenue, Xkimo Street, and Yakima Street in the River's Bend residential development as part of the 2017 Street Maintenance Program including the reconstruction of existing bituminous pavement, the replacement of damaged concrete curb and gutter, and other appurtenant work; and

WHEREAS, pursuant to Ramsey City Council resolution #17-01-030, adopted on January 24, 2017, the City Council received and accepted the Feasibility Report which recommended that the proposed improvements be constructed in 2018 in conjunction with other proposed 2018 street reconstruction improvements in the immediate vicinity; and

WHEREAS, the Feasibility Report was updated to reflect updated estimated costs and an updated project schedule based on construction occurring in 2018 in conjunction with other proposed 2018 street reconstruction improvements; and

WHEREAS, pursuant to Ramsey City Council resolution #17-10-273, adopted October 24, 2017, the updated Feasibility Report was received and accepted, and a Public Hearing was ordered for November 14, 2017 at 7 p.m., where the City Council will consider the proposed improvements for said streets in accordance with the updated Feasibility Report; and

WHEREAS, benefiting properties are proposed to be assessed for 25-percent of the cost of the improvements, pursuant to Minnesota Statutes Chapter 429, Chapter 8 of the City Charter, and the City's Special Assessments Policy; and

WHEREAS, the City Clerk gave mailed and published notice of such hearing and improvements as required by law; and

WHEREAS, the City Council conducted a Public Hearing for the proposed improvements on November 14, 2017.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RAMSEY, ANOKA COUNTY, STATE OF MINNESOTA, as follows:

1) Such improvement is necessary, cost-effective and feasible as detailed in the Feasibility Report approved by Council on November 14, 2017.

2) Pursuant to Minnesota Statutes Chapter 429, Chapter 8 of the City Charter, and the City's Special Assessments Policy, benefiting properties shall be assessed for 25-pecent of the cost of the improvements, which have an estimated total cost of $301,738.31.

3) The City Engineer is hereby designated as the engineer for this improvement, and the engineer is ordered to prepare plans and specifications for the making of such improvements.

The motion for the adoption of the foregoing resolution was duly seconded by Councilmember _____ and upon vote being taken thereon, the following voted in favor thereof:

and the following voted against the same:

and the following abstained:

and the following were absent:

Whereupon said resolution was declared duly passed and adopted by the Ramsey City Council this the 14th day of November, 2017.

_____
Mayor

ATTEST:

_____
City Clerk

FEASIBILITY REPORT

RIVER'S BEND STREET RECONSTRUCTIONS

CITY IMPROVEMENT PROJECT NO. 17-02

October 20, 2017

Prepared By:

City of Ramsey
Engineering Department
7550 Sunwood Drive NW
Ramsey, MN 55303
763-433-9820
763-433-9848 (Fax)

October 20, 2017

Honorable Mayor and City Council
City of Ramsey
7550 Sunwood Drive NW
Ramsey, MN 55303

Re: Feasibility Report - City of Ramsey Improvement Project #17-02
River's Bend Street Reconstructions

Dear Mayor and City Council Members:

Transmitted herewith is a Feasibility Report for the proposed River's Bend Street Reconstructions project, which examines the feasibility of reconstructing the bituminous street section and completing other appurtenant improvements.

This Feasibility Report examines the scope of the proposed improvements, explores estimated costs and available funding sources, defines a preliminary project schedule, and determines the necessity, feasibility and general cost-effectiveness of the proposed improvements, including any alternate designs, as well as whether the improvements would best be completed separately or in conjunction with another project.

I would be happy to discuss this report with you at your convenience. Please feel free to contact me at 763-433-9825 or bwestby@cityoframsey.com with any questions.

Sincerely,
City of Ramsey

Bruce Westby, PE
City Engineer

Enclosure

C: Kurt Ulrich, City Administrator
Leonard Linton, Civil Engineer IV

CERTIFICATION

I hereby certify that this plan, specification or report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota.

Bruce Westby, PE

Date: October 20, 2017 License No. 40116

I hereby certify that this plan, specification or report was reviewed for Quality Control and Quality Assurance purposes and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota.

Leonard Linton, PE

Date: October 20, 2017 License No. 21112

TABLE OF CONTENTS

TITLE SHEET
LETTER OF TRANSMITTAL
CERTIFICATION SHEET
TABLE OF CONTENTS

1. EXECUTIVE SUMMARY 1

2. INTRODUCTION 3

2.1 Authorization 3
2.2 Program Overview 3
2.3 Scope 3

3. EXISTING CONDITIONS 4

3.1 Existing Pavement and Soil Conditions 4
3.2 Watermain 4
3.3 Sanitary Sewer 4
3.4 Storm Sewer/Drainage 4
3.5 Streets 5
3.5.1 Existing Typical Sections 5
3.5.2 Maintenance History 5
3.6 Land Use 5

4. PROPOSED IMPROVEMENTS 6

4.1 Street and Stormwater Improvements 6
4.1.1 Street Improvements 6
4.1.2 Storm Sewer Improvements 6
4.1.3 Geotechnical Considerations 6
4.1.4 Other Considerations 7
4.2 Stormwater Treatment 7
4.3 Water Main Improvements 8
4.4 Sanitary Sewer Improvements 8
4.5 Construction Methods 8
4.6 Private Utilities 8
4.7 Permits 8
4.8 Right-of-Ways/Easements 8

5. FINANCING 9

5.1 Opinion of Cost 9
5.2 Funding 9
5.2.1 Assessments 9
5.2.2 City Contribution 10

6. PROJECT SCHEDULE 11

7. CONCLUSIONS AND RECOMMENDATIONS 12

Appendix A
Figure 1 – Project Scope
Figure 2 – Typical Section
Project Site Pictures

Appendix B
Opinion of Probable Costs

Appendix C
Preliminary Assessment Map
Preliminary Assessment Roll

Appendix D
Pavement Evaluations and Recommendations (WSB & Associates – 11 pages)

1. EXECUTIVE SUMMARY

City Improvement Project #17-02 proposes to reconstruct four street segments within the River's Bend residential neighborhood including 147th Lane between Xkimo Street and Waco Street, 148th Avenue between Yakima Street and Xkimo Street, Xkimo Street between 147th Lane and 149th Avenue, and Yakima Street between 148th Avenue and 149th Avenue. These streets total approximately 2,774 linear feet (0.53 miles) in length. A map showing the location and scope of the proposed improvements is included as ***Figure 1*** in ***Appendix A***.

These street segments in the River's Bend neighborhood were constructed in 1985 with between 2 and 3½-inches of bituminous pavement, 4-inches of class 5 aggregate base, surmountable concrete curb and gutter, and concrete storm sewer. The street was constructed to a width of 30-feet from face-of-curb to face-of-curb, and is centered within a 60-foot wide right-of-way.

City staff evaluates and rates the condition of pavement sections on all city streets on an annual basis using the Pavement and Surface Evaluation Rating (PASER) system. In the fall of 2016, these street segments within the River's Bend neighborhood were rated with PASER ratings of 3, which indicates this street is past the point of applying mill and overlay improvements. The current condition of these streets requires City staff to patch the streets at least once per year, particularly before winter so the street can be plowed without further damaging the pavement in the process. Pictures of this street segment are located in ***Appendix A***.

Proposed improvements include removing and replacing all damaged concrete curb and gutter sections, and reconstructing the existing bituminous pavement section using the Full Depth Reclamation (FDR) process. This process would involve milling the entire existing bituminous pavement section, along with one inch or so of existing aggregate base. This reclaim material would then be spread over the reshaped and compacted subgrade between the curb and gutter, then the top 3½ inches of reclaim material would be removed and hauled off site, after which 3½ inches of new bituminous pavement would be installed over the remaining compacted reclaim material. This would result in a 7-ton pavement design, which is standard for residential streets.

The existing sanitary sewer and watermain infrastructure are in good condition. The existing storm sewer system is also in good condition with only minor work being proposed.

The engineer's opinion of probable costs for completing the proposed improvements outlined in this report is $301,738.31. Estimated project costs include 5-percent contingency costs and 23-percent indirect costs for administrative, engineering, finance and legal costs. A summary of the engineer's opinion of probable costs is included in ***Appendix B***.

A total of forty-four (44) parcels have been identified as receiving special benefit from the improvements. These parcels are identified in the preliminary Assessment Map and Roll, which are attached in ***Appendix C***.

A total of twelve (12) pavement corings were completed by WSB and Associates (WSB) to assist with the preparation of this report. WSB offered pavement design recommendations, which were considered and incorporated to varying degrees while preparing this report. A copy of WSB's report is attached in ***Appendix D***.

This improvement project, which is listed in the City's current Capital Improvement Program, is proposed to be funded using a combination of special assessments to benefiting properties, street reconstructions bond proceeds, and stormwater utility funds.

Staff recommends using special assessments to pay for 25-percent of eligible improvement costs, which will be applied across 44 assessable properties using the "per lot" method of assessment, which is the typical method used for single family parcels having approximately the same size. All costs for this project are eligible for special assessments since the street is proposed to be reconstructed at its existing width, and since the existing and proposed pavement sections both meet 7-ton design standards meaning they are equivalent sections. This project does not include any ineligible project costs related to the use of special assessments.

Staff recommends ordering a special benefit consultation report for this project to verify that the proposed assessment amounts will not exceed the amount of benefit to any of these properties. If the report concludes that the benefit to any of the properties is less than the proposed preliminary assessment rate, Staff would propose to lower the assessment rate accordingly at the Assessment Hearing. However, if the special benefit consultation report verifies that the assessment rates as proposed are justified, Staff would propose to adopt the final assessment roll using the rate as preliminarily proposed.

Staff has not yet discussed the proposed improvements or the use of special assessments to pay for a portion of the improvements with the identified 44 benefiting property owners. However, Staff has scheduled a neighborhood information meeting and has mailed invitations to these property owners and will explain the proposed improvements and assessments in detail at the meeting, and will gather their input on the project, including any information which should be explored in more detail during development of plans and specifications. Staff will present the feedback received to Council during the Public Hearing process.

On January 24, 2017, the City Council directed Staff to postpone the River's Bend Street Reconstructions project until the 2018 construction season, allowing the project to be constructed in conjunction with the Stanhope Terrace Street Reconstructions project. The intent of this direction was to provide for the most cost-effective project by combining it with a similar project in close proximity, thereby potentially realizing a cost savings due to economies of scale.

This project was initially intended to be a mill and overlay improvements project, but after learning that the existing bituminous pavement section would not allow for a mill and overlay due to pavement thicknesses in some locations of only 2-inches, the project was converted to a full pavement reconstruction.

This project is necessary, feasible, and cost-effective from an engineering standpoint, and can be constructed as proposed herein. However, it would be most cost-effective to construct this project in conjunction with the Stanhope Terrace and The North Forty Street Reconstructions projects in 2018.

2. INTRODUCTION

2.1 Authorization

The preparation of this report was authorized by the Ramsey City Council on January 10, 2017. This project has been designated as City Improvement Project No. #17-02.

2.2 Program Overview

In support of the City's long-term Street Maintenance Program, the existing bituminous pavement section is proposed to be reconstructed, damaged concrete curb and gutter sections will be removed and replaced, and other appurtenant work will be completed as outlined in this report.

The City's pavement evaluation process involves a visual evaluation of each street's pavement surface based on the type, extent and severity of each pavement distress observed. Numerous types of pavement distresses may exist within a pavement section including, but not limited to, alligator cracking, block cracking, longitudinal cracking, transverse cracking, rutting, raveling, shoving, potholes and patches. This field data is then used to rate the pavement condition.

The City uses the Pavement and Surface Evaluation Rating (PASER) system to rate pavement condition. A PASER rating is a numerical index between 1 and 10 indicating the condition of a pavement based on the various pavement distresses recorded during visual observations. A PASER rating of 10 represents brand new pavement, while a PASER rating of 1 represents a pavement section that has fallen into complete disrepair requiring full street reconstructions.

In the fall of 2016, these street segments in the River's Bend neighborhood were rated with PASER ratings of 3.

2.3 Scope

City of Ramsey Improvement Project 17-02 proposes to reconstruct the existing bituminous pavement, to remove and replace damaged concrete curb and gutter sections, and to complete other appurtenant work on four street segments within the River's Bend residential neighborhood including 147th Lane between Xkimo Street and Waco Street, 148th Avenue between Yakima Street and Xkimo Street, Xkimo Street between 147th Lane and 149th Avenue, and Yakima Street between 148th Avenue and 149th Avenue. These street segments total approximately 2,774 linear feet (0.53 miles) in length.

The existing bituminous pavement is proposed to be reconstructed using the full depth reclamation (FDR) process. This involves reclaiming the bituminous pavement section between the existing concrete curb and gutter sections, along with one inch or so of the existing aggregate base, then hauling and disposing of any excess reclaim material off site, spreading and compacting the remaining reclaim material on top of the reshaped and compacted subgrade, then placing 3½-inches of new bituminous pavement on top of the compacted reclaim material. The resulting pavement design would meet current City design standards.

A map showing the location and scope of the proposed improvements is included as ***Figure 1*** in ***Appendix A***.

3. EXISTING CONDITIONS

3.1 Existing Pavement and Soil Conditions

All four street segments were constructed in 1985 with 2 to 3½-inches of bituminous pavement, 4-inches of class 5 aggregate base, and surmountable concrete curb and gutter. The streets were all constructed to a width of 30-feet from face-of-curb to face-of-curb, and are all centered within a 60-foot wide right-of-way. The existing speed limit is 30 mph along all street segments.

The pavement was cracksealed and sealcoated in 1988 and 1995, and spot patching has been applied on an as-needed basis since. In 2016, Staff observed Pavement and Surface Evaluation Ratings (PASER) of 3 on all street segments.

While traffic counts for these streets are not available, Staff believes it is reasonable to assume the average annual daily traffic (AADT) count is less than 1,000 vehicles, and that less than 5 percent of vehicles using these streets can be classified as truck traffic.

WSB and Associates (WSB) was employed to complete a total of twelve pavement corings. Their results showed an average bituminous pavement thickness between 2 and 3¼-inches, which was constructed over 4-inches class 5 aggregate base.

3.2 Watermain

Watermain was installed under all street segments in River's Bend. Staff believes the existing watermain is in good condition, and that no repairs will be required prior to reconstructing the pavement. However, if plans and specifications are ordered for the proposed improvements, staff proposes to hire a leak detection expert to ensure there are no detectable leaks. If leaks are detected, repairs would be made under separate contract before work commences on this project. Leak detection testing is estimated to cost $500.

3.3 Sanitary Sewer

Sanitary sewer was installed under each of the street segments in River's Bend. Staff believes the existing sanitary sewer is in good condition, and that no repairs will be required prior to reconstructing the pavement. However, if plans and specifications are ordered for the proposed improvements, staff proposes to hire a firm to televise the sewer to ensure the pipes are not deformed, cracked, or broken, and that all joints are sealed. If any issues are detected, repairs would be made under separate contract before work commences on this project. Sewer televising for this project is estimated to cost $2,800.

3.4 Storm Sewer/Drainage

Storm sewer exists along Xkimo Street. Based on design calculations completed by City staff, no modifications will be required to the existing storm sewer system.

3.5 Streets

3.5.1 Existing Typical Sections

The street was constructed to a width of 30 feet from face-of-curb to face-of-curb, and is centered within a 60-foot wide City-owned right-of-way.

3.5.2 Maintenance History

The pavement was cracksealed and sealcoated in 1988, and again in 1995. Spot patching has been applied on an as-needed basis since.

3.6 Land Use

Properties in the River's Bend neighborhood are zoned single family residential.

4. PROPOSED IMPROVEMENTS

4.1 Street and Stormwater Improvements

The four street segments within the River's Bend residential neighborhood proposed to be reconstructed include 147th Lane between Xkimo Street and Waco Street, 148th Avenue between Yakima Street and Xkimo Street, Xkimo Street between 147th Lane and 149th Avenue, and Yakima Street between 148th Avenue and 149th Avenue.

The scope of the proposed surface improvements is shown in ***Figure 1*** in ***Appendix A***.

4.1.1 Street Improvements

The streets in River's Bend are proposed to be reconstructed to match their existing width of 30-feet. All damaged surmountable concrete curb and gutter is proposed to be removed and replaced in kind. A typical section for the proposed pavement street reconstructions improvements is shown in ***Figure 2*** in ***Appendix A.***

The proposed reconstructed bituminous pavement design is designed to accommodate a 7-ton design in accordance with the City of Ramsey's design standards. City staff is proposing a pavement section design of 1½-inches bituminous wear course, 2-inches bituminous base course, over 4-inches of existing aggregate base material after reshaping and compacting the base.

The proposed pavement design should result in a minimum pavement life of 30 years, assuming that proactive, regular pavement maintenance treatments are performed during the life of the pavement. While a 60-year design life would typically be targeted for a reconstructed street, this project is not proposing a full street reconstruction due to the good condition of the majority of the existing 30-year old curb and gutter. Therefore, only the bituminous pavement is proposed to be reconstructed at this time as it may make sense to replace the pavement section at the time the rest of the existing curb and gutter is replaced, which may be 30 or more years in the future.

4.1.2 Storm Sewer Improvements

The existing storm sewer system is in good condition and is not proposed to be improved. The only proposed storm sewer improvements include resetting catch basin castings and grouting the catch basins. No stormwater quality treatment improvements are required for this project since the street is proposed to be reconstructed at its current width.

4.1.3 Geotechnical Considerations

WSB completed twelve (12) pavement cores along the streets in River's Bend as shown in their Pavement Evaluations and Recommendations report, attached in ***Appendix D***.

WSB recommended leaving all intact existing curb and gutter in place, which staff estimates accounts for over 80-percent of the existing curb and gutter, which is only 30 years old.

WSB also recommended reconstructing only the bituminous pavement. In total, this work is estimated to cost about half as much as a total street reconstruction while resulting in a serviceable pavement design life of at least 30-years. Considering that much or all of the remaining curb and gutter may need to be replaced in 30-years or so, a total street reconstruction could be evaluated at that time. Another benefit to this design is that it would result in minimal impacts to site access and traffic during construction.

4.1.4 Other Considerations

Driveways:
One or more existing driveways may need to be reconstructed to varying degrees. The limits of construction will vary with each driveway based on the extent of curb and gutter removal and replacement required, the elevations of the street, and the driveway type. During design, staff will evaluate the construction limits for any impacted driveways and will incorporate this into the plans, but as with all street reconstruction projects the exact limits of construction will be determined in the field during construction. Right-of-entry forms would be obtained from private property owners if work is required outside City right-of-ways and easements.

Irrigation Systems:
Developed properties along the project corridor may have private irrigation systems. Impacts to these systems may occur where the existing curb and gutter is being replaced. On past street reconstruction projects, the City repaired private irrigation systems that were damaged as part of the project. Staff recommends foregoing this practice on future projects. Instead, staff recommends notifying property owners in writing of the pending construction as far in advance of construction as possible to allow them to move their irrigation systems out of the construction area, and then replace it once work is complete.

Parking Restrictions:
Parking is currently allowed along both sides of the streets except for overnight parking per City code. During this project, parking is proposed to be restricted during allowable working hours also.

Pavement Corings:
Staff has been finding inconsistent existing pavement thicknesses on existing streets within the City during recent reconstruction projects. It is standard City practice to have staff on-site during pavement installation to insure the proper quantities are being placed. As further conformation, staff is proposing to have pavement corings taken at the conclusion of reconstruction projects. This is already a requirement on all State Aid projects, and will leave more data on the pavement section for future street maintenance projects.

4.2 Stormwater Treatment

Stormwater retention and/or treatment improvements are not required for this project.

4.3 Water Main Improvements

No watermain improvements are proposed with this project.

4.4 Sanitary Sewer Improvements

No sanitary sewer improvements are proposed with this project.

4.5 Construction Methods

The existing bituminous pavement section will be reconstructed as outlined within this report.

4.6 Private Utilities

Staff has not yet met with the telephone, gas, power and cable utilities regarding this project. During preparation of plans and specifications, staff will meet with the private utility companies to discuss the proposed improvements as noted in the project schedule within this report. The alignment and footprint of the streets will be considered to minimize impacts to private utilities. No impacts to power poles or street lights are anticipated with this project.

Should any utility company indicate they wish to upgrade, replace and/or otherwise modify their services during this project, any such upgrades, replacements and/or modifications will be at the sole discretion and cost of the utility company.

4.7 Permits

Permits that are anticipated to be required as part of the proposed improvements include:

- MPCA General Stormwater Permit (NPDES)..... Grading and Storm Water

A stormwater permit from the Lower Rum River Watershed Management Organization will not be required with this project.

4.8 Right-of-Ways/Easements

It is anticipated that all improvements will occur within existing City right-of-ways and/or easements, with the possible exception of tying into private driveways and yards. It is therefore not anticipated that the City will need to acquire additional permanent right-of-way or easements for this project. As such, costs for right-of-way or easement acquisitions are not included in the probable project costs.

City staff will obtain any required right of entries.

5. FINANCING

5.1 Opinion of Cost

A detailed opinion of probable costs for the proposed improvements can be found in ***Appendix B*** of this report. The opinion of probable costs incorporates anticipated 2018 construction costs for the proposed improvements, plus 5-percent contingency costs and 23-percent indirect costs for administrative, engineering, financing and legal costs.

City staff prepared the Feasibility Report in-house as part of staff's normal duties.

WSB and Associates, Inc. prepared their Pavement Evaluations and Recommendations report, which is included in ***Appendix D***, at a not-to-exceed cost of $3,290.

5.2 Funding

5.2.1 Assessments

The City's adopted Special Assessments Policy allows special assessments in an amount not to exceed 25-percent of eligible street reconstruction project costs to be levied against benefiting properties. Eligible project costs include costs required to reconstruct the street at its current width, and to reconstruct the pavement without increasing its structural capacity. Benefiting properties are considered to be any parcel that has their primary access onto any of the street segments being reconstructed. A total of 44 benefitting properties have been identified for this project. The Preliminary Assessment Map and Roll are included in ***Appendix C***.

The engineer's opinion of probable costs for eligible assessment costs totals $301,738.31. Assessable residential parcels are preliminarily proposed to be assessed for 25-percent of eligible project costs, which totals $75,434.58 and equals $1,714.42 per parcel. Assessment terms are proposed at ten years. Interest rates are proposed at two percent above the bond interest rate.

The "per lot" method of assessment identified in the City of Ramsey's Special Assessments Policy is proposed to be used to calculate assessments for this project considering that all parcels are roughly equivalent in size and will benefit equally. All properties having their primary access onto any of the reconstructed streets are considered to benefit and are proposed to be assessed.

The City is still in the early years of applying special assessments on street reconstruction projects. In addition, State Statute and the City Charter do not allow assessments to exceed the benefit to the property. Therefore, Staff is requesting Council authorization to order a benefit appraisal consultation report for this project in accordance with the City's Special Assessments Policy at the time a construction contract is awarded.

5.2.2 City Contribution

The City contribution to the project will include all funding in excess of the amount collected through special assessments to benefiting properties, which equals 75-percent of eligible project costs. No funds have been budgeted for this project.

The City's share of eligible project costs related to surface (street) improvements is proposed to come from the previously encumbered 5-year Street Reconstruction and Overlay Program bonds. Stormwater Utility Funds are proposed to pay for all storm sewer improvements.

Special assessments are proposed to pay back a portion of these costs based on the final assessments adopted by Council at the end of the project.

Table 1 illustrates the proposed project funding based on the proposed design outlined within this report. This funding program assumes construction will occur in 2018.

TABLE 1
Proposed Project Funding

	ASSESSMENTS	CITY FUNDS	TOTAL
Estimated Costs	**$75,434.58**	**$226,303.73**	**$301,738.31**

Total Estimated Project Cost		**$301,738.31**
Less Special Assessments (25%)	-	$75,434.58
Subtotal	**=**	**$226,303.73**
Less City Bonding Funds	-	$224,803.73
Subtotal	**=**	**$1,500.00**
Less Stormwater Utility Funds	-	$1,500.00
Total Remaining Cost	**=**	**$0**

6. PROJECT SCHEDULE

The proposed project schedule is as follows:

Council Orders Feasibility Report ..... January 10, 2017

Council Accepts Feasibility Report ..... January 24, 2017

Council Accepts Updated Feasibility Report/Orders Public Hearing..... October 24, 2017

Staff Publishes Notice of Public Hearing ..... October 27 & November 3, 2017

Neighborhood Information Meeting ..... November 2, 2017

Council Conducts Public Hearing/Authorizes Plans and Specifications ..... November 14, 2017

Staff Conducts Private Utility Coordination Meeting ..... December, 2017

Council Approves Plans and Specifications/Authorizes Ad for Bids ..... January 9, 2018

Staff Advertises for Bids ..... January 12 & 19, 2018

Staff Receives Bids ..... February 6, 2018

Council Awards Contract ..... February 13, 2018

Contractor Begins Construction ..... May/June 2018

Contractor Completes Construction ..... September 7, 2018

Council Orders Assessment Roll/Hearing ..... September 11, 2018

Council Conducts Assessment Hearing ..... October 9, 2018

7. CONCLUSIONS AND RECOMMENDATIONS

City of Ramsey Improvement Project #17-02 proposes to reconstruct the existing bituminous pavement, remove and replace damaged concrete curb and gutter, and complete miscellaneous appurtenant work on four street segments within the River's Bend residential neighborhood including 147th Lane between Xkimo Street and Waco Street, 148th Avenue between Yakima Street and Xkimo Street, Xkimo Street between 147th Lane and 149th Avenue, and Yakima Street between 148th Avenue and 149th Avenue. These street segments measure approximately 2,774 linear feet (0.53 miles).

It is the recommendation of City staff that City Project #17-02 is feasible, necessary, and cost-effective from an engineering standpoint. However, it would be most cost-effective to construct this project in conjunction with the Stanhope Terrace and The North Forty Street Reconstructions projects in 2018.

The following Staff recommendations related to the proposed project are presented for Council consideration and concurrence:

1. Staff recommends reconstructing the four street segments within the River's Bend residential neighborhood including 147th Lane between Xkimo Street and Waco Street, 148th Avenue between Yakima Street and Xkimo Street, Xkimo Street between 147th Lane and 149th Avenue, and Yakima Street between 148th Avenue and 149th Avenue in conjunction with the Stanhope Terrace and The North Forty Street Reconstructions projects in 2018.

2. Staff recommends ordering a benefit appraisal consultation to ensure that the preliminary special assessments proposed herein will not exceed the benefit received as a result of the improvements in accordance with the City's Special Assessments Policy.

3. Staff recommends excluding private irrigation system work from this project, and from all future City Improvement Projects, and instead recommends notifying property owners of pending construction as far in advance as possible and instructing them to relocate the irrigation system(s) away from the construction area during construction, then allow replacement in or near the original location after construction is complete.

4. Staff recommends meeting with all owners of assessable properties on November 2, 2017, to inform them of the proposed improvements, the proposed use of special assessments, and to gather their input prior to conducting the Public Hearing and requesting Council authorization to prepare plans and specifications on November 14, 2017.

The City Council is asked to act on the following items related to the proposed project:

1. Accept the preliminary residential special assessment rates proposed herein.

2. Authorize a benefit appraisal consultation report to ensure all special assessments are commensurate with the benefit received as a result of the improvements.

3. Adopt Resolution #17-10-273 accepting this Feasibility Report and ordering the Public Hearing for November 14, 2017.

APPENDIX A

Figure 1 – Project Scope
Figure 2 – Typical Section
Project Site Pictures

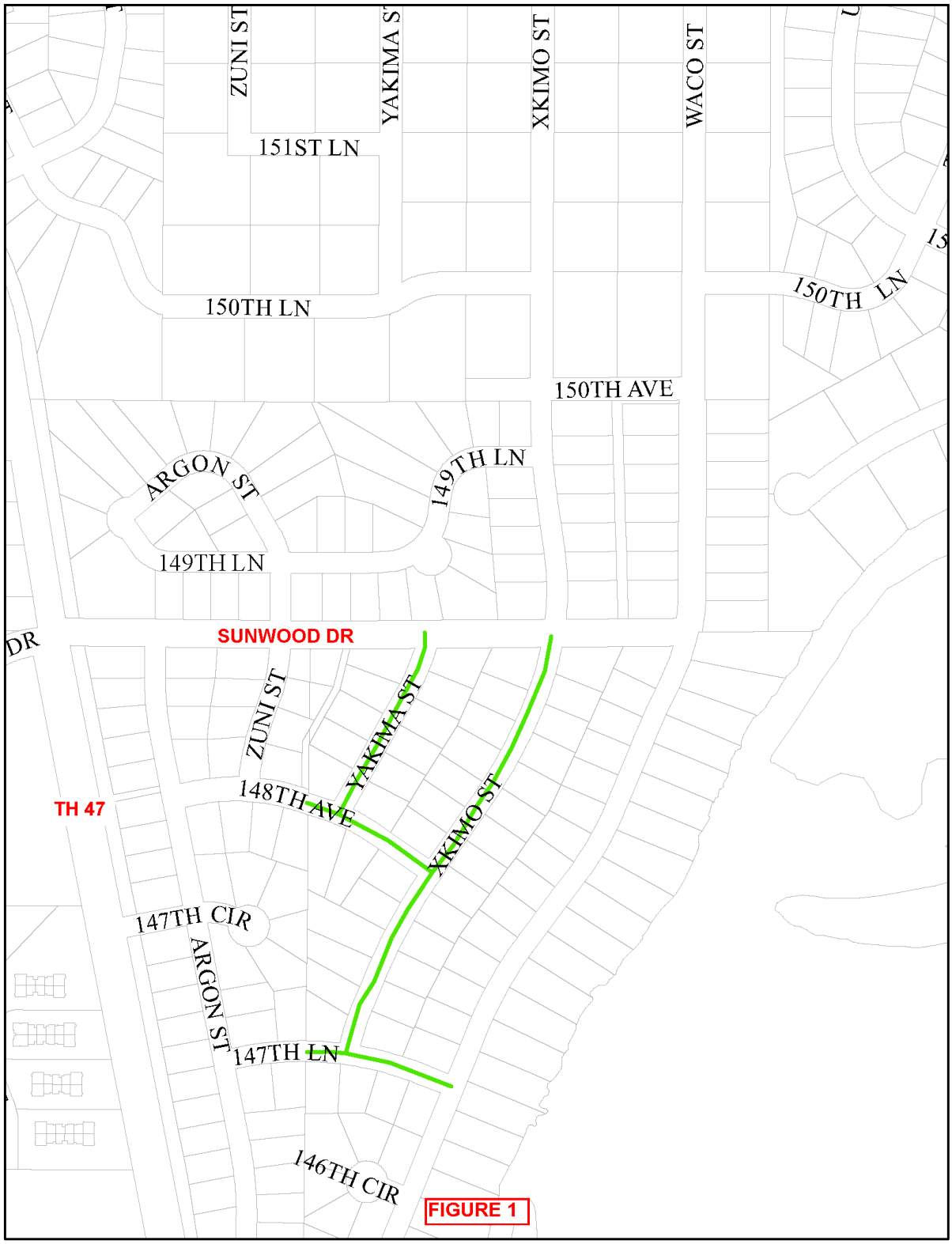


FIGURE 1
PROJECT SCOPE

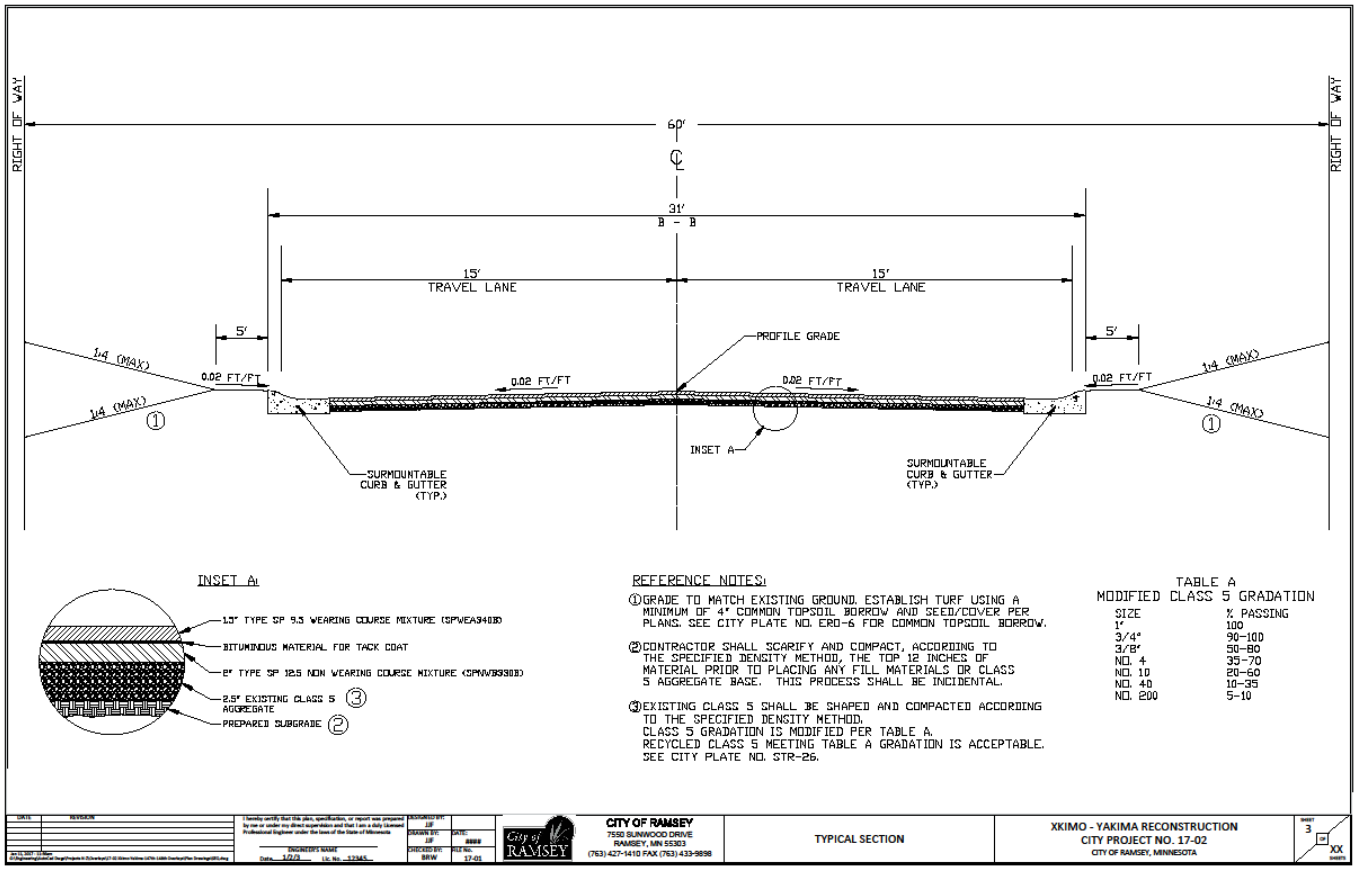


FIGURE 2
TYPICAL SECTION

PROJECT SITE PICTURES

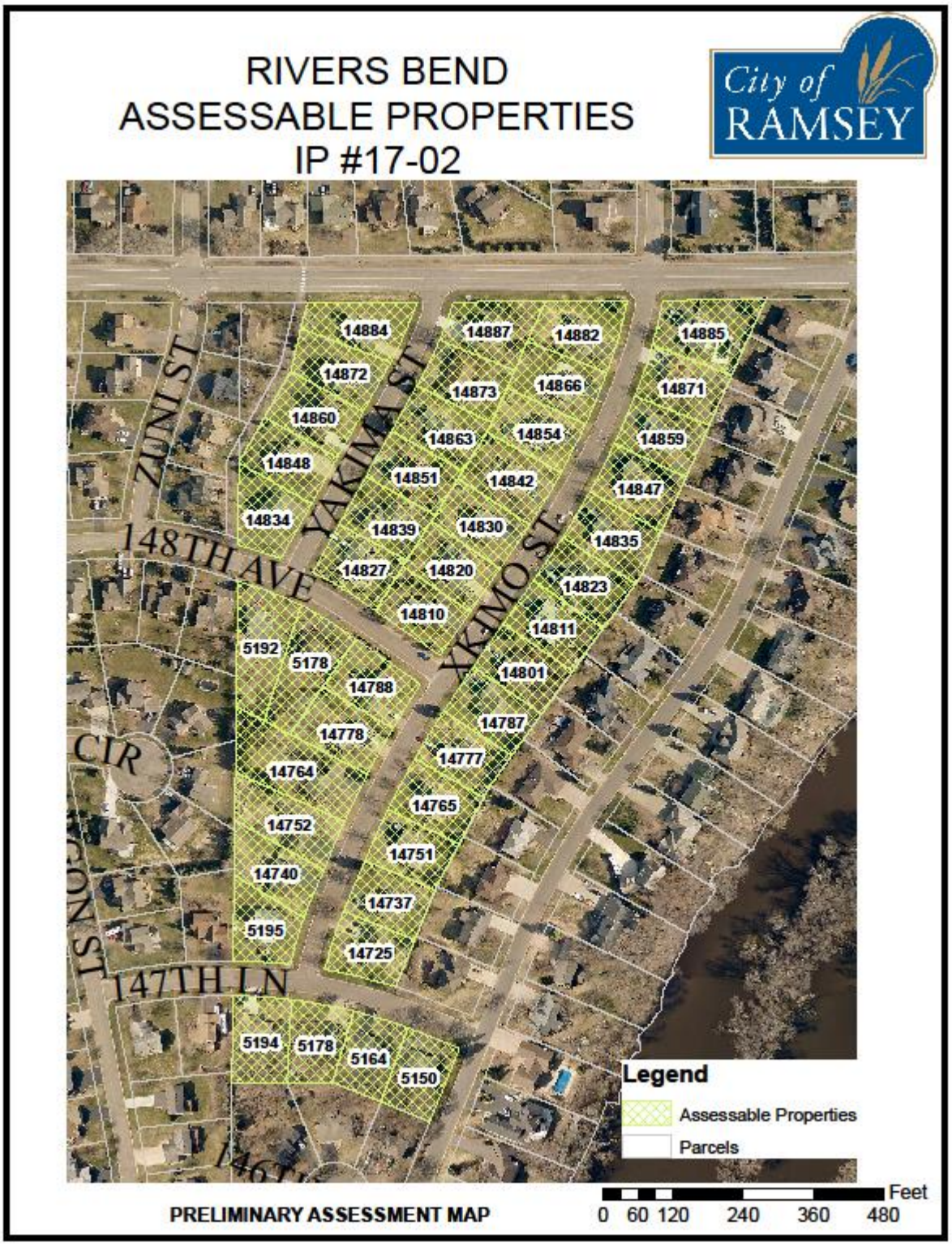
APPENDIX B

Opinion of Probable Costs

17-02 RIVER'S BEND STREET RECONSTRUCTIONS						
ENGINEER'S ESTIMATE						
10/19/2017						
ITEM NO.	**MNDOT NO.**	**ITEM DESCRIPTION**	**UNIT**	**UNIT COST**	**ESTIMATED QUANTITY**	**COST EXTENSION**
1	2021.501	MOBILIZATION	LS	$ 11,000.00	1	$ 11,000.00
2	2104.501	REMOVE CONCRETE CURB AND GUTTER	LF	$ 5.50	500	$ 2,750.00
3	2104.505	REMOVE CONCRETE VALLEY GUTTER	SY	$ 25.00	65	$ 1,625.00
4	2104.511	SAWING CONCRETE PAVEMENT - FULL DEPTH	LF	$ 6.00	100	$ 600.00
5	2104.513	SAWING BITUMINOUS PAVEMENT - FULL DEPTH	LF	$ 3.00	200	$ 600.00
6	2105.201	COMMON EXCAVATION (EV)	CY	$ 12.00	220	$ 2,640.00
7	2112.501	SUBGRADE PREPARATION	RDST	$ 200.00	26	$ 5,200.00
8	2130.501	WATER	MGAL	$ 30.00	50	$ 1,500.00
9	2211.503	AGGREGATE BASE CLASS 5 MODIFIED (CV)	CY	$ 20.00	1060	$ 21,200.00
10	2215.501	BITUMINOUS PAVEMENT RECLAMATION (FULL DEPTH)	SY	$ 2.00	7929	$ 15,858.00
11	2232.501	MILL BITUMINOUS PAVEMENT (1.5" D X 18" W)	SY	$ 20.00	45	$ 900.00
12	2331.607	HAUL BIT PAVEMENT RECLAMATION (LV)	CY	$ 11.00	1718	$ 18,898.00
13	2357.502	BITUMINOUS MATERIAL FOR TACK COAT	GAL	$ 3.00	555	$ 1,665.00
14	2360.501	TYPE SP 9.5 WEARING COURSE MIXTURE (SPWEA340B) (1.5")	TON	$ 68.00	785	$ 53,380.00
15	2360.502	TYPE SP 12.5 NON-WEARING COURSE MIXTURE (SPNWB330B) (2.0")	TON	$ 60.00	1047	$ 62,820.00
16	2504.602	ADJUST VALVE BOX	EA	$ 300.00	9	$ 2,700.00
17	2506.522	ADJUST FRAME AND RING CASTING	EA	$ 550.00	13	$ 7,150.00
18	2531.501	CONCRETE CURB & GUTTER DESIGN SURMOUNTABLE (HE)	LF	$ 25.00	300	$ 7,500.00
19	2531.501	CONCRETE CURB & GUTTER DESIGN B618 (HE)	LF	$ 25.00	200	$ 5,000.00
20	2531.604	7" CONCRETE VALLEY GUTTER (HE)	SY	$ 80.00	65	$ 5,200.00
21	2563.601	TRAFFIC CONTROL	LS	$ 3,000.00	1	$ 3,000.00
22	2575.505	SODDING TYPE LAWN	SY	$ 18.00	111	$ 1,998.00
23	2575.525	COMMON TOPSOIL BORROW (LV)	CY	$ 30.00	15	$ 450.00
					TOTAL ESTIMATED CONSTRUCTION COST	*$ 233,634.00*
					5% CONTINGENCY COSTS	*$ 11,681.70*
					23% INDIRECT COSTS	*$ 56,422.61*
					TOTAL ESTIMATED PROJECT COST	***$ 301,738.31***

APPENDIX C

Preliminary Assessment Map
Preliminary Assessment Roll



PRELIMINARY ASSESSMENT MAP

PRELIMINARY ASSESSMENT ROLL - IP # 17-02 RIVER'S BEND STREET RECONSTRUCTIONS							
PID	Name/Owner	Address 1	City	State	Zip	Assessable Units	Proposed Assessment
253225120056	RONDO ANGELA M & JERRY D	5195 147TH LN NW	RAMSEY	MN	55303	1	$ 1,714.42
253225120057	CICH JONATHAN	5194 147TH LN NW	RAMSEY	MN	55303	1	$ 1,714.42
253225120058	CLOBES ADELE	5178 147TH LN NW	RAMSEY	MN	55303	1	$ 1,714.42
253225130002	GEORGES ROBERT J & RUTH F	5164 147TH LN NW	RAMSEY	MN	55303	1	$ 1,714.42
253225130003	SPOHN PAMELA A	5150 147TH LN NW	RAMSEY	MN	55303	1	$ 1,714.42
253225120049	NEWBERGER JAKE	5192 148TH AVE NW	RAMSEY	MN	55303	1	$ 1,714.42
253225120050	UPHOFF ROGER	5178 148TH AVE NW	RAMSEY	MN	55303	1	$ 1,714.42
253225120007	TAMBA PATRICK	14882 XKIMO ST NW	RAMSEY	MN	55303	1	$ 1,714.42
253225120008	JANIAK MICHAEL L & TINA M	14866 XKIMO ST NW	RAMSEY	MN	55303	1	$ 1,714.42
253225120009	HEFFRON GLEN R & PAMELA J	14854 XKIMO ST NW	RAMSEY	MN	55303	1	$ 1,714.42
253225120010	MORGAN JR JOE	14842 XKIMO ST NW	RAMSEY	MN	55303	1	$ 1,714.42
253225120011	BUBANY BRETON	14830 XKIMO ST NW	RAMSEY	MN	55303	1	$ 1,714.42
253225120012	COMSTOCK GREGORY J & LYNN A	14820 XKIMO ST NW	RAMSEY	MN	55303	1	$ 1,714.42
253225120013	MARSHALL JAMES & AUDREY	14810 XKIMO ST NW	RAMSEY	MN	55303	1	$ 1,714.42
253225120035	EMERSON EDWARD J & AMY C	14725 XKIMO ST NW	RAMSEY	MN	55303	1	$ 1,714.42
253225120036	MALEK DAVID J & CINDY L	14737 XKIMO ST NW	RAMSEY	MN	55303	1	$ 1,714.42
253225120037	MERKL CHRIS S & JESSICA A	14751 XKIMO ST NW	RAMSEY	MN	55303	1	$ 1,714.42
253225120038	BAUER DANIEL	14765 XKIMO ST NW	RAMSEY	MN	55303	1	$ 1,714.42
253225120039	BRUNEAU STEPHANIE	14777 XKIMO ST NW	RAMSEY	MN	55303	1	$ 1,714.42
253225120040	SCHULTE ERICA	14787 XKIMO ST NW	RAMSEY	MN	55303	1	$ 1,714.42
253225120041	DRAYNA ROBERT	14801 XKIMO ST NW	RAMSEY	MN	55303	1	$ 1,714.42
253225120042	PAYNE RYAN L	14811 XKIMO ST NW	RAMSEY	MN	55303	1	$ 1,714.42
253225120043	TOVSEN CAITLIN	14823 XKIMO ST NW	RAMSEY	MN	55303	1	$ 1,714.42
253225120044	TESSMAN JILEEN	14835 XKIMO ST NW	RAMSEY	MN	55303	1	$ 1,714.42
253225120045	HENNES RICHARD & JUDITH	14847 XKIMO ST NW	RAMSEY	MN	55303	1	$ 1,714.42
253225120046	MANCINI FRANK E	14859 XKIMO ST NW	RAMSEY	MN	55303	1	$ 1,714.42
253225120047	JOHNSON MARK	14871 XKIMO ST NW	RAMSEY	MN	55303	1	$ 1,714.42
253225120048	HIGH DANIEL	14885 XKIMO ST NW	RAMSEY	MN	55303	1	$ 1,714.42
253225120051	CLAYTON JEFFREY	14788 XKIMO ST NW	RAMSEY	MN	55303	1	$ 1,714.42
253225120052	STROUP TIMOTHY D & VICTORIA E	14778 XKIMO ST NW	RAMSEY	MN	55303	1	$ 1,714.42
253225120053	ROMANCHUK GERALD	14764 XKIMO ST NW	RAMSEY	MN	55303	1	$ 1,714.42
253225120054	REYNOLDS BRIAN R & SHEILA B	14752 XKIMO ST NW	RAMSEY	MN	55303	1	$ 1,714.42
253225120055	DANIELS JULIE A	14740 XKIMO ST NW	RAMSEY	MN	55303	1	$ 1,714.42
253225120002	ACEVES II WILLIAM & ACEVES CHRISTY	14884 YAKIMA ST NW	RAMSEY	MN	55303	1	$ 1,714.42
253225120003	RUMPCA JAMES L & SUSAN A	14872 YAKIMA ST NW	RAMSEY	MN	55303	1	$ 1,714.42
253225120004	DUNAWAY ANDREW & LAURA M	14860 YAKIMA ST NW	RAMSEY	MN	55303	1	$ 1,714.42
253225120005	FLORES ANTHONY JR	14848 YAKIMA ST NW	RAMSEY	MN	55303	1	$ 1,714.42
253225120006	DESONIA ELIZABETH	14834 YAKIMA ST NW	RAMSEY	MN	55303	1	$ 1,714.42
253225120014	HOFF WENDY	14827 YAKIMA ST NW	RAMSEY	MN	55303	1	$ 1,714.42
253225120015	MILLER CORY	14839 YAKIMA ST NW	RAMSEY	MN	55303	1	$ 1,714.42
253225120016	WINDOM LADELL	14851 YAKIMA ST NW	RAMSEY	MN	55303	1	$ 1,714.42
253225120017	MARDAUS JOHN M & RENEE	14863 YAKIMA ST NW	RAMSEY	MN	55303	1	$ 1,714.42
253225120018	FOWLKES CHERYL	14873 YAKIMA ST NW	RAMSEY	MN	55303	1	$ 1,714.42
253225120019	AUGUSTSON TRUSTEE DEBORAH & AUGUSTSON TRUSTEE TERRANCE	14887 YAKIMA ST NW	RAMSEY	MN	55303	1	$ 1,714.42
TOTALS						**44**	**$ 75,434.58**

APPENDIX D

Pavement Evaluations and Recommendations
(WSB & Associates – 11 pages)

701 Xenia Avenue South | Suite 300 | Minneapolis, MN 55416 | (763) 541-4800

December 27, 2016

Mr. Bruce Westby P.E.
City Engineer
7550 Sunwood Drive NW.
Ramsey, MN 55303

Re: Pavement Evaluations and Recommendations for City of Ramsey Improvement Project #17-02
2017 Mill and Overlay Improvements

Observation: On December 20, 2016 WSB & Associates cored the 147th, 148th, Yakima, and Xkimo roadways in the City of Ramsey, MN. The following observations were made during the investigation. The Hot Mix Asphalt (HMA) cores ranged in thickness from 2 inches to 3.25 inches, with the average thickness being 2.4 inches. The base material observed appears to be a mainly sandy select granular material. With the frozen ground, we were only able to chisel to depth of approximately 4 inches with no change in the base material observed. The coring locations can be found in Appendix A of this report. Pictures of each core can be found in Appendix B. Due to the streets being covered by snow it was hard to observe existing crack patterns, but the cores taken appear to be in very good condition for the age of the HMA.

Recommendations: Based on the following information, these streets are true residual streets, constructed in the mid-1980s, and have performed satisfactorily. It would be our recommendation to remove the existing HMA, then re- compact the granular (sand) base and repave with 3 inches of level 3 Super Pave with ½ inch mixture with 3 percent air voids made with a PG -34 binder. An example would be SPWEA330C or A, mix. Using a ½ minus mix with 3 percent air voids design should yield a very tight surface that should greatly diminish the infiltration of water into the HMA surface. Using a PG-34 binder should delay cracking over a PG-28 binder. One last suggestion to think about is possibly priming the granular base with a penetrating emulsion prime (PEP) to protect the bottoms of the HMA from damage from water coming thru the base materials.

Please let me know if you have any other questions of comments regarding this report.

Sincerely,

WSB & Associates, Inc.

Thomas J. Wood
Project Manager

Appendix A

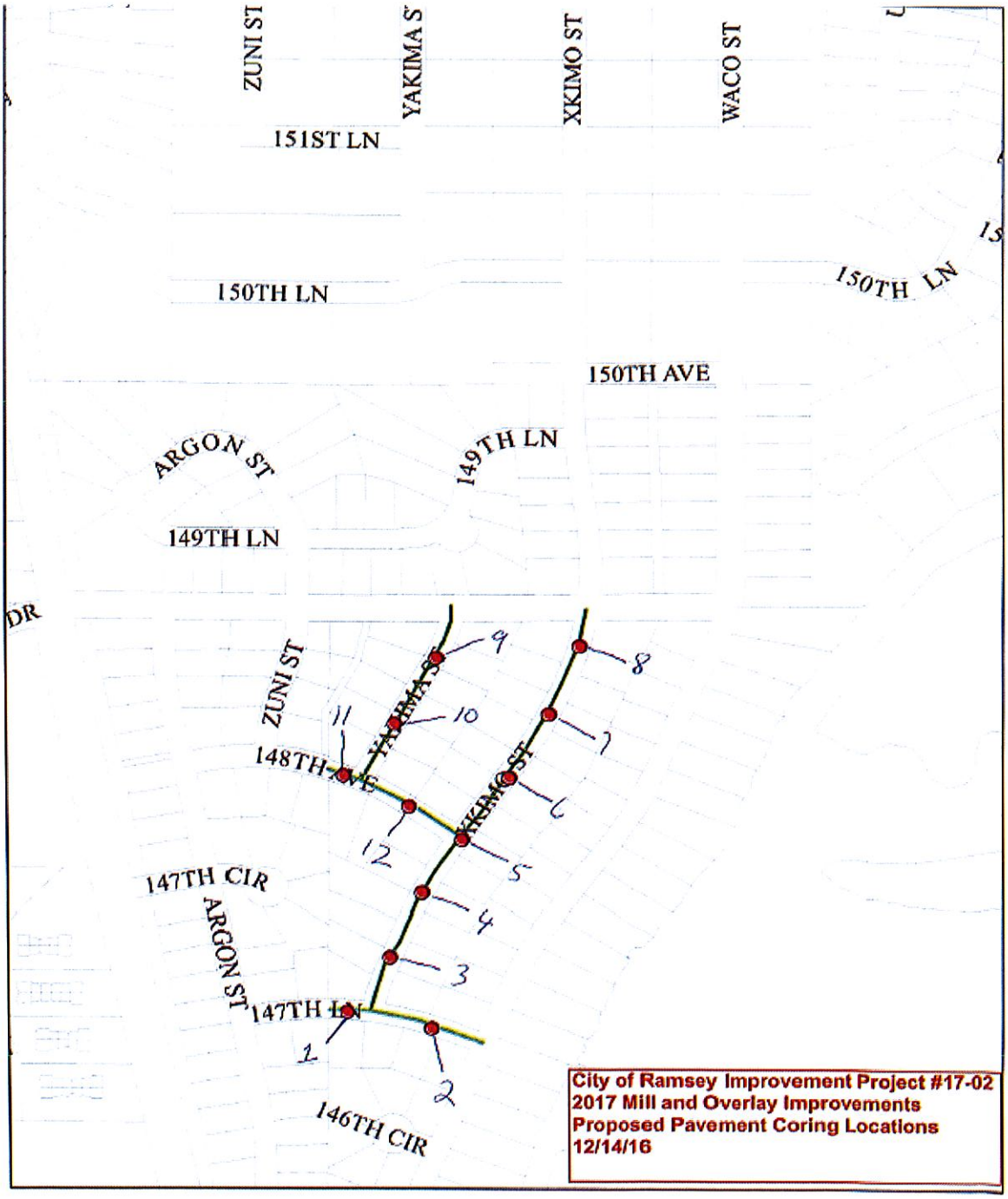
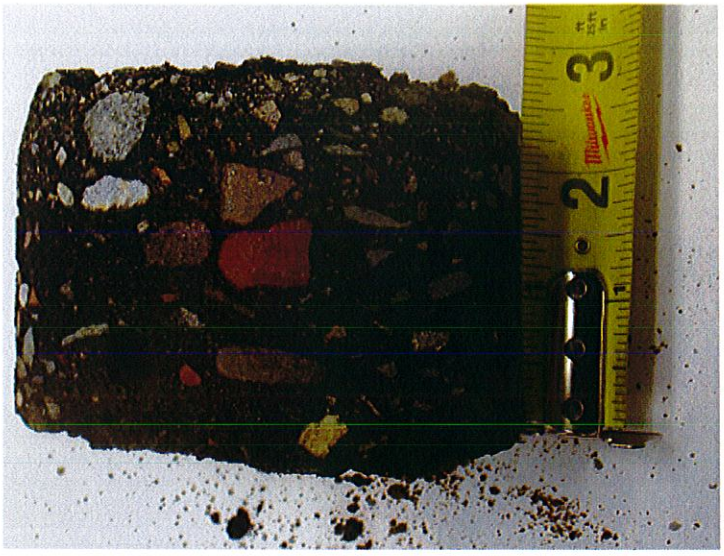


Figure 1: Coring Locations

Appendix B

Core 1



Core 2

Core 3

Core 4

Core 5

Core 6

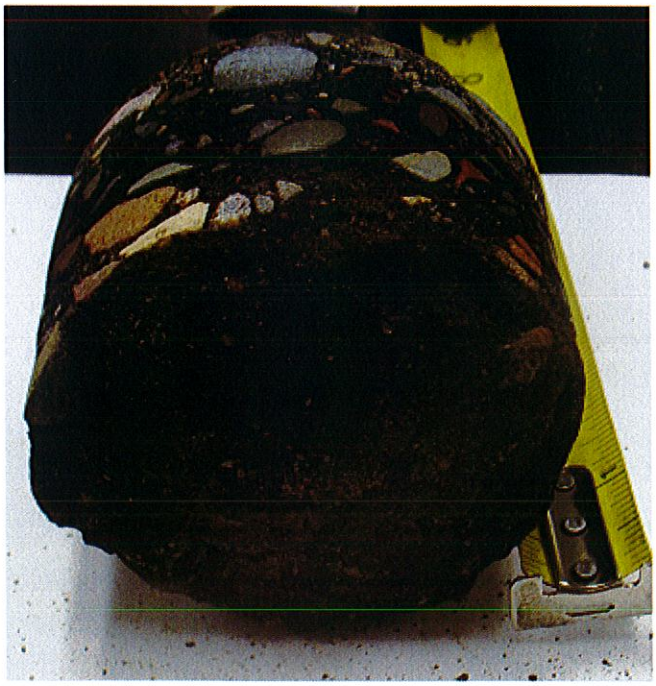
Core 7

Core 8

Core 9

Core 10

Core 11



Core 12

NOTICE OF PUBLIC HEARING
IMPROVEMENT PROJECT #17-02
RIVER'S BEND STREET RECONSTRUCTIONS

CITY OF RAMSEY
ANOKA COUNTY
STATE OF MINNESOTA

TO WHOM IT MAY CONCERN:

Notice is hereby given that the Ramsey City Council will hold a public hearing at 7:00 p.m. on Tuesday, November 14, 2017 in the Ramsey Municipal Center Council Chambers, 7550 Sunwood Drive NW, Ramsey, MN. The purpose of the hearing is to consider Improvement Project #17-02 which proposes grading, concrete curb and gutter, bituminous pavement reclamation and paving, drainage, and miscellaneous appurtenant improvements to 147th Lane between Xkimo Street and Waco Street, 148th Avenue between Yakima Street and Xkimo Street, Xkimo Street between 147th Lane and 149th Avenue, and Yakima Street between 148th Avenue and 149th Avenue.

Properties abutting the improved street are proposed to be assessed per Minnesota Statutes, Sections 429.011 to 429.111, Chapter 8 of the Ramsey City Charter, and the City's adopted Special Assessments Policy. The total estimated cost of the above described project is $301,738. A reasonable estimate of the impact of the assessment, preliminarily proposed at $1,714.42 per benefitting property to be assessed over ten years with interest at two-percent above the bond interest rate, will be available at the hearing.

Written comments are welcome and shall be addressed to the Ramsey City Council, 7550 Sunwood Drive NW, Ramsey, MN 55303. Written comments will be received at the above address until 4:30 p.m. on November 14, 2017. All interested persons are invited to attend the hearing and comment on the proposed improvement project. Questions on the project and proposed assessments may be directed to City Engineer, Bruce Westby, at 763-433-9825.

The City of Ramsey complies with the Americans With Disabilities Act and upon advance request, information will be provided in an alternative form and interpreters will be available. Any person with such a request should contact Mary Jo Warner at 763-433-9820 by 4:30 p.m. on Tuesday, November 7, 2017. A TDD machine is available at the Ramsey Municipal Center; the number is 763-427-8591.

Bruce Westby, City Engineer

Dates published: October 27 and November 3, 2017

SPECIAL ASSESSMENTS POLICY AND PROCEDURES FOR PUBLIC IMPROVEMENTS AND MAINTENANCE COSTS

SECTION 1. General Policy Statement.
SECTION 2. Improvements and Maintenance Costs Eligible for Special Assessment.
SECTION 3. Initiation of Public Improvement Projects.
SECTION 4. Public Improvement Procedures.
SECTION 5. Financing of Public Improvements.
SECTION 6. General Assessment Policies.
SECTION 7. Methods of Assessment.
SECTION 8. Standards for Public Improvement Projects.
SECTION 9. Policies of Reassessment.
SECTION 10. Assessment Computations.
SECTION 11. Deferment of Assessments.

SECTION 1. GENERAL POLICY STATEMENT.

The purpose of this policy is to establish a fair and equitable manner of assessing the increase in market value (special benefit) associated with public improvements. The procedures used by the City for levying special assessments are those specified by the City Charter and Minnesota Statutes Chapter 429, which provide that all or a part of the cost of improvements may be assessed against benefiting properties.

Three basic criteria must be satisfied before a particular parcel can be assessed. The criteria are as follows:

1. The land must have received special benefit from the improvement.
2. The amount of the assessment must not exceed the special benefit.
3. The assessment must be uniform in relation to the same class of property within the assessment area.

It is important to recognize that the actual cost of extending an improvement past or through a particular parcel is not the controlling factor in determining the amount to be assessed. However, in many cases the method for assigning the value of the benefit received by the improvement, and therefore the amount to be assessed, will focus on calculating the proportionate cost of providing the improvement, provided the cost does not exceed the increase in property market value resulting from the improvement. The entire project shall be considered as a whole for the purpose of calculating and computing an assessment rate. In the event City staff has doubt as to whether the costs of the project may exceed the special benefits to the property, the City Council may obtain such appraisals as may be necessary to support the proposed assessment.

The assessment policy is intended to serve as a guide for a systematic assessment process in the City. There may be exceptions to the policy or unique circumstances or situations that may require special consideration and discretion by City staff and the City Council.

SECTION 2. IMPROVEMENTS AND MAINTENANCE COSTS ELIGIBLE FOR SPECIAL ASSESSMENT.

Subd. 1. Public improvements, and related acquisition, construction, extension, and maintenance of such improvements, authorized by Minnesota Statutes, Sections 429.021 and 459.14, subd. 7, that are eligible for special assessment within the City include the following:

1. Streets, sidewalks, pavement, curbs and gutters, including the beautification thereof.
2. Parking lots.
3. Water works systems and appurtenances, within and without the corporate limits.
4. Sanitary sewer and storm sewer systems including appurtenances, within and without the corporate limits.
5. Street boulevard trees.
6. Street lights, street lighting systems and special lighting systems.
7. Steam heating mains.
8. Parks, playgrounds, and recreational facilities, including the purchase of equipment, within or without the corporate limits.
9. Abatement of nuisances, including but not limited to, draining and filling swamps, marshes, and ponds on public and private property.
10. Dikes and other flood control works.
11. Retaining walls and area walls.
12. A pedestrian skyway system upon a petition pursuant to section 429.031, subdivision 3.
13. Underground pedestrian concourses.
14. Public malls, plazas or courtyards.
15. District heating systems.
16. Fire protection systems in existing buildings upon a petition pursuant to section 429.031, subdivision 3.
17. Highway sound barriers.
18. Gas and electric distribution facilities.

Subd. 2. The City is also authorized by ordinance adopted pursuant to Minnesota Statutes Section 429.101 to recover, through special assessment, certain costs, including the following:

1. Snow, ice, or rubbish removal from sidewalks.
2. Weed elimination from streets or private property.
3. Removal or elimination of public health or safety hazards from private property excluding any structure included under the provisions of Minnesota Statutes, sections 463.15 to 463.26.
4. Installation or repair of water service lines, street sprinkling, sweeping, or other dust treatment of streets.
5. The trimming and care of trees and the removal of unsound trees from any street.
6. The treatment and removal of insect infested or diseased trees on private property.
7. The repair of sidewalks and alleys.
8. The operation of a street lighting system.
9. The operation and maintenance of a fire protection or a pedestrian skyway system.

SECTION 3. INITIATION OF PUBLIC IMPROVEMENT PROJECTS.

Public improvement projects can be initiated in the following ways.

1. Public improvement projects may be initiated by petition of owners of not less than 50% in frontage of the property abutting the proposed improvement in accordance with the provisions of Section 8.4.2 of the City Charter.

2. Public improvements also may be initiated by the City Council when, in its judgment, such action is required and is in accordance with the provisions of Chapter 8 of the City Charter.

3. A resolution ordering any improvements initiated by the Council requires a four-fifths majority vote of all members of the Council. A resolution ordering any improvements petitioned for by owners of not less than 50% of abutting property owners requires a majority vote of all members of the Council. A resolution ordering any improvements initiated by all owners of abutting property, and assessing the entire cost against their property, may be adopted without a public hearing. The Council may consider the request of a Developer to construct the improvements and assess them.

SECTION 4. PUBLIC IMPROVEMENT PROCEDURE.

The following is the general procedure followed by the City Council for all public improvement projects from initiation of such a project through certification of the assessment roll to the County Auditor. Formats for the various reports and resolutions referenced in this section are made a part of the policies and procedures of the City**. Applicable state law and City Charter provisions take precedence over the following general procedure.**

1. Staff reviews the petition or Developer's request for submission to Council.
2. Council accepts or rejects the petition or request. If based upon a petition, the Council adopts a resolution declaring whether the required percentage of property owners signed the petition. If the petition or request is accepted, Council orders the preparation of a feasibility report.
3. Staff prepares the feasibility report. The report shall preliminarily evaluate whether the proposed improvement is necessary, cost-effective, and feasible and whether it should be made as proposed or in conjunction with another project. The report shall include an estimate of the cost of the improvement as proposed. Council may refer the report to the Planning and Zoning Commission.
4. Council accepts or rejects the feasibility report. If accepted, Council orders a public hearing on the improvements.
5. Staff posts and publishes the hearing notice and mails notices to affected property owners as provided in Minn. Stat. § 429.031(a).
6. Council conducts a public hearing.
7. Within six (6) months of the hearing date, but no sooner than sixty (60) days after per City Charter § 8.4.1, Council adopts or rejects a resolution ordering the improvement to be constructed and advertisement of bids. If adopted, staff prepares final plans, advertises for and opens bids as provided in Minn. Stat. § 429.041, prepares a bid tabulation, makes a recommendation to City Council for award, and prepares a proposed assessment roll. Bonds to finance project costs may be issued at any time after the improvements are ordered.

8. Council reviews the proposed assessment roll and orders an assessment hearing.
9. Staff publishes a hearing notice and mails notice of the hearing date and proposed assessments to the affected property owners as provided in Minn. Stat. § 429.061.
10. Council conducts the assessment hearing and adopts, revises, or rejects the resolution determining the amount of the total expense the City will pay, if any, and establishing the assessment roll. If adopted, Council authorizes certification of the assessment to the County Auditor.
11. Council awards contracts based on the bids received.
12. Staff certifies the assessment roll to the County Auditor.
13. Staff supervises construction and prepares payments.

SECTION 5. FINANCING OF PUBLIC IMPROVEMENTS.

The City encourages public improvement projects when the area benefiting and needing such improvements develop. Examples of this policy can be seen through the subdivision regulations, zoning ordinance, and building codes. Developers are required to provide the needed improvements and services before development occurs, thereby avoiding unexpected hardships on the property owners purchasing such property and the general public. However, it is recognized that certain areas of the City have developed without all needed public improvements (e.g. parks, water, sewer, and street improvements) and that methods must be found to provide these improvements without causing undue hardships on the general public or the individual property owners.

Special assessments are generally accepted as a means by which areas can obtain improvements or services; however, the method of financing assessment is a critical factor to both the City and the property owner. Full project costs spread over a very short term can cause an undue hardship on the property owner and, likewise, city costs and systems costs spread over a long period of time can cause an undue hardship on the City.

It is the policy of the City to not defer assessments except in cases where hardship to senior citizens 65 years of age or older, or persons retired by virtue of a permanent and total disability, would result. Also, the City Council may elect to defer assessments on undeveloped land for a specified length of time or until the lands are developed. Terms and conditions of any such deferral will be established in the resolution adopting the assessments.

SECTION 6. GENERAL ASSESSMENT POLICIES APPLICABLE TO ALL TYPES OF IMPROVEMENTS.

The cost of any improvement shall be assessed based upon benefits received. The following general principles shall be used as a basis of the City's assessment policy:

1. **Project Cost.** The "project cost" of an improvement includes the costs of all necessary construction work required to accomplish the improvement (direct costs), plus engineering, legal, administrative, financing and other contingent costs, including acquisition of right-of-way and other property (indirect costs). The finance charges include all costs of financing the project. These costs include, but are not limited to, financial consultant's fees, bond rating agency fee, bond attorney's fees, and capitalized interest. The interest charged to the project shall be included as financing charges.

2. **City Cost.** The "city cost" of an improvement is the amount of the total improvement expense the City will pay as determined by Council resolution. Where the project cost of an improvement is not entirely attributed to the need for service to the area served by the improvement, or where unusual conditions beyond the control of the owners of the property in the area served by the improvement would result in an inequitable distribution of special assessments, or for any other reason determined by the City, the City, through the use of other funds, may pay such "city cost."
3. **Assessable Cost.** The "assessable cost" of an improvement is equal to the "project cost" minus the "city cost."
4. **Interest.** The City will charge interest on special assessments at a rate specified in the resolution approving the assessment roll. If bonds were sold to finance the improvement project, the interest rate shall be equal to the interest rate of the bonds plus 2% (2% above bond rate), rounded to the nearest quarter of a percent. If no bonds were sold, the interest rate shall be set at the U.S. Treasury rate (10-year for 10 year assessment; 15-Year for 15 year assessment) plus 2 percentage points.
5. **Prepayment.** Property owners may pay their assessments in full, interest free, for a period of 30 days after the assessment hearing. After such period interest shall be computed from the date specified in the assessment resolution. The City will transmit a certified duplicate of the assessment roll with each installment, including interest, to the County Auditor, or in lieu of such certification, annually certify to the County Auditor by November 30 in each year, the total amount of installments of and interest on assessments on each parcel that are to become due in the following year.
6. **Extensions.** Where an improvement is designed for service of an area beyond that receiving the initial benefit, the City may pay for increased project costs due to such provisions for future service extensions. The City will levy assessments to cover this cost when a new improvement is installed as an extension of the existing improvement upon identification of such additional amount in the notice of hearing for the extensions or new improvements. As an alternative, the City may assess these costs to the area of future extension immediately based on the value of benefit received.
7. **Project Assistance.** If the City receives financial assistance from the Federal Government, the State of Minnesota, the County, or from any other source to defray a portion of the costs of a given improvement, such aid will be used first to reduce the "city cost" of the improvement. If the financial assistance received is greater than the "city cost," the remainder of the aid will be placed in the Public Improvement Revolving Fund to be applied towards other City projects.
8. **Assessable Property.** Property owned by the City and other political subdivisions including municipal building sites, parks and playgrounds, but not including public streets, alleys, and right-of-way, shall be regarded as being assessable on the same basis as if such property was privately owned. Private right-of-way shall be assessable.
9. **Individual Benefits.** The City may construct improvements specifically designed for or shown to be of benefit solely to one or more properties. The costs for these improvements will be assessed directly to such properties, and not included in the assessments for the remainder of the project. An example would be utility service lines running from the main lines to the property.
10. **Benefit Appraisals.** In the event that City staff has doubt as to whether the proposed assessments exceed the special benefits to the property(ies) in question, the City Council may order benefit appraisals or benefit appraisal consultations as deemed necessary to support the proposed assessments. As a general rule, benefit appraisals or benefit appraisal consultations may be ordered when the proposed assessment exceeds $5,000 for a standard city street

reconstruction project on a residential lot, or $20,000 per acre for commercial or industrial property.

11. **Condemnation Awards.** A property owner may elect to offset special assessments against condemnation awards. In such case, the property owner must execute an agreement (Net Assessment Agreement) with the City.
12. **Subgrade Corrections.** All costs relative to subgrade soil corrections deemed necessary to construct or reconstruct City streets will be considered a "city cost" and will not be assessed.
13. **Rural to Urban Conversion.** All costs relative to converting an existing rural street section to an urban street section by filling roadside drainage ditches and adding curb and gutter and storm sewer will be considered a "city cost" and will not be assessed.
14. **Oversizing.** All costs relative to oversizing an existing City street by increasing the width of the street and/or the load carrying capacity of the pavement section will be considered a "city cost" and will not be assessed.

SECTION 7. METHODS OF ASSESSMENT.

Subd. 1. General Statement. There are three different methods of assessment: adjusted front footage, area, and per lot. The feasibility report will recommend one or a combination of these methods for each project, based upon which method would best reflect the benefit received for the area to be assessed. The City Council will select the preferred method of calculating the assessments along with other applicable assessment criteria.

Subd. 2. Policy Statement. The following methods of assessment, as described and defined below, are hereby established as the preferred methods of assessment in the City.

A. "Adjusted Front Footage" Method of Assessment.

The "adjusted front footage" method of assessment is based on the quotient of the "assessable cost" divided by the total assessable frontage benefiting from the improvement. This method is typically applied to commercial, industrial, and multi-family residential properties. For the purpose of determining the "assessable frontage," all properties, including those owned by governmental entities, shall have their frontages included in such calculation.

The actual physical dimensions of a parcel abutting an improvement (i.e., street, sewer, water, etc.) shall not be construed as the frontage utilized to calculate the assessment for a particular parcel. Rather, an "adjusted front footage" will be determined. The purpose of this method is to equalize assessment calculations for lots of similar size. Individual parcels by their very nature differ considerably in shape and area. The following procedures will apply when calculating adjusted front footage. The selection of the appropriate procedure will be determined by the specified configuration of the parcel. All measurements will be scaled from available plat and section maps and will be rounded down to the nearest foot dimension with any excess fraction deleted.

1. *Rectangular Interior Lots.* The rectangular lot is defined as having no more than 2 feet of difference between the front and rear lot lines. The adjusted front footage is the actual front footage of the lot. For rectangular lots whose frontage is greater than its depth, the "odd shaped lot" method shall be used.

2. *Odd Shaped Lots.* For odd shaped lots such as exist on cul-de-sacs and curved streets where there is more than 2 feet of difference between the front and rear lot lines, and where the lots frontage is greater than its depth, the "odd shaped lot" method of determining the adjusted front footage shall be used. The adjusted front footage shall be computed by dividing the area of the lot by 12,000 square feet to determine the equivalent number of front footage units in the parcel. The number of units multiplied by 65 feet will give the adjusted front footage.

3. *Corner Lot Adjustment.* For street and trail assessments, the short side will be assessed the actual front footage. The long side will be assessed one-half the actual side footage. Sanitary sewer and watermain will only be assessed on the short side of a corner lot.

4. *Zonal Assessment.* When the street along the long side of a corner lot is improved, the cost shall be assessed equally to all lots within ½ block in each direction of the street improved. This method may be selected rather than the "corner lot adjustment".

5. *Double Fronting Lots.* When a lot has frontage on two streets, the lot is subject to assessments for improvements to both streets, consistent with this policy, regardless of the timing of the improvements.

B. "Area" Method of Assessment.

The "area" method of assessment is based on the number of square feet or acres within the boundaries of the appropriate property lines of the parcels benefiting from the project. This method is most often applied to commercial and industrial lots. The assessment rate (i.e., cost per square foot) shall be calculated by dividing the total assessable cost by the total assessable area. On large lots, the City Engineer may determine that only a portion of the lots receives the benefit and may select a lot depth for the calculations equal to the benefit received.

All properties included in the benefited area, including those owned by governmental entities, churches, etc., shall be assessable. The following items may not be included in area calculations: public right-of-ways, and natural waterways, swamps and lakes and other wetlands designated by the Minnesota Department of Natural Resources or the City. The City Engineer will make a recommendation on the boundaries or parameters of the benefited area in the feasibility report.

C. "Per Lot" Method of Assessment.

The "per lot" method of assessment is based on equal assessment of all lots within the benefited area. This method is typically applied to single-family residential lots with similar sizes and configurations. The "assessment per lot" shall be the quotient of the "assessable cost" divided by the total assessable lots or parcels benefiting from the improvement. For the purpose of determining the "lots" or "parcels" all parcels, including those owned by governmental entities, shall be included in such calculations.

SECTION 8. STANDARDS FOR PUBLIC IMPROVEMENT PROJECTS.

The following standards are hereby established by the City to provide a uniform guide for improvements within the City.

A. Surface Improvements

Surface improvements shall normally include all improvements visible on or above the ground within the right-of-way, and include, but are not limited to, trees, lighting, sidewalks, trails, signing, street and accessory improvements such as drainage ponds and facilities, parking lots, parks and playgrounds. Surface improvements shall also normally include aggregate or granular base materials for bituminous and concrete pavements.

Policy Statement. Prior to construction or completion of surface improvements, all utilities and utility service lines (including sanitary sewers, storm sewers, water lines, gas and electric service) shall be installed to all planned service locations such as residences or buildings.

When practicable, no surface improvements to less than both sides of a full block of street shall be approved except as necessary to complete partially completed improvements initiated previously. Concrete or bituminous curbing, or concrete curb and gutter, shall be installed at the same time as street surfacing.

B. Sub-Surface Improvements

Sub-surface improvements shall normally include such items as water distribution, sanitary sewer and storm sewer lines and appurtenant infrastructure, and electric and gas utilities.

Main lines are the publicly owned and maintained lines or facilities such as trunk lines, interceptors, mains, and laterals. Service lines are those privately owned lines or facilities extending from the main line to the property line.

Policy Statement. Sub-surface improvements shall be made to serve current and projected land use. All installations shall conform to applicable standards established by local, state and/or federal agencies of competent jurisdiction. All installations shall also comply, to the maximum extent feasible, with nationally recognized standards such as those of the American Insurance Association.

Service lines from the lateral or trunk utility to the property line of all planned service locations such as residences or buildings on properties whose owner has requested service shall be installed in conjunction with the construction of the mains.

C. Subgrade Improvements

Subgrade improvements shall normally include such items as subgrade corrections (removing layers/pockets of unsuitable soils and replacing them with aggregate base, select granular material, or other more suitable soils) and installation of geotextile fabrics.

Policy Statement. Prior to construction or completion of subgrade improvements, all utilities and utility service lines (including sanitary sewers, storm sewers, water lines, gas and electric service) shall be installed to all planned service locations such as residences or buildings.

SECTION 9. POLICIES OF REASSESSMENT.

The City shall design public improvements to last for a definite period. The life expectancy or service life shall be as stated in the policy statement of this section, or if different, shall be as stated in the resolution ordering improvement and preparation of plans.

Policy Statement

The following are the "life expectancies" or "service lives" of public improvements except as may be otherwise stated in the resolution ordering improvement and preparation of plans.

1. Sidewalks and Trails – 30 years.
2. Street improvements, including surfacing and curb and gutter – 60 years.
3. Ornamental street lighting – 30 years.
4. Water Mains – 60 years.
5. Sanitary Sewers – 60 years.
6. Storm Sewers – 60 years.

SECTION 10. ASSESSMENT COMPUTATIONS.

The following is the typical city assessment for various specified improvements. The City Council reserves the right to vary from the following computations when conditions warrant. All computations are subject to the criteria set forth in Section 1.

A. Street and Curb and Gutter Improvements

1. ***New Construction.*** New streets are assessed 100% to the abutting benefited properties. Street and curb and gutter improvements will normally be assessed by the adjusted front footage method for commercial, industrial and multi-family residential properties, or by the per lot method for single-family residential properties, however other methods including the area method may be utilized if conditions warrant. Cost of construction of streets shall be assessed based on the minimum design of 7-ton axle load in residential areas and 9-ton axle load in commercial and industrial areas. Oversizing costs that are incurred in excess of the above may be paid by: (1) State funds, (2) larger assessment rates to other benefited properties, (3) general obligation funds, or (4) any other method or combination of methods authorized by the City Council.
2. ***Reconstruction and Overlays.*** Street reconstructions and overlays, including the associated removal and replacement of curb and gutter, are assessed 25% to the abutting benefited properties or as otherwise determined by Council ordered benefit appraisals.
3. ***Gravel Streets.*** Upgrading existing gravel streets by adding pavement, curb and gutter, and storm sewer are assessed 50% to the abutting benefited properties or as otherwise determined by Council ordered benefit appraisals.
4. ***Seal Coats.*** Sealcoats are not assessed.
5. ***Alleys.*** Upgrading existing gravel alleys by adding pavement is assessed 50% to all lots abutting on the alley in the block being improved or as otherwise determined by Council ordered benefit appraisals. Reconstructing existing paved alleys is 25% assessed to all lots abutting on the alley or as otherwise determined by Council ordered benefit appraisals.

B. Sidewalks and Trails

1. ***New Construction.*** New sidewalks and trails are not assessed to the abutting property on which the sidewalk is located, but rather are funded 100% by the City. In new subdivisions, the City will require the developer to finance sidewalk and trail improvements rather than assessing the cost.
2. ***Reconstruction.*** Replacement sidewalks are assessed 25% to the abutting property owner and 75% City funded.

C. Storm Sewer Improvements

Storm sewers are assessed on a project-by-project basis. Storm sewers in new subdivisions are considered an assessable improvement on an area basis.

Oversizing costs due to larger mains and larger appurtenances are paid for by a combination of availability charges, user charges and/or trunk area assessment charges. Trunk area storm sewer charges are levied to all unplatted property at the time of platting, to re-plats that have not been charged trunk area charges when the land was originally platted, and to re-plats that have been charged trunk area charges when the land was originally platted but where the use is increasing (only the cost difference based on current and prior use is charged). The charges will be set in the annual fee schedule approved by the City Council.

Normally, storm sewers are assessed on an area basis (square foot or acres), but in certain situations the per lot method or adjusted front footage method may be utilized at the City Council's discretion.

The replacement of existing storm sewers is paid for entirely through the Stormwater Utility Fund.

D. Sanitary Sewer Assessments

Assessments for sanitary sewer in residential areas are based upon the cost of construction of 8-inch mains, which is the smallest size installed in residential areas of the City. Assessments for sanitary sewers in commercial and industrial areas are based upon a standard size of 12-inch mains. Sanitary sewer assessments must conform to Chapter 8 of the City Charter.

Oversizing costs due to larger mains and larger appurtenances will be paid for by a combination of availability charges, user charges and/or trunk area assessment charges. Trunk area sanitary sewer charges shall be levied on all un-platted property at the time of platting and on re-plats that have not been charged trunk area charges when the land was originally platted. The charges will be set in the annual fee schedule approved by the City Council. Services installed to individual properties are assessed to the benefiting property as allowed under Chapter 8 of the City Charter.

Normally, sanitary sewers are assessed on an area basis (square foot or acres), but in certain situations the per lot method or adjusted front footage method may be utilized at the City Council's discretion.

Lateral benefit from major trunk sewers or interceptors is assessed to the properties benefited by the sewer. Any oversizing cost is assessed as described above.

The replacement of existing sewers is funded entirely by the City through the sewer enterprise funds.

Individual sanitary sewer service lines installed directly to specified properties are fully assessed directly to the benefited properties. Properties that have existing private sanitary services, but do not have mainline sewers adjacent to, across or abutting their property lines pay 0% of the assessment rate for the new mainline sanitary sewer, and 100% of the cost associated with replacing the service lines.

Any existing sanitary sewer service lines found to be defective as part of a project are replaced as part of the project and are assessed to the benefiting property as allowed under Chapter 8 of the City Charter.

Property owners electing to connect to City sewer during street reconstruction projects will receive a credit to offset those costs that would have been incurred by the City to reconstruct the street and boulevard after connecting to City sewer if the street were not being reconstructed. The amount of the credit will be set in the annual fee schedule approved by the City Council. Connecting to City sewer requires a City water connection.

E. Watermain Assessments

Assessments for watermains in residential areas are based upon the cost of construction of 8-inch mains, which is the smallest size installed in residential areas of the City. Assessments for watermains in commercial and industrial areas are based upon the standard size of 12-inch mains. Watermain assessments must conform to Chapter 8 of the City Charter.

Oversizing costs due to larger mains and larger appurtenances are paid for by a combination of availability charges, user charges and/or trunk area assessment charges. Trunk area water charges shall be levied on all un-platted property at the time of platting and on re-plats that have not been charged trunk area charges when the land was originally platted. The charges will be set in the annual fee schedule approved by the City Council. Services installed to individual properties shall be fully assessed to the benefiting property.

Normally, watermains are assessed on a per lot basis, but in certain situations the area or adjusted front footage method may be utilized at the City Council's discretion.

The replacement of existing watermains is funded entirely by the City through the water enterprise funds.

Lateral benefit from major trunk watermains is assessed to properties benefited by the watermain. Lateral watermain assessments are based on the costs for an equivalent 8-inch diameter watermain for residential properties and for an equivalent 12-inch diameter watermain for commercial/industrial properties.

Individual water service lines installed directly to specified properties are fully assessed directly to the benefited properties. Properties that have existing private water services, but do not have

mainline watermains adjacent to, across or abutting their property lines pay 0% of the assessment rate for the new watermain but 100% of the cost associated with replacing their service lines.

Any existing water service lines found to be defective as part of the project, are replaced as part of the project and are assessed directly to the benefiting property as allowed under Chapter 8 of the City Charter.

Property owners electing to connect to City water during street reconstruction projects will receive a credit to offset those costs that would have been incurred by the City to reconstruct the street and boulevard after connecting to City water if the street were not being reconstructed. The amount of the credit will be set in the annual fee schedule approved by the City Council.

F. Street Boulevard Trees

All street boulevard trees installed as part of new street constructions or in reconstructing existing streets shall be included as part of the overall project costs included in the assessment calculations.

G. Street Lights

All costs for new streetlights installed as part of constructing new streets or streetlights relocated as part of reconstructing streets are included in the overall project costs and included in the assessment calculations, unless otherwise directed by the City Council. In new subdivisions, the City will require the developer to finance street light improvements rather than assessing the cost.

H. Other Improvements

Based on the City Council's determination, any other eligible improvements may be fully assessed or assessed in part.

SECTION 11. DEFERMENT OF SPECIAL ASSESSMENTS.

Subd. 1. The Council may defer the payment of any special assessment on homestead property owned by a person who is 65 years of age or older, or who is retired by virtue of permanent and total disability, and the City Clerk is hereby authorized to record the deferment of special assessments where all of the following conditions are met:

1. The applicant must apply for the deferment not later than 90 days after the assessment is adopted by the City Council.
2. The applicant must be 65 years of age or older or retired by virtue of permanent and total disability at the time the assessment is adopted.
3. The applicant must be the owner of the property.
4. The applicant must occupy the property as his or her principal place of residence.
5. The average annual payment for assessments levied against the subject property exceed one percent of the adjusted gross income of the applicant as evidenced by the applicant's most recent federal income tax return. The average annual payment of an assessment shall be the total cost of the assessment divided by the number of years over which it is spread.

Subd. 2. The deferment shall be granted for as long a period of time as the hardship exists and the conditions in subdivision 1 remain true. It shall be the duty of the applicant to notify the City Clerk of any change in his or her status that would affect eligibility for deferment.

Subd. 3. The entire amount of deferred special assessments shall be due within sixty days after loss of eligibility by the applicant. If the special assessment is not paid within the sixty (60) days, the City Clerk shall add thereto interest accruing from the first date the applicant loses eligibility at the rate as defined in section 6.4 and the total amount of principal and interest shall be certified to the County Auditor for collection with taxes the following year. Should the applicant demonstrate to the satisfaction of the Council, that full repayment of the deferred special assessment would cause the applicant particular undue financial hardship, the Council may order that the applicant pay within sixty days a sum equal to the number of installments of deferred special assessments outstanding and unpaid to date, including principal and interest, with the balance thereafter paid according to the terms and conditions of the original special assessments.

Subd. 4. The option to defer the payment of special assessments shall terminate and all amounts accumulated plus applicable interest shall become due upon the occurrence of any one of the following:

1. The death of the owner when there is no spouse who is eligible for deferment.
2. The sale, transfer or subdivision of all or any part of the property.
3. Loss of homestead status on the property.
4. Determination by the Council for any reason that immediate or partial payment would impose no hardship.

State Law References(s): Minn. Stat. § 435.193, Senior Citizens or retired & disabled persons hardship special assessment deferral.

*Original Adoption: 12/9/14 by Resolution #14-12-250
*Amended: 1/13/15 by Resolution #15-01-016 – *Section 6 - #4 Interest to reflect interest rate on bonded projects*

CHAPTER 429

LOCAL IMPROVEMENTS, SPECIAL ASSESSMENTS

429.011 DEFINITIONS.
429.021 LOCAL IMPROVEMENTS, COUNCIL POWERS.
429.031 PRELIMINARY PLANS, HEARINGS.
429.035 IMPROVEMENTS, PETITION.
429.036 APPEAL FROM DETERMINATION OF LEGALITY OF PETITION.
429.041 COUNCIL PROCEDURE.
429.051 APPORTIONMENT OF COST.
429.052 STREET OR ROAD IMPROVEMENTS OUTSIDE MUNICIPAL BOUNDARIES.
429.061 ASSESSMENT PROCEDURE.
429.071 SUPPLEMENTAL ASSESSMENTS; REASSESSMENT.
429.081 APPEAL TO DISTRICT COURT.
429.091 FINANCING.
429.101 UNPAID SPECIAL CHARGES MAY BE SPECIAL ASSESSMENTS.
429.111 CHARTER PROVISIONS, EFFECT.

429.01 [Repealed, 1953 c 398 s 13 subd 1]

429.011 DEFINITIONS.

Subdivision 1. **Application.** For the purpose of this chapter the terms defined in this section shall have the meanings ascribed to them.

Subd. 2. **Municipality; certain cities and towns.** "Municipality" means any city of the second, third, or fourth class however organized, or any statutory city or any town as defined in section 368.01.

Subd. 2a. **Municipality; certain counties.** "Municipality" also includes the following:

(1) a county in the case of construction, reconstruction, or improvement of a county state-aid highway;

(2) a county in the case of construction, reconstruction, or improvement of a county highway as defined in section 160.02 including curbs and gutters and storm sewers;

(3) a county exercising its powers and duties under section 444.075, subdivision 1;

(4) a county for expenses not paid for under section 403.113, subdivision 3, paragraph (b), clause (3);

(5) a county in the case of the abatement of nuisances; and

(6) a county operating an energy improvements financing program under section 216C.436.

Subd. 2b. **Municipality; certain towns.** "Municipality" also includes any town not having the powers granted herein pursuant to any other law in the case of construction, reconstruction or improvement of a town road including curbs and gutters and storm sewers and in the case of those improvements designated in section 429.021, subdivision 1, clauses (1), (2), (4), (5), (6), (7), (8), and (10).

Subd. 3. **Council.** "Council" means the body of the city having general legislative powers, the town board of the town, or the county board of a county.

Subd. 4. **Clerk.** "Clerk" means the chief clerical officer of the municipality.

Subd. 5. **Improvement.** "Improvement" means any type of improvement made under authority granted by section 429.021, and in the case of a county is limited to the construction, reconstruction, or improvement of a county state-aid highway or county highway including curbs and gutters and storm sewers, and to the purchase, installation, or maintenance of signs, posts, and markers for addressing related to the operation of enhanced 911 telephone service.

Copyright © 2017 by the Revisor of Statutes, State of Minnesota. All Rights Reserved.

Subd. 6. **Newspaper.** "Newspaper" means the official newspaper of the municipality, or if there is no official newspaper, a legal newspaper of general circulation in the municipality.

Subd. 7. **Street.** "Street" means any street, alley, or other public way, or any part thereof.

Subd. 8. **Utilities commission.** "Utilities commission" means the municipal board or commission, other than the council, which exercises any authority or control over the operation of any municipally owned public utility.

Subd. 9. **Pedestrian skyway system.** "Pedestrian skyway system" means any system of providing for pedestrian traffic circulation, mechanical or otherwise, elevated above ground, within and without the public right-of-way, and through or above private property and buildings, and includes overpasses, bridges, passageways, walkways, concourses, hallways, corridors, arcades, courts, plazas, elevators, escalators, heated canopies, and accesses and all fixtures, furniture, equipment, facilities, services, and appurtenances which in the judgment of the council will enhance the movement, safety, security, convenience and enjoyment of pedestrians and benefit the city and adjoining properties.

Subd. 10. **Underground pedestrian concourse.** "Underground pedestrian concourse" means any system of providing for pedestrian traffic circulation, mechanical or otherwise, below ground, within and without the public right-of-way, and through or below private property, and includes tunnels, passageways, walkways, concourses, hallways, corridors, arcades, plazas, elevators, escalators, heated canopies, and accesses and all fixtures, furniture, equipment, facilities, and appurtenances which in the judgment of the council will enhance the movement, safety, security, convenience and enjoyment of pedestrians and benefit the city and adjoining properties.

Subd. 11. **Special lighting system.** "Special lighting system" means lights or light displays of any type located within or without the public right-of-way.

Subd. 12. **Acquire.** "Acquire" includes, but is not limited to, the obtaining by purchase, condemnation, or leasing rights or interests in the areas above or below the surface of the ground of real property or structures or improvements thereon.

Subd. 13. **Public mall, plaza, or courtyard.** "Public mall, plaza, or courtyard" means any wholly or partly opened or enclosed public area adjacent to or attached to a wall, fence, commercial structure, hotel, or any other building and designed as a place for passive recreation, public entertainment, exhibition and education, or a pedestrian walk.

Subd. 14. **Fire protection system.** "Fire protection system" means pipes, standpipes, sprinklers, control systems and other devices and equipment installed in or outside a building for the primary purpose of eliminating or reducing the spread of fire in the building or providing for safe evacuation of the building, whether the devices and equipment are publicly or privately owned.

Subd. 15. **Highway sound barriers.** "Highway sound barriers" means sound abatement walls erected along highways to reduce noise levels attributable to vehicular traffic.

Subd. 16. **On-site water contaminant improvements.** "On-site water contaminant improvements" means pipes, wells, and other devices and equipment installed in or outside a building for the primary purpose of eliminating water contamination caused by lead or other toxic or health threatening substances in the water, whether the improvements so installed are publicly or privately owned.

History: *1953 c 398 s 1; 1961 c 338 s 1; 1969 c 741 s 1-3; 1971 c 617 s 1-4; 1973 c 123 art 5 s 7; 1973 c 636 s 1; 1973 c 702 s 22; 1974 c 233 s 1; 1976 c 147 s 1; 1978 c 634 s 1,2; 1979 c 330 s 1; 1983 c 9 s 1;*

Copyright © 2017 by the Revisor of Statutes, State of Minnesota. All Rights Reserved.

1984 c 478 s 1; 1984 c 591 s 1; 1986 c 315 s 1; 1987 c 138 s 1; 1988 c 564 s 1; 1994 c 614 s 5; 2000 c 490 art 5 s 29,30; 2009 c 88 art 2 s 31; 2010 c 389 art 7 s 4

429.02 [Repealed, 1953 c 398 s 13 subd 1]

429.021 LOCAL IMPROVEMENTS, COUNCIL POWERS.

Subdivision 1. **Improvements authorized.** The council of a municipality shall have power to make the following improvements:

(1) To acquire, open, and widen any street, and to improve the same by constructing, reconstructing, and maintaining sidewalks, pavement, gutters, curbs, and vehicle parking strips of any material, or by grading, graveling, oiling, or otherwise improving the same, including the beautification thereof and including storm sewers or other street drainage and connections from sewer, water, or similar mains to curb lines.

(2) To acquire, develop, construct, reconstruct, extend, and maintain storm and sanitary sewers and systems, including outlets, holding areas and ponds, treatment plants, pumps, lift stations, service connections, and other appurtenances of a sewer system, within and without the corporate limits.

(3) To construct, reconstruct, extend, and maintain steam heating mains.

(4) To install, replace, extend, and maintain street lights and street lighting systems and special lighting systems.

(5) To acquire, improve, construct, reconstruct, extend, and maintain water works systems, including mains, valves, hydrants, service connections, wells, pumps, reservoirs, tanks, treatment plants, and other appurtenances of a water works system, within and without the corporate limits.

(6) To acquire, improve and equip parks, open space areas, playgrounds, and recreational facilities within or without the corporate limits.

(7) To plant trees on streets and provide for their trimming, care, and removal.

(8) To abate nuisances and to drain swamps, marshes, and ponds on public or private property and to fill the same.

(9) To construct, reconstruct, extend, and maintain dikes and other flood control works.

(10) To construct, reconstruct, extend, and maintain retaining walls and area walls.

(11) To acquire, construct, reconstruct, improve, alter, extend, operate, maintain, and promote a pedestrian skyway system. Such improvement may be made upon a petition pursuant to section 429.031, subdivision 3.

(12) To acquire, construct, reconstruct, extend, operate, maintain, and promote underground pedestrian concourses.

(13) To acquire, construct, improve, alter, extend, operate, maintain, and promote public malls, plazas or courtyards.

(14) To construct, reconstruct, extend, and maintain district heating systems.

(15) To construct, reconstruct, alter, extend, operate, maintain, and promote fire protection systems in existing buildings, but only upon a petition pursuant to section 429.031, subdivision 3.

Copyright © 2017 by the Revisor of Statutes, State of Minnesota. All Rights Reserved.

(16) To acquire, construct, reconstruct, improve, alter, extend, and maintain highway sound barriers.

(17) To improve, construct, reconstruct, extend, and maintain gas and electric distribution facilities owned by a municipal gas or electric utility.

(18) To purchase, install, and maintain signs, posts, and other markers for addressing related to the operation of enhanced 911 telephone service.

(19) To improve, construct, extend, and maintain facilities for Internet access and other communications purposes, if the council finds that:

(i) the facilities are necessary to make available Internet access or other communications services that are not and will not be available through other providers or the private market in the reasonably foreseeable future; and

(ii) the service to be provided by the facilities will not compete with service provided by private entities.

(20) To assess affected property owners for all or a portion of the costs agreed to with an electric utility, telecommunications carrier, or cable system operator to bury or alter a new or existing distribution system within the public right-of-way that exceeds the utility's design and construction standards, or those set by law, tariff, or franchise, but only upon petition under section 429.031, subdivision 3.

(21) To assess affected property owners for repayment of voluntary energy improvement financings under section 216C.436, subdivision 7.

Subd. 2. **Combining improvements.** An improvement on two or more streets or two or more types of improvement in or on the same street or streets or different streets may be included in one proceeding and conducted as one improvement.

Subd. 3. **Relation to charter and other laws.** When any portion of the cost of an improvement is defrayed by special assessments, the procedure prescribed in this chapter shall be followed unless the council determines to proceed under charter provisions; but this chapter does not prescribe the procedure to be followed by a municipality in making improvements financed without the use of special assessments.

If the council determines to proceed under charter provisions for special assessments, such provisions shall be deemed to include a requirement that notices of proposed assessments inform property owners of the procedures they must follow under the charter in order to appeal the assessments to district court. The notices shall also inform property owners of the provisions of sections 435.193 to 435.195 and the existence of any deferment procedure established pursuant thereto in the municipality.

Charter provisions shall also be deemed to require that when the council determines to make any improvement, it shall let the contract for all or part of the work, or order all or part of the work done by day labor or otherwise as may be authorized by the charter, no later than one year after the adoption of the resolution ordering such improvement, unless a different time limit is specifically stated in the resolution ordering the improvement.

History: *1953 c 398 s 2; 1965 c 877 s 1; 1971 c 617 s 5; 1973 c 201 s 1; 1974 c 233 s 2; 1974 c 314 s 1; 1976 c 195 s 1; 1978 c 518 s 1; 1979 c 330 s 2; 1981 c 334 s 5; 1984 c 548 s 4; 1984 c 582 s 3; 1984 c 591 s 2; 1984 c 633 s 2; 1987 c 138 s 2; 1997 c 219 s 5; 2000 c 490 art 5 s 31; 2000 c 493 s 5; 2005 c 67 s 1; 2010 c 216 s 21*

429.03 [Repealed, 1953 c 398 s 13 subd 1]

Copyright © 2017 by the Revisor of Statutes, State of Minnesota. All Rights Reserved.

429.031 PRELIMINARY PLANS, HEARINGS.

Subdivision 1. **Preparation of plans, notice of hearing.** (a) Before the municipality awards a contract for an improvement or orders it made by day labor, or before the municipality may assess any portion of the cost of an improvement to be made under a cooperative agreement with the state or another political subdivision for sharing the cost of making the improvement, the council shall hold a public hearing on the proposed improvement following two publications in the newspaper of a notice stating the time and place of the hearing, the general nature of the improvement, the estimated cost, and the area proposed to be assessed. The two publications must be a week apart, and the hearing must be at least three days after the second publication. Not less than ten days before the hearing, notice of the hearing must also be mailed to the owner of each parcel within the area proposed to be assessed and must contain a statement that a reasonable estimate of the impact of the assessment will be available at the hearing, but failure to give mailed notice or any defects in the notice does not invalidate the proceedings. For the purpose of giving mailed notice, owners are those shown as owners on the records of the county auditor or, in any county where tax statements are mailed by the county treasurer, on the records of the county treasurer; but other appropriate records may be used for this purpose. For properties that are tax exempt or subject to taxation on a gross earnings basis and are not listed on the records of the county auditor or the county treasurer, the owners may be ascertained by any practicable means, and mailed notice must be given them as provided in this subdivision.

(b) Before the adoption of a resolution ordering the improvement, the council shall secure from the city engineer or some other competent person of its selection a report advising it in a preliminary way as to whether the proposed improvement is necessary, cost-effective, and feasible and as to whether it should best be made as proposed or in connection with some other improvement. The report must also include the estimated cost of the improvement as recommended. A reasonable estimate of the total amount to be assessed, and a description of the methodology used to calculate individual assessments for affected parcels, must be available at the hearing. No error or omission in the report invalidates the proceeding unless it materially prejudices the interests of an owner.

(c) If the report is not prepared by an employee of a municipality, the compensation for preparing the report under this subdivision must be based on the following factors:

(1) the time and labor required;

(2) the experience and knowledge of the preparer;

(3) the complexity and novelty of the problems involved; and

(4) the extent of the responsibilities assumed.

(d) The compensation must not be based primarily on a percentage of the estimated cost of the improvement.

(e) The council may also take other steps prior to the hearing, including, among other things, the preparation of plans and specifications and the advertisement for bids that will in its judgment provide helpful information in determining the desirability and feasibility of the improvement.

(f) The hearing may be adjourned from time to time, and a resolution ordering the improvement may be adopted at any time within six months after the date of the hearing by vote of a majority of all members of the council when the improvement has been petitioned for by the owners of not less than 35 percent in frontage of the real property abutting on the streets named in the petition as the location of the improvement. When there has been no such petition, the resolution may be adopted only by vote of four-fifths of all members of the council; provided that if the mayor of the municipality is a member of the council but has

Copyright © 2017 by the Revisor of Statutes, State of Minnesota. All Rights Reserved.

no vote or votes only in case of a tie, the mayor is not deemed to be a member for the purpose of determining a four-fifths majority vote.

(g) The resolution ordering the improvement may reduce, but not increase, the extent of the improvement as stated in the notice of hearing.

Subd. 2. **Approval by park board or utilities commission.** A resolution ordering a park improvement may be adopted only by a four-fifths vote of the council and shall also be approved by the park board, if there is one; provided, that if the mayor of the municipality is a member of the council but has no vote or votes only in case of a tie, the mayor shall not be deemed to be a member for the purpose of determining such four-fifths majority vote. A resolution ordering an improvement of the water, sewer, steam heating, street lighting or other facility over which a utilities commission has jurisdiction shall also be approved by the utilities commission.

Subd. 3. **Petition by all owners.** Whenever all owners of real property abutting upon any street named as the location of any improvement shall petition the council to construct the improvement and to assess the entire cost against their property, the council may, without a public hearing, adopt a resolution determining such fact and ordering the improvement. The validity of the resolution shall not be questioned by any taxpayer or property owner or the municipality unless an action for that purpose is commenced within 30 days after adoption of the resolution as provided in section 429.036. Nothing herein prevents any property owner from questioning the amount or validity of the special assessment against the owner's property pursuant to section 429.081. In the case of a petition for the municipality to own and install a fire protection system, a pedestrian skyway system, or on-site water contaminant improvements, the petition must contain or be accompanied by an undertaking satisfactory to the city by the petitioner that the petitioner will grant the municipality the necessary property interest in the building to permit the city to enter upon the property and the building to construct, maintain, and operate the fire protection system, pedestrian skyway system, or on-site water contaminant improvements. In the case of a petition for the installation of a privately owned fire protection system, a privately owned pedestrian skyway system, or privately owned on-site water contaminant improvements, the petition shall contain the plans and specifications for the improvement, the estimated cost of the improvement and a statement indicating whether the city or the owner will contract for the construction of the improvement. If the owner is contracting for the construction of the improvement, the city shall not approve the petition until it has reviewed and approved the plans, specifications, and cost estimates contained in the petition. The construction cost financed under section 429.091 shall not exceed the amount of the cost estimate contained in the petition. In the case of a petition for the installation of a fire protection system, a pedestrian skyway system, or on-site water contaminant improvements, the petitioner may request abandonment of the improvement at any time after it has been ordered pursuant to subdivision 1 and before contracts have been awarded for the construction of the improvement under section 429.041, subdivision 2. If such a request is received, the city council shall abandon the proceedings but in such case the petitioner shall reimburse the city for any and all expenses incurred by the city in connection with the improvement.

History: *1953 c 398 s 3; 1955 c 811 s 1; 1957 c 430 s 1; 1961 c 525 s 1,2; 1963 c 771 s 1; 1965 c 877 s 2; 1967 c 57 s 1,2; 1973 c 123 art 5 s 7; 1984 c 548 s 5; 1984 c 582 s 4; 1984 c 591 s 3; 1984 c 633 s 3; 1986 c 444; 1994 c 614 s 6; 1996 c 402 s 1; 2000 c 490 art 5 s 32*

429.035 IMPROVEMENTS, PETITION.

When any petition for the making of any improvement in any statutory city, town, or city of the second, third, or fourth class, however organized, for the cost of which special assessments may be, in whole or in part, levied therefor, is presented to the governing body of the municipality, this body shall, by resolution,

Copyright © 2017 by the Revisor of Statutes, State of Minnesota. All Rights Reserved.

determine whether or not the petition has been signed by the required percentage of owners of property affected thereby.

History: *(1918-33) 1927 c 311 s 1; 1953 c 398 s 12; 1961 c 338 s 2; 1973 c 123 art 5 s 7*

429.036 APPEAL FROM DETERMINATION OF LEGALITY OF PETITION.

Any person, being aggrieved by this determination, may appeal to the district court of the county in which the property is located by serving upon the clerk of the municipality, within 30 days after the adoption and publication of the resolution, a notice of appeal briefly stating the grounds of appeal and giving a bond in the penal sum of $250, in which the municipality shall be named as obligee, to be approved by the clerk of the municipality, conditioned that the appellant will duly prosecute the appeal, pay all costs and disbursements which may be adjudged against the appellant, and abide by the order of the court. The clerk shall furnish the appellant a certified copy of the petition, or any part thereof, on being paid by appellant of the proper charges therefor. The appeal shall be placed upon the calendar of the next general term commencing more than 30 days after the date of serving the notice and filing the bond and shall be tried as are other appeals in such cases. Unless reversed upon the appeal, the determination of the governing body as to the sufficiency of the petition shall be final and conclusive.

History: *(1918-34) 1927 c 311 s 2; 1986 c 444*

429.04 [Repealed, 1953 c 398 s 13]

429.041 COUNCIL PROCEDURE.

Subdivision 1. **Plans and specifications, advertisement for bids.** When the council determines to make any improvement, it shall let the contract for all or part of the work, or order all or part of the work done by day labor or otherwise as authorized by subdivision 2, no later than one year after the adoption of the resolution ordering such improvement, unless a different time limit is specifically stated in the resolution ordering the improvement. The council shall cause plans and specifications of the improvement to be made, or if previously made, to be modified, if necessary, and to be approved and filed with the clerk, and if the estimated cost exceeds the amount in section 471.345, subdivision 3, shall advertise for bids for the improvement in the newspaper or recognized industry trade journal as defined in section 331A.01, subdivision 11, and for such length of time as it may deem advisable. If the estimated cost exceeds twice the amount in section 471.345, subdivision 3, publication shall be made no less than three weeks before the last day for submission of bids once in the newspaper and at least once in either a newspaper published in a city of the first class or a recognized industry trade journal. The advertisement shall specify the work to be done, shall state the time when the bids will be publicly opened for consideration by the council, which shall be not less than ten days after the first publication of the advertisement when the estimated cost is less than twice the amount in section 471.345, subdivision 3, and not less than three weeks after such publication in other cases, and shall state that no bids will be considered unless sealed and filed with the clerk and accompanied by a cash deposit, cashier's check, bid bond, or certified check payable to the clerk, for such percentage of the amount of the bid as the council may specify. In providing for the advertisement for bids the council may direct that the bids shall be opened publicly by two or more designated officers or agents of the municipality and tabulated in advance of the meeting at which they are to be considered by the council. Nothing herein shall prevent the council from advertising separately for various portions of the work involved in an improvement, or from itself, supplying by such means as may be otherwise authorized by law, all or any part of the materials, supplies, or equipment to be used in the improvement or from combining two or more improvements in a single set of plans and specifications or a single contract.

Copyright © 2017 by the Revisor of Statutes, State of Minnesota. All Rights Reserved.

Subd. 2. **Contracts; day labor.** In contracting for an improvement, the council shall require the execution of one or more written contracts and bonds, conditioned as required by law. The council shall award the contract to the lowest responsible bidder or it may reject all bids. If any bidder to whom a contract is awarded fails to enter promptly into a written contract and to furnish the required bond, the defaulting bidder shall forfeit to the municipality the amount of the defaulter's cash deposit, cashier's check, bid bond, or certified check, and the council may thereupon award the contract to the next lowest responsible bidder. When it appears to the council that the cost of the entire work projected will be less than the amount in section 471.345, subdivision 3, or whenever no bid is submitted after proper advertisement or the only bids submitted are higher than the engineer's estimate, the council may advertise for new bids or, without advertising for bids, directly purchase the materials for the work and do it by the employment of day labor or in any other manner the council considers proper. The council may have the work supervised by the city engineer or other qualified person but shall have the work supervised by a registered engineer if done by day labor and it appears to the council that the entire cost of all work and materials for the improvement will be more than the lowest amount in section 471.345, subdivision 4. In case of improper construction or unreasonable delay in the prosecution of the work by the contractor, the council may order and cause the suspension of the work at any time and relet the contract, or order a reconstruction of any portion of the work improperly done, and where the cost of completion or reconstruction necessary will be less than the amount in section 471.345, subdivision 3, the council may do it by the employment of day labor.

Subd. 2a. **Best value alternative.** As an alternative to the procurement method described in subdivision 2, the council may issue a request for proposals and award the contract to the vendor or contractor offering the best value as described in section 16C.28, subdivision 1, paragraph (a), clause (2), and paragraph (c).

Subd. 3. **Day labor; detailed report.** When the council has performed construction work by day labor, it shall cause a detailed report to be filed with the clerk and certified by the registered engineer or other person in charge, if there is no registered engineer. The report shall show:

(a) the complete cost of the construction;

(b) final quantities of the various units of work done;

(c) materials furnished for the project and the cost of each item thereof;

(d) cost of labor, cost of equipment hired, and supervisory costs.

The report shall have attached a certificate by the registered engineer or other person in charge that the work was done according to the plans and specifications, or, if there were any deviations from them, an itemized statement of those deviations.

Subd. 4. **Alternate procedure on street improvements.** As to any improvement or improvements consisting of grading, graveling, or bituminous surfacing of streets and alleys, the council may proceed in the manner provided in this chapter, except that it may

(1) order the work done by day labor, regardless of the estimated cost of such improvement or improvements,

(2) use municipal equipment or hire equipment and purchase materials for all such improvements to be done by day labor in any 12-month period by advertising once therefor, such advertisement to call for bids for the furnishing of equipment, if the municipality does not use its own equipment, and for materials at unit prices based on the quantities which the council estimates will be required, and

Copyright © 2017 by the Revisor of Statutes, State of Minnesota. All Rights Reserved.

(3) contract at one time on a unit price basis for part or all of the street improvements to be constructed by the municipality during the current year, including improvements which may thereafter be ordered constructed.

Subd. 5. **Cooperation with state or local government.** When an improvement is made under a cooperative agreement with the state or another political subdivision by the terms of which the state or other subdivision is to construct or contract to construct the improvement, it shall not be necessary to comply with subdivisions 1 and 2.

Subd. 6. **Percentage payment on engineer's estimate.** In case the contractor properly performs the work, the council shall, from month to month before completion of the work, pay the contractor not to exceed 95 percent of the amount already earned under the contract, upon the estimate of the engineer or other competent person selected by the council, and the contract shall so provide, and shall further agree that when the work is 95 percent or more completed upon the recommendation of the engineer such portions of the retained price shall be released as the governing body of the municipality determines are not required to be retained to protect the municipality's interest in satisfactory completion of the contract. Failure to pay any amount due and payable under the terms of the contract within 30 days of a monthly estimate or 90 days after the final estimate of the amount earned shall obligate the municipality to pay to the contractor simple interest on the past due amount at an annual rate equal to the monthly index of long term United States bond yields for the month prior to the month in which this obligation is incurred plus an additional one percent per annum. Interest shall not be imposed with respect to any amount which a municipality may legally withhold as a result of breach of contract or other contractual claim or if the delay is caused by the contractor.

Subd. 7. **Modification of contracts.** After work has been commenced on an improvement undertaken pursuant to a contract awarded on a unit price basis the council may, without advertising for bids, authorize changes in the contract so as to include additional units of work at the same unit price if the cost of the additional work does not exceed 25 percent of the original contract price. Original contract price means that figure determined by multiplying the estimated number of units required by the unit price.

History: *1953 c 398 s 4; 1957 c 430 s 2,3; 1961 c 525 s 3,4; 1973 c 123 art 5 s 7; 1976 c 156 s 1; 1977 c 278 s 1; 1978 c 518 s 2; 1980 c 464 s 8; 1985 c 174 s 3; 1986 c 444; 1993 c 38 s 1,2; 2001 c 5 s 1,2; 2004 c 278 s 6,7; 2007 c 148 art 3 s 25; 2009 c 152 s 18,19; 2013 c 46 s 2*

429.05 [Repealed, 1953 c 398 s 13 subd 1]

429.051 APPORTIONMENT OF COST.

The cost of any improvement, or any part thereof, may be assessed upon property benefited by the improvement, based upon the benefits received, whether or not the property abuts on the improvement and whether or not any part of the cost of the improvement is paid from the county state-aid highway fund, the municipal state-aid street fund, or the trunk highway fund. The area assessed may be less than but may not exceed the area proposed to be assessed as stated in the notice of hearing on the improvement, except as provided below. The municipality may pay such portion of the cost of the improvement as the council may determine from general ad valorem tax levies or from other revenues or funds of the municipality available for the purpose. The municipality may subsequently reimburse itself for all or any of the portion of the cost of a water, storm sewer, or sanitary sewer improvement so paid by levying additional assessments upon any properties abutting on but not previously assessed for the improvement, on notice and hearing as provided for the assessments initially made. To the extent that such an improvement benefits nonabutting properties which may be served by the improvement when one or more later extensions or improvements are made but which are not initially assessed therefor, the municipality may also reimburse itself by adding all or any

Copyright © 2017 by the Revisor of Statutes, State of Minnesota. All Rights Reserved.

of the portion of the cost so paid to the assessments levied for any of such later extensions or improvements, provided that notice that such additional amount will be assessed is included in the notice of hearing on the making of such extensions or improvements. The additional assessments herein authorized may be made whether or not the properties assessed were included in the area described in the notice of hearing on the making of the original improvement.

In any city of the fourth class electing to proceed under a home rule charter as provided in this chapter, which charter provides for a board of water commissioners and authorizes such board to assess a water frontage tax to defray the cost of construction of water mains, such board may assess the tax based upon the benefits received and without regard to any charter limitation on the amount that may be assessed for each lineal foot of property abutting on the water main. The water frontage tax shall be imposed according to the procedure and, except as herein provided, subject to the limitations of the charter of the city.

History: *1953 c 398 s 5; 1955 c 842 s 1; 1957 c 40 s 1; 1959 c 490 s 1; 1961 c 286 s 1*

429.052 STREET OR ROAD IMPROVEMENTS OUTSIDE MUNICIPAL BOUNDARIES.

A municipality may construct street or road improvements outside its jurisdiction with the consent of the affected township, or if the property is located in unorganized territory, the county. When property is brought within the corporate limits of the municipality, the municipality may subsequently reimburse itself for all or any portion of the cost of the improvement for which municipal funds have been expended, by levying an assessment upon any property abutting on, but not previously assessed for, the improvement. No assessment may be so levied unless the property to be assessed was given notice and hearing of the improvements under section 429.031 at the time the improvement was ordered, and subsequently in accordance with the notice, hearing, and appeal rights, provided for under sections 429.061 and 429.081.

History: *2005 c 152 art 1 s 12*

429.06 [Repealed, 1953 c 398 s 13 subd 1]

429.061 ASSESSMENT PROCEDURE.

Subdivision 1. **Calculation, notice.** At any time after the expense incurred or to be incurred in making an improvement shall be calculated under the direction of the council, the council shall determine by resolution the amount of the total expense the municipality will pay, other than the amount, if any, which it will pay as a property owner, and the amount to be assessed. If a county proposes to assess within the boundaries of a city for a county state-aid highway or county highway, including curbs, gutters, and storm sewers, the resolution must include the portion of the cost proposed to be assessed within the city. The county shall forward the resolution to the city and it may not proceed with the assessment procedure nor may the county allocate any cost under this section for property within the city unless the city council adopts the resolution approving the assessment. Thereupon the clerk, with the assistance of the engineer or other qualified person selected by the council, shall calculate the proper amount to be specially assessed for the improvement against every assessable lot, piece or parcel of land, without regard to cash valuation, in accordance with the provisions of section 429.051. The proposed assessment roll shall be filed with the clerk and be open to public inspection. The clerk shall thereupon, under the council's direction, publish notice that the council will meet to consider the proposed assessment. Such notice shall be published in the newspaper at least once and shall be mailed to the owner of each parcel described in the assessment roll. For the purpose of giving mailed notice under this subdivision, owners shall be those shown to be such on the records of the county auditor or, in any county where tax statements are mailed by the county treasurer, on the records of the county treasurer; but other appropriate records may be used for this purpose. Such publication and mailing shall be no less than two weeks prior to such meeting of the council. Except as to the owners of tax-exempt

Copyright © 2017 by the Revisor of Statutes, State of Minnesota. All Rights Reserved.

property or property taxes on a gross earnings basis, every property owner whose name does not appear on the records of the county auditor or the county treasurer shall be deemed to have waived such mailed notice unless the owner has requested in writing that the county auditor or county treasurer, as the case may be, include the name on the records for such purpose. Such notice shall state the date, time, and place of such meeting, the general nature of the improvement, the area proposed to be assessed, the total amount of the proposed assessment, that the proposed assessment roll is on the file with the clerk, and that written or oral objections thereto by any property owner will be considered. The notice must also state that no appeal may be taken as to the amount of any assessment adopted pursuant to subdivision 2, unless a written objection signed by the affected property owner is filed with the municipal clerk prior to the assessment hearing or presented to the presiding officer at the hearing. The notice shall also state that an owner may appeal an assessment to district court pursuant to section 429.081 by serving notice of the appeal upon the mayor or clerk of the municipality within 30 days after the adoption of the assessment and filing such notice with the district court within ten days after service upon the mayor or clerk. The notice shall also inform property owners of the provisions of sections 435.193 to 435.195 and the existence of any deferment procedure established pursuant thereto in the municipality. In addition, the notice mailed to the owner must state in clear language the following information:

(1) the amount to be specially assessed against that particular lot, piece, or parcel of land;

(2) adoption by the council of the proposed assessment may be taken at the hearing;

(3) the right of the property owner to prepay the entire assessment and the person to whom prepayment must be made;

(4) whether partial prepayment of the assessment has been authorized by ordinance;

(5) the time within which prepayment may be made without the assessment of interest; and

(6) the rate of interest to be accrued if the assessment is not prepaid within the required time period.

Subd. 2. **Adoption; interest.** At such meeting or at any adjournment thereof the council shall hear and pass upon all objections to the proposed assessment, whether presented orally or in writing. The council may amend the proposed assessment as to any parcel and by resolution adopt the same as the special assessment against the lands named in the assessment roll. Notice of any adjournment of the hearing shall be adequate if the minutes of the meeting so adjourned show the time and place when and where the hearing is to be continued.

The council may consider any objection to the amount of a proposed assessment as to a specific parcel of land at an adjourned hearing upon further notice to the affected property owner as it deems advisable. At the adjourned hearing the council or a committee of it may hear further written or oral testimony on behalf of the objecting property owner and may consider further written or oral testimony from appropriate city officials and other witnesses as to the amount of the assessment. The council or committee shall prepare a record of the proceedings at the adjourned hearing and written findings as to the amount of the assessment. The amount of the assessment as finally determined by the council shall become a part of the adopted assessment roll. No appeal may be taken as to the amount of any assessment adopted under this section unless written objection signed by the affected property owner is filed with the municipal clerk prior to the assessment hearing or presented to the presiding officer at the hearing. All objections to the assessments not received at the assessment hearing in the manner prescribed by this subdivision are waived, unless the failure to object at the assessment hearing is due to a reasonable cause.

Copyright © 2017 by the Revisor of Statutes, State of Minnesota. All Rights Reserved.

If the adopted assessment differs from the proposed assessment as to any particular lot, piece, or parcel of land, the clerk must mail to the owner a notice stating the amount of the adopted assessment. Owners must also be notified by mail of any changes adopted by the council in interest rates or prepayment requirements from those contained in the notice of the proposed assessment.

The assessment, with accruing interest, shall be a lien upon all private and public property included therein, from the date of the resolution adopting the assessment, concurrent with general taxes; but the lien shall not be enforceable against public property as long as it is publicly owned, and during such period the assessment shall be recoverable from the owner of such property only in the manner and to the extent provided in section 435.19. Unless otherwise provided in the resolution, all assessments shall be payable in equal annual installments extending over such period, not exceeding 30 years, as the resolution determines, payable on the first Monday in January in each year, but the number of installments need not be uniform for all assessments included in a single assessment roll if a uniform criterion for determining the number of installments is provided by the resolution. Assessments on property located in a targeted neighborhood as defined in Laws 1987, chapter 386, article 6, section 4, may be payable in variable annual installments if the resolution provides for a variable payment. The first installment of each assessment shall be included in the first tax rolls completed after its adoption and shall be payable in the same year as the taxes contained therein; except that the payment of the first installment of any assessment levied upon unimproved property may be deferred until a designated future year, or until the platting of the property or the construction of improvements thereon, upon such terms and conditions and based upon such standards and criteria as may be provided by resolution of the council. If special assessments against the property have been deferred pursuant to this subdivision, the governmental unit shall record with the county recorder in the county in which the property is located a certificate containing the legal description of the affected property and of the amount deferred. In any event, every assessment the payment of which is so deferred, when it becomes payable, shall be divided into a number of installments such that the last installment thereof will be payable not more than 30 years after the levy of the assessment. All assessments shall bear interest at such rate as the resolution determines. To the first installment of each assessment shall be added interest on the entire assessment from a date specified in the resolution levying the assessment, not earlier than the date of the resolution, until December 31 of the year in which the first installment is payable, and to each subsequent installment shall be added interest for one year on all unpaid installments; or alternatively, any assessment may be made payable in equal annual installments including principal and interest, each in the amount annually required to pay the principal over such period with interest at such rate as the resolution determines, not exceeding the maximum period and rate specified above. In the latter event no prepayment shall be accepted under subdivision 3 without payment of all installments due to and including December 31 of the year of prepayment, together with the original principal amount reduced only by the amounts of principal included in such installments, computed on an annual amortization basis. When payment of an assessment is deferred, as authorized in this subdivision, interest thereon for the period of deferment may be made payable annually at the same times as the principal installments of the assessment would have been payable if not deferred; or interest for this period may be added to the principal amount of the assessment when it becomes payable; or, if so provided in the resolution levying the assessment, interest thereon to December 31 of the year before the first installment is payable may be forgiven.

Subd. 3. **Transmitted to auditor, prepayment.** After the adoption of the assessment, the clerk shall transmit a certified duplicate of the assessment roll with each installment, including interest, set forth separately to the county auditor of the county to be extended on the proper tax lists of the county; but in lieu of such certification, the council may in its discretion direct the clerk to file all assessment rolls in the clerk's office and to certify annually to the county auditor, on or before November 30 in each year, the total amount of installments of and interest on assessments on each parcel of land in the municipality which are to become due in the following year. If any installment and interest has not been so certified prior to the year when it

Copyright © 2017 by the Revisor of Statutes, State of Minnesota. All Rights Reserved.

is due, the clerk shall forthwith certify the same to the county auditor for collection in the then succeeding year; and if the municipality has issued improvement warrants to finance the improvement, it shall pay out of its general funds into the fund of the improvement interest on the then unpaid balance of the assessment for the year or years during which the collection of such installment is postponed. All assessments and interest thereon shall be collected and paid over in the same manner as other municipal taxes. The owner of any property so assessed may, at any time prior to certification of the assessment or the first installment thereof to the county auditor, pay the whole of the assessment on such property, with interest accrued to the date of payment, to the municipal treasurer, except that no interest shall be charged if the entire assessment is paid within 30 days from the adoption thereof; and, except as hereinafter provided, the owner may at any time prior to November 15 of any year, prepay to the treasurer of the municipality having levied said assessments, the whole assessment remaining due with interest accrued to December 31 of the year in which said prepayment is made. If the assessment roll is retained by the municipal clerk, the installment and interest in process of collection on the current tax list shall be paid to the county treasurer and the remaining principal balance of the assessment, if paid, shall be paid to the municipal treasurer. The council may by ordinance authorize the partial prepayment of assessments, in such manner as the ordinance may provide, prior to certification of the assessment or the first installment thereof to the county auditor.

Subd. 4. **Collection, tax-exempt property.** On the confirmation of any assessments the clerk shall mail to the county auditor a notice specifying the amount payable by any county, to the clerk or recorder of any other political subdivision a notice specifying the amount payable by the political subdivision and to the owner of any right-of-way, at its principal office in the state, a notice specifying the amount payable on account of any right-of-way. The amount payable on account of any right-of-way or public property shall be payable to the municipality's treasurer and shall be payable in like installments and with like interest and penalties as provided for in reference to the installments payable on account of assessable real property, except that interest accruing shall not begin to run until the notice provided in this subdivision has been properly given and 30 days thereafter have elapsed. The governing body of any such political subdivision shall provide for the payment of these amounts and shall take appropriate action to that end. If the assessment is not paid in a single installment, the municipal treasurer shall annually mail to the owner of any right-of-way and, as long as the property is publicly owned, to the owner of any public property a notice stating that an installment is due and should be paid to the municipal treasurer of the municipality which levied the special assessment. The municipality may collect the amount due on account of the right-of-way of any railroad or privately owned public utility by distress and sale of personal property in the manner provided by law in case of taxes levied upon personal property or by suit brought to enforce the collection of this indebtedness unless a different method of collecting such amounts is provided for by any contract between the owner of any right-of-way and the municipality.

Subd. 5. **Special assessments; administrative expenses.** Notwithstanding any general or special law to the contrary, a municipality shall pay to the county auditor all administrative expenses incurred by the county under subdivision 3 for each special assessment of any local improvement certified by the municipality to the county auditor.

History: *1953 c 398 s 6; 1955 c 811 s 2; 1957 c 510 s 2; 1957 c 699 s 1; 1961 c 77 s 1; 1961 c 525 s 5-7; 1963 c 771 s 2-4; 1965 c 877 s 3; 1969 c 1045 s 1; 1969 c 1095 s 1; 1974 c 314 s 2; 1976 c 195 s 2; 1976 c 324 s 18; 1980 c 509 s 164; 1980 c 560 s 5; 1980 c 607 art 11 s 1,2; 1984 c 478 s 2; 1984 c 543 s 50; 1Sp1985 c 16 art 1 s 3; 1986 c 315 s 2; 1986 c 444; 1986 c 473 s 10,11; 1987 c 344 s 3; 1987 c 386 art 6 s 2; 1991 c 342 s 8; 1993 c 375 art 5 s 33; art 17 s 17; 2005 c 4 s 106*

429.07 [Repealed, 1953 c 398 s 13]

Copyright © 2017 by the Revisor of Statutes, State of Minnesota. All Rights Reserved.

429.071 SUPPLEMENTAL ASSESSMENTS; REASSESSMENT.

Subdivision 1. **Supplemental assessments.** The council may make supplemental assessments to correct omissions, errors, or mistakes in the assessment relating to the total cost of the improvement or any other particular. A supplemental assessment shall be preceded by personal or mailed notice to the owner of each parcel included in the supplemental assessment and a hearing as provided for the original assessment.

Subd. 2. **Reassessment.** When an assessment is, for any reason whatever, set aside by a court of competent jurisdiction as to any parcel or parcels of land, or in event the council finds that the assessment or any part thereof is excessive or determines on advice of the municipal attorney that the assessment or proposed assessment or any part thereof is or may be invalid for any reason, the council may, upon notice and hearing as provided for the original assessment, make a reassessment or a new assessment as to such parcel or parcels.

Subd. 3. **Reapportionment upon land division.** When a tract of land against which a special assessment has been levied is thereafter divided or subdivided by plat or otherwise, the council may, on application of the owner of any part of the tract or on its own motion equitably apportion among the various lots or parcels in the tract all the installments of the assessment against the tract remaining unpaid and not then due if it determines that such apportionment will not materially impair collection of the unpaid balance of the original assessment against the tract. The council may, and if the special assessment has been pledged to the payment of improvement warrants shall, require the owner or owners, as a condition of such apportionment, to furnish a satisfactory surety bond fully protecting the municipality against any loss resulting from failure to pay any part of the reapportionment assessment when due. Notice of such apportionment and of the right to appeal shall be mailed to or personally served upon all owners of any part of the tract. Within 30 days after the mailing or service of the notice of such apportionment any such owner may appeal as provided in section 429.081.

Subd. 4. **Reassessment, tax-forfeited land.** When a parcel of tax-forfeited land is returned to private ownership and the parcel is benefited by an improvement for which special assessments were canceled because of the forfeiture, the municipality that made the improvement may, upon notice and hearing as provided for the original assessment, make a reassessment or a new assessment as to the parcel in an amount equal to the amount remaining unpaid on the original assessment.

History: *1953 c 398 s 7; 1957 c 366 s 1; 1961 c 525 s 8; 1965 c 877 s 4; 1976 c 259 s 1*

429.08 [Repealed, 1953 c 398 s 13 subd 1]

429.081 APPEAL TO DISTRICT COURT.

Within 30 days after the adoption of the assessment, any person aggrieved, who is not precluded by failure to object prior to or at the assessment hearing, or whose failure to so object is due to a reasonable cause, may appeal to the district court by serving a notice upon the mayor or clerk of the municipality. The notice shall be filed with the court administrator of the district court within ten days after its service. The municipal clerk shall furnish appellant a certified copy of objections filed in the assessment proceedings, the assessment roll or part complained of, and all papers necessary to present the appeal. The appeal shall be placed upon the calendar of the next general term commencing more than five days after the date of serving the notice and shall be tried as other appeals in such cases. The court shall either affirm the assessment or set it aside and order a reassessment as provided in section 429.071, subdivision 2. If appellant does not prevail upon the appeal, the costs incurred shall be taxed by the court and judgment entered therefor. All

Copyright © 2017 by the Revisor of Statutes, State of Minnesota. All Rights Reserved.

objections to the assessment shall be deemed waived unless presented on such appeal. This section provides the exclusive method of appeal from a special assessment levied pursuant to this chapter.

History: *1953 c 398 s 8; 1961 c 525 s 9; 1978 c 749 s 2; 1980 c 607 art 11 s 3; 1Sp1986 c 3 art 1 s 82*

429.09 [Repealed, 1953 c 398 s 13]

429.091 FINANCING.

Subdivision 1. **Authority.** At any time after one or more improvements are ordered as contemplated in section 429.031, the council may issue obligations in such amount as it deems necessary to defray in whole or in part the expense incurred and estimated to be incurred in making the improvement or improvements, including every item of cost of the kinds authorized in section 475.65. In the event of any omission, error, or mistake in any of the proceedings required precedent to the ordering of any improvement, the validity of the obligations shall not be affected thereby. The council shall cause all further actions and proceedings to be taken with due diligence that are required for the construction of each improvement financed wholly or partly from the proceeds of obligations issued hereunder, and for the final and valid levy of special assessments and the appropriation of any other funds needed to pay the obligations and interest thereon when due.

Subd. 2. **Types of obligations permitted.** The council may by resolution adopted prior to the sale of obligations pledge the full faith, credit, and taxing power of the municipality for the payment of the principal and interest. Such obligations shall be called improvement bonds and the council shall pay the principal and interest out of any fund of the municipality when the amount credited to the specified fund is insufficient for the purpose and shall each year levy a sufficient amount to take care of accumulated or anticipated deficiencies, which levy shall not be subject to any statutory or charter tax limitation. Obligations for the payment of which the full faith and credit of the municipality is not pledged shall be called assessment revenue notes or, in the case of bonds for fire protection, revenue bonds and shall contain a promise to pay solely out of the proper special fund or funds pledged to their payment. It shall be the duty of the municipal treasurer to pay maturing principal and interest on warrants or revenue bonds out of funds on hand in the proper funds and not otherwise.

Subd. 3. **Method of issuance.** All obligations shall be issued in accordance with the provisions of chapter 475, except as provided in this subdivision.

An election shall be required for bonds if less than 20 percent of the cost of the improvement to the municipality is to be assessed against benefited property.

If the full faith, credit, and taxing power of the municipality is not pledged and the bonds are issued to finance a fire protection system, a public sale shall not be required and the obligations may

(1) mature at any time or times within 30 years from date of issue; or 40 years or the useful life of the asset, whichever is less, for municipal water and wastewater treatment systems and essential community facilities financed or guaranteed by the United States Department of Agriculture;

(2) mature in the amount or amounts;

(3) be sold at a price equal to the percentage of their par value, plus accrued interest; and

(4) bear interest at the rate or rates,

as agreed by the purchaser and the municipality, notwithstanding any limitation of interest rate or cost or of the amounts of annual maturities contained in any other law.

Copyright © 2017 by the Revisor of Statutes, State of Minnesota. All Rights Reserved.

The maturities shall be such as in the opinion of the council are warranted by the anticipated collections of assessments and ad valorem levies for the municipality's share of the cost; except that the council may in its discretion issue and sell temporary improvement bonds maturing and subject to further conditions as set forth in subdivision 5. All obligations shall state upon their face the purpose of the issue and the fund from which they are payable. The amount of any obligations issued hereunder shall not be included in determining the net indebtedness of any municipality under the provisions of any law limiting such indebtedness.

Subd. 4. **Funds.** The proceeds from the sale of each issue of obligations and from collections of special assessments levied and other moneys appropriated for each improvement to be financed wholly or partly from such proceeds shall be credited to a separate construction fund which shall be used solely to defray expenses of such improvements and payment of principal and interest due upon the obligations prior to completion and payment of all costs of the improvements so financed. Any balance of the proceeds of bonds remaining therein may be used to pay the cost, in whole or in part, of any other improvement instituted pursuant to this chapter. A separate account shall be maintained in the construction fund to record expenditures for each improvement, and when the total cost thereof has been paid all subsequent collections of special assessments levied for the improvement shall be credited and paid into the debt service fund for the obligations issued to finance the improvement, as provided in section 475.61. Any taxes levied for improvements financed by an issue of obligations shall be credited directly to the debt service fund.

Subd. 5. **Temporary improvement bonds.** In anticipation of the issuance of improvement bonds, the council may by resolution issue and sell temporary improvement bonds maturing within not more than three years from their date of issue to pay any part or all of the cost of one or more improvements. To the extent that the principal of and interest on the temporary improvement bonds cannot be paid when due from receipts of special assessments, taxes, or other funds appropriated for the purpose, they shall be paid from the proceeds of improvement bonds or additional temporary improvement bonds which the council shall offer for sale in advance of their maturity but the indebtedness funded by an issue of temporary improvement bonds shall not be extended by the issue of additional temporary improvement bonds for more than six years from the date of the first issue. The holders of any temporary improvement bonds shall have and may enforce, by mandamus or other appropriate proceedings, all rights respecting the levy and collection of sufficient special assessments and taxes to pay the cost of the improvements financed by them which are granted by law to holders of improvement bonds, except the right to require the levies to be collected prior to the maturity of the temporary improvement bonds. If any temporary improvement bonds are not paid in full at maturity, the holders may require the issuance in exchange for them, at par, of new temporary improvement bonds maturing within one year from their date of issue (but not subject to any other maturity limitation), and bearing interest at the maximum rate permitted by law.

Subd. 6. **Investment of other municipal funds.** Funds of a municipality may be invested in its temporary improvement bonds in accordance with the provisions of section 118A.04, and may be purchased upon their initial issue, but shall be purchased only from funds which the council determines will not be required for other purposes before the maturity date, and shall be resold before maturity only in case of emergency. If purchased from a debt service fund securing other bonds, the holders of those bonds may enforce the municipality's obligations on the temporary improvement bonds in the same manner as if they held the temporary improvement bonds.

Subd. 7. **General obligation temporary improvement bonds.** The council may by resolution adopted prior to the sale of any temporary improvement bonds pledge the full faith, credit, and taxing power of the municipality for the payment of the principal and interest, in addition to all provisions made for their security in subdivision 5. In this event the bonds shall be designated as general obligation temporary improvement

Copyright © 2017 by the Revisor of Statutes, State of Minnesota. All Rights Reserved.

bonds, and the council shall levy taxes for their payment in accordance with section 475.61. Proceeds of improvement bonds or temporary improvement bonds not yet sold may be treated as pledged revenues, in reduction of the tax otherwise required by section 475.61 to be levied prior to delivery of the obligations.

Subd. 7a. **Revolving fund bonds.** The council may by resolution establish a revolving fund for the payment of the costs of any improvement or any waterworks systems, sewer systems, or storm sewer systems described in section 444.075, the costs of facilities to maintain streets and water, sewer, and storm sewer systems and for the payment of any obligations issued to pay the costs of the facilities and systems referred to in this subdivision or to refund obligations issued for those purposes. The council may create within the revolving fund a separate construction account into which the municipality may deposit the proceeds of any obligations payable from the fund, the proceeds of any special assessments collected with respect to any improvement, any net revenues of a waterworks, sewer system, or storm sewer system described in section 444.075 or any other available funds of the municipality appropriated to it. Amounts on deposit in the construction account may be used to pay the costs of any improvement or any waterworks, sewer system, or storm sewer system described in section 444.075 or any street or water, sewer, or storm sewer maintenance facilities. No funds may be expended for an improvement unless at least 20 percent of the costs of each such improvement is to be assessed against benefited property. No funds may be expended for a waterworks, sewer system, or storm sewer system, other than a sewer system described in section 115.46, or maintenance facilities unless the council estimates that the costs will be recovered from the net revenues of the system or any combined waterworks, sewer systems, or storm sewer systems operated by the municipality. The council may also create a separate debt service account within the revolving fund for the payment of principal of and interest on any obligations payable therefrom. Notwithstanding subdivision 4, the council is not required to pledge any particular assessments or other revenues to the payment of the obligations. Collections of special assessments or net revenues may be deposited in either the construction account or the debt service account as the council or an officer designated by the council may determine, having due regard for anticipated collections of special assessments and net revenues from improvements or waterworks, sewer systems, or storm sewer systems financed in whole or in part from the construction account, and taxes levied for the payment of the obligations. The council may issue obligations that are payable primarily from the debt service account for the purpose of providing funds to defray in whole or in part any expenses incurred or estimated to be incurred in making the improvement or improvements or in constructing the waterworks, sewer system, or storm sewer system, including every item of cost of the kinds authorized by section 475.65, and street and water, sewer, and storm sewer maintenance facilities or to refund obligations previously issued under this section or section 115.46 or 444.075. The obligations may be general obligations to which the full faith and credit of the municipality are pledged. If the special assessments to be levied and net revenues estimated to be available for their payment are estimated to be at least 20 percent of the principal amount of the obligations, the obligations may be issued without an election and shall not be included in determining the net indebtedness of the municipality under the provisions of any law limiting net indebtedness. The cost of a maintenance facility that may be financed under this subdivision is limited only to the portion of the facility that is fairly allocable to the maintenance of streets and water, sewer, and storm sewer systems.

Subd. 8. **Application; limitations under federal tax law.** Sections 474A.01 to 474A.21 apply to any issuance of obligations under this section which are subject to limitation under a federal tax law as defined in section 474A.02, subdivision 8.

History: *1953 c 398 s 9; 1955 c 811 s 3-5; 1957 c 385 s 1; 1965 c 877 s 5; 1976 c 324 s 19-21; 1981 c 171 s 1-4; 1984 c 548 s 6; 1984 c 582 s 5,6,23; 1984 c 591 s 4,5; 1984 c 633 s 4; 1Sp1985 c 14 art 8 s 63; 1986 c 465 art 1 s 3; 1987 c 344 s 4,5; 1992 c 545 art 2 s 4; 1996 c 297 s 1; 1996 c 399 art 2 s 12; 2000 c 260 s 57; 2001 c 214 s 11*

Copyright © 2017 by the Revisor of Statutes, State of Minnesota. All Rights Reserved.

429.10 [Repealed, 1953 c 398 s 13]

429.101 UNPAID SPECIAL CHARGES MAY BE SPECIAL ASSESSMENTS.

Subdivision 1. **Ordinances.** (a) In addition to any other method authorized by law or charter, the governing body of any municipality may provide for the collection of unpaid special charges as a special assessment against the property benefited for all or any part of the cost of:

(1) snow, ice, or rubbish removal from sidewalks;

(2) weed elimination from streets or private property;

(3) removal or elimination of public health or safety hazards from private property, excluding any structure included under the provisions of sections 463.15 to 463.26;

(4) installation or repair of water service lines, street sprinkling or other dust treatment of streets;

(5) the trimming and care of trees and the removal of unsound trees from any street;

(6) the treatment and removal of insect infested or diseased trees on private property, the repair of sidewalks and alleys;

(7) the operation of a street lighting system;

(8) the operation and maintenance of a fire protection or a pedestrian skyway system;

(9) inspections relating to a municipal housing maintenance code violation;

(10) the recovery of any disbursements under section 504B.445, subdivision 4, clause (5), including disbursements for payment of utility bills and other services, even if provided by a third party, necessary to remedy violations as described in section 504B.445, subdivision 4, clause (2); or

(11) [Repealed, 2004 c 275 s 5]

(12) the recovery of delinquent vacant building registration fees under a municipal program designed to identify and register vacant buildings.

(b) The council may by ordinance adopt regulations consistent with this section to make this authority effective, including, at the option of the council, provisions for placing primary responsibility upon the property owner or occupant to do the work personally (except in the case of street sprinkling or other dust treatment, alley repair, tree trimming, care, and removal, or the operation of a street lighting system) upon notice before the work is undertaken, and for collection from the property owner or other person served of the charges when due before unpaid charges are made a special assessment.

(c) A home rule charter city, statutory city, county, or town operating an energy improvements financing program under section 216C.436 has the authority granted to a municipality under paragraph (a) with respect to energy improvements financed under that section.

Subd. 2. **Procedure for assessment.** Any special assessment levied under subdivision 1 shall be payable in a single installment, or by up to ten equal annual installments as the council may provide, except that a special assessment made under an energy improvements financing program under subdivision 1, paragraph (c), may be repayable in up to 20 equal installments. With these exceptions, sections 429.061, 429.071, and 429.081 shall apply to assessments made under this section.

Copyright © 2017 by the Revisor of Statutes, State of Minnesota. All Rights Reserved.

Subd. 3. **Issuance of obligations.** (a) After a contract for any of the work enumerated in subdivision 1 has been let, or the work commenced, the council may issue obligations to defray the expense of any such work financed in whole or in part by special charges and assessments imposed upon benefited property under this section.

(b) Section 429.091 shall apply to such obligations with the following modifications:

(1) such obligations shall be payable not more than two years from the date of issuance;

(2) the amount of such obligations issued at one time in a municipality shall not exceed the cost of such work during the ensuing six months as estimated by the council;

(3) a separate improvement fund shall be set up for each of the enumerated services referred to in subdivision 1 and financed under this section.

(c) Proceeds of special charges as well as special assessments and taxes shall be credited to such improvement fund.

History: *1953 c 398 s 10; 1955 c 811 s 6; 1963 c 771 s 5; 1965 c 323 s 2; 1973 c 337 s 1; 1974 c 340 s 1,2; 1984 c 548 s 7; 1984 c 582 s 7; 1984 c 591 s 6; 1984 c 633 s 5; 1986 c 444; 1Sp2003 c 21 art 11 s 29; 2004 c 275 s 2; 2008 c 366 art 6 s 42; 2010 c 216 s 22; 2013 c 85 art 8 s 6*

429.11 [Repealed, 1953 c 398 s 13]

429.111 CHARTER PROVISIONS, EFFECT.

Any city operating under a home rule charter may proceed either under this chapter or under its charter in making an improvement unless a home rule charter or amendment adopted after April 17, 1953, provides for making such improvement under this chapter or under the charter exclusively.

History: *1953 c 398 s 11; 1955 c 811 s 7; 1976 c 44 s 39*

429.12 [Repealed, 1953 c 398 s 13]

429.13 [Repealed, 1953 c 398 s 13]

429.14 [Repealed, 1953 c 398 s 13]

429.15 [Repealed, 1953 c 398 s 13]

429.16 [Repealed, 1953 c 398 s 13]

429.17 [Repealed, 1953 c 398 s 13]

429.18 [Repealed, 1953 c 398 s 13]

429.185 [Repealed, 1949 c 314 s 3]

429.19 [Renumbered 429.035]

429.20 [Renumbered 429.036]

429.21 [Repealed, 1953 c 398 s 13]

429.22 [Repealed, 1953 c 398 s 13]

Copyright © 2017 by the Revisor of Statutes, State of Minnesota. All Rights Reserved.

429.23 [Repealed, 1953 c 398 s 13]

429.24 [Repealed, 1953 c 398 s 13]

429.25 [Repealed, 1953 c 398 s 13]

429.27 [Repealed, 1953 c 398 s 13]

429.28 [Repealed, 1953 c 398 s 13]

429.29 [Repealed, 1953 c 398 s 13]

429.30 [Renumbered 435.36, subdivision 1]

429.31 [Renumbered 435.36, subd 2]

Copyright © 2017 by the Revisor of Statutes, State of Minnesota. All Rights Reserved.

CHAPTER 8. - PUBLIC IMPROVEMENTS AND SPECIAL ASSESSMENTS

Sec. 8.1. - Power to make improvements and levy assessments.

The city may make any type of local improvement not forbidden by law and levy special assessments to pay all or part of the cost of such local improvements. The total of the assessments for any local improvement may not exceed the cost of the local improvement, plus all costs and expenses connected therewith, including interest. No assessment shall exceed the benefit to the property assessed as measured by the increase in the market value of the property assessed as a result of the local improvement.

(Ord. of 1-25-1993)

Sec. 8.2. - Application of Charter.

All local improvement projects shall be carried out exclusively under the provisions of this Charter. The term "local improvement" as used in this section shall mean a public improvement financed partly or wholly from special assessments.

(Ord. of 1-25-1993)

Sec. 8.3. - Assessments for services.

The council may provide by ordinance that the cost of the city services to streets, sidewalks, or other public or private property may be assessed against property benefited and may be collected in the same manner as special assessments.

(Ord. of 1-25-1993)

Sec. 8.4. - Local improvement procedure.

When the city undertakes any local improvement to which the state local improvement code, Minn. Stats. chapter 429 applies, it shall comply with the provisions of that law, except as modified below. The council may by ordinance prescribe the procedure to be followed in making any other local improvement and levying assessments therefor.

8.4.1 *Sixty-day waiting period.* A period of 60 days shall elapse after the conclusion of the public hearing required by law to precede the ordering of the construction of a local improvement project (the "public hearing") before the actual ordering of the local improvement by the council and the council entering into a contract for the local improvement construction.

8.4.2 *Percentage of owners required.* When the local improvement has been petitioned for by the owners of not less than 50 percent in frontage of the real property abutting on streets named in the petition as the location of the local improvement the resolution ordering the local improvement by the council may be approved by vote of a majority of all members of the council. When there has been no such petition, the resolution may be adopted only by vote of four-fifths of all members of the council.

8.4.3 *Petition against the local improvement.* A proposed local improvement may be initiated by petition of the owners of real property abutting on the streets named in the petition. If, within 30 days of the conclusion of the public hearing, a petition against such local improvement is filed with the city administrator which petition is signed by a percentage of the owners of real property abutting on the streets named in the initiating petition as the location of the improvement which

percentage is greater than the percentage of owners of real property who signed the initiating petition, the council shall not make such local improvement at the expense of the abutting property owners. For purposes of the foregoing sentence, "owners of real property" shall not include owners of properties zoned for commercial or industrial uses or owners of properties zoned residential greater than ten acres in size based on zoning classifications in effect at the date of such petition, or owners of non-homestead real property greater than one acre in size.

8.4.4 *Counter petition in favor of the improvement.* If within 30 days of the filing with the city administrator of a petition against the local improvement as described in section 8.4.3 above, there is filed with the city administrator a petition in favor of the local improvement, signed by owners of real property abutting on the streets named in the initiating petition as the location of the improvement, in a percentage greater than the percent of owners of real property who signed the petition against the local improvement, then in such event the council may disregard the petition against the local improvement and proceed with the local improvement.

8.4.5 *Petition against council initiated improvement.* If the local improvement was initiated by council resolution without an initiating petition and, within 60 days of the conclusion of the public hearing, a petition is filed with the city administrator against such local improvement and which petition is signed by 60 percent or more of the owners of real property proposed to be assessed for and benefited by the local improvement, the council shall not make such local improvement at the expense of the benefited property owners. For purposes of the foregoing sentence, "owners of real property" shall not include owners of properties zoned for commercial or industrial uses or owners of properties zoned residential greater than ten acres in size based on zoning classifications in effect at the date of such petition, or owners of non-homestead real property greater than one acre in size.

8.4.6 *Withdrawal of name from petition.* Any person whose name appears on a petition to the council in favor of a local improvement, or on a petition to the council filed against a local improvement, may withdraw his/her name by a statement in writing filed with the city administrator before such petition is presented to the council or in person at a city council meeting before the city council accepts said petition.

8.4.7 *Filing of petition with city council.* All completed petitions filed with the city administrator as described herein shall be presented to the council by the city administrator at the council's next regularly scheduled meeting.

8.4.8 *One year before any further action.* When a proposed local improvement is disallowed pursuant to the petition process described in the foregoing sections, the council shall not vote on the same improvement within a period of one year after the public hearing on said improvement.

(Ord. of 1-25-1993; Ord. No. 06-22, § 2, 7-5-2006; Ord. No. 12-08, § 2, 6-26-2012; Ord. No. 14-07, § 2, 8-11-2014)

Sec. 8.5. - Computation of time.

Where the performance or doing of any act or matter is required by this Charter, and the period of time is prescribed and fixed by this Charter, the time shall be computed so as to exclude the first and include the last day of the prescribed or fixed period of time. When the last day of the period falls on a Saturday, Sunday, or a legal holiday, that day shall be omitted from the computation.

(Ord. of 1-25-1993)

Sec. 8.6. - Sewer and water projects.

This section applies to any local improvement project completed after January 1, 1996, which includes extending urban services (sewer and/or water) to an existing home or neighborhood.

8.6.1 *Connection policy.* The city may not compel any property owner with a functional private sewer and water system to connect to city sewer and/or water.

8.6.2 *Assessment policy.* The city may not levy an assessment for any component of any project which includes sewer and/or water improvements against a property whose owner elects to remain on a functional private sewer and/or water system.

8.6.3 *Request for urban services.* Property owners who remain on private sewer and water systems after urban services become available may request connection to urban services at any time. Upon connection to urban services an assessment may be levied provided it is consistent with the original assessment.

(Ref. of 5-20-1996; Ord. of 1-24-2001)

Our Mission: To work together to resposibly grow our community, and to provide quality, cost-effective, and efficient government services.

CC Regular Session **6. 2.**

Meeting Date: 11/14/2017

By: Bruce Westby, Engineering/Public Works

Information

Title:

PUBLIC HEARING: Adopt Resolution #17-11-285 Approving Feasibility Report and Ordering Plans and Specifications for Improvement Project #18-00, Stanhope Terrace Street Reconstructions

Purpose/Background:

Purpose:

The purpose of this case is to adopt Resolution #17-11-285 approving Feasibility Report and ordering Plans and Specifications for Improvement Project #18-00, Stanhope Terrace Street Reconstructions.

Background:

City Improvement Project 18-00 proposes to reconstruct three street segments within the Stanhope Terrace residential neighborhood including;

- Ute Street north of Alpine Drive through the north cul-de-sac,
- 154th Lane between Ute Street and Roanoke Street, and
- 153rd Court west of Roanoke Street through the west cul-de-sac.

These streets total approximately 2,800 linear feet. A map showing the location and scope of the proposed improvements is included in ***Figure 1*** in ***Appendix A*** of the Feasibility Report, which is included as an attachment to this case.

These street segments were constructed in 1991. Per field observations, record plan documents, and results from Braun Intertec's geotechnical report and ground penetrating radar (GPR) analysis, the bituminous pavement section ranges from 1.6 to 6.1 inches thick with an average of 2.9 inches, the aggregate base ranges from 2.1 to 10.6 inches thick with an average of 4.9 inches, and the pavement section was built on sandy subgrade materials generally considered suitable for pavement support. The streets were constructed with bituminous curb to a width of 29-feet from face-of-curb to face-of-curb, and are generally centered within 66-foot wide right-of-ways.

The storm sewer system consists of concrete catch basins and pipe that drain runoff from the street to adjacent low-lying areas. Two catch basins are located along 154th Lane and drain runoff from the street to a low-lying area with a drainage and utility easement located on the northern 75 feet of 4851 154th Lane. Three catch basins are located near the intersection of Ute Street and 154th Lane. Storm runoff not collected by these catch basins drains to Alpine Drive and Roanoke Street and collects in those storm sewer systems.

City staff evaluates and rates the condition of pavement sections on all City streets on an annual basis using the Pavement Surface Evaluation and Rating (PASER) system. In the summer of 2017, the pavement section of the above-referenced street segments were rated with a PASER rating of 3, which indicates these streets require complete reconstruction. City staff patch these streets annually, particularly before winter so the streets can be plowed without further damaging the pavement. Pictures of the street are located in***Appendix A*** of the Feasibility

Report.

Proposed improvements include removing existing bituminous curb and replacing with B618 concrete curb and gutter, and reconstructing the existing bituminous pavement section using the Full Depth Reclamation (FDR) process. The FDR process involves milling the entire existing bituminous pavement section, along with an inch or more of existing underlying aggregate base. This reclaim material would then be spread over the reshaped and compacted subgrade between the concrete curb and gutter, and then the top 3½ inches of reclaim material would be removed and hauled off site. Then 3½ inches of new bituminous pavement would be installed over the remaining compacted reclaim material, resulting in a 7-ton pavement design, which is standard for residential streets.

The existing storm sewer system is in good condition and generally meets City design standards and therefore requires only minimal improvements, including resetting the castings after concrete curb and gutter placement, which will include replacing adjustment rings and re-grouting the inside of the catch basins to a smooth finish.

The engineer's opinion of probable costs for completing the proposed improvements outlined in this report is $430,934.81. Estimated costs include 5% contingency costs plus 23% indirect costs for administrative, engineering, finance and legal costs. A summary of the engineer's opinion of probable costs is included in ***Appendix B*** of the Feasibility Report.

Sixteen (16) parcels have been identified as receiving special benefit from the improvements. These parcels are identified in the preliminary Assessment Map and Roll, which are included in ***Appendix C*** of the Feasibility Report. Staff recommends assessing 25-percent of eligible improvement costs equally across these 16 parcels using the "per lot" assessment method. This results in a proposed preliminary assessment rate of $6,733.36 per assessable parcel.

Staff recommends ordering a special benefit consultation report for this project to verify the proposed assessment amount will not exceed the benefit to the properties. If the report concludes the benefit to the properties is less than the proposed preliminary assessment rate, Staff will then propose to lower the assessment rate accordingly during the Assessment Hearing, which is scheduled for October 9, 2018. If the report verifies the assessment rate as proposed is justified, Staff will propose to adopt the final assessment roll using the rate as preliminarily proposed.

Five soil borings were completed by Braun Intertec to assist with the preparation of this report. Pavement design recommendations were offered by Braun Intertec, and Staff considered and incorporated Braun's recommendations to varying degrees while preparing this report. Ground Penetrating Radar (GPR) was conducted on all street segments within the project. The GPR identifies existing bituminous pavement and aggregate base thicknesses, and is used to help staff determine the appropriate treatment. Copies of Braun Intertec's GPR results and Geotechnical Exploration are attached in ***Appendix C*** of the Feasibility Report.

This improvement project, which is listed in the City's current 10-year Capital Improvement Plan, is proposed to be funded using a combination of special assessments to benefiting properties, street reconstruction bond proceeds, and storm sewer funds.

This project would best be constructed in conjunction with the River's Bend and The North Forty Street Reconstructions projects, is necessary, feasible, and cost-effective from an engineering standpoint, and can be constructed as proposed herein.

Notification:

In accordance with State Statutes, the attached Notice of Public Hearing was published in the Anoka Union Herald on October 27 and November 3, 2017, and Public Hearing Notices were mailed to all benefiting property owners identified in the preliminary assessment roll.

Observations/Alternatives:

Observations:
The proposed improvements should have a serviceable life of 60 years, assuming that proactive, regular pavement maintenance treatments are performed during the life of the improvements.

Developed properties along the project corridor may have private irrigation systems. Impacts to these systems may occur when existing bituminous curb and gutter is replaced with concrete curb and gutter. Staff will notify property owners in writing of the pending construction as far in advance of construction as possible to allow them time to move their irrigation system components out of the construction area, after which they may replace the components in their original locations.

Public Comment
On November 1, 2017, Staff conducted a Public Information Meeting from 5:30 - 7:00 pm at City Hall. Notices for this meeting were mailed to all benefiting property owners. Seven (7) property owners attended the meeting. The meeting was conducted as an open house forum, with Staff responding to questions one-on-one from 5:30 – 6:00 pm, and again from 6:35 – 7:00 pm. A formal presentation was provided by Staff from 6:00 – 6:35 pm, which addressed all aspects of the project including project purpose, scope, and schedule, existing conditions, proposed improvements, estimated project costs, proposed funding sources, including special assessments, and a primer on the Public Hearing.

In general, the main comment received was that special assessments are difficult for property owners to absorb, that assessments make it difficult to sell your property, and that these projects should be funded through the general fund.

Residents also questioned why concrete curb and gutter is being proposed. Staff noted that while bituminous curb does exist on numerous streets throughout the City, the observed life expectancy is less than half that of concrete curb and gutter, and that concrete curb and gutter better directs snow plow drivers preventing damage to sod, mailboxes, landscaping, and irrigation system components. Concrete curb and gutter also better directs drainage along the edges of streets and driveways, and does not degrade as bituminous gutters do.

When Staff discussed that irrigations systems are not repaired by the City as part of these projects and that property owners are responsible for repairing their own systems, one resident asked if the City would consider reimbursing residents rather than repairing their systems. Staff responded that this is not currently an option.

Any comments received after this case was prepared will be presented to Council before the Public Hearing is opened.

Alternatives:
Alternative #1 – Motion to adopt Resolution #17-11-285 approving Feasibility Report and ordering Plans and Specifications for Improvement Project #18-00, Stanhope Terrace Street Reconstructions.

Alternative #2 – Motion to deny adoption of Resolution #17-11-285 at this time.

Funding Source:
The Feasibility Report was completed in-house as part of Staff's regular duties.

The current Capital Improvement Plan (CIP) estimates costs for reconstructing these streets at $850,000.

Per the attached Feasibility Report, the engineer's opinion of probable project costs is $430,934.81. A total of 16 residential parcels will benefit from the proposed improvements and are preliminarily proposed to be assessed for 25-percent of eligible project costs which totals $107,733.70. This equates to preliminary assessments of $6,733.36 per parcel. The City will fund the remaining 75-percent of project costs, which totals $323,201.11. The City's costs will be funded using Street Reconstruction and Overlay Program bond funds, as well as a small amount of Stormwater Utility Funds.

Assessments are proposed to be assessed over a term of ten years, with interest rates proposed at two percent above

the bond interest rate.

Staff proposes to request Council authorization to order a benefit appraisal consultation for this project in accordance with the City's Special Assessments Policy at the time Council awards a construction contract.

Recommendation:

Staff recommends Alternative #1 to allow the project to be constructed as part of the 2018 Street Maintenance Program, and to allow for the use of special assessments to pay for a portion of the project costs per the applicable provisions of Chapter 8 of the City Charter, the City's Special Assessments Policy, and Minnesota Statute Chapter 429.

Action:

Motion to adopt Resolution #17-11-285 approving Feasibility Report and ordering Plans and Specifications for Improvement Project #18-00, Stanhope Terrace Street Reconstructions.

Attachments

Resolution 1711285
Feas Report IP1800
PH Notice
Spec Assessment Policy
MN Statute Chapter 429
City Charter Chapter 8

Form Review

Inbox	Reviewed By	Date
Kurt Ulrich	Kurt Ulrich	11/09/2017 11:44 AM
Form Started By: Bruce Westby		Started On: 11/06/2017 03:28 PM
Final Approval Date: 11/09/2017		

Councilmember _____ introduced the following resolution and moved for its adoption:

RESOLUTION #17-11-285

RESOLUTION APPROVING FEASIBILITY REPORT AND ORDERING PLANS AND SPECIFICATIONS FOR IMPROVEMENT PROJECT #18-00 STANHOPE TERRACE STREET RECONSTRUCTIONS

WHEREAS, pursuant to Ramsey City Council resolution #17-07-168, adopted on July 11, 2017, the City Engineer was ordered to prepare a Feasibility Report to study the feasibility of reconstructing approximately 0.52 miles of streets within the Stanhope Terrace development including Ute Street from Alpine Drive to its termini cul-de-sac, 154th Avenue between Ute Street and Roanoke Street, and 153rd Court from Roanoke Street to its termini cul-de-sac, including the reconstruction of streets and curb and gutter, the construction of storm sewer, and other appurtenant work; and

WHEREAS, pursuant to Ramsey City Council resolution #17-10-271, adopted October 24, 2017, the Feasibility Report was received and accepted, and a Public Hearing was ordered for November 14, 2017 at 7 p.m., where the City Council will consider the proposed improvements for said streets in accordance with the updated Feasibility Report; and

WHEREAS, benefiting properties are proposed to be assessed for 25-percent of the cost of the improvements, pursuant to Minnesota Statutes Chapter 429, Chapter 8 of the City Charter, and the City's Special Assessments Policy; and

WHEREAS, the City Clerk gave mailed and published notice of such hearing and improvements as required by law; and

WHEREAS, the City Council conducted a Public Hearing for the proposed improvements on November 14, 2017.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RAMSEY, ANOKA COUNTY, STATE OF MINNESOTA, as follows:

1) Such improvement is necessary, cost-effective and feasible as detailed in the Feasibility Report approved by Council on November 14, 2017.

2) Pursuant to Minnesota Statutes Chapter 429, Chapter 8 of the City Charter, and the City's Special Assessments Policy, benefiting properties shall be assessed for 25-pecent of the cost of the improvements, which have an estimated total cost of $430,934.81.

3) The City Engineer is hereby designated as the engineer for this improvement, and the engineer is ordered to prepare plans and specifications for the making of such improvements.

The motion for the adoption of the foregoing resolution was duly seconded by Councilmember _____ and upon vote being taken thereon, the following voted in favor thereof:

and the following voted against the same:

and the following abstained:

and the following were absent:

Whereupon said resolution was declared duly passed and adopted by the Ramsey City Council this the 14th day of November, 2017.

Mayor

ATTEST:

City Clerk

FEASIBILITY REPORT

STANHOPE TERRACE STREET RECONSTRUCTIONS

CITY IMPROVEMENT PROJECT NO. 18-00

October 20, 2017

Prepared By:

City of Ramsey
Engineering Department
7550 Sunwood Drive NW
Ramsey, MN 55303
763-433-9820
763-433-9848 (Fax)

October 20, 2017

Honorable Mayor and City Council
City of Ramsey
7550 Sunwood Drive NW
Ramsey, MN 55303

Re: Feasibility Report - City of Ramsey Improvement Project #18-00
Stanhope Terrace Reconstruction

Dear Mayor and City Council Members:

Transmitted herewith is a Feasibility Report for the proposed Stanhope Terrace Reconstruction project including; Ute Street from Alpine Drive to its termini cul-de-sac, 154th Avenue between Ute Street and Roanoke Street, and 153rd Court from Roanoke Street to its termini cul-de-sac. The report examines the feasibility of reconstructing the bituminous street section and completing other appurtenant improvements.

This Feasibility Report examines the scope of the proposed improvements, explores estimated costs and available funding sources, defines a preliminary project schedule, and determines the necessity, feasibility and general cost-effectiveness of the proposed improvements, including any alternate designs, as well as whether the improvements would best be completed separately or in conjunction with another project.

I would be happy to discuss this report with you at your convenience. Please feel free to contact me at 763-433-9825 or bwestby@cityoframsey.com with any questions.

Sincerely,
City of Ramsey

Bruce Westby, PE
City Engineer

Enclosure

C: Kurt Ulrich, City Administrator
Leonard Linton, Civil Engineer IV

CERTIFICATION

I hereby certify that this plan, specification or report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota.

Bruce Westby, PE

Date: October 20, 2017 License No. 40116

I hereby certify that this plan, specification or report was reviewed for Quality Control and Quality Assurance purposes and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota.

Leonard Linton, PE

Date: October 20, 2017 License No. 21112

TITLE SHEET
LETTER OF TRANSMITTAL
CERTIFICATION SHEET
TABLE OF CONTENTS

1. EXECUTIVE SUMMARY 3

2. INTRODUCTION 5

2.1 Authorization 5
2.2 Program Overview 5
2.3 Scope 5

3. EXISTING CONDITIONS 6

3.1 Existing Pavement and Soil Conditions 6
3.2 Watermain 7
3.3 Sanitary Sewer 7
3.4 Storm Sewer/Drainage 7
3.5 Streets 7
3.5.1 Existing Typical Sections 7
3.5.2 Maintenance History 7
3.6 Land Use 7

4. PROPOSED IMPROVEMENTS 8

4.1 Street and Stormwater Improvements 8
4.1.1 Street Improvements 8
4.1.2 Storm Sewer Improvements 8
4.1.3 Geotechnical Considerations 8
4.1.4 Other Considerations 9
4.2 Stormwater Treatment 9
4.3 Water Main Improvements 9
4.4 Sanitary Sewer Improvements 9
4.5 Construction Methods 10
4.6 Private Utilities 10
4.7 Permits 10
4.8 Right-of-Ways/Easements 10

5. FINANCING 11

5.1 Opinion of Cost 11
5.2 Funding 11
5.2.1 Assessments 11
5.2.2 City Contribution 12

7. CONCLUSIONS AND RECOMMENDATIONS 14

Appendix A

Figure 1 – Project Scope
Figure 2 – Typical Section
Project Site Pictures

Appendix B

Opinion of Probable Costs
Preliminary Assessment Map
Preliminary Assessment Roll

Appendix C

Ground Penetrating Radar Summary
Geotechnical Exploration and Engineering Review (Braun 49 pages)

1. EXECUTIVE SUMMARY

City Improvement Project No. 18-00 proposes to reconstruct streets within the Stanhope Terrace neighborhood including Ute Street, 154th Avenue, and 153rd Court. The streets total approximately 2,800 linear feet (0.52 miles) in length. A map showing the location and scope of the proposed improvements is included as ***Figure 1*** in ***Appendix A.***

The streets were constructed in 1991. Based on results from the geotechnical report and ground penetrating radar (GPR) analysis performed by Braun Intertec, field observation and record plan documents, the bituminous pavement section ranges from 1.6 to 6.1 inches thick with an average of 2.9 inches. The aggregate base ranges from 2.1 to 10.6 inches thick with an average of 4.9 inches. The road section was built on sandy subgrade material generally considered suitable for pavement support. The streets were constructed with bituminous curb to a width of 29 feet from face-of-curb to face-of-curb. The streets are generally centered within a 66 foot wide right-of-way. The storm sewer system consists of catch basins along 154th Lane which drain runoff from the street to a low-lying area with storm sewer and utility easements located on the northern 75 feet of 4851 154th Lane. Storm runoff not collected by the catch basins is carried to Roanoke Street and collected within its storm sewer system.

City staff evaluates and rates the condition of pavement sections on all City streets on an annual basis using the Pavement Surface Evaluation and Rating (PASER) system. In the summer of 2017, the pavement section of the above-referenced street segments were rated with a PASER rating of 3 which indicates these streets require complete reconstruction, and for City staff to patch the streets at least once per year, particularly before winter so the street can be plowed without damaging the pavement in the process. Pictures of the street are located in ***Appendix A.***

Proposed improvements include removing existing bituminous curb and replacing with B618 concrete curb and gutter, and reconstructing the existing bituminous pavement section using the Full Depth Reclamation (FDR) process. This process involves reclaiming the entire existing bituminous pavement section, along with the existing aggregate base material. A portion of this reclaimed (ground and mixed) material would then be spread and compacted on top of the reshaped and compacted subgrade. Then, 3.5 inches of bituminous pavement would be placed, generally meeting the City of Ramsey's standard pavement design.

The existing storm sewer system is in good condition and generally meets City design standards and therefore requires only minimal improvements, including resetting the castings after concrete curb and gutter placement, which will include replacing adjustment rings and re-grouting the inside of the catch basins to a smooth finish.

The engineer's opinion of probable costs for completing the proposed improvements outlined in this report is $430,934.81. Estimated costs include 5-percent contingency costs plus 23-percent indirect costs for administrative, engineering, finance and legal costs. A summary of the engineer's opinion of probable costs is included in ***Appendix B***.

A total of 16 assessable parcels have been identified. Staff recommends applying 25-percent of the eligible project costs equally across the 16 assessable properties using the "per lot" assessment method. This results in a proposed preliminary assessment rate of $6,733.36 per assessable parcel.

Staff recommends ordering a special benefit consultation report for this project to verify the proposed assessment amount will not exceed the benefit to the properties. If the report concludes the benefit to the properties is less than the proposed preliminary assessment rate, Staff will then propose to lower the assessment rate accordingly during the Assessment Hearing, which is scheduled for October 9, 2018. If the report verifies the assessment rate as proposed is justified, Staff will propose to adopt the final assessment roll using the rate as preliminarily proposed.

Five (5) soil borings were completed by Braun Intertec to assist with the preparation of this report. Pavement design recommendations were offered by Braun Intertec, and Staff considered and incorporated Braun's recommendations to varying degrees while preparing this report. Ground Penetrating Radar (GPR) was conducted on all street segments within the project. The GPR identifies existing bituminous pavement and aggregate base thicknesses, and is used to help staff determine the appropriate treatment. Copies of Braun Intertec's GPR results and Geotechnical Exploration are attached in ***Appendix C***.

This improvement project, which is listed in the City's current 10-year Capital Improvement Plan, is proposed to be funded using a combination of special assessments to benefiting properties, street reconstruction bond proceeds, and storm sewer funds.

Staff has not yet discussed the proposed improvements with local property owners. However, Staff has scheduled a neighborhood information meeting for November 1, 2017 for the purpose of explaining the proposed improvements and assessments in more detail, and to gather their input on the project, including any information which should be explored in more detail during development of plans and specifications. Staff will incorporate comments and present this information to Council during the Public Hearing.

This project would best be constructed in conjunction with the River's Bend and The North Forty Street Reconstruction projects, is necessary, feasible, and cost-effective from an engineering standpoint, and can be constructed as proposed herein.

2. INTRODUCTION

2.1 Authorization

The preparation of this report was authorized by the Ramsey City Council on July 11, 2017. This project has been designated as City Improvement Project No. 18-00.

2.2 Program Overview

In support of the City's long-term Street Maintenance Program, the entire existing bituminous pavement section will be reconstructed using a full-depth reclamation (FDR) process. The existing bituminous curb will be replaced with B618 concrete curb and gutter, plus other appurtenant work will be completed as outlined in this report.

The City's pavement evaluation process involves a visual evaluation of each street's pavement surface based on the type, extent and severity of each pavement distress observed. Numerous types of pavement distresses may exist within a pavement section including, but not limited to, alligator cracking, block cracking, longitudinal cracking, transverse cracking, rutting, raveling, shoving, potholes and patches. This field data is then used to rate the pavement condition.

The City uses the Pavement Surface Evaluation and Rating (PASER) system to rate pavement condition. A PASER rating is a numerical index between 1 and 10 indicating the condition of a pavement based on the various pavement distresses recorded during visual observations. A PASER rating of 10 represents brand new pavement, while a PASER rating of 1 represents a pavement section that has fallen into complete disrepair requiring full reconstruction.

In the summer of 2017, City staff evaluated and rated the condition of the pavement along the Stanhope Terrace street segments. A PASER rating of 3 was determined for Ute Street, 154th Lane and 153rd Court.

2.3 Scope

City of Ramsey Improvement Project 18-00 proposes to reconstruct the existing bituminous pavement, remove existing bituminous curb and replace with B618 concrete curb and gutter, and to complete other appurtenant work on Ute Street from Alpine Drive to its termini cul-de-sac, 154th Lane between Ute Street and Roanoke Street, and 153rd Court from Roanoke Street to its termini cul-de-sac which totals approximately 2,800 linear feet (0.52 miles) in length.

The existing bituminous pavement section is proposed to be reconstructed using the FDR process. This involves reclaiming the entire bituminous pavement section from back of curb to back of curb, along with a portion of the existing aggregate base, hauling and disposing of excess reclaim material off site, spreading and compacting the reclaimed material on top of the reshaped and compacted subgrade, then placing 3.5 inches of new bituminous pavement on top. The resulting pavement design will generally meet current City design standards.

A map showing the location and scope of the proposed improvements is included as ***Figure 1*** in ***Appendix A.***

3. EXISTING CONDITIONS

3.1 Existing Pavement and Soil Conditions

All streets proposed to be improved were constructed in 1991 with bituminous pavement, class 5 aggregate base, bituminous curb, and concrete storm sewer. The streets were constructed to a width of 29-feet from face-of-curb to face-of-curb. The streets are generally centered within a 66-foot wide right-of-way.

The only pavement maintenance treatments applied to the street segments included cracksealing and sealcoating Ute Street and 154th Lane in 1996, and 153rd Court in 1998. Spot patching has been performed on an as-needed basis, and has been a yearly treatment recently. In 2017, Staff observed a PASER of 3 on all the street segments.

In July of 2017, City staff recorded a traffic volume of 114 average annual daily traffic (AADT) on Ute Street north of Alpine Drive, and 43 AADT on Ute Street west of Roanoke Street. Traffic counts were not taken on 153rd Court, however it can be reasonably expected 153rd Court would have similar traffic volumes. The speed limit is 30 mph for these street segments.

Braun Intertec was employed to complete a Geotechnical Exploration and Engineering Review for this project, which included five (5) soil borings spaced at approximately 600 feet along Ute Street/154th Lane and 1 boring in each cul-de-sac. The locations of the borings are shown in the Soil Boring Location Map in the Appendix of Braun's report, attached in ***Appendix C***.

The soil borings provide information on existing bituminous pavement and aggregate base course thicknesses, subsurface soil conditions, existing ground water elevations, and potential issues, which may be encountered during construction. All borings terminated at a nominal depth of 11 feet below the existing ground surface. There was no groundwater observed during the soil borings. Based on the work proposed and the lack of groundwater at a depth of 11 feet below the existing ground surface, groundwater is not anticipated to be a significant issue for work completed with this proposed project.

The soil borings generally indicate the existing bituminous pavement thickness ranges between 3 to 4 inches, and aggregate base thickness ranges between 4 to 6 inches. The subgrade generally consists of poorly graded sand with silt at depths ranging from 2.0 to 6.0 feet below the top of pavement. Native alluvial soils consisting of poorly grades sand (SP) generally extend to the bottom of the borings (11 feet).

Braun Intertec was employed to complete a ground penetrating radar (GPR) analysis for the project area, which included driving the GPR equipped vehicle throughout all street segments within the project area. A summary table and charts of the GPR Analysis are attached in ***Appendix C***. The GPR data determined an average bituminous pavement thickness of 2.9 inches, and an average aggregate base thickness of 4.9 inches. The average street pavement and base section thickness was 7.7 inches, with a minimum section of 5.1 inches located on Ute Street, 91 feet south of the intersection with 154th Lane.

3.2 Watermain

Watermain does not exist on site.

3.3 Sanitary Sewer

Sanitary sewer does not exist on site.

3.4 Storm Sewer/Drainage

The storm sewer system consists of catch basins along 154th Lane which drain runoff from the street to a low-lying area with storm sewer and utility easements located on the northern 75 feet of 4851 154th Lane. Storm runoff not collected by the catch basins is carried to Roanoke Street and collected within its storm sewer system.

3.5 Streets

3.5.1 Existing Typical Sections

The width of Ute Street, 154th Lane, and 153rd Court is 29 feet from face-of-curb to face-of-curb. The cul-de-sacs on Ute Street and 153rd Court have a 50 foot radius to the back of curb. The streets are centered within a 66-foot wide City-owned right-of-way, with a 65-foot wide right-of-way around the cul-de-sac on 153rd Court. The cul-de-sac on Ute Street was not platted with a widened City-owned right-of-way, therefore the City will have to obtain a right of entry from the property owners to complete the proposed work.

3.5.2 Maintenance History

Stanhope Terrace was originally constructed in 1991. Ute Street and 154th Lane received crack seal and seal coat in 1996, 153rd Court received crack seal and seal coat in 1998. The street segments have regularly received spot patching on an as-needed basis.

3.6 Land Use

The parcels within the construction area are zoned residential.

4. PROPOSED IMPROVEMENTS

4.1 Street and Stormwater Improvements

4.1.1 Street Improvements

Stanhope Terrace is proposed to be reconstructed with bituminous pavement and concrete curb and gutter, which will better facilitate drainage over time. Numerous streets exist throughout the City with bituminous curbing and almost all of them are deteriorating more rapidly than streets with concrete curb and gutter due to their inability to rapidly convey drainage off of the pavement surface, particularly along edges of streets.

The proposed surface improvements are shown on ***Figure 1 in Appendix A.***

Street Design:
Ute Street, 154th Lane, and 153rd Court are currently urban residential streets with bituminous curb and pavement, 30-feet wide from back-of-curb to back-of-curb. The cul-de-sacs on Ute Street and 153rd Court are 100-feet in diameter from back-of-curb to back-of-curb. Existing and proposed traffic counts are consistent with typical residential streets.

All street segments are proposed to be reconstructed at their current width. A typical section for the proposed pavement reconstruction improvements is shown in ***Figure 2*** in ***Appendix A.***

City staff is proposing a pavement section design of 1.5 inches bituminous wear course, 2 inches bituminous base course, and 4 inches of aggregate base composed of full depth reclamation material. This pavement section would be constructed over the existing subgrade after it is reshaped and compacted.

4.1.2 Storm Sewer Improvements

The existing storm sewer system is in good condition. Catch basin castings will require new rings and will be regrouted. No stormwater treatment improvements are required for this project since the street is proposed to be reconstructed at its current width.

4.1.3 Geotechnical Considerations

Braun Intertec, Inc. (Braun) completed a Geotechnical Exploration and Engineering Review including five (5) soil borings spaced at approximate 600-foot intervals along Ute Street and 154th Lane, and one (1) soil boring in each cul-de-sac. The locations of the borings are shown in the Boring Location Map in the Appendix of Braun's report, attached in ***Appendix C***. Braun recommends completing a 6 - 8 inch deep reclamation of the existing bituminous pavement and placing 6-inches of aggregate base class 5 or reclaim material, and 3.5-inches of new bituminous pavement. City staff is in close agreement and proposes completing a full-depth reclamation of the existing pavement by placing 4-inches of aggregate base class 5 or reclaim material, and 3.5-inches of new bituminous pavement.

The proposed improvements should have a service life of approximately 60-years, assuming maintenance such as overlays, crack sealing and seal coating is routinely performed.

4.1.4 Other Considerations

Driveways:
Existing driveway aprons may need to be reconstructed to varying degrees. The limits of construction will vary with each driveway apron based on the elevation of the street abutting the driveway and the driveway pavement type. During design, staff will evaluate the construction limits for each driveway and will incorporate this into the plans, but as with all street reconstruction projects, the exact limits of construction will be determined in the field during construction. Right-of-entry forms will be obtained from private property owners where work is required outside City right-of-ways and easements.

Irrigation Systems:
Developed properties along the project corridor may have private irrigation systems. Staff will notify property owners of pending construction as far in advance as practical to allow them time to move their irrigation systems out of harm's way before work begins.

Parking Restrictions:
Parking is currently provided along both sides of the streets and is not currently restricted except for overnight parking per City code. During this project, parking will be restricted during allowable working hours.

Pavement Corings:
Existing pavement thicknesses have been found to be inconsistent throughout the City. It is now standard practice to have City staff on-site during pavement installation to insure the proper quantities are being placed. As further conformation, staff is proposing to have pavement corings taken at the conclusion of all reconstruction projects. This is already a requirement on all State Aid projects, and will leave more data on the pavement section for future street maintenance projects.

4.2 Stormwater Treatment

No stormwater retention and/or treatment improvements will be required as a result of this project.

4.3 Water Main Improvements

No watermain improvements are proposed with this project.

4.4 Sanitary Sewer Improvements

No sanitary sewer improvements are proposed with this project.

4.5 Construction Methods

The existing bituminous pavement section will be reconstructed using the FDR process outlined within this report.

4.6 Private Utilities

Staff has not yet met with the telephone, gas, power and cable utilities regarding this project. During preparation of plans and specifications, staff will meet with the private utility companies to discuss the proposed improvements as noted in the project schedule within this report. The alignment and footprint of the streets will be considered to minimize impacts to private utilities. No impacts to power poles or street lights are anticipated with this project.

Should any utility company indicate they wish to upgrade, replace and/or otherwise modify their services during this project, any such upgrades, replacements and/or modifications will be at the sole discretion and cost of the utility company.

4.7 Permits

Permits that are anticipated to be required as part of the proposed improvements include:

- MPCA General Stormwater Permit (NPDES)..... Grading and Storm Water

A stormwater permit from the Lower Rum River Watershed Management Organization will not be required with this project.

4.8 Right-of-Ways/Easements

During preparation of this report, City staff found the Ute Street cul-de-sac was constructed without the necessary permanent easement. It is likely this cul-de-sac was built as a temporary cul-de-sac before development to the north took place, with the intention of extending Ute Street at a later date. Unfortunately the Highlands at River Park 3rd Addition did not extend Ute Street, and additional right-of-way was never secured. Three properties access Ute Street including one from the cul-de-sac. City staff will contact the two property owners to discuss options for securing easements. The costs for easement acquisitions are not included in the probable project costs.

City staff will obtain required right of entries on a case by case basis.

5. FINANCING

5.1 Opinion of Cost

A detailed opinion of probable costs for the proposed improvements can be found in ***Appendix B*** of this report. The opinion of probable costs incorporates anticipated 2018 construction costs for the proposed improvements with 5-percent contingency costs, plus 23-percent indirect costs for administrative, engineering, financing and legal costs.

City staff prepared the Feasibility Report in-house as part of staff's normal duties.

Braun Intertec prepared the Geotechnical Exploration and Engineering Review, included in ***Appendix C***, at a cost of $3,228.67.

5.2 Funding

5.2.1 Assessments

A portion of the project costs is proposed to be recovered through special assessments levied against the 16 identified benefiting properties; 7 along Ute Street, 5 along 154th Lane, and 4 along 153rd Court. Assessments are proposed to be collected for eligible improvements benefiting residential properties with direct access to the improved segments of Stanhope Terrace as described below. A preliminary assessment summary is included below in ***Table 1***.

Residential Assessments:
Special assessments are proposed to be levied against residential properties having direct access to improved streets. To be consistent with previous applications of the Special Assessments Policy, each residential property is proposed to be assessed using the "per lot" method.

Each residential property is preliminarily proposed to be assessed at the rate of $6,733.36 per lot. Since State Statute and the City Charter do not allow for assessments to exceed the benefit to the property, staff requests Council authorization to order a benefit appraisal consultation for this project in accordance with the City's Special Assessment Policy.

The Preliminary Assessment Map and Roll are included in ***Appendix B.***

TABLE 1
Proposed Preliminary Assessments – Ute Street, 154th Lane, and 153rd Court

STREET SEGMENT	ASSESSMENT PER LOT	NO. OF LOTS	TOTAL ASSESSMENTS
Ute Street Residential Assessment	$6,733.36	7	$47,133.50
154th Lane Residential Assessment	$6,733.36	5	$33,666.80
153rd Court Residential Assessment	$6,733.36	4	$26,933.40
TOTAL PROJECT ASSESSMENTS			**$107,733.70**

5.2.2 City Contribution

The City contribution to the project would include all funding in excess of the amount collected through special assessments to benefiting properties. No funds have been budgeted for this project. The City's share of eligible project costs related to surface (street) improvements is proposed to come from the previously encumbered 5-year Street Reconstruction and Overlay Program bonds. Stormwater Utility Funds are proposed to pay for all storm sewer improvements.

Table 2 illustrates the proposed project funding based on the design proposed within this report. This funding program assumes construction will occur in 2018.

TABLE 2
Proposed Project Funding

	ASSESSMENTS	CITY FUNDS	TOTAL
Surface	**$106,119.33**	**$318,357.98**	**$424,477.31**
Storm Sewer	**$1,614.37**	**$4,843.13**	**$6,457.50**
TOTALS	**$107,733.70**	**$323,201.11**	**$430,934.81**

Total Project Cost		**$430,934.81**
Less Special Assessments	-	$107,733.70
Subtotal	**=**	**$323,201.11**
Less City Bonding Funds	-	$318,357.98
Subtotal	**=**	**$4,843.13**
Less Stormwater Utility Funds	-	$4,843.13
TOTAL Remaining Cost	**=**	**$0**

6. PROJECT SCHEDULE

The proposed project schedule is as follows:

Council Orders Feasibility Report ..... July 11, 2017

Council Accepts Feasibility Report/Orders Public Hearing ..... October 24, 2017

Staff Conducts Neighborhood Information Meeting ..... November 1, 2017

Council Conducts Public Hearing Authorizes Plans and Specifications ..... November 14, 2017

Staff Conducts Private Utility Coordination Meeting ..... December, 2017

Council Approves Plans and Specifications / Authorizes Ad for Bids ..... January 9, 2018

Staff Receives Bids ..... February 6, 2018

Council Awards Contract ..... February 13, 2018

Contractor Begins Construction ..... May / June, 2018

Contractor Completes Construction ..... September, 2018

Council Conducts Assessment Hearing ..... October 9, 2018

7. CONCLUSIONS AND RECOMMENDATIONS

City of Ramsey Improvement Project No. 18-00 proposes to reconstruct the bituminous pavement section, to remove the existing bituminous curb and replace it with B618 concrete curb and gutter, and to complete miscellaneous appurtenant work on the following street segments within the Stanhope Terrace residential subdivision:

1. Ute Street (approx. 1,320 linear feet) – Alpine Drive to north cul-de-sac.
2. 154th Lane (approx. 950 linear feet) – Ute Street to Roanoke Street.
3. 153rd Court (approx. 300 linear feet) – Roanoke Street to west cul-de-sac.

It is the recommendation of City staff that City Project No. 18-00 is feasible, necessary, and cost-effective from an engineering standpoint, and this project would best be constructed in conjunction with the River's Bend and The North Forty Street Reconstruction projects as proposed herein.

The following Staff recommendations related to the proposed project are presented for Council consideration and concurrence:

1. Remove existing bituminous curb and replace with B618 concrete curb and gutter.

2. Reconstruct existing bituminous pavement using full-depth reclamation process, meeting the City's standard residential pavement section of 4-inches aggregate base class 5 or (reclaim), 2-inches new bituminous base course, and 1½-inches new bituminous wear course.

3. Staff recommends excluding private irrigation system work from this project. Instead, staff will notify property owners of pending construction as far in advance as possible, and instruct them to relocate their irrigation system(s) away from the construction area during construction, then allow replacement in or near the original location after construction is complete.

4. Staff recommends holding a neighborhood information meeting on November 1, 2017 to inform property owners of the proposed improvements and to gather their input prior to competing plans and specifications and requesting Council approval to advertise for bids as outlined in the project schedule.

5. Order an assessment appraisal consultation to ensure special assessments do not exceed the benefit received as a result of the improvements.

6. Meet with Ute Street property owners to discuss acquisition of easements for cul-de-sac.

The City Council is asked to act on the following items related to the proposed project:

1. Accept the preliminary residential special assessment rate of $6,733.36 per lot.
2. Authorize an assessment appraisal consultation to ensure all special assessments are commensurate with benefit received from the proposed improvements.
3. Adopt Resolution #17-10-271 approving this Feasibility Report and ordering the Public Hearing for November 14, 2017.

APPENDIX A

Figure 1 – Project Scope
Figure 2 – Typical Section
Project Site Pictures

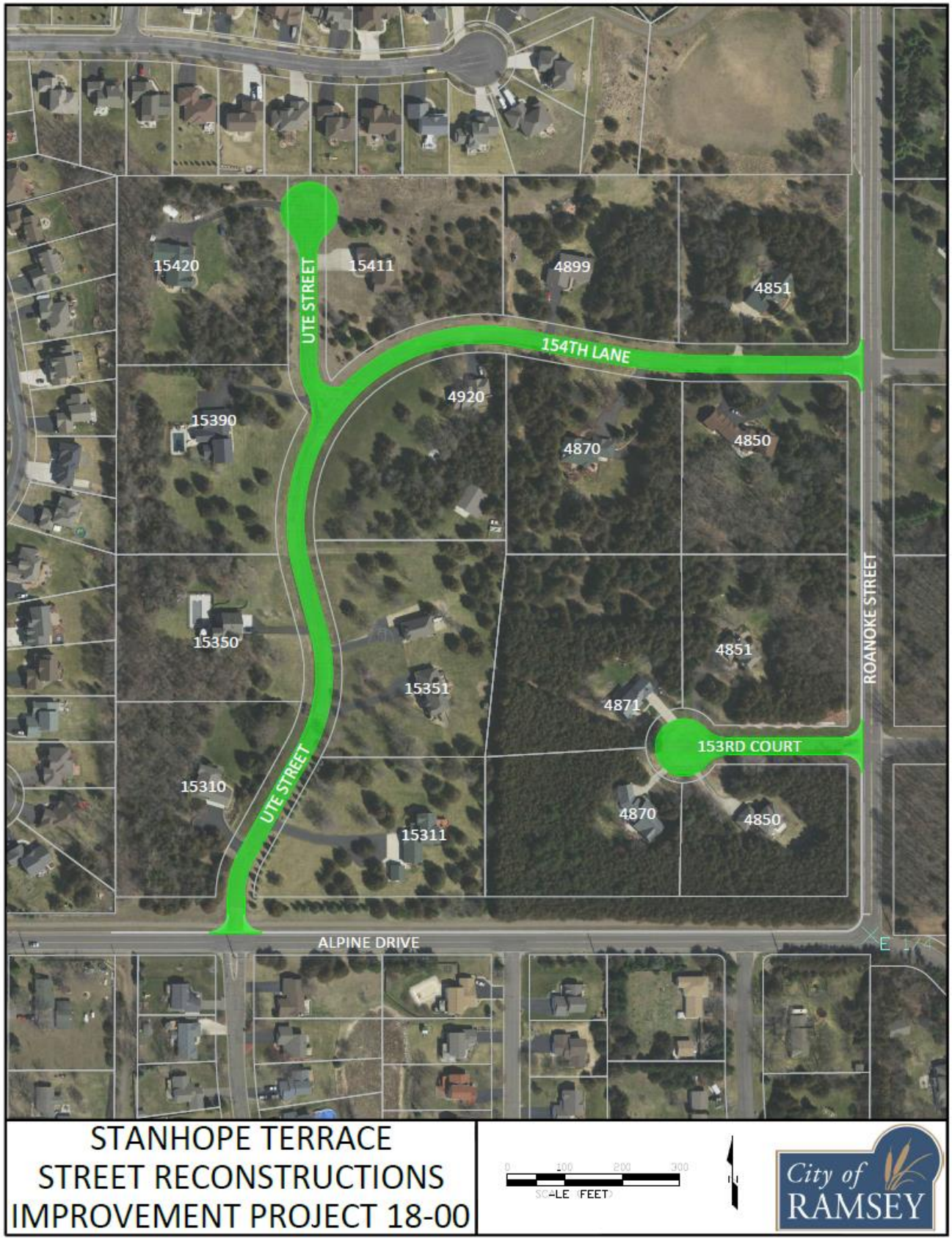


FIGURE 1
PROJECT SCOPE

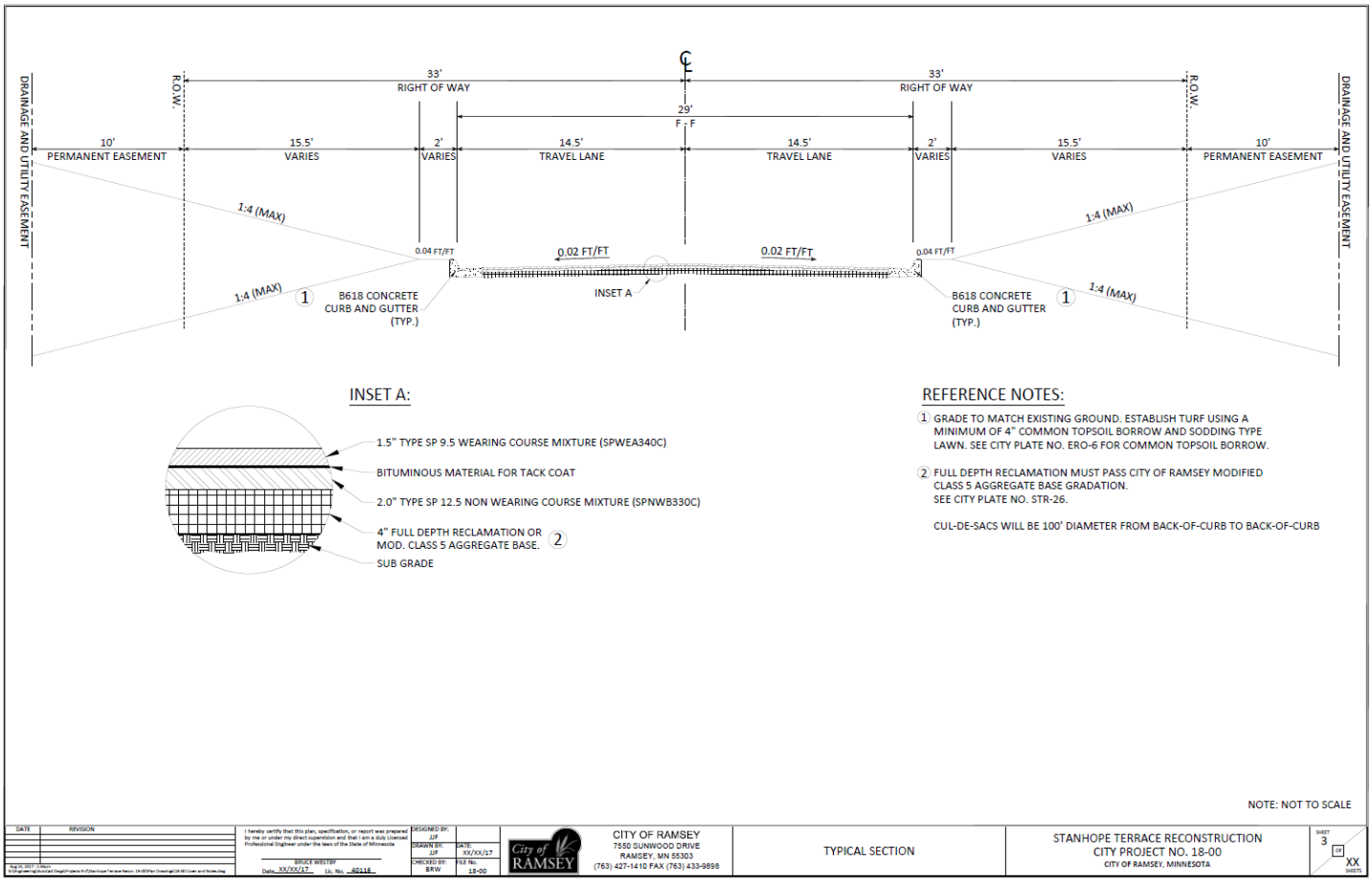


FIGURE 2
TYPICAL SECTION – PROPOSED IMPROVEMENTS

PROJECT SITE PICTURES

1**: Ute Street from Alpine Drive**

2**: Ute Street Cul-de-Sac from the North**

3**: 154th Lane from Roanoke Street**

4: 153rd Court from Roanoke Street

APPENDIX B

Opinion of Probable Costs
Preliminary Assessment Map
Preliminary Assessment Roll

18-00 STANHOPE TERRACE RECONSTRUCTION					
Preliminary Engineer's Estimate 10/19/2017					
STREET CONSTRUCTION					
Item No.	**Description**	**Unit**	**Estimated Quantity**	**Unit Cost**	**Cost Extension**
1	Mobilization	LS	1	$12,000.00	$12,000.00
2	Remove Concrete Curb and Gutter	LF	64	$5.50	$352.00
3	Remove Concrete Driveway Pavement	SF	600	$3.00	$1,800.00
4	Remove Bituminous Driveway Pavement	SY	160	$8.00	$1,280.00
5	Remove Concrete Valley Gutter	EA	3	$500.00	$1,500.00
6	Sawing Concrete Pavement – Full Depth	LF	190	$6.00	$1,140.00
7	Sawing Bituminous Pavement – Full Depth	LF	375	$3.00	$1,125.00
8	Salvage Mail Box Support	EA	16	$50.00	$800.00
9	Temporary Mail Box Cluster	EA	2	$400.00	$800.00
10	Common Excavation (EV)	CY	370	$12.00	$4,440.00
11	Subgrade Preparation	RDST	27	$200.00	$5,400.00
12	Water	MGAL	50	$30.00	$1,500.00
13	Aggregate Base Class 5 Modified (CV)	CY	1,433	$20.00	$28,660.00
14	Bituminous Pavement Reclamation – Full Depth	SY	10,089	$2.00	$20,178.00
15	Haul Bit Pavement Reclamation (LV)	CY	1,350	$11.00	$14,850.00
16	Bituminous Material for Tack Coat	GAL	617	$3.00	$1,851.00
17	Type SP 9.5 Wearing Course Mixture (SPWEA340C) (1.5")	TON	730	$68.00	$49,640.00
18	Type SP 12.5 Non Wearing Course Mixture (SPNWB330C) (2.0")	TON	970	$60.00	$58,200.00
19	Type SP 9.5 Wearing Course Mixture (SPWEA340C) Driveways (2.0")	TON	20	$68.00	$1,360.00
20	Concrete Curb & Gutter Design B618 (HE)	LF	5,518	$13.00	$71,734.00
21	6" Concrete Driveway Pavement (HE)	SY	64	$55.00	$3,520.00
22	7" Concrete Valley Gutter (HE)	SY	96	$80.00	$7,680.00
23	Install Mail Box Support	EA	16	$50.00	$800.00
24	Traffic Control	LS	1	$3,000.00	$3,000.00
25	Storm Drain Inlet Protection	EA	12	$200.00	$2,400.00
26	Common Topsoil Borrow (LV)	CY	450	$30.00	$13,500.00
27	Sodding Type Lawn	SY	3,332	$5.00	$16,660.00
				Total Street Construction Cost	*$328,670.00*
				5% Contingency Cost	*$16,433.50*
				23% Indirect Cost	*$79,373.81*
				Total Street Project Cost	*$424,477.31*
STORM SEWER CONSTRUCTION					
Item No.	**Description**	**Unit**	**Estimated Quantity**	**Unit Cost**	**Cost Extension**
1	Reset Catch Basin Casting	EA	5	$1,000.00	$5,000.00
				Total Storm Sewer Construction Cost	*$5,000.00*
				5% Contingency Cost	*$250.00*
				23% Indirect Cost	*$1,207.50*
				Total Storm Sewer Project Cost	*$6,457.50*
				TOTAL ESTIMATED PROJECT COST	**$430,934.81**

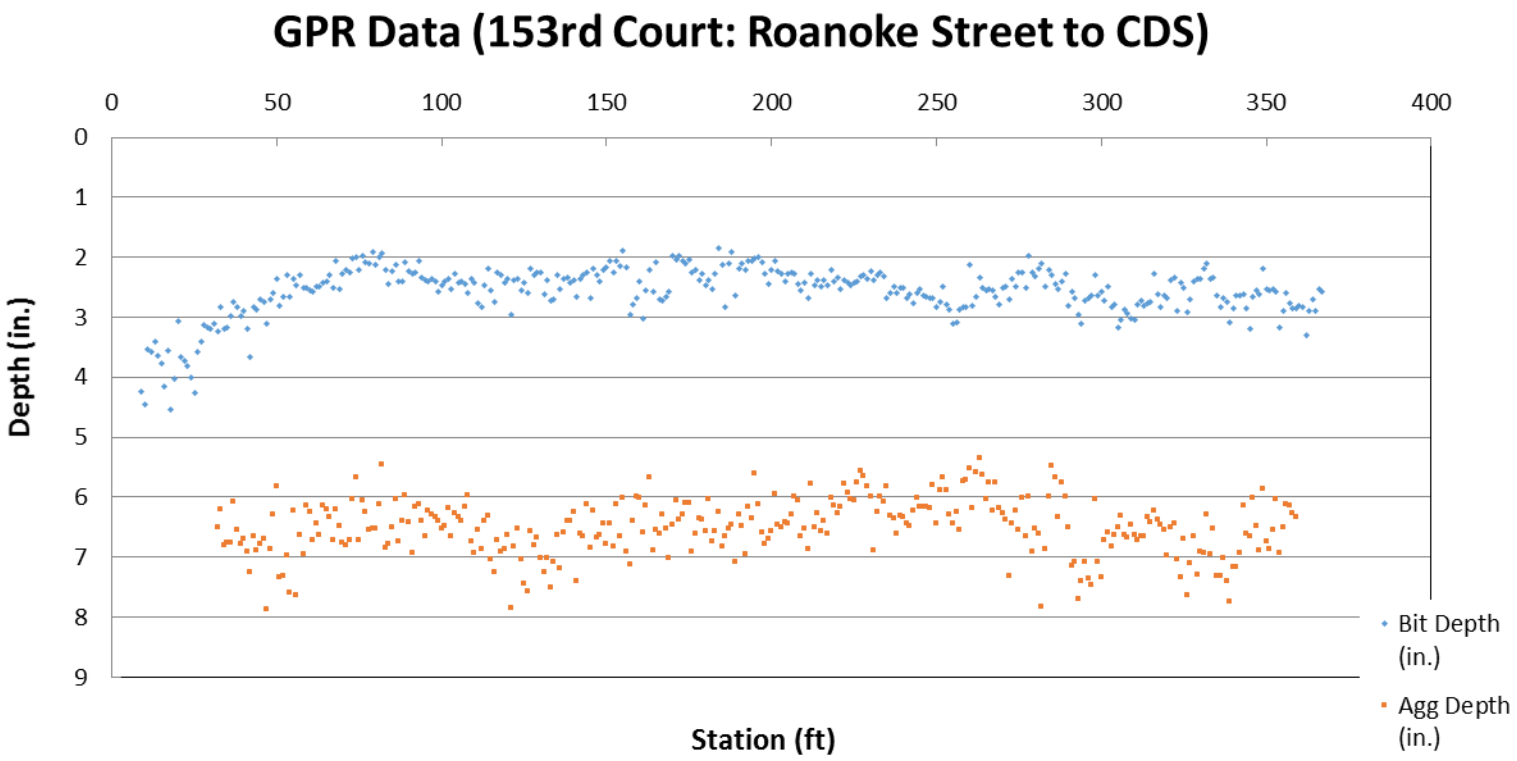
15420
UTE STREET
15411
4899
4851
154TH LANE
4920
15390
4870
4850
ROANOKE STREET
15350
4851
15351
4871
153RD COURT
15310
UTE STREET
4870
4850
15311
ALPINE DRIVE
STANHOPE TERRACE
ASSESSABLE PROPERTIES
City of
RAMSEY

PROPOSED ASSESSMENT ROLL – 18-00 STANHOPE TERRACE							
PID	**NAME / OWNER**	**ADDRESS 1**	**CITY**	**STATE**	**ZIP**	**ASSESSABLE UNITS**	**PROPOSED ASSESSMENT**
243225140002	JOSEPHS CORY	15311 UTE ST NW	RAMSEY	MN	55303-0000	1	$6,733.36
243225140003	VARELA AIDA	15351 UTE ST NW	RAMSEY	MN	55303-0000	1	$6,733.36
243225140004	LEMM RONALD H & CHERYL A	4920 154TH LN NW	RAMSEY	MN	55303-0000	1	$6,733.36
243225140005	FRITCH CHRISTOPHER A & PEGGY A	4870 154TH LN NW	RAMSEY	MN	55303-0000	1	$6,733.36
243225140006	STAHMANN JEFFREY	4850 154TH AVE NW	RAMSEY	MN	55303-0000	1	$6,733.36
243225140007	OATES RAY H & CAROL S	4851 153RD CT NW	RAMSEY	MN	55303-0000	1	$6,733.36
243225140008	JACOBSON BRADLEY J & PAMELA E	4871 153RD CT NW	RAMSEY	MN	55303-0000	1	$6,733.36
243225140009	RODMAN WILLIAM W & PAMELA M	4870 153RD CT NW	RAMSEY	MN	55303-0000	1	$6,733.36
243225140010	HIATT MICHAEL G & PATTI J	4850 153RD CT NW	RAMSEY	MN	55303-0000	1	$6,733.36
243225140011	SKIBA TRUSTEE JAYNE & SKIBA TRUSTEE THOMAS	15310 UTE ST NW	RAMSEY	MN	55303-0000	1	$6,733.36
243225140012	LEPAGE GREGORY A & MARY B	15350 UTE ST NW	RAMSEY	MN	55303-0000	1	$6,733.36
243225140013	NESS ERIC M & JULIE A	15390 UTE ST NW	RAMSEY	MN	55303-0000	1	$6,733.36
243225140014	NELSON DANIEL C & SARAH A	15420 UTE ST NW	RAMSEY	MN	55303-0000	1	$6,733.36
243225140015	QUAM DAVID	15411 UTE ST NW	RAMSEY	MN	55303-0000	1	$6,733.36
243225140016	GARBERG BRENT	4899 154TH LN NW	RAMSEY	MN	55303-0000	1	$6,733.36
243225140017	BOXY SCOTT A & LISA L	4851 154TH LN NW	RAMSEY	MN	55303-0000	1	$6,733.36
TOTALS						**16**	**$107,733.70**

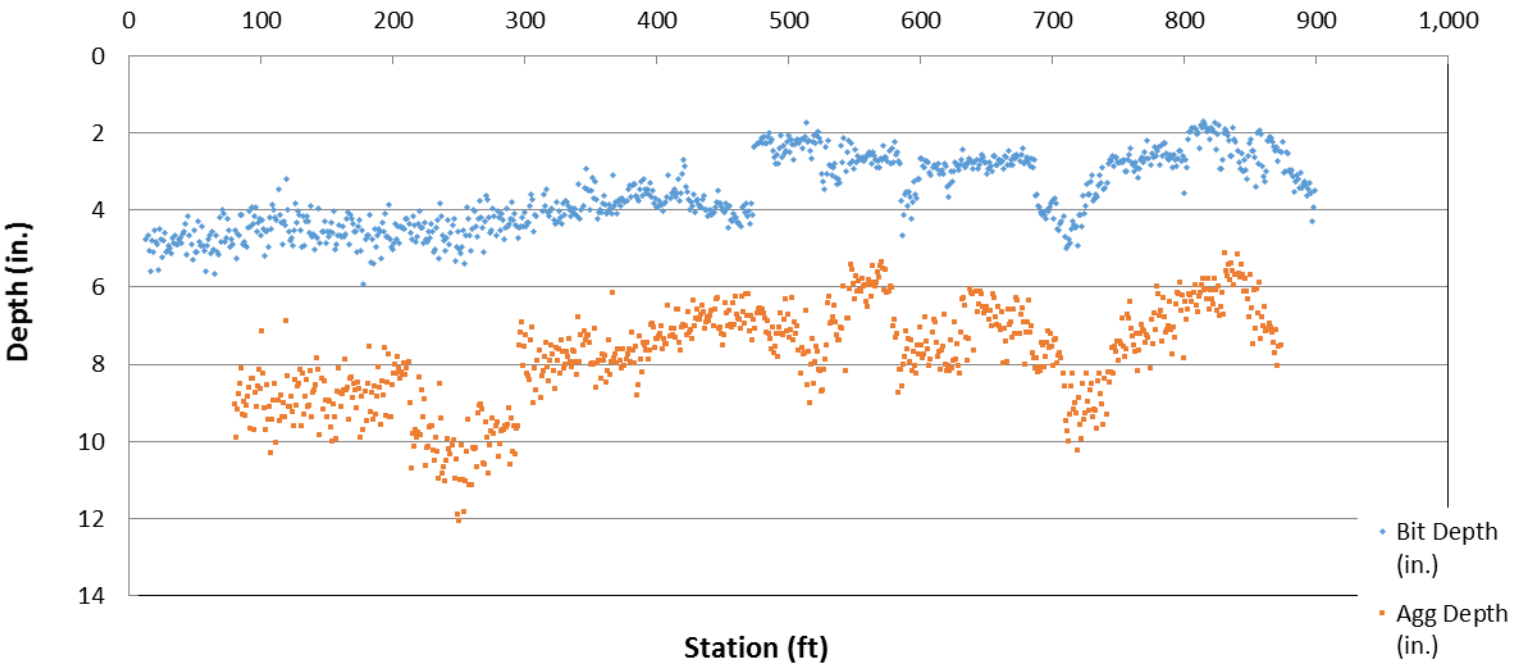
APPENDIX C

Ground Penetrating Radar (GPR) Results
Geotechnical Exploration and Engineering Review

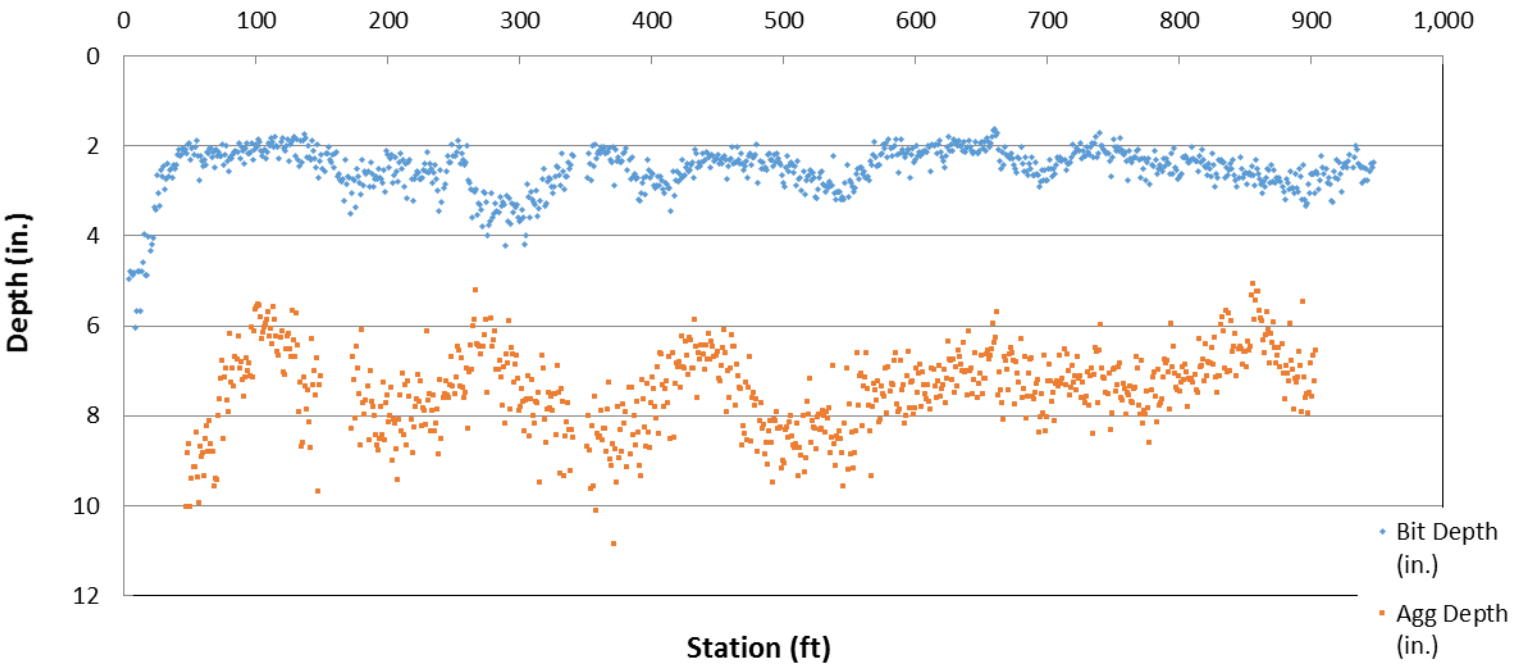
Stanhope Terrace GPR Summary										
Project Segment		**Pavement**			**Aggregate**			**Section**		
Street	**Segment Description**	**Min**	**Max**	**Avg**	**Min**	**Max**	**Avg**	**Avg**	**Min**	**Location**
153rd Court	Roanoke St / CDS	1.9	4.5	2.6	2.9	5.7	4.0	6.5	5.4	263' West of Roanoke Street.
154th Lane	Ute St / Roanoke St	1.7	5.9	3.6	2.1	8.9	4.3	7.8	5.1	68' West of Roanoke Street.
Ute Street	Alpine Dr / 154th Ln	1.6	6.1	2.5	2.2	8.0	5.0	7.4	5.1	91' South of 154th Lane.
Ute Street CDS	154th Ln / CDS	1.7	3.8	2.5	4.8	10.6	7.0	9.4	7.3	135' North of 154th Lane.
Project Summary		*1.6*	*6.1*	*2.9*	*2.1*	*10.6*	*4.9*	*7.7*	*5.1*	*91' South of 154th Lane.*

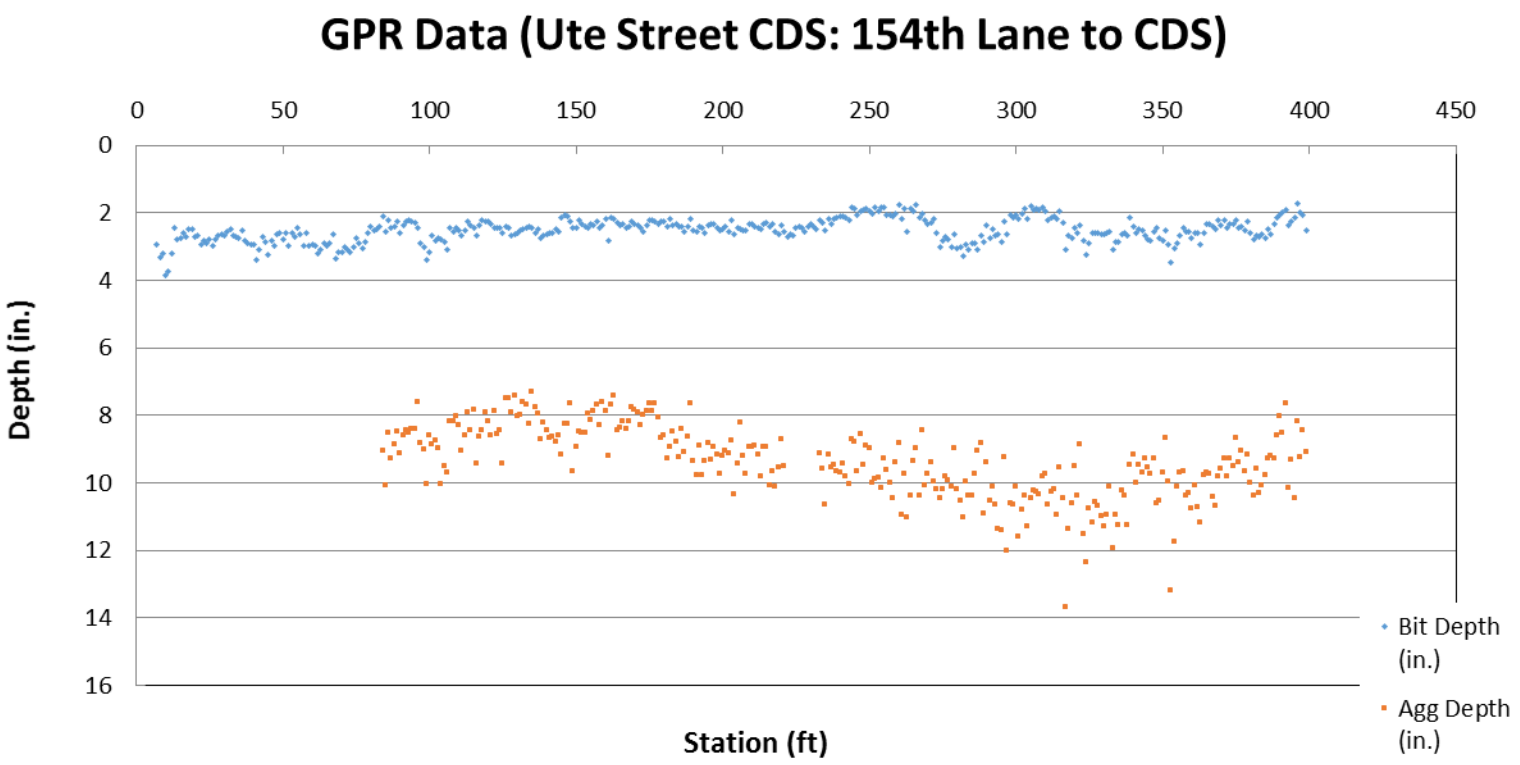


GPR Data (154th Lane: Ute Street to Roanoke Street)



GPR Data (Ute Street: Alpine Drive to 154th Lane)




GPR Data (Ute Street CDS: 154th Lane to CDS)
0
50
100
150
200
250
300
350
400
450
0
2
4
6
8
10
12
14
16
Depth (in.)
Station (ft)
Bit Depth (in.)
Agg Depth (in.)

Geotechnical Evaluation Report

2018-2019 Reconstruction Projects
North Forty, Stanhope Terrace, Ford Brook Estates Subdivisions
Ramsey, Minnesota

Prepared for

City of Ramsey

DRAFT

Professional Certification:
I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota.

Neil G. Lund, PE
Senior Engineer
License Number: 46212
August 11, 2017

Project B1705491

Braun Intertec Corporation

Braun Intertec Corporation
11001 Hampshire Avenue S
Minneapolis, MN 55438

Phone: 952.995.2000
Fax: 952.995.2020
Web: braunintertec.com

August 11, 2017 Project B1705491

Bruce Westby, PE
City of Ramsey
7550 Sunwood Dr NW
Ramsey, MN 55303

Re: Geotechnical Evaluation
2018-2019 Reconstruction Projects
North Forty, Stanhope Terrace, Ford Brook Estates Subdivisions
Ramsey, Minnesota

Dear Mr. Westby:

We are pleased to present this Geotechnical Evaluation Report for the 2018-2019 Reconstruction Projects in Ramsey, Minnesota. Our results and recommendations in light of the geotechnical issues influencing design and construction are presented in the attached report, which we request you read in its entirety.

Remarks

Thank you for making Braun Intertec Corporation your geotechnical consultant for this project. If you have questions about this report, or if there are other services that we can provide in support of our work to date, please call Neil Lund at 952.995.2284.

Sincerely,

BRAUN INTERTEC CORPORATION

Neil G. Lund, PE
Senior Engineer

Matthew S. Oman, PE
Principal Engineer

DRAFT

Table of Contents

Description **Page**

A. Introduction 1
A.1. Project Description 1
A.2. Purpose 1
A.3. Background Information and Reference Documents 1
A.4. Project Area Conditions 2
A.5. Scope of Services 2
B. Results 3
B.1. Exploration Logs 3
B.1.a. Log of Boring Sheets 3
B.1.b. Geologic Origins 3
B.2. Geologic Profile 3
B.2.a. Pavement Materials 3
B.2.b. Geologic Materials 5
B.2.c. Groundwater 6
B.3. Laboratory Test Results 6
C. Basis for Recommendations 7
C.1. Design Details 7
C.1.a. Traffic Loads 7
C.1.b. Anticipated Grade Changes 7
C.1.c. Utility Depths 7
C.1.d. Precautions Regarding Changed Information 7
C.2. Design and Construction Considerations 7
C.2.a. Reuse of Pavement Materials 7
C.2.b. Pavement Subgrades 8
C.2.c. Utility Support and Impact of Groundwater 8
D. Recommendations 9
D.1. Pavements 9
D.1.a. Subgrade Preparation and Proofrolls 9
D.1.b. Backfill and Material Compaction 9
D.1.c. Design Sections 10
D.1.d. Materials and Compaction 10
D.2. Utilities 11
D.2.a. Subgrades and Trench Backfill 11
D.2.b. Excavation Side Slopes 11
D.2.c. Selection, Placement and Compaction of Backfill 11
D.2.d. Excavation Dewatering 12
D.2.e. Corrosion Potential 12
D.3. Construction Quality Control 12

DRAFT

Table of Contents (continued)

Description **Page**

D.3.a. Excavation Observations 12
D.3.b. Materials Testing 12
D.3.c. Pavement Subgrade Proofroll 12
D.3.d. Cold Weather Precautions 13
E. Procedures 13
E.1. Penetration Test Borings 13
E.2. Material Classification and Testing 13
E.2.a. Visual and Manual Classification 13
E.2.b. Laboratory Testing 13
E.3. Groundwater Measurements 13
F. Qualifications 14
F.1. Variations in Subsurface Conditions 14
F.1.a. Material Strata 14
F.1.b. Groundwater Levels 14
F.2. Continuity of Professional Responsibility 14
F.2.a. Plan Review 14
F.2.b. Construction Observations and Testing 14
F.3. Use of Report 15
F.4. Standard of Care 15

Appendix

Boring Location Sketches (3 sheets)
Log of Boring Sheets ST-A1 to ST-A5, ST-B1 to ST-B5, ST-C1 to ST-C15
Descriptive Terminology of Soil

DRAFT

A. Introduction

A.1. Project Description

This Geotechnical Evaluation Report addresses the proposed 2018-2019 Reconstruction Projects in Ramsey, Minnesota. The projects will be in three subdivisions as summarized in Table 1.

Table 1. Project Area Details

Subdivision	Approximate Street Length (feet)	Borings
The North Forty (Area A)	2,939	ST-A1 to ST-A5
Stanhope Terrace (Area B)	2,763	ST-B1 to ST-B5
Ford Brook Estates (Area C)	7,369	ST-C1 to ST-C15

The proposed projects will include pavement reconstruction and storm sewer improvements.

A.2. Purpose

The purpose of this geotechnical evaluation was to characterize subsurface geologic conditions at selected exploration locations and provide geotechnical recommendations for the design and construction of the Ramsey 2018-2019 Reconstruction Projects.

A.3. Background Information and Reference Documents

To facilitate our evaluation, we were provided with or reviewed the following information or documents:

- A base map of the project area provided by City of Ramsey
- *Geologic Atlas of Anoka County* available from the Minnesota Geological Survey.

DRAFT

A.4. Project Area Conditions

Based on our referenced documents and past experience, the native soils underlying the project area include sandy alluvium.

The 2018-2019 Reconstruction Project areas are zoned as residential.

The current streets are surfaced with bituminous pavement with rural cross-sections. The topography of each project area is slightly rolling.

A.5. Scope of Services

Our scope of services for this project was originally submitted as a quote to Mr. Bruce Westby of the City of Ramsey, for which we received authorization to proceed on June 8, 2017. Tasks performed in accordance with our authorized scope of services included:

- Staking and clearing exploration locations of underground utilities.
- Performing 25 penetration test borings and extending them to a nominal 10 feet below the current pavement surface.
- Performing laboratory moisture content tests and mechanical analyses (#200 sieve only) on selected penetration test samples.
- Preparing this report containing a CAD sketch, exploration logs, a summary of the geologic materials encountered, results of laboratory tests, and recommendations for subgrade preparation, pavement thickness design and utility placement.

Exploration locations and surface elevations at the exploration locations were determined using GPS technology that utilizes the Minnesota Department of Transportation's (MnDOT's) permanent GPS Virtual Reference Network (VRN).

Our scope of services was performed under the terms of our July 18, 2016 General Conditions.

DRAFT

B. Results

B.1. Exploration Logs

B.1.a. Log of Boring Sheets

Log of Boring sheets for our penetration test borings are included in the Appendix. The logs identify and describe the geologic materials that were penetrated, and present the results of penetration resistance tests, laboratory tests performed on penetration test samples retrieved from them and groundwater measurements.

Strata boundaries were inferred from changes in the penetration test samples and the auger cuttings. Because sampling was not performed continuously, the strata boundary depths are only approximate. The boundary depths likely vary away from the boring locations, and the boundaries themselves may also occur as gradual rather than abrupt transitions.

B.1.b. Geologic Origins

Geologic origins assigned to the materials shown on the logs and referenced within this report were based on: (1) a review of the background information and reference documents cited above, (2) visual classification of the various geologic material samples retrieved during the course of our subsurface exploration, (3) penetration resistance testing performed for the project, (4) laboratory test results and (5) available common knowledge of the geologic processes and environments that have impacted the site and surrounding area in the past.

B.2. Geologic Profile

B.2.a. Pavement Materials

The borings first encountered an average bituminous pavement thickness of 4.3 inches as shown in Table 2. The aggregate base averaged 7.5 inches.

DRAFT

Table 2. Pavement Thickness Summary

Boring	Subdivision	Street	Pavement Thickness (in.)		Notes
			Bituminous	Aggregate Base	
ST-A1	The North Forty	163rd Ln	3	5	
ST-A2		163rd Ln	3	5	
ST-A3		Alpaca St	3	---	Aggregate base not noted
ST-A4		Chameleon St	3	8	
ST-A5		Chameleon St	3	4	
AREA A AVERAGE			**3.0**	**5.5**	
ST-B1	Stanhope Terrace	Ute St	3	5	
ST-B2		Ute St	4	6	
ST-B3		154th Ln	4	5	
ST-B4		Ute St	3	4	
ST-B5		153rd Ct	3	4	
AREA B AVERAGE			**3.4**	**4.8**	
ST-C1	Ford Brook Estates	Junkite St	4	5	
ST-C2		180th Ave	5	5	
ST-C3		180th Ave	3	5	
ST-C4		180th Ave	3	4	
ST-C5		180th Ave	4	4	
ST-C6		180th Ave	6	4	3 inches of bituminous and 4 inches of aggregate base underlay the surface section
ST-C7		Iodine St	3	5	
ST-C8		Germanium St	3	4	
ST-C9		Flourine St	3	5	
ST-C10		Erkium St	5	---	Aggregate base not noted
ST-C11		Erkium St	3	6	
ST-C12		180th Ln	3	6	
ST-C13		Iodine St	4	5	
ST-C14		180th Ln	5	5	
ST-C15		Krypton St	4	5	
AREA C AVERAGE			**3.9**	**4.9**	

DRAFT

B.2.b. Geologic Materials

Table 3 provides a summary of the soil boring results, in the general order we encountered the strata. Please refer to the Log of Boring sheets in the Appendix for additional details. The Descriptive Terminology sheet in the Appendix includes definitions of abbreviations used in Table 3.

Table 3. Subsurface Profile Summary*

Strata	Soil Type - ASTM Classification	Range of Penetration Resistances	Commentary and Details
Pavement section	N/A	N/A	▪ See Table 1.
Fill	SP-SM, SP, SC, CL	3 to 24 blows per foot (BPF)	▪ Overwhelmingly SP-SM or SP. ▪ General penetration resistance of about 10 BPF. ▪ Moisture condition moist to wet. ▪ Thicknesses at boring locations varied from 1 to 11 feet (boring ST-A% terminated in likely fill material). ▪ Limited clayey layers (ST-C5, ST-C14).
Alluvium	SP, SP-SM, CL, SC	3 to 28 BPF	▪ General penetration resistances of less than 10 BPF in sands (loose), or 3 to 7 BPF in clays (soft to medium). ▪ Sands typically brown to light brown, fine-grained and moist. ▪ Clays generally present near observed water; usually gray in color, with limited sandy soil content. Present in ST-C3, ST-C5, ST-C14, ST-C15. ▪ Moisture condition variable above the apparent water table, though generally moist. ▪ Water table penetrated in a limited number of borings (see Table 3).
Swamp deposits	SM, CH	1 to 7 BPF	▪ Present in two locations: ST-C6 and ST-C11. ▪ SM layer was black, 4 to 5 feet thick and included organic fines and trace wood pieces (ST-C06). ▪ Underlain by gray, fat clay to boring termination depth in ST-C11.

*Abbreviations defined in the attached Descriptive Terminology sheet.

For simplicity in this report, we define fill to mean existing, uncontrolled or undocumented fill.

DRAFT

B.2.c. Groundwater

Groundwater was observed during our drilling operations as shown in Table 4.

Table 4. Groundwater Observation Summary

Boring	Surface Elevation (ft)*	Observed Groundwater Depth (ft)	Corresponding Groundwater Elevation (ft)
ST-C3	882	7	875
ST-C4	883	9	874
ST-C10	889	8 1/2	880 1/2

*Rounded to nearest 1/2 foot.

The groundwater elevation was approximately between 874 and 880 1/2 feet. Seasonal and annual fluctuations of groundwater should be anticipated.

B.3. Laboratory Test Results

Laboratory test results, including moisture content, organic content and mechanical analysis (#200 sieve only) tests, are summarized in Table 5. The moisture contents of the sandy fill and native soils were around 3 to 15 percent, indicating the materials ranged from below to above their optimum moisture contents for compaction. The higher moisture contents of noted clayey soils, ranging from 15 to 37 percent, are likely near or above their optimum moisture contents for compaction.

Table 5. Laboratory Testing Results

Borehole	Soil Classification	Depth	%<#200 Sieve	Water Content (%)	Organic Content (%)
ST-A2	SP-SM	2 1/2	9	8	---
ST-A4	SP	2 1/2	---	3	---
ST-B4	SP-SM	2 1/2	6	4	---
ST-C1	SP-SM	5	6	4	---
ST-C3	SP-SM	5	---	18	---
ST-C7	SP	7 1/2	---	8	---
ST-C10	SP-SM	5	12	10	---
ST-C11	SM	5	---	15	2
ST-C13	SP-SM	2 1/2	---	9	---
ST-C14	CL	2 1/2	---	15	2
ST-C14	CL	5	98	37	--

DRAFT

C. Basis for Recommendations

C.1. Design Details

C.1.a. Traffic Loads

Traffic counts for the streets were not available. Based on the residential zoning in the project areas, we anticipate they will experience approximately 50,000 equivalent single axle loads (ESALs) over a 20-year service life.

C.1.b. Anticipated Grade Changes

Based on the nature of construction, we anticipate grade changes will be minimal.

C.1.c. Utility Depths

Design utility depths were not available. We also assume storm sewer improvements will be less than 10 feet below grade.

C.1.d. Precautions Regarding Changed Information

We have attempted to describe our understanding of the proposed construction to the extent it was reported to us by others. Depending on the extent of available information, assumptions may have been made based on our experience with similar projects. If we have not correctly recorded or interpreted the project details, we should be notified. New or changed information could require additional evaluation, analyses and/or recommendations.

C.2. Design and Construction Considerations

C.2.a. Reuse of Pavement Materials

Our borings encountered a bituminous layer averaging 3 to 4 inches thick, depending on the project area. The aggregate base was 5 to 5 1/2 inches thick, on average, and was underlain with sandy fill material in nearly all of our soil borings.

In our opinion, full-depth reclamation (FDR) can be utilized in order to obtain materials for aggregate base on the projects, assuming the material can be stockpiled or processed on site, or hauled to an off-site location to be sorted and reused. A proper reclamation depth will likely vary be between 6 and 8 inches. It may be possible to increase this thickness locally depending on the conditions encountered and nature of the subbase materials.

DRAFT

We recommend thorough quality control practices, including frequent sieve analyses of the reclaimed material, if the product will be reused directly on site as aggregate base or as a stabilizing material with minimal processing.

C.2.b. Pavement Subgrades

The pavement subgrades will consist almost exclusively of sandy materials, though areas of clayey sand or lean and fat clay were also present.

We anticipate the subgrade soils present beneath the streets will generally be suitable for pavement support in their current condition or with minor rework such as surface compaction. The exception is the swamp-deposited soils, which should be removed from excavations for pavements and in utility trenches. The shallow clayey sand or lean clay fill, present in ST-C5, ST-C14 and ST-C15, may be wet or become wet upon exposure. These soils in particular may require additional work, such as drying or moisture conditioning, before they can be properly compacted.

C.2.c. Utility Support and Impact of Groundwater

The reuse of the utility trench backfill soils will have potential impacts on the pavement subgrades. If the backfill is not properly compacted, there is the potential for subgrade instability and settlement (and premature deterioration) of the driving surface. We anticipate the trench soils will consist mostly of granular soils (poorly graded sand and poorly graded sand with silt). In some cases, poor or unsuitable soils will be encountered that should be removed or will need additional effort to properly compact.

Depending on the conditions at the time of excavation, drying of the clayey and silty soils may be necessary to achieve the levels of compaction recommended for utility support. Clayey and particularly silt-rich trench soils that are exposed to moisture will be more susceptible to strength loss and may also become unstable, which will require moisture conditioning or removal and replacement with suitable soils. Fat clay and organic soils (ST-C6, ST-C11) should not be used as utility support or backfill material.

Groundwater was present in a limited number of borings (see Table 3), which may affect the placement of storm sewer. A coarse stabilizing aggregate could help with utility placement in wet or saturated conditions in these soils.

DRAFT

D. Recommendations

D.1. Pavements

D.1.a. Subgrade Preparation and Proofrolls

For preparation of any exposed subgrades prior to placement of new pavement sections or reclaimed aggregate (see below), we recommend proofrolling the subgrade soils with a loaded tandem-axle truck. This will assist in identifying any soft or weak areas that will require additional soil correction work. Areas that yield or rut more than 1 to 2 inches due to wheel traffic, depending on conditions, should be corrected. Failed areas should be compacted, or if too wet, we recommend that the upper 1 to 2 feet of the resulting subgrade be scarified, dried to a proper moisture content (see Table 6), and compacted to a 100 percent of its standard Proctor maximum dry density (ASTM D 698).

If there are areas that still cannot be compacted, we recommend subexcavating the unstable materials to a minimum depth of 1 to 2 feet, depending on the outcome of the proofroll and the replacement material. The soils should be replaced with suitable, properly compacted materials such as select granular material, aggregate base or larger diameter crushed aggregate ("3-inch minus").

D.1.b. Backfill and Material Compaction

We recommend compacting soils used as backfill for subcuts or material replacement to a minimum of 100 percent of standard Proctor density within 3 feet of the top of the subgrade. For fills more than 3 feet below final subgrades, 95 percent compaction is sufficient. The moisture content of the fill and backfill should be as shown in the table below depending on the classification of the backfill soils.

Table 6. Compaction Recommendations Summary

Reference	Relative Compaction, percent (ASTM D 698 – Standard Proctor)	Moisture Content Variance from Optimum, percentage Points
Below pavements, within 3 feet of subgrade elevations	100	-3/+3 (sandy soils) -2/+1 (clayey soils)
Below pavements, more than 3 feet below subgrade elevations Below utilities	95	-3/+3 (sandy soils) -2/+3 (clayey soils)

DRAFT

D.1.c. Design Sections

Laboratory tests to determine an R-value for pavement design were not included in the scope of this project. Given the most common soils in the top 5 feet of pavement sections, which include poorly graded sand with silt and poorly graded sand, we recommend using an R-value of 50 for pavement thickness design on all three projects.

Based upon the assumed traffic loads and an R-value of 50, we recommend a new pavement section for the 2018-2019 Street Reconstruction Projects meet the minimum thicknesses presented in Table 7.

Table 7. Recommended Bituminous Pavement Thickness Design (Areas A, B and C)

Layer	Thickness (in.)	MnDOT Specification/Designation
Bituminous Wear	1 1/2 (1 lift)	SPWEA240C
Bituminous Non-wear	2 (1 lift)	SPNWB230C*
Aggregate Base (Class 5 or 6) or Reclaim	6	3138 3135

*For small quantities, SPWEA240C can be used for the entire thickness.

The above pavement design is based upon a 20-year performance life. This is the amount of time before major reconstruction is anticipated. This performance life assumes maintenance such as seal coating and crack sealing is routinely performed. The actual pavement life will vary depending on variations in weather, traffic conditions and maintenance.

D.1.d. Materials and Compaction

We recommend specifying pavement materials as recommended in Table 6.

We recommend compacting the aggregate base or reclaim materials to meet the requirements of MnDOT specification 2211.3.D.2.c. (Penetration Index Method). We recommend compacting bituminous pavements to at least 92 percent of the maximum theoretical Rice density per the Maximum Density Method (specification 2360.3.D.1), with bituminous materials and placement practices meeting the requirements of MnDOT Specification 2360.

DRAFT

D.2. Utilities

D.2.a. Subgrades and Trench Backfill

The native and fill soils encountered at likely utility elevations generally appear suitable for pipe and utility structure support and we anticipate that utilities can be installed per manufacturer bedding requirements. However, we encountered some wet, clayey or silty soils in some borings; these soils may have limited stability and not be suitable for backfill or support of utilities if wet. We recommend providing a contingency for further subcutting and soil replacement of utility backfill soils in such soils.

In addition, the swamp-deposited clays and silty sands (ST-C6, ST-C11) are not considered suitable backfill materials under any circumstances. These soils should be removed and replaced with suitable grading materials where encountered during excavation. At pipe elevations, we recommend a minimum subcut and replacement with crushed-faced rock that is free of material 1 inch in diameter or smaller.

A geotechnical engineer should observe all utility trench excavations and subcuts.

D.2.b. Excavation Side Slopes

The project area soils appear to meet OSHA Type C requirements in most cases. We recommend constructing excavation side slopes to lie back at a horizontal to vertical slope of 1 1/2 to 1 or flatter. In significant depths of organic soils these side slopes may need to be made flatter, or supplemental support may be necessary.

All excavations must comply with the requirements of OSHA 29 CFR, Part 1926, Subpart P, “Excavations and Trenches.” This document states that excavation safety is the responsibility of the contractor. Reference to these OSHA requirements should be included in the project specifications.

Trenches deeper than 20 feet must be designed by a professional engineer.

D.2.c. Selection, Placement and Compaction of Backfill

We recommend compacting backfill placed above and below utilities as shown in Table 6.

To achieve compaction over wet or waterbearing subgrades, we recommend the use of sands or gravel with MnDOT aggregate backfill material (Specification 3149.2E).

DRAFT

D.2.d. Excavation Dewatering

We recommend removing groundwater from the utility excavations if encountered, and removing any water that seeps into excavations from sidewalls or the adjacent sitework. Sumps and pumps will generally be suitable for short-term, small-scale water removal under the soil conditions likely to be encountered for this project. Alternative approaches should be considered for long-term or large-scale groundwater removal, particularly in sands such as those encountered on the project, which can become unstable during dewatering with pumps from within excavations.

D.2.e. Corrosion Potential

If founded in sandy soils, corrosion protection should not be required for ductile iron pipe. Type I cement may also be specified for concrete utilities.

Some clayey soils were present at likely utility depths, which are considered at least moderately corrosive to ductile iron pipe. We recommend corrosion protection or the use of corrosion-resistant pipe material if utilities will be bedded within such soils, particular if in close proximity to static groundwater. Soils with organic content should not be allowed as pipe support or as backfill around pipes.

D.3. Construction Quality Control

D.3.a. Excavation Observations

We recommend having a geotechnical engineer observe all excavations related to subgrade preparation, utility placement and pavement construction. The purpose of the observations is to evaluate the competence of the geologic materials exposed in the excavations and the adequacy of required excavation oversizing.

D.3.b. Materials Testing

We recommend density tests be taken in excavation backfill and additional required fill placed below pavements and utilities. This includes DCP tests for aggregate base or reclaim and imported granular materials.

We recommend Gyratory tests on bituminous mixes to evaluate strength and air voids and density tests to evaluate compaction.

D.3.c. Pavement Subgrade Proofroll

We recommend that proofrolling of the pavement subgrades be observed by a geotechnical engineer to determine if the results of the procedure meet project specifications and to delineate the extent of additional pavement subgrade preparation work that may be necessary.

DRAFT

D.3.d. Cold Weather Precautions

If site grading and construction is anticipated during cold weather, all snow and ice should be removed from cut and fill areas prior to additional grading. No fill should be placed on frozen subgrades. No frozen soils should be used as fill.

Concrete delivered to the site should meet the temperature requirements of ASTM C 94. Concrete should not be placed on frozen subgrades. Concrete should be protected from freezing until the necessary strength is attained.

E. Procedures

E.1. Penetration Test Borings

The penetration test borings were drilled with a truck-mounted core and auger drill equipped with hollow-stem auger. The borings were performed in accordance with ASTM D 1586. Penetration test samples were taken at 2 1/2 foot intervals.

E.2. Material Classification and Testing

E.2.a. Visual and Manual Classification

The geologic materials encountered were visually and manually classified in accordance with ASTM Standard Practice D 2488. A chart explaining the classification system is attached. Samples were placed in jars or bags and returned to our facility for review and storage.

E.2.b. Laboratory Testing

The results of the laboratory tests performed on geologic material samples are noted on the appropriate attached exploration logs. The tests were performed in accordance with ASTM or AASHTO procedures.

E.3. Groundwater Measurements

The drillers checked for groundwater as the penetration test borings were advanced, and again after auger withdrawal. The boreholes were then backfilled as noted on the boring logs.

DRAFT

F. Qualifications

F.1. Variations in Subsurface Conditions

F.1.a. Material Strata

Our evaluation, analyses and recommendations were developed from a limited amount of site and subsurface information. It is not standard engineering practice to retrieve material samples from exploration locations continuously with depth, and therefore strata boundaries and thicknesses must be inferred to some extent. Strata boundaries may also be gradual transitions, and can be expected to vary in depth, elevation and thickness away from the exploration locations.

Variations in subsurface conditions present between exploration locations may not be revealed until additional exploration work is completed, or construction commences. If any such variations are revealed, our recommendations should be re-evaluated. Such variations could increase construction costs, and a contingency should be provided to accommodate them.

F.1.b. Groundwater Levels

Groundwater measurements were made under the conditions reported herein and shown on the exploration logs, and interpreted in the text of this report. It should be noted that the observation periods were relatively short, and groundwater can be expected to fluctuate in response to rainfall, flooding, irrigation, seasonal freezing and thawing, surface drainage modifications and other seasonal and annual factors.

F.2. Continuity of Professional Responsibility

F.2.a. Plan Review

This report is based on a limited amount of information, and a number of assumptions were necessary to help us develop our recommendations. It is recommended that our firm review the geotechnical aspects of the designs and specifications, and evaluate whether the design is as expected, if any design changes have affected the validity of our recommendations, and if our recommendations have been correctly interpreted and implemented in the designs and specifications.

F.2.b. Construction Observations and Testing

It is recommended that we be retained to perform observations and tests during construction. This will allow correlation of the subsurface conditions encountered during construction with those encountered by the borings, and provide continuity of professional responsibility.

DRAFT

F.3. Use of Report

This report is for the exclusive use of the parties to which it has been addressed. Without written approval, we assume no responsibility to other parties regarding this report. Our evaluation, analyses and recommendations may not be appropriate for other parties or projects.

F.4. Standard of Care

In performing its services, Braun Intertec used that degree of care and skill ordinarily exercised under similar circumstances by reputable members of its profession currently practicing in the same locality. No warranty, express or implied, is made.

DRAFT

DRAFT

Appendix

DENOTES APPROXIMATE LOCATION OF STANDARD PENETRATION TEST BORING

60' 0 120'

SCALE: 1"= 120'

BRAUN INTERTEC
The Science You Build On.

11001 Hampshire Avenue S
Minneapolis, MN 55438
PH. (952) 995-2000
FAX (952) 995-2020

Base Dwg Provided By:

SOIL BORING LOCATION SKETCH - AREA A
GEOTECHNICAL EVALUATION
2018-2019 RECONSTRUCTION PROJECTS
NORTH FORTY, STANHOPE TERRACE AND FORD BROOK ESTATES SUBDIVISIONS
RAMSEY, MINNESOTA

Project No:	B1705491
Drawing No:	B1705491
Scale:	1"= 120'
Drawn By:	JAG
Date Drawn:	6/28/17
Checked By:	NGL
Last Modified:	8/9/17
Sheet: of	Fig:

F:\2017\B1705491.dwg,Area A,8/9/2017 5:06:59 PM

DENOTES APPROXIMATE LOCATION OF STANDARD PENETRATION TEST BORING

75' 0 150'

SCALE: 1"= 150'

F:\2017\B1705491.dwg,Area B,8/9/2017 5:06:18 PM

BRAUN INTERTEC
The Science You Build On.
11001 Hampshire Avenue S
Minneapolis, MN 55438
PH. (952) 995-2000
FAX (952) 995-2020

Base Dwg Provided By:

SOIL BORING LOCATION SKETCH - AREA B

GEOTECHNICAL EVALUATION
2018-2019 RECONSTRUCTION PROJECTS
NORTH FORTY, STANHOPE TERRACE AND FORD BROOK ESTATES SUBDIVISIONS
RAMSEY, MINNESOTA

Project No:	B1705491
Drawing No:	B1705491
Scale:	1"= 150'
Drawn By:	JAG
Date Drawn:	6/28/17
Checked By:	NGL
Last Modified:	8/9/17
Sheet:	Fig:
of	

DENOTES APPROXIMATE LOCATION OF STANDARD PENETRATION TEST BORING

100' 0 200'

SCALE: 1"= 200'

BRAUN INTERTEC
The Science You Build On.
11001 Hampshire Avenue S
Minneapolis, MN 55438
PH. (952) 995-2000
FAX (952) 995-2020

Base Dwg Provided By:

SOIL BORING LOCATION SKETCH - AREA C
GEOTECHNICAL EVALUATION
2018-2019 RECONSTRUCTION PROJECTS
NORTH FORTY, STANHOPE TERRACE AND FORD BROOK ESTATES SUBDIVISIONS
RAMSEY, MINNESOTA

Project No: B1705491

Drawing No: B1705491

Scale:	1"= 200'
Drawn By:	JAG
Date Drawn:	6/28/17
Checked By:	NGL
Last Modified:	8/9/17

Sheet: of

Fig:

F:\2017\B1705491.dwg,Area C,8/9/2017 5:05:42 PM

BRAUN INTERTEC

LOG OF BORING

Braun Project B1705491
GEOTECHNICAL EVALUATION
City of Ramsey 2018-2019 Reconstruction Projects
Ramsey, Minnesota

BORING: **ST-A1**

LOCATION: N: 184793, E: 447907 See attached sketch.

DRILLER: SC | METHOD: 3 1/4" HSA, Autohammer | DATE: **7/6/17** | SCALE: **1" = 4'**

Elev. feet	Depth feet	Symbol	Description of Materials (Soil-ASTM D2488 or D2487, Rock-USACE EM1110-1-2908)	BPF	WL	Tests or Notes
897.0	0.0					
896.3	0.7	PAV	3 inches of bituminous over 5 inches of aggregate base.			
		FILL	FILL: Poorly Graded Sand with Silt, fine-grained, trace Gravel, dark brown, moist.	13		
893.0	4.0	SP	POORLY GRADED SAND, fine-grained, brown, moist, loose to medium dense. (Alluvium)	6		No recovery.
				8		
886.0	11.0			11		
			END OF BORING. Water not observed while drilling. Boring then backfilled.			

(See Descriptive Terminology sheet for explanation of abbreviations)

LOG OF BORING N:\GINT\PROJECTS\AX PROJECTS\2017\05491.GPJ BRAUN_V8_CURRENT.GDT 8/11/17 16:36

BRAUN INTERTEC

LOG OF BORING

Braun Project B1705491
GEOTECHNICAL EVALUATION
City of Ramsey 2018-2019 Reconstruction Projects
Ramsey, Minnesota

BORING: **ST-A2**

LOCATION: N: 184814, E: 448514 See attached sketch.

DRILLER: SC | METHOD: 3 1/4" HSA, Autohammer | DATE: **7/6/17** | SCALE: **1" = 4'**

Elev. feet	Depth feet	Symbol	Description of Materials (Soil-ASTM D2488 or D2487, Rock-USACE EM1110-1-2908)	BPF	WL	MC %	P200 %	Tests or Notes
895.7	0.0							
895.0	0.7	PAV	3 inches of bituminous over 5 inches of aggregate base.					
		FILL	FILL: Poorly Graded Sand with Silt, fine-grained, dark brown, moist.					
892.7	3.0			11		8	9	
		SP	POORLY GRADED SAND, fine-grained, brown, moist, loose to medium dense. (Alluvium)	8				
				5				
884.7	11.0			13				
			END OF BORING. Water not observed while drilling. Boring then backfilled.					

(See Descriptive Terminology sheet for explanation of abbreviations)

LOG OF BORING N:\GINT\PROJECTS\AX PROJECTS\2017\05491.GPJ BRAUN_V8_CURRENT.GDT 8/11/17 16:36

BRAUN INTERTEC

LOG OF BORING

Braun Project B1705491
GEOTECHNICAL EVALUATION
City of Ramsey 2018-2019 Reconstruction Projects
Ramsey, Minnesota

BORING: **ST-A3**

LOCATION: N: 185249, E: 448553 See attached sketch.

DRILLER: SC | METHOD: 3 1/4" HSA, Autohammer | DATE: **7/6/17** | SCALE: **1" = 4'**

Elev. feet	Depth feet	Symbol	Description of Materials (Soil-ASTM D2488 or D2487, Rock-USACE EM1110-1-2908)	BPF	WL	Tests or Notes
897.0	0.0					
896.7	0.3	BIT	3 inches of bituminous.			
		FILL	FILL: Poorly Graded Sand with Silt, fine-grained, trace Gravel, dark brown to brown, moist.			
894.0	3.0			11		
		SP	POORLY GRADED SAND, fine-grained, brown, moist, loose. (Alluvium)	6		
				5		
886.0	11.0			10		
			END OF BORING.			
			Water not observed while drilling.			
			Boring then backfilled.			

(See Descriptive Terminology sheet for explanation of abbreviations)

LOG OF BORING N:\GINT\PROJECTS\AX PROJECTS\2017\05491.GPJ BRAUN_V8_CURRENT.GDT 8/11/17 16:36

BRAUN INTERTEC

LOG OF BORING

Braun Project B1705491
GEOTECHNICAL EVALUATION
City of Ramsey 2018-2019 Reconstruction Projects
Ramsey, Minnesota

BORING: **ST-A4**

LOCATION: N: 185237, E: 447847 See attached sketch.

DRILLER: SC | METHOD: 3 1/4" HSA, Autohammer | DATE: **7/6/17** | SCALE: **1" = 4'**

Elev. feet	Depth feet	Symbol	Description of Materials (Soil-ASTM D2488 or D2487, Rock-USACE EM1110-1-2908)	BPF	WL	MC %	Tests or Notes
893.3	0.0						
892.4	0.9	PAV	3 inches of bituminous over 8 inches of aggregate base.				
891.3	2.0	FILL	FILL: Poorly Graded Sand with Silt, fine- to medium-grained, dark brown, moist.				
		SP	POORLY GRADED SAND, fine-grained, trace Gravel, brown, moist, loose to medium dense. (Alluvium)	13		3	
				6			
				16			
882.3	11.0			12			
			END OF BORING.				
			Water not observed while drilling.				
			Boring then backfilled.				

(See Descriptive Terminology sheet for explanation of abbreviations)

LOG OF BORING N:\GINT\PROJECTS\AX PROJECTS\2017\05491.GPJ BRAUN_V8_CURRENT.GDT 8/11/17 16:36

BRAUN INTERTEC

LOG OF BORING

Braun Project B1705491
GEOTECHNICAL EVALUATION
City of Ramsey 2018-2019 Reconstruction Projects
Ramsey, Minnesota

BORING: **ST-A5**

LOCATION: N: 185545, E: 447646 See attached sketch.

DRILLER: SC | METHOD: 3 1/4" HSA, Autohammer | DATE: **7/6/17** | SCALE: **1" = 4'**

(See Descriptive Terminology sheet for explanation of abbreviations)

Elev. feet	Depth feet	Symbol	Description of Materials (Soil-ASTM D2488 or D2487, Rock-USACE EM1110-1-2908)	BPF	WL	Tests or Notes
890.0	0.0					
889.4	0.6	PAV / FILL	3 inches of bituminous over 4 inches of aggregate base. FILL: Poorly Graded Sand with Silt, fine- to medium-grained, trace Gravel, dark brown and brown, moist to wet.	9 15 3 5		
879.0	11.0		END OF BORING. Water not observed while drilling. Boring then backfilled.			

LOG OF BORING N:\GINT\PROJECTS\AX PROJECTS\2017\05491.GPJ BRAUN_V8_CURRENT.GDT 8/11/17 16:36

BRAUN INTERTEC

LOG OF BORING

Braun Project B1705491
GEOTECHNICAL EVALUATION
City of Ramsey 2018-2019 Reconstruction Projects
Ramsey, Minnesota

BORING: **ST-B1**

LOCATION: N: 178200, E: 467663 See attached sketch.

DRILLER: SC | METHOD: 3 1/4" HSA, Autohammer | DATE: **7/6/17** | SCALE: **1" = 4'**

(See Descriptive Terminology sheet for explanation of abbreviations)

Elev. feet	Depth feet	Symbol	Description of Materials (Soil-ASTM D2488 or D2487, Rock-USACE EM1110-1-2908)	BPF	WL	Tests or Notes
888.4	0.0					
887.7	0.7	PAV / FILL	3 inches of bituminous over 5 inches of aggregate base. FILL: Poorly Graded Sand with Silt, fine-grained, dark brown to brown, moist.	19		
884.4	4.0	SP	POORLY GRADED SAND, fine- to medium-grained, brown, wet, loose to medium dense. (Alluvium)	5		
				6		
877.4	11.0			16		
			END OF BORING. Water not observed while drilling. Boring then backfilled.			

LOG OF BORING N:\GINT\PROJECTS\AX PROJECTS\2017\05491.GPJ BRAUN_V8_CURRENT.GDT 8/11/17 16:36

BRAUN INTERTEC

LOG OF BORING

Braun Project B1705491
GEOTECHNICAL EVALUATION
City of Ramsey 2018-2019 Reconstruction Projects
Ramsey, Minnesota

BORING: **ST-B2**

LOCATION: N: 178670, E: 467672 See attached sketch.

DRILLER: SC | METHOD: 3 1/4" HSA, Autohammer | DATE: **7/6/17** | SCALE: **1" = 4'**

(See Descriptive Terminology sheet for explanation of abbreviations)

Elev. feet	Depth feet	Symbol	Description of Materials (Soil-ASTM D2488 or D2487, Rock-USACE EM1110-1-2908)	BPF	WL	Tests or Notes
884.6	0.0					
883.8	0.8	PAV	4 inches of bituminous over 6 inches of aggregate base.			
		FILL	FILL: Poorly Graded Sand with Silt, fine-grained, dark brown, moist.			
882.6	2.0	SP	POORLY GRADED SAND, fine- to medium-grained, trace Gravel, brown, moist, loose. (Alluvium)	9		
				6		
				10		
				8		
873.6	11.0		END OF BORING.			
			Water not observed while drilling.			
			Boring then backfilled.			

BRAUN INTERTEC

LOG OF BORING

Braun Project B1705491
GEOTECHNICAL EVALUATION
City of Ramsey 2018-2019 Reconstruction Projects
Ramsey, Minnesota

BORING: **ST-B3**

LOCATION: N: 178780, E: 468035 See attached sketch.

DRILLER: SC | METHOD: 3 1/4" HSA, Autohammer | DATE: **7/6/17** | SCALE: **1" = 4'**

Elev. feet	Depth feet	Symbol	Description of Materials (Soil-ASTM D2488 or D2487, Rock-USACE EM1110-1-2908)	BPF	WL	Tests or Notes
878.3	0.0					
877.5	0.8	PAV	4 inches of bituminous over 5 inches of aggregate base.			
		FILL	FILL: Poorly Graded Sand with Silt, fine-grained, dark brown to brown, moist.	9		
872.3	6.0			14		
		SP	POORLY GRADED SAND, fine-grained, brown, moist, loose. (Alluvium)	9		
867.3	11.0			7		
			END OF BORING. Water not observed while drilling. Boring then backfilled.			

(See Descriptive Terminology sheet for explanation of abbreviations)

LOG OF BORING N:\GINT\PROJECTS\AX PROJECTS\2017\05491.GPJ BRAUN_V8_CURRENT.GDT 8/11/17 16:36

BRAUN INTERTEC

LOG OF BORING

Braun Project B1705491
GEOTECHNICAL EVALUATION
City of Ramsey 2018-2019 Reconstruction Projects
Ramsey, Minnesota

BORING: **ST-B4**

LOCATION: N: 179030, E: 467625 See attached sketch.

DRILLER: SC | METHOD: 3 1/4" HSA, Autohammer | DATE: **7/6/17** | SCALE: **1" = 4'**

Elev. feet	Depth feet	Symbol	Description of Materials (Soil-ASTM D2488 or D2487, Rock-USACE EM1110-1-2908)	BPF	WL	MC %	P200 %	Tests or Notes
891.2	0.0							
890.6	0.6	PAV	3 inches of bituminous over 4 inches of aggregate base.					
		FILL	FILL: Poorly Graded Sand with Silt, fine-grained, dark brown and brown, moist.	12		4	6	
886.2	5.0	SP	POORLY GRADED SAND, fine-grained, brown, moist, loose. (Alluvium)	10				
				6				
880.2	11.0			15				
			END OF BORING. Water not observed while drilling. Boring then backfilled.					

(See Descriptive Terminology sheet for explanation of abbreviations)

LOG OF BORING N:\GINT\PROJECTS\AX PROJECTS\2017\05491.GPJ BRAUN_V8_CURRENT.GDT 8/11/17 16:36

BRAUN INTERTEC

LOG OF BORING

Braun Project B1705491
GEOTECHNICAL EVALUATION
City of Ramsey 2018-2019 Reconstruction Projects
Ramsey, Minnesota

BORING: **ST-B5**

LOCATION: N: 175086, E: 468267 See attached sketch.

DRILLER: SC | METHOD: 3 1/4" HSA, Autohammer | DATE: **7/6/17** | SCALE: **1" = 4'**

Elev. feet	Depth feet	Symbol	Description of Materials (Soil-ASTM D2488 or D2487, Rock-USACE EM1110-1-2908)	BPF	WL	Tests or Notes
891.2	0.0					
890.6	0.6	PAV	3 inches of bituminous over 4 inches of aggregate base.			
		FILL	FILL: Poorly Graded Sand with Silt, fine-grained, dark brown, moist.			
888.2	3.0			7		
		SP	POORLY GRADED SAND, fine-grained, trace Gravel, brown and light brown, moist, very loose to loose. (Alluvium)	9		
				4		
880.2	11.0			12		
			END OF BORING.			
			Water not observed while drilling.			
			Boring then backfilled.			

(See Descriptive Terminology sheet for explanation of abbreviations)

LOG OF BORING N:\GINT\PROJECTS\AX PROJECTS\2017\05491.GPJ BRAUN_V8_CURRENT.GDT 8/11/17 16:36

BRAUN INTERTEC

LOG OF BORING

Braun Project B1705491
GEOTECHNICAL EVALUATION
City of Ramsey 2018-2019 Reconstruction Projects
Ramsey, Minnesota

BORING: **ST-C1**

LOCATION: N: 195376, E: 462823 See attached sketch.

DRILLER: SC | METHOD: 3 1/4" HSA, Autohammer | DATE: **7/5/17** | SCALE: **1" = 4'**

Elev. feet	Depth feet	Symbol	Description of Materials (Soil-ASTM D2488 or D2487, Rock-USACE EM1110-1-2908)	BPF	WL	MC %	P200 %	Tests or Notes
897.2	0.0							
896.4	0.8	PAV	4 inches of bituminous over 5 inches of aggregate base.					
895.2	2.0	FILL	FILL: Poorly Graded Sand with Silt, fine-grained, with Gravel, dark brown, moist.					
		FILL	FILL: Poorly Graded Sand with SILT, fine- to coarse-grained, with Gravel, brown, moist.	14				
				10		4	6	
890.2	7.0	SP	POORLY GRADED SAND, fine- to medium-grained, trace Gravel, light brown, moist, medium dense. (Alluvium)	12				
886.2	11.0			28				
			END OF BORING.					
			Water not observed while drilling.					
			Boring then backfilled.					

(See Descriptive Terminology sheet for explanation of abbreviations)

LOG OF BORING N:\GINT\PROJECTS\AX PROJECTS\2017\05491.GPJ BRAUN_V8_CURRENT.GDT 8/11/17 16:36

BRAUN INTERTEC

LOG OF BORING

Braun Project B1705491
GEOTECHNICAL EVALUATION
City of Ramsey 2018-2019 Reconstruction Projects
Ramsey, Minnesota

BORING: **ST-C2**

LOCATION: N: 195624, E: 463131 See attached sketch.

DRILLER: SC | METHOD: 3 1/4" HSA, Autohammer | DATE: **7/5/17** | SCALE: **1" = 4'**

Elev. feet	Depth feet	Symbol	Description of Materials (Soil-ASTM D2488 or D2487, Rock-USACE EM1110-1-2908)	BPF	WL	Tests or Notes
894.5	0.0					
893.7	0.8	PAV	5 inches of bituminous over 5 inches of aggregate base.			
892.5	2.0	FILL	FILL: Poorly Graded Sand with Silt, fine-grained, trace Gravel, dark brown, moist.			
890.5	4.0	FILL	FILL: Poorly Graded Sand, fine-grained, brown, moist.	28		
		SP	POORLY GRADED SAND, fine-grained, brown, moist, loose to medium dense. (Alluvium)	10		
				19		
883.5	11.0			19		
			END OF BORING. Water not observed while drilling. Boring then backfilled.			

(See Descriptive Terminology sheet for explanation of abbreviations)

LOG OF BORING N:\GINT\PROJECTS\AX PROJECTS\2017\05491.GPJ BRAUN_V8_CURRENT.GDT 8/11/17 16:36

BRAUN INTERTEC

LOG OF BORING

Braun Project B1705491
GEOTECHNICAL EVALUATION
City of Ramsey 2018-2019 Reconstruction Projects
Ramsey, Minnesota

BORING: **ST-C3**

LOCATION: N: 195609, E: 463651 See attached sketch.

DRILLER: SC | METHOD: 3 1/4" HSA, Autohammer | DATE: **7/5/17** | SCALE: **1" = 4'**

(See Descriptive Terminology sheet for explanation of abbreviations)

Elev. feet	Depth feet	Symbol	Description of Materials (Soil-ASTM D2488 or D2487, Rock-USACE EM1110-1-2908)	BPF	WL	MC %	Tests or Notes
881.8	0.0						
881.1	0.7	PAV	3 inches of bituminous over 5 inches of aggregate base.				
		FILL	FILL: Poorly Graded Sand with Silt, fine-grained, brown to dark brown, wet.	16			
				4		18	
874.8	7.0				▽		
		CL	LEAN CLAY, gray, moist, rather soft. (Alluvium)	4			An open triangle in the water level (WL) column indicates the depth at which groundwater was observed while drilling. Groundwater levels fluctuate.
872.3	9.5						
		SP	POORLY GRADED SAND, fine- to coarse-grained, gray, waterbearing, very loose. (Alluvium)	3			
870.8	11.0		END OF BORING.				
			Water observed at 7 feet with 9 1/2 feet of hollow-stem auger in the ground.				
			Boring then backfilled.				

LOG OF BORING N:\GINT\PROJECTS\AX PROJECTS\2017\05491.GPJ BRAUN_V8_CURRENT.GDT 8/11/17 16:36

BRAUN INTERTEC

LOG OF BORING

Braun Project B1705491
GEOTECHNICAL EVALUATION
City of Ramsey 2018-2019 Reconstruction Projects
Ramsey, Minnesota

BORING: **ST-C4**

LOCATION: N: 195602, E: 464086 See attached sketch.

DRILLER: SC | METHOD: 3 1/4" HSA, Autohammer | DATE: **7/5/17** | SCALE: **1" = 4'**

(See Descriptive Terminology sheet for explanation of abbreviations)

Elev. feet	Depth feet	Symbol	Description of Materials (Soil-ASTM D2488 or D2487, Rock-USACE EM1110-1-2908)	BPF	WL	Tests or Notes
883.0	0.0					
882.4	0.6	PAV / FILL	3 inches of bituminous over 4 inches of aggregate base. FILL: Poorly Graded Sand with Silt, fine-grained, dark brown, moist to wet.	11		
879.0	4.0	SP-SM	POORLY GRADED SAND with SILT, fine-grained, brown, wet, loose to medium dense. (Alluvium)	11		
				12	▽	
			Waterbearing at 9 feet.			
872.0	11.0		Intermixed with gray, Lean Clay at sampler tip.	6		
			END OF BORING. Water observed at 9 feet with 9 1/2 feet of hollow-stem auger in the ground. Boring then backfilled.			

LOG OF BORING N:\GINT\PROJECTS\AX PROJECTS\2017\05491.GPJ BRAUN_V8_CURRENT.GDT 8/11/17 16:36

BRAUN INTERTEC

LOG OF BORING

Braun Project B1705491
GEOTECHNICAL EVALUATION
City of Ramsey 2018-2019 Reconstruction Projects
Ramsey, Minnesota

BORING: **ST-C5**

LOCATION: N: 195599, E: 464519 See attached sketch.

DRILLER: SC | METHOD: 3 1/4" HSA, Autohammer | DATE: **7/5/17** | SCALE: **1" = 4'**

(See Descriptive Terminology sheet for explanation of abbreviations)

Elev. feet	Depth feet	Symbol	Description of Materials (Soil-ASTM D2488 or D2487, Rock-USACE EM1110-1-2908)	BPF	WL	Tests or Notes
890.3	0.0					
889.6	0.7	PAV	4 inches of bituminous over 4 inches of aggregate base.			
		FILL	FILL: Poorly Graded Sand with Silt, fine-grained, dark brown, moist.			
888.3	2.0	FILL	FILL: Clayey Sand, brown, moist.	8		
887.3	3.0	FILL	FILL: Poorly Graded Sand, fine-grained, brown, moist.			
885.3	5.0	CL	LEAN CLAY, with Sand, brown, moist, rather soft. (Alluvium)	5		
883.3	7.0	SC	CLAYEY SAND, trace Gravel, brown to gray, moist, rather stiff to stiff. (Alluvium)	13		
879.3	11.0			12		
			END OF BORING.			
			Water not observed while drilling.			
			Boring then backfilled.			

LOG OF BORING N:\GINT\PROJECTS\AX PROJECTS\2017\05491.GPJ BRAUN_V8_CURRENT.GDT 8/11/17 16:36

BRAUN INTERTEC

LOG OF BORING

Braun Project B1705491
GEOTECHNICAL EVALUATION
City of Ramsey 2018-2019 Reconstruction Projects
Ramsey, Minnesota

BORING: **ST-C6**

LOCATION: N: 195594, E: 464693 See attached sketch.

DRILLER: SC | METHOD: 3 1/4" HSA, Autohammer | DATE: **7/5/17** | SCALE: **1" = 4'**

Elev. feet	Depth feet	Symbol	Description of Materials (Soil-ASTM D2488 or D2487, Rock-USACE EM1110-1-2908)	BPF	WL	Tests or Notes
885.7	0.0					
884.3	1.4	PAV	6 inches of bituminous over 4 inches of aggregate base over 3 inches of bituminous over 4 inches of aggregate base.			
		FILL	FILL: Poorly Graded Sand with Silt, fine- to medium-grained, trace Gravel, dark brown to brown, moist.	13		
880.7	5.0	SM	SILTY SAND, fine-grained, organic, trace wood pieces, black, wet, very loose. (Swamp Deposit)	1		
				7		
876.7	9.0	SM	SILTY SAND, fine- to medium-grained, dark gray, wet, loose. (Alluvium)	6		
874.7	11.0		END OF BORING.			
			Water not observed while drilling.			
			Boring then backfilled.			

(See Descriptive Terminology sheet for explanation of abbreviations)

LOG OF BORING N:\GINT\PROJECTS\AX PROJECTS\2017\05491.GPJ BRAUN_V8_CURRENT.GDT 8/11/17 16:36

BRAUN INTERTEC

LOG OF BORING

Braun Project B1705491
GEOTECHNICAL EVALUATION
City of Ramsey 2018-2019 Reconstruction Projects
Ramsey, Minnesota

BORING: **ST-C7**

LOCATION: N: 195304, E: 463197 See attached sketch.

DRILLER: SC | METHOD: 3 1/4" HSA, Autohammer | DATE: **7/5/17** | SCALE: **1" = 4'**

Elev. feet	Depth feet	Symbol	Description of Materials (Soil-ASTM D2488 or D2487, Rock-USACE EM1110-1-2908)	BPF	WL	MC %	Tests or Notes
899.4	0.0						
898.7	0.7	PAV	3 inches of bituminous over 5 inches of aggregate base.				
		FILL	FILL: Poorly Graded Sand with Silt, fine- to medium-grained, with Gravel, dark brown, moist.				
897.4	2.0	SP	POORLY GRADED SAND, fine- to medium-grained, brown, moist, very loose to medium dense. (Alluvium)	13			
				9			
				3		8	
888.4	11.0		Fine- to coarse-grained, with Gravel, wet at 10 feet.	2			
			END OF BORING.				
			Water not observed while drilling.				
			Boring then backfilled.				

(See Descriptive Terminology sheet for explanation of abbreviations)

LOG OF BORING N:\GINT\PROJECTS\AX PROJECTS\2017\05491.GPJ BRAUN_V8_CURRENT.GDT 8/11/17 16:36

BRAUN INTERTEC

LOG OF BORING

Braun Project B1705491
GEOTECHNICAL EVALUATION
City of Ramsey 2018-2019 Reconstruction Projects
Ramsey, Minnesota

BORING: **ST-C8**

LOCATION: N: 195252, E: 463659 See attached sketch.

DRILLER: SC | METHOD: 3 1/4" HSA, Autohammer | DATE: **7/5/17** | SCALE: **1" = 4'**

(See Descriptive Terminology sheet for explanation of abbreviations)

Elev. feet	Depth feet	Symbol	Description of Materials (Soil-ASTM D2488 or D2487, Rock-USACE EM1110-1-2908)	BPF	WL	Tests or Notes
887.7	0.0					
887.1	0.6	PAV / FILL	3 inches of bituminous over 4 inches of aggregate base.			
			FILL: Poorly Graded Sand, fine-grained, dark brown to brown, moist.	24		
				10		
880.7	7.0	SP	POORLY GRADED SAND, fine-grained, brown, moist to wet, very loose to loose. (Alluvium)	10		
				2		
876.7	11.0		END OF BORING.			
			Water not observed while drilling.			
			Boring then backfilled.			

LOG OF BORING N:\GINT\PROJECTS\AX PROJECTS\2017\05491.GPJ BRAUN_V8_CURRENT.GDT 8/11/17 16:36

BRAUN INTERTEC

LOG OF BORING

Braun Project B1705491
GEOTECHNICAL EVALUATION
City of Ramsey 2018-2019 Reconstruction Projects
Ramsey, Minnesota

BORING: **ST-C9**

LOCATION: N: 195286, E: 464075 See attached sketch.

DRILLER: SC | METHOD: 3 1/4" HSA, Autohammer | DATE: **7/6/17** | SCALE: **1" = 4'**

(See Descriptive Terminology sheet for explanation of abbreviations)

Elev. feet	Depth feet	Symbol	Description of Materials (Soil-ASTM D2488 or D2487, Rock-USACE EM1110-1-2908)	BPF	WL	Tests or Notes
886.4	0.0					
885.7	0.7	PAV	3 inches of bituminous over 5 inches of aggregate base.			
		FILL	FILL: Poorly Graded Sand with Silt, fine-grained, dark brown, moist.	15		
882.4	4.0	SP	POORLY GRADED SAND, fine-grained, brown, wet, loose. (Alluvium)	7		
				7		
875.4	11.0			8		
			END OF BORING. Water not observed while drilling. Boring then backfilled.			

LOG OF BORING N:\GINT\PROJECTS\AX PROJECTS\2017\05491.GPJ BRAUN_V8_CURRENT.GDT 8/11/17 16:36

BRAUN INTERTEC

LOG OF BORING

Braun Project B1705491
GEOTECHNICAL EVALUATION
City of Ramsey 2018-2019 Reconstruction Projects
Ramsey, Minnesota

BORING: **ST-C10**

LOCATION: N: 195282, E: 464524 See attached sketch.

DRILLER: SC | METHOD: 3 1/4" HSA, Autohammer | DATE: **7/6/17** | SCALE: **1" = 4'**

(See Descriptive Terminology sheet for explanation of abbreviations)

Elev. feet	Depth feet	Symbol	Description of Materials (Soil-ASTM D2488 or D2487, Rock-USACE EM1110-1-2908)	BPF	WL	MC %	P200 %	Tests or Notes
888.8	0.0							
888.4	0.4	BIT	5 inches of bituminous.					
		FILL	FILL: Poorly Graded Sand with Silt, fine-grained, dark brown and brown, moist.	8				
884.8	4.0	SP-SM	POORLY GRADED SAND with SILT, fine-grained, brown, wet, very loose to loose. (Alluvium)	4		10	12	
				7	▽			
877.8	11.0		Waterbearing at 10 feet.	10				
			END OF BORING.					
			Water observed at 8 1/2 feet with 9 1/2 feet of hollow-stem auger in the ground.					
			Boring then backfilled.					

LOG OF BORING N:\GINT\PROJECTS\AX PROJECTS\2017\05491.GPJ BRAUN_V8_CURRENT.GDT 8/11/17 16:36

BRAUN INTERTEC

LOG OF BORING

Braun Project B1705491
GEOTECHNICAL EVALUATION
City of Ramsey 2018-2019 Reconstruction Projects
Ramsey, Minnesota

BORING: **ST-C11**

LOCATION: N: 195903, E: 464272 See attached sketch.

DRILLER: SC | METHOD: 3 1/4" HSA, Autohammer | DATE: **7/5/17** | SCALE: **1" = 4'**

(See Descriptive Terminology sheet for explanation of abbreviations)

Elev. feet	Depth feet	Symbol	Description of Materials (Soil-ASTM D2488 or D2487, Rock-USACE EM1110-1-2908)	BPF	WL	MC %	Tests or Notes
881.7	0.0						
880.9	0.8	PAV	3 inches of bituminous over 6 inches of aggregate base.				
		FILL	FILL: Poorly Graded Sand with Silt, fine- to medium-grained, dark brown, moist to wet.				
878.7	3.0			12			
		SM	SILTY SAND, fine-grained, slightly organic, black, wet, loose. (Swamp Deposit)	7		15	OC=2%
873.7	8.0			3			
		CH	FAT CLAY, trace fibers and roots, gray, wet, soft. (Swamp Deposit)				
870.7	11.0			3			
			END OF BORING.				
			Water not observed while drilling.				
			Boring then backfilled.				

LOG OF BORING N:\GINT\PROJECTS\AX PROJECTS\2017\05491.GPJ BRAUN_V8_CURRENT.GDT 8/11/17 16:36

BRAUN INTERTEC

LOG OF BORING

Braun Project B1705491
GEOTECHNICAL EVALUATION
City of Ramsey 2018-2019 Reconstruction Projects
Ramsey, Minnesota

BORING: **ST-C12**

LOCATION: N: 195998, E: 464525 See attached sketch.

DRILLER: SC | METHOD: 3 1/4" HSA, Autohammer | DATE: **7/5/17** | SCALE: **1" = 4'**

Elev. feet	Depth feet	Symbol	Description of Materials (Soil-ASTM D2488 or D2487, Rock-USACE EM1110-1-2908)	BPF	WL	Tests or Notes
893.2	0.0					
892.4	0.8	PAV	3 inches of bituminous over 6 inches of aggregate base.			
		FILL	FILL: Poorly Graded Sand with Silt, fine-grained, brown, moist.	15		
889.2	4.0	SP	POORLY GRADED SAND, fine-grained, brown, moist to wet, medium dense. (Alluvium)	11		
				18		
882.2	11.0		Reddish brown Silty Sand lenses at 10 feet.	22		
			END OF BORING.			
			Water not observed while drilling.			
			Boring then backfilled.			

(See Descriptive Terminology sheet for explanation of abbreviations)

LOG OF BORING N:\GINT\PROJECTS\AX PROJECTS\2017\05491.GPJ BRAUN_V8_CURRENT.GDT 8/11/17 16:36

BRAUN INTERTEC

LOG OF BORING

Braun Project B1705491
GEOTECHNICAL EVALUATION
City of Ramsey 2018-2019 Reconstruction Projects
Ramsey, Minnesota

BORING: **ST-C13**

LOCATION: N: 195813, E: 463033 See attached sketch.

DRILLER: SC | METHOD: 3 1/4" HSA, Autohammer | DATE: **7/5/17** | SCALE: **1" = 4'**

Elev. feet	Depth feet	Symbol	Description of Materials (Soil-ASTM D2488 or D2487, Rock-USACE EM1110-1-2908)	BPF	WL	MC %	Tests or Notes
889.6	0.0						
888.8	0.8	PAV	4 inches of bituminous over 5 inches of aggregate base.				
		FILL					
887.6	2.0		FILL: Poorly Graded Sand with Silt, fine- to medium-grained, with Gravel, dark brown, moist.				
		SP-SM	POORLY GRADED SAND with SILT, fine- to medium-grained, trace Gravel, brown, moist, loose to medium dense. (Alluvium)	13		9	
				15			
				9			
878.6	11.0			5			
			END OF BORING.				
			Water not observed while drilling.				
			Boring then backfilled.				

(See Descriptive Terminology sheet for explanation of abbreviations)

LOG OF BORING N:\GINT\PROJECTS\AX PROJECTS\2017\05491.GPJ BRAUN_V8_CURRENT.GDT 8/11/17 16:36

BRAUN INTERTEC

LOG OF BORING

Braun Project B1705491
GEOTECHNICAL EVALUATION
City of Ramsey 2018-2019 Reconstruction Projects
Ramsey, Minnesota

BORING: **ST-C14**

LOCATION: N: 495994, E: 462578 See attached sketch.

DRILLER: SC | METHOD: 3 1/4" HSA, Autohammer | DATE: **7/5/17** | SCALE: **1" = 4'**

Elev. feet	Depth feet	Symbol	Description of Materials (Soil-ASTM D2488 or D2487, Rock-USACE EM1110-1-2908)	BPF	WL	MC %	P200 %	Tests or Notes
884.7	0.0							
883.9	0.8	PAV	5 inches of bituminous over 5 inches of aggregate base.					
		FILL	FILL: Lean Clay with Sand, slightly organic, dark brown, moist. Poorly Graded Sand with Silt layer at 2 feet.	6		15		OC=2%
880.7	4.0	CL	LEAN CLAY, gray, moist, soft to medium. (Alluvium)	3		37	98	
				7				
875.7	9.0	SP	POORLY GRADED SAND, fine-grained, brown, moist, loose. (Alluvium)	8				
873.7	11.0		END OF BORING. Water not observed while drilling. Boring then backfilled.					

(See Descriptive Terminology sheet for explanation of abbreviations)

LOG OF BORING N:\GINT\PROJECTS\AX PROJECTS\2017\05491.GPJ BRAUN_V8_CURRENT.GDT 8/11/17 16:36

BRAUN INTERTEC

LOG OF BORING

Braun Project B1705491
GEOTECHNICAL EVALUATION
City of Ramsey 2018-2019 Reconstruction Projects
Ramsey, Minnesota

BORING: **ST-C15**

LOCATION: N: 195692, E: 462332 See attached sketch.

DRILLER: SC | METHOD: 3 1/4" HSA, Autohammer | DATE: **7/5/17** | SCALE: **1" = 4'**

Elev. feet	Depth feet	Symbol	Description of Materials (Soil-ASTM D2488 or D2487, Rock-USACE EM1110-1-2908)	BPF	WL	Tests or Notes
887.1	0.0					
886.3	0.8	PAV	4 inches of bituminous over 5 inches of aggregate base.			
		FILL	FILL: Silty Sand, fine- to medium-grained, with Gravel, dark brown, moist.			
885.1	2.0	CL	LEAN CLAY, gray, moist, medium. (Alluvium)	7		
883.1	4.0	SP	POORLY GRADED SAND, fine-grained, brown, moist, loose to medium dense. (Alluvium)	11		
				8		
876.1	11.0			7		
			END OF BORING.			
			Water not observed while drilling.			
			Boring then backfilled.			

(See Descriptive Terminology sheet for explanation of abbreviations)

LOG OF BORING N:\GINT\PROJECTS\AX PROJECTS\2017\05491.GPJ BRAUN_V8_CURRENT.GDT 8/11/17 16:36

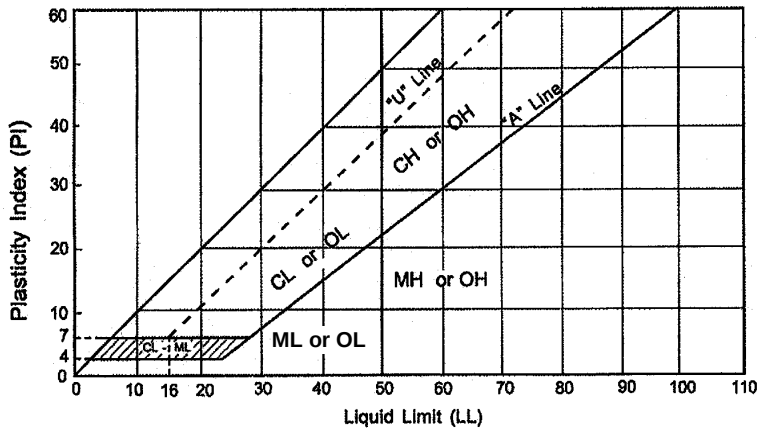
BRAUN INTERTEC

Descriptive Terminology of Soil

Standard D 2487
Classification of Soils for Engineering Purposes
(Unified Soil Classification System)

Criteria for Assigning Group Symbols and Group Names Using Laboratory Tests [a]				Soils Classification	
				Group Symbol	Group Name [b]
Coarse-grained Soils more than 50% retained on No. 200 sieve	Gravels More than 50% of coarse fraction retained on No. 4 sieve	Clean Gravels Less than 5% fines [e]	$C_u \geq 4$ and $1 \leq C_c \leq 3$ [c]	GW	Well-graded gravel [d]
			$C_u < 4$ and/or $1 > C_c > 3$ [c]	GP	Poorly graded gravel [d]
		Gravels with Fines More than 12% fines [e]	Fines classify as ML or MH	GM	Silty gravel [d f g]
			Fines classify as CL or CH	GC	Clayey gravel [d f g]
	Sands 50% or more of coarse fraction passes No. 4 sieve	Clean Sands Less than 5% fines [i]	$C_u \geq 6$ and $1 \leq C_c \leq 3$ [c]	SW	Well-graded sand [h]
			$C_u < 6$ and/or $1 > C_c > 3$ [c]	SP	Poorly graded sand [h]
		Sands with Fines More than 12% [i]	Fines classify as ML or MH	SM	Silty sand [f g h]
			Fines classify as CL or CH	SC	Clayey sand [f g h]
Fine-grained Soils 50% or more passed the No. 200 sieve	Silts and Clays Liquid limit less than 50	Inorganic	PI > 7 and plots on or above "A" line [j]	CL	Lean clay [k l m]
			PI < 4 or plots below "A" line [j]	ML	Silt [k l m]
		Organic	Liquid limit - oven dried / Liquid limit - not dried < 0.75	OL	Organic clay [k l m n]
				OL	Organic silt [k l m o]
	Silts and clays Liquid limit 50 or more	Inorganic	PI plots on or above "A" line	CH	Fat clay [k l m]
			PI plots below "A" line	MH	Elastic silt [k l m]
		Organic	Liquid limit - oven dried / Liquid limit - not dried < 0.75	OH	Organic clay [k l m p]
				OH	Organic silt [k l m q]
Highly Organic Soils	Primarily organic matter, dark in color and organic odor			PT	Peat

a. Based on the material passing the 3-inch (75mm) sieve.
b. If field sample contained cobbles or boulders, or both, add "with cobbles or boulders or both" to group name.
c. $C_u = D_{60}/D_{10}$ $C_c = \frac{(D30)^2}{D_{10} \times D_{60}}$
d. If soil contains ≥15% sand, add "with sand" to group name.
e. Gravels with 5 to 12% fines require dual symbols:
   GW-GM well-graded gravel with silt
   GW-GC well-graded gravel with clay
   GP-GM poorly graded gravel with silt
   GP-GC poorly graded gravel with clay
f. If fines classify as CL-ML, use dual symbol GC-GM or SC-SM.
g. If fines are organic, add "with organic fines: to group name.
h. If soil contains ≥15% gravel, add "with gravel" to group name.
i. Sand with 5 to 12% fines require dual symbols:
   SW-SM well-graded sand with silt
   SW-SC well-graded sand with clay
   SP-SM poorly graded sand with silt
   SP-SC poorly graded sand with clay
j. If Atterberg limits plot in hatched area, soil is a CL-ML, silty clay.
k. If soil contains 10 to 29% plus No. 200, add "with sand" or "with gravel" whichever is predominant.
l. If soil contains ≥ 30% plus No. 200, predominantly sand, add "sandy" to group name.
m. If soil contains ≥ 30% plus No. 200, predominantly gravel, add "gravelly" to group name.
n. PI ≥ 4 and plots on or above "A" line.
o. PI < 4 or plots below "A" line.
p. PI plots on or above "A" lines.
q. PI plots below "A" line.



Laboratory Tests

DD	Dry density, pcf	**OC**	Organic content, %
WD	Wet density, pcg	**S**	Percent of saturation, %
MC	Natural moisture content, %	**SG**	Specific gravity
LL	Liquid limit, %	**C**	Cohesion, psf
PL	Plastic limits, %	**Ø**	Angle of internal friction
PI	Plasticity index, %	**qu**	Unconfined compressive strength, psf
P200	% passing 200 sieve	**qp**	Pocket penetrometer strength, tsf

Particle Size Identification

Boulders..... over 12"
Cobbles ..... 3" to 12"
Gravel
  Coarse ..... 3/4" to 3"
  Fine..... No. 4 to 3/4"
Sand
  Coarse ..... No. 4 to No. 10
  Medium..... No. 10 to No. 40
  Fine..... No. 40 to No. 200
Silt ..... <No. 200, PI< 4 or below "A" line
Clay ..... <No. 200, PI ≥ 4 and on or about "A" line

Relative Density of Cohesionless Soils

Very Loose..... 0 to 4 BPF
Loose..... 5 to 10 BPF
Medium dense ..... 11 to 30 PPF
Dense ..... 31 to 50 BPF
Very dense..... over 50 BPF

Consistency of Cohesive Soils

Very soft..... 0 to 1 BPF
Soft..... 2 to 3 BPF
Rather soft ..... 4 to 5 BPF
Medium..... 6 to 8 BPF
Rather stiff ..... 9 to 12 BPF
Stiff ..... 13 to 16 BPF
Very stiff..... 17 to 30 BPF
Hard..... over 30 BPF

Drilling Notes

Standard penetration test borings were advanced by 3 1/4" or 6 1/4" ID hollow-stem augers, unless noted otherwise. Jetting water was used to clean out auger prior to sampling only where indicated on logs. All samples were taken with the standard 2" OD split-tube samples, except where noted.

Power auger borings were advanced by 4" or 6" diameter continuous flight, solid-stern augers. Soil classifications and strata depths were inferred from disturbed samples augered to the surface, and are therefore, somewhat approximate.

Hand auger borings were advanced manually with a 1 1/2" or 3 1/4" diameter auger and were limited to the depth from which the auger could be manually withdrawn.

BPF: Numbers indicate blows per foot recorded in standard penetration test, also known as "N" value. The sampler was set 6" into undisturbed soil below the hollow-stem auger. Driving resistances were then counted for second and third 6" increments, and added to get BPF. Where they differed significantly, they are reported in the following form: 2/12 for the second and third 6" increments, respectively.

WH: WH indicates the sampler penetrated soil under weight of hammer and rods alone; driving not required.

WR: WR indicates the sampler penetrated soil under weight of rods alone; hammer weight, and driving not required.

TW: TW indicates thin-walled (undisturbed) tube sample.

Note: All tests were run in general accordance with applicable ASTM standards.

NOTICE OF PUBLIC HEARING
IMPROVEMENT PROJECT #18-00
STANHOPE TERRACE STREET RECONSTRUCTIONS

CITY OF RAMSEY
ANOKA COUNTY
STATE OF MINNESOTA

TO WHOM IT MAY CONCERN:

Notice is hereby given that the Ramsey City Council will hold a public hearing at 7:00 p.m. on Tuesday, November 14, 2017 in the Ramsey Municipal Center Council Chambers, 7550 Sunwood Drive NW, Ramsey, MN. The purpose of the hearing is to consider Improvement Project #18-00 which proposes grading, concrete curb and gutter, bituminous pavement reclamation and paving, drainage, and miscellaneous appurtenant improvements to Ute Street from Alpine Drive to its termini cul-de-sac, 154th Lane between Ute Street and Roanoke Street, and 153rd Court from Roanoke Street to its termini cul-de-sac.

Properties abutting the improved street are proposed to be assessed per Minnesota Statutes, Sections 429.011 to 429.111, Chapter 8 of the Ramsey City Charter, and the City's adopted Special Assessments Policy. The total estimated cost of the above described project is $430,935. A reasonable estimate of the impact of the assessment, preliminarily proposed at $6,733.36 per benefitting property to be assessed over ten years with interest at two-percent above the bond interest rate, will be available at the hearing.

Written comments are welcome and shall be addressed to the Ramsey City Council, 7550 Sunwood Drive NW, Ramsey, MN 55303. Written comments will be received at the above address until 4:30 p.m. on November 14, 2017. All interested persons are invited to attend the hearing and comment on the proposed improvement project. Questions on the project and proposed assessments may be directed to City Engineer, Bruce Westby, at 763-433-9825.

The City of Ramsey complies with the Americans With Disabilities Act and upon advance request, information will be provided in an alternative form and interpreters will be available. Any person with such a request should contact Mary Jo Warner at 763-433-9820 by 4:30 p.m. on Tuesday, November 7, 2017. A TDD machine is available at the Ramsey Municipal Center; the number is 763-427-8591.

Bruce Westby, City Engineer

Dates published: October 27 and November 3, 2017

SPECIAL ASSESSMENTS POLICY AND PROCEDURES FOR PUBLIC IMPROVEMENTS AND MAINTENANCE COSTS

SECTION 1. General Policy Statement.
SECTION 2. Improvements and Maintenance Costs Eligible for Special Assessment.
SECTION 3. Initiation of Public Improvement Projects.
SECTION 4. Public Improvement Procedures.
SECTION 5. Financing of Public Improvements.
SECTION 6. General Assessment Policies.
SECTION 7. Methods of Assessment.
SECTION 8. Standards for Public Improvement Projects.
SECTION 9. Policies of Reassessment.
SECTION 10. Assessment Computations.
SECTION 11. Deferment of Assessments.

SECTION 1. GENERAL POLICY STATEMENT.

The purpose of this policy is to establish a fair and equitable manner of assessing the increase in market value (special benefit) associated with public improvements. The procedures used by the City for levying special assessments are those specified by the City Charter and Minnesota Statutes Chapter 429, which provide that all or a part of the cost of improvements may be assessed against benefiting properties.

Three basic criteria must be satisfied before a particular parcel can be assessed. The criteria are as follows:

1. The land must have received special benefit from the improvement.
2. The amount of the assessment must not exceed the special benefit.
3. The assessment must be uniform in relation to the same class of property within the assessment area.

It is important to recognize that the actual cost of extending an improvement past or through a particular parcel is not the controlling factor in determining the amount to be assessed. However, in many cases the method for assigning the value of the benefit received by the improvement, and therefore the amount to be assessed, will focus on calculating the proportionate cost of providing the improvement, provided the cost does not exceed the increase in property market value resulting from the improvement. The entire project shall be considered as a whole for the purpose of calculating and computing an assessment rate. In the event City staff has doubt as to whether the costs of the project may exceed the special benefits to the property, the City Council may obtain such appraisals as may be necessary to support the proposed assessment.

The assessment policy is intended to serve as a guide for a systematic assessment process in the City. There may be exceptions to the policy or unique circumstances or situations that may require special consideration and discretion by City staff and the City Council.

SECTION 2. IMPROVEMENTS AND MAINTENANCE COSTS ELIGIBLE FOR SPECIAL ASSESSMENT.

Subd. 1. Public improvements, and related acquisition, construction, extension, and maintenance of such improvements, authorized by Minnesota Statutes, Sections 429.021 and 459.14, subd. 7, that are eligible for special assessment within the City include the following:

1. Streets, sidewalks, pavement, curbs and gutters, including the beautification thereof.
2. Parking lots.
3. Water works systems and appurtenances, within and without the corporate limits.
4. Sanitary sewer and storm sewer systems including appurtenances, within and without the corporate limits.
5. Street boulevard trees.
6. Street lights, street lighting systems and special lighting systems.
7. Steam heating mains.
8. Parks, playgrounds, and recreational facilities, including the purchase of equipment, within or without the corporate limits.
9. Abatement of nuisances, including but not limited to, draining and filling swamps, marshes, and ponds on public and private property.
10. Dikes and other flood control works.
11. Retaining walls and area walls.
12. A pedestrian skyway system upon a petition pursuant to section 429.031, subdivision 3.
13. Underground pedestrian concourses.
14. Public malls, plazas or courtyards.
15. District heating systems.
16. Fire protection systems in existing buildings upon a petition pursuant to section 429.031, subdivision 3.
17. Highway sound barriers.
18. Gas and electric distribution facilities.

Subd. 2. The City is also authorized by ordinance adopted pursuant to Minnesota Statutes Section 429.101 to recover, through special assessment, certain costs, including the following:

1. Snow, ice, or rubbish removal from sidewalks.
2. Weed elimination from streets or private property.
3. Removal or elimination of public health or safety hazards from private property excluding any structure included under the provisions of Minnesota Statutes, sections 463.15 to 463.26.
4. Installation or repair of water service lines, street sprinkling, sweeping, or other dust treatment of streets.
5. The trimming and care of trees and the removal of unsound trees from any street.
6. The treatment and removal of insect infested or diseased trees on private property.
7. The repair of sidewalks and alleys.
8. The operation of a street lighting system.
9. The operation and maintenance of a fire protection or a pedestrian skyway system.

SECTION 3. INITIATION OF PUBLIC IMPROVEMENT PROJECTS.

Public improvement projects can be initiated in the following ways.

1. Public improvement projects may be initiated by petition of owners of not less than 50% in frontage of the property abutting the proposed improvement in accordance with the provisions of Section 8.4.2 of the City Charter.

2. Public improvements also may be initiated by the City Council when, in its judgment, such action is required and is in accordance with the provisions of Chapter 8 of the City Charter.

3. A resolution ordering any improvements initiated by the Council requires a four-fifths majority vote of all members of the Council. A resolution ordering any improvements petitioned for by owners of not less than 50% of abutting property owners requires a majority vote of all members of the Council. A resolution ordering any improvements initiated by all owners of abutting property, and assessing the entire cost against their property, may be adopted without a public hearing. The Council may consider the request of a Developer to construct the improvements and assess them.

SECTION 4. PUBLIC IMPROVEMENT PROCEDURE.

The following is the general procedure followed by the City Council for all public improvement projects from initiation of such a project through certification of the assessment roll to the County Auditor. Formats for the various reports and resolutions referenced in this section are made a part of the policies and procedures of the City**. Applicable state law and City Charter provisions take precedence over the following general procedure.**

1. Staff reviews the petition or Developer's request for submission to Council.
2. Council accepts or rejects the petition or request. If based upon a petition, the Council adopts a resolution declaring whether the required percentage of property owners signed the petition. If the petition or request is accepted, Council orders the preparation of a feasibility report.
3. Staff prepares the feasibility report. The report shall preliminarily evaluate whether the proposed improvement is necessary, cost-effective, and feasible and whether it should be made as proposed or in conjunction with another project. The report shall include an estimate of the cost of the improvement as proposed. Council may refer the report to the Planning and Zoning Commission.
4. Council accepts or rejects the feasibility report. If accepted, Council orders a public hearing on the improvements.
5. Staff posts and publishes the hearing notice and mails notices to affected property owners as provided in Minn. Stat. § 429.031(a).
6. Council conducts a public hearing.
7. Within six (6) months of the hearing date, but no sooner than sixty (60) days after per City Charter § 8.4.1, Council adopts or rejects a resolution ordering the improvement to be constructed and advertisement of bids. If adopted, staff prepares final plans, advertises for and opens bids as provided in Minn. Stat. § 429.041, prepares a bid tabulation, makes a recommendation to City Council for award, and prepares a proposed assessment roll. Bonds to finance project costs may be issued at any time after the improvements are ordered.

8. Council reviews the proposed assessment roll and orders an assessment hearing.
9. Staff publishes a hearing notice and mails notice of the hearing date and proposed assessments to the affected property owners as provided in Minn. Stat. § 429.061.
10. Council conducts the assessment hearing and adopts, revises, or rejects the resolution determining the amount of the total expense the City will pay, if any, and establishing the assessment roll. If adopted, Council authorizes certification of the assessment to the County Auditor.
11. Council awards contracts based on the bids received.
12. Staff certifies the assessment roll to the County Auditor.
13. Staff supervises construction and prepares payments.

SECTION 5. FINANCING OF PUBLIC IMPROVEMENTS.

The City encourages public improvement projects when the area benefiting and needing such improvements develop. Examples of this policy can be seen through the subdivision regulations, zoning ordinance, and building codes. Developers are required to provide the needed improvements and services before development occurs, thereby avoiding unexpected hardships on the property owners purchasing such property and the general public. However, it is recognized that certain areas of the City have developed without all needed public improvements (e.g. parks, water, sewer, and street improvements) and that methods must be found to provide these improvements without causing undue hardships on the general public or the individual property owners.

Special assessments are generally accepted as a means by which areas can obtain improvements or services; however, the method of financing assessment is a critical factor to both the City and the property owner. Full project costs spread over a very short term can cause an undue hardship on the property owner and, likewise, city costs and systems costs spread over a long period of time can cause an undue hardship on the City.

It is the policy of the City to not defer assessments except in cases where hardship to senior citizens 65 years of age or older, or persons retired by virtue of a permanent and total disability, would result. Also, the City Council may elect to defer assessments on undeveloped land for a specified length of time or until the lands are developed. Terms and conditions of any such deferral will be established in the resolution adopting the assessments.

SECTION 6. GENERAL ASSESSMENT POLICIES APPLICABLE TO ALL TYPES OF IMPROVEMENTS.

The cost of any improvement shall be assessed based upon benefits received. The following general principles shall be used as a basis of the City's assessment policy:

1. **Project Cost.** The "project cost" of an improvement includes the costs of all necessary construction work required to accomplish the improvement (direct costs), plus engineering, legal, administrative, financing and other contingent costs, including acquisition of right-of-way and other property (indirect costs). The finance charges include all costs of financing the project. These costs include, but are not limited to, financial consultant's fees, bond rating agency fee, bond attorney's fees, and capitalized interest. The interest charged to the project shall be included as financing charges.

2. **City Cost.** The "city cost" of an improvement is the amount of the total improvement expense the City will pay as determined by Council resolution. Where the project cost of an improvement is not entirely attributed to the need for service to the area served by the improvement, or where unusual conditions beyond the control of the owners of the property in the area served by the improvement would result in an inequitable distribution of special assessments, or for any other reason determined by the City, the City, through the use of other funds, may pay such "city cost."
3. **Assessable Cost.** The "assessable cost" of an improvement is equal to the "project cost" minus the "city cost."
4. **Interest.** The City will charge interest on special assessments at a rate specified in the resolution approving the assessment roll. If bonds were sold to finance the improvement project, the interest rate shall be equal to the interest rate of the bonds plus 2% (2% above bond rate), rounded to the nearest quarter of a percent. If no bonds were sold, the interest rate shall be set at the U.S. Treasury rate (10-year for 10 year assessment; 15-Year for 15 year assessment) plus 2 percentage points.
5. **Prepayment.** Property owners may pay their assessments in full, interest free, for a period of 30 days after the assessment hearing. After such period interest shall be computed from the date specified in the assessment resolution. The City will transmit a certified duplicate of the assessment roll with each installment, including interest, to the County Auditor, or in lieu of such certification, annually certify to the County Auditor by November 30 in each year, the total amount of installments of and interest on assessments on each parcel that are to become due in the following year.
6. **Extensions.** Where an improvement is designed for service of an area beyond that receiving the initial benefit, the City may pay for increased project costs due to such provisions for future service extensions. The City will levy assessments to cover this cost when a new improvement is installed as an extension of the existing improvement upon identification of such additional amount in the notice of hearing for the extensions or new improvements. As an alternative, the City may assess these costs to the area of future extension immediately based on the value of benefit received.
7. **Project Assistance.** If the City receives financial assistance from the Federal Government, the State of Minnesota, the County, or from any other source to defray a portion of the costs of a given improvement, such aid will be used first to reduce the "city cost" of the improvement. If the financial assistance received is greater than the "city cost," the remainder of the aid will be placed in the Public Improvement Revolving Fund to be applied towards other City projects.
8. **Assessable Property.** Property owned by the City and other political subdivisions including municipal building sites, parks and playgrounds, but not including public streets, alleys, and right-of-way, shall be regarded as being assessable on the same basis as if such property was privately owned. Private right-of-way shall be assessable.
9. **Individual Benefits.** The City may construct improvements specifically designed for or shown to be of benefit solely to one or more properties. The costs for these improvements will be assessed directly to such properties, and not included in the assessments for the remainder of the project. An example would be utility service lines running from the main lines to the property.
10. **Benefit Appraisals.** In the event that City staff has doubt as to whether the proposed assessments exceed the special benefits to the property(ies) in question, the City Council may order benefit appraisals or benefit appraisal consultations as deemed necessary to support the proposed assessments. As a general rule, benefit appraisals or benefit appraisal consultations may be ordered when the proposed assessment exceeds $5,000 for a standard city street

reconstruction project on a residential lot, or $20,000 per acre for commercial or industrial property.

11. **Condemnation Awards.** A property owner may elect to offset special assessments against condemnation awards. In such case, the property owner must execute an agreement (Net Assessment Agreement) with the City.
12. **Subgrade Corrections.** All costs relative to subgrade soil corrections deemed necessary to construct or reconstruct City streets will be considered a "city cost" and will not be assessed.
13. **Rural to Urban Conversion.** All costs relative to converting an existing rural street section to an urban street section by filling roadside drainage ditches and adding curb and gutter and storm sewer will be considered a "city cost" and will not be assessed.
14. **Oversizing.** All costs relative to oversizing an existing City street by increasing the width of the street and/or the load carrying capacity of the pavement section will be considered a "city cost" and will not be assessed.

SECTION 7. METHODS OF ASSESSMENT.

Subd. 1. General Statement. There are three different methods of assessment: adjusted front footage, area, and per lot. The feasibility report will recommend one or a combination of these methods for each project, based upon which method would best reflect the benefit received for the area to be assessed. The City Council will select the preferred method of calculating the assessments along with other applicable assessment criteria.

Subd. 2. Policy Statement. The following methods of assessment, as described and defined below, are hereby established as the preferred methods of assessment in the City.

A. "Adjusted Front Footage" Method of Assessment.

The "adjusted front footage" method of assessment is based on the quotient of the "assessable cost" divided by the total assessable frontage benefiting from the improvement. This method is typically applied to commercial, industrial, and multi-family residential properties. For the purpose of determining the "assessable frontage," all properties, including those owned by governmental entities, shall have their frontages included in such calculation.

The actual physical dimensions of a parcel abutting an improvement (i.e., street, sewer, water, etc.) shall not be construed as the frontage utilized to calculate the assessment for a particular parcel. Rather, an "adjusted front footage" will be determined. The purpose of this method is to equalize assessment calculations for lots of similar size. Individual parcels by their very nature differ considerably in shape and area. The following procedures will apply when calculating adjusted front footage. The selection of the appropriate procedure will be determined by the specified configuration of the parcel. All measurements will be scaled from available plat and section maps and will be rounded down to the nearest foot dimension with any excess fraction deleted.

1. *Rectangular Interior Lots.* The rectangular lot is defined as having no more than 2 feet of difference between the front and rear lot lines. The adjusted front footage is the actual front footage of the lot. For rectangular lots whose frontage is greater than its depth, the "odd shaped lot" method shall be used.

2. *Odd Shaped Lots.* For odd shaped lots such as exist on cul-de-sacs and curved streets where there is more than 2 feet of difference between the front and rear lot lines, and where the lots frontage is greater than its depth, the "odd shaped lot" method of determining the adjusted front footage shall be used. The adjusted front footage shall be computed by dividing the area of the lot by 12,000 square feet to determine the equivalent number of front footage units in the parcel. The number of units multiplied by 65 feet will give the adjusted front footage.

3. *Corner Lot Adjustment.* For street and trail assessments, the short side will be assessed the actual front footage. The long side will be assessed one-half the actual side footage. Sanitary sewer and watermain will only be assessed on the short side of a corner lot.

4. *Zonal Assessment.* When the street along the long side of a corner lot is improved, the cost shall be assessed equally to all lots within ½ block in each direction of the street improved. This method may be selected rather than the "corner lot adjustment".

5. *Double Fronting Lots.* When a lot has frontage on two streets, the lot is subject to assessments for improvements to both streets, consistent with this policy, regardless of the timing of the improvements.

B. "Area" Method of Assessment.

The "area" method of assessment is based on the number of square feet or acres within the boundaries of the appropriate property lines of the parcels benefiting from the project. This method is most often applied to commercial and industrial lots. The assessment rate (i.e., cost per square foot) shall be calculated by dividing the total assessable cost by the total assessable area. On large lots, the City Engineer may determine that only a portion of the lots receives the benefit and may select a lot depth for the calculations equal to the benefit received.

All properties included in the benefited area, including those owned by governmental entities, churches, etc., shall be assessable. The following items may not be included in area calculations: public right-of-ways, and natural waterways, swamps and lakes and other wetlands designated by the Minnesota Department of Natural Resources or the City. The City Engineer will make a recommendation on the boundaries or parameters of the benefited area in the feasibility report.

C. "Per Lot" Method of Assessment.

The "per lot" method of assessment is based on equal assessment of all lots within the benefited area. This method is typically applied to single-family residential lots with similar sizes and configurations. The "assessment per lot" shall be the quotient of the "assessable cost" divided by the total assessable lots or parcels benefiting from the improvement. For the purpose of determining the "lots" or "parcels" all parcels, including those owned by governmental entities, shall be included in such calculations.

SECTION 8. STANDARDS FOR PUBLIC IMPROVEMENT PROJECTS.

The following standards are hereby established by the City to provide a uniform guide for improvements within the City.

A. Surface Improvements

Surface improvements shall normally include all improvements visible on or above the ground within the right-of-way, and include, but are not limited to, trees, lighting, sidewalks, trails, signing, street and accessory improvements such as drainage ponds and facilities, parking lots, parks and playgrounds. Surface improvements shall also normally include aggregate or granular base materials for bituminous and concrete pavements.

Policy Statement. Prior to construction or completion of surface improvements, all utilities and utility service lines (including sanitary sewers, storm sewers, water lines, gas and electric service) shall be installed to all planned service locations such as residences or buildings.

When practicable, no surface improvements to less than both sides of a full block of street shall be approved except as necessary to complete partially completed improvements initiated previously. Concrete or bituminous curbing, or concrete curb and gutter, shall be installed at the same time as street surfacing.

B. Sub-Surface Improvements

Sub-surface improvements shall normally include such items as water distribution, sanitary sewer and storm sewer lines and appurtenant infrastructure, and electric and gas utilities.

Main lines are the publicly owned and maintained lines or facilities such as trunk lines, interceptors, mains, and laterals. Service lines are those privately owned lines or facilities extending from the main line to the property line.

Policy Statement. Sub-surface improvements shall be made to serve current and projected land use. All installations shall conform to applicable standards established by local, state and/or federal agencies of competent jurisdiction. All installations shall also comply, to the maximum extent feasible, with nationally recognized standards such as those of the American Insurance Association.

Service lines from the lateral or trunk utility to the property line of all planned service locations such as residences or buildings on properties whose owner has requested service shall be installed in conjunction with the construction of the mains.

C. Subgrade Improvements

Subgrade improvements shall normally include such items as subgrade corrections (removing layers/pockets of unsuitable soils and replacing them with aggregate base, select granular material, or other more suitable soils) and installation of geotextile fabrics.

Policy Statement. Prior to construction or completion of subgrade improvements, all utilities and utility service lines (including sanitary sewers, storm sewers, water lines, gas and electric service) shall be installed to all planned service locations such as residences or buildings.

SECTION 9. POLICIES OF REASSESSMENT.

The City shall design public improvements to last for a definite period. The life expectancy or service life shall be as stated in the policy statement of this section, or if different, shall be as stated in the resolution ordering improvement and preparation of plans.

Policy Statement

The following are the "life expectancies" or "service lives" of public improvements except as may be otherwise stated in the resolution ordering improvement and preparation of plans.

1. Sidewalks and Trails – 30 years.
2. Street improvements, including surfacing and curb and gutter – 60 years.
3. Ornamental street lighting – 30 years.
4. Water Mains – 60 years.
5. Sanitary Sewers – 60 years.
6. Storm Sewers – 60 years.

SECTION 10. ASSESSMENT COMPUTATIONS.

The following is the typical city assessment for various specified improvements. The City Council reserves the right to vary from the following computations when conditions warrant. All computations are subject to the criteria set forth in Section 1.

A. Street and Curb and Gutter Improvements

1. ***New Construction.*** New streets are assessed 100% to the abutting benefited properties. Street and curb and gutter improvements will normally be assessed by the adjusted front footage method for commercial, industrial and multi-family residential properties, or by the per lot method for single-family residential properties, however other methods including the area method may be utilized if conditions warrant. Cost of construction of streets shall be assessed based on the minimum design of 7-ton axle load in residential areas and 9-ton axle load in commercial and industrial areas. Oversizing costs that are incurred in excess of the above may be paid by: (1) State funds, (2) larger assessment rates to other benefited properties, (3) general obligation funds, or (4) any other method or combination of methods authorized by the City Council.
2. ***Reconstruction and Overlays.*** Street reconstructions and overlays, including the associated removal and replacement of curb and gutter, are assessed 25% to the abutting benefited properties or as otherwise determined by Council ordered benefit appraisals.
3. ***Gravel Streets.*** Upgrading existing gravel streets by adding pavement, curb and gutter, and storm sewer are assessed 50% to the abutting benefited properties or as otherwise determined by Council ordered benefit appraisals.
4. ***Seal Coats.*** Sealcoats are not assessed.
5. ***Alleys.*** Upgrading existing gravel alleys by adding pavement is assessed 50% to all lots abutting on the alley in the block being improved or as otherwise determined by Council ordered benefit appraisals. Reconstructing existing paved alleys is 25% assessed to all lots abutting on the alley or as otherwise determined by Council ordered benefit appraisals.

B. Sidewalks and Trails

1. ***New Construction.*** New sidewalks and trails are not assessed to the abutting property on which the sidewalk is located, but rather are funded 100% by the City. In new subdivisions, the City will require the developer to finance sidewalk and trail improvements rather than assessing the cost.
2. ***Reconstruction.*** Replacement sidewalks are assessed 25% to the abutting property owner and 75% City funded.

C. Storm Sewer Improvements

Storm sewers are assessed on a project-by-project basis. Storm sewers in new subdivisions are considered an assessable improvement on an area basis.

Oversizing costs due to larger mains and larger appurtenances are paid for by a combination of availability charges, user charges and/or trunk area assessment charges. Trunk area storm sewer charges are levied to all unplatted property at the time of platting, to re-plats that have not been charged trunk area charges when the land was originally platted, and to re-plats that have been charged trunk area charges when the land was originally platted but where the use is increasing (only the cost difference based on current and prior use is charged). The charges will be set in the annual fee schedule approved by the City Council.

Normally, storm sewers are assessed on an area basis (square foot or acres), but in certain situations the per lot method or adjusted front footage method may be utilized at the City Council's discretion.

The replacement of existing storm sewers is paid for entirely through the Stormwater Utility Fund.

D. Sanitary Sewer Assessments

Assessments for sanitary sewer in residential areas are based upon the cost of construction of 8-inch mains, which is the smallest size installed in residential areas of the City. Assessments for sanitary sewers in commercial and industrial areas are based upon a standard size of 12-inch mains. Sanitary sewer assessments must conform to Chapter 8 of the City Charter.

Oversizing costs due to larger mains and larger appurtenances will be paid for by a combination of availability charges, user charges and/or trunk area assessment charges. Trunk area sanitary sewer charges shall be levied on all un-platted property at the time of platting and on re-plats that have not been charged trunk area charges when the land was originally platted. The charges will be set in the annual fee schedule approved by the City Council. Services installed to individual properties are assessed to the benefiting property as allowed under Chapter 8 of the City Charter.

Normally, sanitary sewers are assessed on an area basis (square foot or acres), but in certain situations the per lot method or adjusted front footage method may be utilized at the City Council's discretion.

Lateral benefit from major trunk sewers or interceptors is assessed to the properties benefited by the sewer. Any oversizing cost is assessed as described above.

The replacement of existing sewers is funded entirely by the City through the sewer enterprise funds.

Individual sanitary sewer service lines installed directly to specified properties are fully assessed directly to the benefited properties. Properties that have existing private sanitary services, but do not have mainline sewers adjacent to, across or abutting their property lines pay 0% of the assessment rate for the new mainline sanitary sewer, and 100% of the cost associated with replacing the service lines.

Any existing sanitary sewer service lines found to be defective as part of a project are replaced as part of the project and are assessed to the benefiting property as allowed under Chapter 8 of the City Charter.

Property owners electing to connect to City sewer during street reconstruction projects will receive a credit to offset those costs that would have been incurred by the City to reconstruct the street and boulevard after connecting to City sewer if the street were not being reconstructed. The amount of the credit will be set in the annual fee schedule approved by the City Council. Connecting to City sewer requires a City water connection.

E. Watermain Assessments

Assessments for watermains in residential areas are based upon the cost of construction of 8-inch mains, which is the smallest size installed in residential areas of the City. Assessments for watermains in commercial and industrial areas are based upon the standard size of 12-inch mains. Watermain assessments must conform to Chapter 8 of the City Charter.

Oversizing costs due to larger mains and larger appurtenances are paid for by a combination of availability charges, user charges and/or trunk area assessment charges. Trunk area water charges shall be levied on all un-platted property at the time of platting and on re-plats that have not been charged trunk area charges when the land was originally platted. The charges will be set in the annual fee schedule approved by the City Council. Services installed to individual properties shall be fully assessed to the benefiting property.

Normally, watermains are assessed on a per lot basis, but in certain situations the area or adjusted front footage method may be utilized at the City Council's discretion.

The replacement of existing watermains is funded entirely by the City through the water enterprise funds.

Lateral benefit from major trunk watermains is assessed to properties benefited by the watermain. Lateral watermain assessments are based on the costs for an equivalent 8-inch diameter watermain for residential properties and for an equivalent 12-inch diameter watermain for commercial/industrial properties.

Individual water service lines installed directly to specified properties are fully assessed directly to the benefited properties. Properties that have existing private water services, but do not have

mainline watermains adjacent to, across or abutting their property lines pay 0% of the assessment rate for the new watermain but 100% of the cost associated with replacing their service lines.

Any existing water service lines found to be defective as part of the project, are replaced as part of the project and are assessed directly to the benefiting property as allowed under Chapter 8 of the City Charter.

Property owners electing to connect to City water during street reconstruction projects will receive a credit to offset those costs that would have been incurred by the City to reconstruct the street and boulevard after connecting to City water if the street were not being reconstructed. The amount of the credit will be set in the annual fee schedule approved by the City Council.

F. Street Boulevard Trees

All street boulevard trees installed as part of new street constructions or in reconstructing existing streets shall be included as part of the overall project costs included in the assessment calculations.

G. Street Lights

All costs for new streetlights installed as part of constructing new streets or streetlights relocated as part of reconstructing streets are included in the overall project costs and included in the assessment calculations, unless otherwise directed by the City Council. In new subdivisions, the City will require the developer to finance street light improvements rather than assessing the cost.

H. Other Improvements

Based on the City Council's determination, any other eligible improvements may be fully assessed or assessed in part.

SECTION 11. DEFERMENT OF SPECIAL ASSESSMENTS.

Subd. 1. The Council may defer the payment of any special assessment on homestead property owned by a person who is 65 years of age or older, or who is retired by virtue of permanent and total disability, and the City Clerk is hereby authorized to record the deferment of special assessments where all of the following conditions are met:

1. The applicant must apply for the deferment not later than 90 days after the assessment is adopted by the City Council.
2. The applicant must be 65 years of age or older or retired by virtue of permanent and total disability at the time the assessment is adopted.
3. The applicant must be the owner of the property.
4. The applicant must occupy the property as his or her principal place of residence.
5. The average annual payment for assessments levied against the subject property exceed one percent of the adjusted gross income of the applicant as evidenced by the applicant's most recent federal income tax return. The average annual payment of an assessment shall be the total cost of the assessment divided by the number of years over which it is spread.

Subd. 2. The deferment shall be granted for as long a period of time as the hardship exists and the conditions in subdivision 1 remain true. It shall be the duty of the applicant to notify the City Clerk of any change in his or her status that would affect eligibility for deferment.

Subd. 3. The entire amount of deferred special assessments shall be due within sixty days after loss of eligibility by the applicant. If the special assessment is not paid within the sixty (60) days, the City Clerk shall add thereto interest accruing from the first date the applicant loses eligibility at the rate as defined in section 6.4 and the total amount of principal and interest shall be certified to the County Auditor for collection with taxes the following year. Should the applicant demonstrate to the satisfaction of the Council, that full repayment of the deferred special assessment would cause the applicant particular undue financial hardship, the Council may order that the applicant pay within sixty days a sum equal to the number of installments of deferred special assessments outstanding and unpaid to date, including principal and interest, with the balance thereafter paid according to the terms and conditions of the original special assessments.

Subd. 4. The option to defer the payment of special assessments shall terminate and all amounts accumulated plus applicable interest shall become due upon the occurrence of any one of the following:

1. The death of the owner when there is no spouse who is eligible for deferment.
2. The sale, transfer or subdivision of all or any part of the property.
3. Loss of homestead status on the property.
4. Determination by the Council for any reason that immediate or partial payment would impose no hardship.

State Law References(s): Minn. Stat. § 435.193, Senior Citizens or retired & disabled persons hardship special assessment deferral.

*Original Adoption: 12/9/14 by Resolution #14-12-250
*Amended: 1/13/15 by Resolution #15-01-016 – *Section 6 - #4 Interest to reflect interest rate on bonded projects*

CHAPTER 429

LOCAL IMPROVEMENTS, SPECIAL ASSESSMENTS

429.011 DEFINITIONS.
429.021 LOCAL IMPROVEMENTS, COUNCIL POWERS.
429.031 PRELIMINARY PLANS, HEARINGS.
429.035 IMPROVEMENTS, PETITION.
429.036 APPEAL FROM DETERMINATION OF LEGALITY OF PETITION.
429.041 COUNCIL PROCEDURE.
429.051 APPORTIONMENT OF COST.
429.052 STREET OR ROAD IMPROVEMENTS OUTSIDE MUNICIPAL BOUNDARIES.
429.061 ASSESSMENT PROCEDURE.
429.071 SUPPLEMENTAL ASSESSMENTS; REASSESSMENT.
429.081 APPEAL TO DISTRICT COURT.
429.091 FINANCING.
429.101 UNPAID SPECIAL CHARGES MAY BE SPECIAL ASSESSMENTS.
429.111 CHARTER PROVISIONS, EFFECT.

429.01 [Repealed, 1953 c 398 s 13 subd 1]

429.011 DEFINITIONS.

Subdivision 1. **Application.** For the purpose of this chapter the terms defined in this section shall have the meanings ascribed to them.

Subd. 2. **Municipality; certain cities and towns.** "Municipality" means any city of the second, third, or fourth class however organized, or any statutory city or any town as defined in section 368.01.

Subd. 2a. **Municipality; certain counties.** "Municipality" also includes the following:

(1) a county in the case of construction, reconstruction, or improvement of a county state-aid highway;

(2) a county in the case of construction, reconstruction, or improvement of a county highway as defined in section 160.02 including curbs and gutters and storm sewers;

(3) a county exercising its powers and duties under section 444.075, subdivision 1;

(4) a county for expenses not paid for under section 403.113, subdivision 3, paragraph (b), clause (3);

(5) a county in the case of the abatement of nuisances; and

(6) a county operating an energy improvements financing program under section 216C.436.

Subd. 2b. **Municipality; certain towns.** "Municipality" also includes any town not having the powers granted herein pursuant to any other law in the case of construction, reconstruction or improvement of a town road including curbs and gutters and storm sewers and in the case of those improvements designated in section 429.021, subdivision 1, clauses (1), (2), (4), (5), (6), (7), (8), and (10).

Subd. 3. **Council.** "Council" means the body of the city having general legislative powers, the town board of the town, or the county board of a county.

Subd. 4. **Clerk.** "Clerk" means the chief clerical officer of the municipality.

Subd. 5. **Improvement.** "Improvement" means any type of improvement made under authority granted by section 429.021, and in the case of a county is limited to the construction, reconstruction, or improvement of a county state-aid highway or county highway including curbs and gutters and storm sewers, and to the purchase, installation, or maintenance of signs, posts, and markers for addressing related to the operation of enhanced 911 telephone service.

Copyright © 2017 by the Revisor of Statutes, State of Minnesota. All Rights Reserved.

Subd. 6. **Newspaper.** "Newspaper" means the official newspaper of the municipality, or if there is no official newspaper, a legal newspaper of general circulation in the municipality.

Subd. 7. **Street.** "Street" means any street, alley, or other public way, or any part thereof.

Subd. 8. **Utilities commission.** "Utilities commission" means the municipal board or commission, other than the council, which exercises any authority or control over the operation of any municipally owned public utility.

Subd. 9. **Pedestrian skyway system.** "Pedestrian skyway system" means any system of providing for pedestrian traffic circulation, mechanical or otherwise, elevated above ground, within and without the public right-of-way, and through or above private property and buildings, and includes overpasses, bridges, passageways, walkways, concourses, hallways, corridors, arcades, courts, plazas, elevators, escalators, heated canopies, and accesses and all fixtures, furniture, equipment, facilities, services, and appurtenances which in the judgment of the council will enhance the movement, safety, security, convenience and enjoyment of pedestrians and benefit the city and adjoining properties.

Subd. 10. **Underground pedestrian concourse.** "Underground pedestrian concourse" means any system of providing for pedestrian traffic circulation, mechanical or otherwise, below ground, within and without the public right-of-way, and through or below private property, and includes tunnels, passageways, walkways, concourses, hallways, corridors, arcades, plazas, elevators, escalators, heated canopies, and accesses and all fixtures, furniture, equipment, facilities, and appurtenances which in the judgment of the council will enhance the movement, safety, security, convenience and enjoyment of pedestrians and benefit the city and adjoining properties.

Subd. 11. **Special lighting system.** "Special lighting system" means lights or light displays of any type located within or without the public right-of-way.

Subd. 12. **Acquire.** "Acquire" includes, but is not limited to, the obtaining by purchase, condemnation, or leasing rights or interests in the areas above or below the surface of the ground of real property or structures or improvements thereon.

Subd. 13. **Public mall, plaza, or courtyard.** "Public mall, plaza, or courtyard" means any wholly or partly opened or enclosed public area adjacent to or attached to a wall, fence, commercial structure, hotel, or any other building and designed as a place for passive recreation, public entertainment, exhibition and education, or a pedestrian walk.

Subd. 14. **Fire protection system.** "Fire protection system" means pipes, standpipes, sprinklers, control systems and other devices and equipment installed in or outside a building for the primary purpose of eliminating or reducing the spread of fire in the building or providing for safe evacuation of the building, whether the devices and equipment are publicly or privately owned.

Subd. 15. **Highway sound barriers.** "Highway sound barriers" means sound abatement walls erected along highways to reduce noise levels attributable to vehicular traffic.

Subd. 16. **On-site water contaminant improvements.** "On-site water contaminant improvements" means pipes, wells, and other devices and equipment installed in or outside a building for the primary purpose of eliminating water contamination caused by lead or other toxic or health threatening substances in the water, whether the improvements so installed are publicly or privately owned.

History: *1953 c 398 s 1; 1961 c 338 s 1; 1969 c 741 s 1-3; 1971 c 617 s 1-4; 1973 c 123 art 5 s 7; 1973 c 636 s 1; 1973 c 702 s 22; 1974 c 233 s 1; 1976 c 147 s 1; 1978 c 634 s 1,2; 1979 c 330 s 1; 1983 c 9 s 1;*

Copyright © 2017 by the Revisor of Statutes, State of Minnesota. All Rights Reserved.

1984 c 478 s 1; 1984 c 591 s 1; 1986 c 315 s 1; 1987 c 138 s 1; 1988 c 564 s 1; 1994 c 614 s 5; 2000 c 490 art 5 s 29,30; 2009 c 88 art 2 s 31; 2010 c 389 art 7 s 4

429.02 [Repealed, 1953 c 398 s 13 subd 1]

429.021 LOCAL IMPROVEMENTS, COUNCIL POWERS.

Subdivision 1. **Improvements authorized.** The council of a municipality shall have power to make the following improvements:

(1) To acquire, open, and widen any street, and to improve the same by constructing, reconstructing, and maintaining sidewalks, pavement, gutters, curbs, and vehicle parking strips of any material, or by grading, graveling, oiling, or otherwise improving the same, including the beautification thereof and including storm sewers or other street drainage and connections from sewer, water, or similar mains to curb lines.

(2) To acquire, develop, construct, reconstruct, extend, and maintain storm and sanitary sewers and systems, including outlets, holding areas and ponds, treatment plants, pumps, lift stations, service connections, and other appurtenances of a sewer system, within and without the corporate limits.

(3) To construct, reconstruct, extend, and maintain steam heating mains.

(4) To install, replace, extend, and maintain street lights and street lighting systems and special lighting systems.

(5) To acquire, improve, construct, reconstruct, extend, and maintain water works systems, including mains, valves, hydrants, service connections, wells, pumps, reservoirs, tanks, treatment plants, and other appurtenances of a water works system, within and without the corporate limits.

(6) To acquire, improve and equip parks, open space areas, playgrounds, and recreational facilities within or without the corporate limits.

(7) To plant trees on streets and provide for their trimming, care, and removal.

(8) To abate nuisances and to drain swamps, marshes, and ponds on public or private property and to fill the same.

(9) To construct, reconstruct, extend, and maintain dikes and other flood control works.

(10) To construct, reconstruct, extend, and maintain retaining walls and area walls.

(11) To acquire, construct, reconstruct, improve, alter, extend, operate, maintain, and promote a pedestrian skyway system. Such improvement may be made upon a petition pursuant to section 429.031, subdivision 3.

(12) To acquire, construct, reconstruct, extend, operate, maintain, and promote underground pedestrian concourses.

(13) To acquire, construct, improve, alter, extend, operate, maintain, and promote public malls, plazas or courtyards.

(14) To construct, reconstruct, extend, and maintain district heating systems.

(15) To construct, reconstruct, alter, extend, operate, maintain, and promote fire protection systems in existing buildings, but only upon a petition pursuant to section 429.031, subdivision 3.

Copyright © 2017 by the Revisor of Statutes, State of Minnesota. All Rights Reserved.

(16) To acquire, construct, reconstruct, improve, alter, extend, and maintain highway sound barriers.

(17) To improve, construct, reconstruct, extend, and maintain gas and electric distribution facilities owned by a municipal gas or electric utility.

(18) To purchase, install, and maintain signs, posts, and other markers for addressing related to the operation of enhanced 911 telephone service.

(19) To improve, construct, extend, and maintain facilities for Internet access and other communications purposes, if the council finds that:

(i) the facilities are necessary to make available Internet access or other communications services that are not and will not be available through other providers or the private market in the reasonably foreseeable future; and

(ii) the service to be provided by the facilities will not compete with service provided by private entities.

(20) To assess affected property owners for all or a portion of the costs agreed to with an electric utility, telecommunications carrier, or cable system operator to bury or alter a new or existing distribution system within the public right-of-way that exceeds the utility's design and construction standards, or those set by law, tariff, or franchise, but only upon petition under section 429.031, subdivision 3.

(21) To assess affected property owners for repayment of voluntary energy improvement financings under section 216C.436, subdivision 7.

Subd. 2. **Combining improvements.** An improvement on two or more streets or two or more types of improvement in or on the same street or streets or different streets may be included in one proceeding and conducted as one improvement.

Subd. 3. **Relation to charter and other laws.** When any portion of the cost of an improvement is defrayed by special assessments, the procedure prescribed in this chapter shall be followed unless the council determines to proceed under charter provisions; but this chapter does not prescribe the procedure to be followed by a municipality in making improvements financed without the use of special assessments.

If the council determines to proceed under charter provisions for special assessments, such provisions shall be deemed to include a requirement that notices of proposed assessments inform property owners of the procedures they must follow under the charter in order to appeal the assessments to district court. The notices shall also inform property owners of the provisions of sections 435.193 to 435.195 and the existence of any deferment procedure established pursuant thereto in the municipality.

Charter provisions shall also be deemed to require that when the council determines to make any improvement, it shall let the contract for all or part of the work, or order all or part of the work done by day labor or otherwise as may be authorized by the charter, no later than one year after the adoption of the resolution ordering such improvement, unless a different time limit is specifically stated in the resolution ordering the improvement.

History: *1953 c 398 s 2; 1965 c 877 s 1; 1971 c 617 s 5; 1973 c 201 s 1; 1974 c 233 s 2; 1974 c 314 s 1; 1976 c 195 s 1; 1978 c 518 s 1; 1979 c 330 s 2; 1981 c 334 s 5; 1984 c 548 s 4; 1984 c 582 s 3; 1984 c 591 s 2; 1984 c 633 s 2; 1987 c 138 s 2; 1997 c 219 s 5; 2000 c 490 art 5 s 31; 2000 c 493 s 5; 2005 c 67 s 1; 2010 c 216 s 21*

429.03 [Repealed, 1953 c 398 s 13 subd 1]

Copyright © 2017 by the Revisor of Statutes, State of Minnesota. All Rights Reserved.

429.031 PRELIMINARY PLANS, HEARINGS.

Subdivision 1. **Preparation of plans, notice of hearing.** (a) Before the municipality awards a contract for an improvement or orders it made by day labor, or before the municipality may assess any portion of the cost of an improvement to be made under a cooperative agreement with the state or another political subdivision for sharing the cost of making the improvement, the council shall hold a public hearing on the proposed improvement following two publications in the newspaper of a notice stating the time and place of the hearing, the general nature of the improvement, the estimated cost, and the area proposed to be assessed. The two publications must be a week apart, and the hearing must be at least three days after the second publication. Not less than ten days before the hearing, notice of the hearing must also be mailed to the owner of each parcel within the area proposed to be assessed and must contain a statement that a reasonable estimate of the impact of the assessment will be available at the hearing, but failure to give mailed notice or any defects in the notice does not invalidate the proceedings. For the purpose of giving mailed notice, owners are those shown as owners on the records of the county auditor or, in any county where tax statements are mailed by the county treasurer, on the records of the county treasurer; but other appropriate records may be used for this purpose. For properties that are tax exempt or subject to taxation on a gross earnings basis and are not listed on the records of the county auditor or the county treasurer, the owners may be ascertained by any practicable means, and mailed notice must be given them as provided in this subdivision.

(b) Before the adoption of a resolution ordering the improvement, the council shall secure from the city engineer or some other competent person of its selection a report advising it in a preliminary way as to whether the proposed improvement is necessary, cost-effective, and feasible and as to whether it should best be made as proposed or in connection with some other improvement. The report must also include the estimated cost of the improvement as recommended. A reasonable estimate of the total amount to be assessed, and a description of the methodology used to calculate individual assessments for affected parcels, must be available at the hearing. No error or omission in the report invalidates the proceeding unless it materially prejudices the interests of an owner.

(c) If the report is not prepared by an employee of a municipality, the compensation for preparing the report under this subdivision must be based on the following factors:

(1) the time and labor required;

(2) the experience and knowledge of the preparer;

(3) the complexity and novelty of the problems involved; and

(4) the extent of the responsibilities assumed.

(d) The compensation must not be based primarily on a percentage of the estimated cost of the improvement.

(e) The council may also take other steps prior to the hearing, including, among other things, the preparation of plans and specifications and the advertisement for bids that will in its judgment provide helpful information in determining the desirability and feasibility of the improvement.

(f) The hearing may be adjourned from time to time, and a resolution ordering the improvement may be adopted at any time within six months after the date of the hearing by vote of a majority of all members of the council when the improvement has been petitioned for by the owners of not less than 35 percent in frontage of the real property abutting on the streets named in the petition as the location of the improvement. When there has been no such petition, the resolution may be adopted only by vote of four-fifths of all members of the council; provided that if the mayor of the municipality is a member of the council but has

Copyright © 2017 by the Revisor of Statutes, State of Minnesota. All Rights Reserved.

no vote or votes only in case of a tie, the mayor is not deemed to be a member for the purpose of determining a four-fifths majority vote.

(g) The resolution ordering the improvement may reduce, but not increase, the extent of the improvement as stated in the notice of hearing.

Subd. 2. **Approval by park board or utilities commission.** A resolution ordering a park improvement may be adopted only by a four-fifths vote of the council and shall also be approved by the park board, if there is one; provided, that if the mayor of the municipality is a member of the council but has no vote or votes only in case of a tie, the mayor shall not be deemed to be a member for the purpose of determining such four-fifths majority vote. A resolution ordering an improvement of the water, sewer, steam heating, street lighting or other facility over which a utilities commission has jurisdiction shall also be approved by the utilities commission.

Subd. 3. **Petition by all owners.** Whenever all owners of real property abutting upon any street named as the location of any improvement shall petition the council to construct the improvement and to assess the entire cost against their property, the council may, without a public hearing, adopt a resolution determining such fact and ordering the improvement. The validity of the resolution shall not be questioned by any taxpayer or property owner or the municipality unless an action for that purpose is commenced within 30 days after adoption of the resolution as provided in section 429.036. Nothing herein prevents any property owner from questioning the amount or validity of the special assessment against the owner's property pursuant to section 429.081. In the case of a petition for the municipality to own and install a fire protection system, a pedestrian skyway system, or on-site water contaminant improvements, the petition must contain or be accompanied by an undertaking satisfactory to the city by the petitioner that the petitioner will grant the municipality the necessary property interest in the building to permit the city to enter upon the property and the building to construct, maintain, and operate the fire protection system, pedestrian skyway system, or on-site water contaminant improvements. In the case of a petition for the installation of a privately owned fire protection system, a privately owned pedestrian skyway system, or privately owned on-site water contaminant improvements, the petition shall contain the plans and specifications for the improvement, the estimated cost of the improvement and a statement indicating whether the city or the owner will contract for the construction of the improvement. If the owner is contracting for the construction of the improvement, the city shall not approve the petition until it has reviewed and approved the plans, specifications, and cost estimates contained in the petition. The construction cost financed under section 429.091 shall not exceed the amount of the cost estimate contained in the petition. In the case of a petition for the installation of a fire protection system, a pedestrian skyway system, or on-site water contaminant improvements, the petitioner may request abandonment of the improvement at any time after it has been ordered pursuant to subdivision 1 and before contracts have been awarded for the construction of the improvement under section 429.041, subdivision 2. If such a request is received, the city council shall abandon the proceedings but in such case the petitioner shall reimburse the city for any and all expenses incurred by the city in connection with the improvement.

History: *1953 c 398 s 3; 1955 c 811 s 1; 1957 c 430 s 1; 1961 c 525 s 1,2; 1963 c 771 s 1; 1965 c 877 s 2; 1967 c 57 s 1,2; 1973 c 123 art 5 s 7; 1984 c 548 s 5; 1984 c 582 s 4; 1984 c 591 s 3; 1984 c 633 s 3; 1986 c 444; 1994 c 614 s 6; 1996 c 402 s 1; 2000 c 490 art 5 s 32*

429.035 IMPROVEMENTS, PETITION.

When any petition for the making of any improvement in any statutory city, town, or city of the second, third, or fourth class, however organized, for the cost of which special assessments may be, in whole or in part, levied therefor, is presented to the governing body of the municipality, this body shall, by resolution,

Copyright © 2017 by the Revisor of Statutes, State of Minnesota. All Rights Reserved.

determine whether or not the petition has been signed by the required percentage of owners of property affected thereby.

History: *(1918-33) 1927 c 311 s 1; 1953 c 398 s 12; 1961 c 338 s 2; 1973 c 123 art 5 s 7*

429.036 APPEAL FROM DETERMINATION OF LEGALITY OF PETITION.

Any person, being aggrieved by this determination, may appeal to the district court of the county in which the property is located by serving upon the clerk of the municipality, within 30 days after the adoption and publication of the resolution, a notice of appeal briefly stating the grounds of appeal and giving a bond in the penal sum of $250, in which the municipality shall be named as obligee, to be approved by the clerk of the municipality, conditioned that the appellant will duly prosecute the appeal, pay all costs and disbursements which may be adjudged against the appellant, and abide by the order of the court. The clerk shall furnish the appellant a certified copy of the petition, or any part thereof, on being paid by appellant of the proper charges therefor. The appeal shall be placed upon the calendar of the next general term commencing more than 30 days after the date of serving the notice and filing the bond and shall be tried as are other appeals in such cases. Unless reversed upon the appeal, the determination of the governing body as to the sufficiency of the petition shall be final and conclusive.

History: *(1918-34) 1927 c 311 s 2; 1986 c 444*

429.04 [Repealed, 1953 c 398 s 13]

429.041 COUNCIL PROCEDURE.

Subdivision 1. **Plans and specifications, advertisement for bids.** When the council determines to make any improvement, it shall let the contract for all or part of the work, or order all or part of the work done by day labor or otherwise as authorized by subdivision 2, no later than one year after the adoption of the resolution ordering such improvement, unless a different time limit is specifically stated in the resolution ordering the improvement. The council shall cause plans and specifications of the improvement to be made, or if previously made, to be modified, if necessary, and to be approved and filed with the clerk, and if the estimated cost exceeds the amount in section 471.345, subdivision 3, shall advertise for bids for the improvement in the newspaper or recognized industry trade journal as defined in section 331A.01, subdivision 11, and for such length of time as it may deem advisable. If the estimated cost exceeds twice the amount in section 471.345, subdivision 3, publication shall be made no less than three weeks before the last day for submission of bids once in the newspaper and at least once in either a newspaper published in a city of the first class or a recognized industry trade journal. The advertisement shall specify the work to be done, shall state the time when the bids will be publicly opened for consideration by the council, which shall be not less than ten days after the first publication of the advertisement when the estimated cost is less than twice the amount in section 471.345, subdivision 3, and not less than three weeks after such publication in other cases, and shall state that no bids will be considered unless sealed and filed with the clerk and accompanied by a cash deposit, cashier's check, bid bond, or certified check payable to the clerk, for such percentage of the amount of the bid as the council may specify. In providing for the advertisement for bids the council may direct that the bids shall be opened publicly by two or more designated officers or agents of the municipality and tabulated in advance of the meeting at which they are to be considered by the council. Nothing herein shall prevent the council from advertising separately for various portions of the work involved in an improvement, or from itself, supplying by such means as may be otherwise authorized by law, all or any part of the materials, supplies, or equipment to be used in the improvement or from combining two or more improvements in a single set of plans and specifications or a single contract.

Copyright © 2017 by the Revisor of Statutes, State of Minnesota. All Rights Reserved.

Subd. 2. **Contracts; day labor.** In contracting for an improvement, the council shall require the execution of one or more written contracts and bonds, conditioned as required by law. The council shall award the contract to the lowest responsible bidder or it may reject all bids. If any bidder to whom a contract is awarded fails to enter promptly into a written contract and to furnish the required bond, the defaulting bidder shall forfeit to the municipality the amount of the defaulter's cash deposit, cashier's check, bid bond, or certified check, and the council may thereupon award the contract to the next lowest responsible bidder. When it appears to the council that the cost of the entire work projected will be less than the amount in section 471.345, subdivision 3, or whenever no bid is submitted after proper advertisement or the only bids submitted are higher than the engineer's estimate, the council may advertise for new bids or, without advertising for bids, directly purchase the materials for the work and do it by the employment of day labor or in any other manner the council considers proper. The council may have the work supervised by the city engineer or other qualified person but shall have the work supervised by a registered engineer if done by day labor and it appears to the council that the entire cost of all work and materials for the improvement will be more than the lowest amount in section 471.345, subdivision 4. In case of improper construction or unreasonable delay in the prosecution of the work by the contractor, the council may order and cause the suspension of the work at any time and relet the contract, or order a reconstruction of any portion of the work improperly done, and where the cost of completion or reconstruction necessary will be less than the amount in section 471.345, subdivision 3, the council may do it by the employment of day labor.

Subd. 2a. **Best value alternative.** As an alternative to the procurement method described in subdivision 2, the council may issue a request for proposals and award the contract to the vendor or contractor offering the best value as described in section 16C.28, subdivision 1, paragraph (a), clause (2), and paragraph (c).

Subd. 3. **Day labor; detailed report.** When the council has performed construction work by day labor, it shall cause a detailed report to be filed with the clerk and certified by the registered engineer or other person in charge, if there is no registered engineer. The report shall show:

(a) the complete cost of the construction;

(b) final quantities of the various units of work done;

(c) materials furnished for the project and the cost of each item thereof;

(d) cost of labor, cost of equipment hired, and supervisory costs.

The report shall have attached a certificate by the registered engineer or other person in charge that the work was done according to the plans and specifications, or, if there were any deviations from them, an itemized statement of those deviations.

Subd. 4. **Alternate procedure on street improvements.** As to any improvement or improvements consisting of grading, graveling, or bituminous surfacing of streets and alleys, the council may proceed in the manner provided in this chapter, except that it may

(1) order the work done by day labor, regardless of the estimated cost of such improvement or improvements,

(2) use municipal equipment or hire equipment and purchase materials for all such improvements to be done by day labor in any 12-month period by advertising once therefor, such advertisement to call for bids for the furnishing of equipment, if the municipality does not use its own equipment, and for materials at unit prices based on the quantities which the council estimates will be required, and

Copyright © 2017 by the Revisor of Statutes, State of Minnesota. All Rights Reserved.

(3) contract at one time on a unit price basis for part or all of the street improvements to be constructed by the municipality during the current year, including improvements which may thereafter be ordered constructed.

Subd. 5. **Cooperation with state or local government.** When an improvement is made under a cooperative agreement with the state or another political subdivision by the terms of which the state or other subdivision is to construct or contract to construct the improvement, it shall not be necessary to comply with subdivisions 1 and 2.

Subd. 6. **Percentage payment on engineer's estimate.** In case the contractor properly performs the work, the council shall, from month to month before completion of the work, pay the contractor not to exceed 95 percent of the amount already earned under the contract, upon the estimate of the engineer or other competent person selected by the council, and the contract shall so provide, and shall further agree that when the work is 95 percent or more completed upon the recommendation of the engineer such portions of the retained price shall be released as the governing body of the municipality determines are not required to be retained to protect the municipality's interest in satisfactory completion of the contract. Failure to pay any amount due and payable under the terms of the contract within 30 days of a monthly estimate or 90 days after the final estimate of the amount earned shall obligate the municipality to pay to the contractor simple interest on the past due amount at an annual rate equal to the monthly index of long term United States bond yields for the month prior to the month in which this obligation is incurred plus an additional one percent per annum. Interest shall not be imposed with respect to any amount which a municipality may legally withhold as a result of breach of contract or other contractual claim or if the delay is caused by the contractor.

Subd. 7. **Modification of contracts.** After work has been commenced on an improvement undertaken pursuant to a contract awarded on a unit price basis the council may, without advertising for bids, authorize changes in the contract so as to include additional units of work at the same unit price if the cost of the additional work does not exceed 25 percent of the original contract price. Original contract price means that figure determined by multiplying the estimated number of units required by the unit price.

History: *1953 c 398 s 4; 1957 c 430 s 2,3; 1961 c 525 s 3,4; 1973 c 123 art 5 s 7; 1976 c 156 s 1; 1977 c 278 s 1; 1978 c 518 s 2; 1980 c 464 s 8; 1985 c 174 s 3; 1986 c 444; 1993 c 38 s 1,2; 2001 c 5 s 1,2; 2004 c 278 s 6,7; 2007 c 148 art 3 s 25; 2009 c 152 s 18,19; 2013 c 46 s 2*

429.05 [Repealed, 1953 c 398 s 13 subd 1]

429.051 APPORTIONMENT OF COST.

The cost of any improvement, or any part thereof, may be assessed upon property benefited by the improvement, based upon the benefits received, whether or not the property abuts on the improvement and whether or not any part of the cost of the improvement is paid from the county state-aid highway fund, the municipal state-aid street fund, or the trunk highway fund. The area assessed may be less than but may not exceed the area proposed to be assessed as stated in the notice of hearing on the improvement, except as provided below. The municipality may pay such portion of the cost of the improvement as the council may determine from general ad valorem tax levies or from other revenues or funds of the municipality available for the purpose. The municipality may subsequently reimburse itself for all or any of the portion of the cost of a water, storm sewer, or sanitary sewer improvement so paid by levying additional assessments upon any properties abutting on but not previously assessed for the improvement, on notice and hearing as provided for the assessments initially made. To the extent that such an improvement benefits nonabutting properties which may be served by the improvement when one or more later extensions or improvements are made but which are not initially assessed therefor, the municipality may also reimburse itself by adding all or any

Copyright © 2017 by the Revisor of Statutes, State of Minnesota. All Rights Reserved.

of the portion of the cost so paid to the assessments levied for any of such later extensions or improvements, provided that notice that such additional amount will be assessed is included in the notice of hearing on the making of such extensions or improvements. The additional assessments herein authorized may be made whether or not the properties assessed were included in the area described in the notice of hearing on the making of the original improvement.

In any city of the fourth class electing to proceed under a home rule charter as provided in this chapter, which charter provides for a board of water commissioners and authorizes such board to assess a water frontage tax to defray the cost of construction of water mains, such board may assess the tax based upon the benefits received and without regard to any charter limitation on the amount that may be assessed for each lineal foot of property abutting on the water main. The water frontage tax shall be imposed according to the procedure and, except as herein provided, subject to the limitations of the charter of the city.

History: *1953 c 398 s 5; 1955 c 842 s 1; 1957 c 40 s 1; 1959 c 490 s 1; 1961 c 286 s 1*

429.052 STREET OR ROAD IMPROVEMENTS OUTSIDE MUNICIPAL BOUNDARIES.

A municipality may construct street or road improvements outside its jurisdiction with the consent of the affected township, or if the property is located in unorganized territory, the county. When property is brought within the corporate limits of the municipality, the municipality may subsequently reimburse itself for all or any portion of the cost of the improvement for which municipal funds have been expended, by levying an assessment upon any property abutting on, but not previously assessed for, the improvement. No assessment may be so levied unless the property to be assessed was given notice and hearing of the improvements under section 429.031 at the time the improvement was ordered, and subsequently in accordance with the notice, hearing, and appeal rights, provided for under sections 429.061 and 429.081.

History: *2005 c 152 art 1 s 12*

429.06 [Repealed, 1953 c 398 s 13 subd 1]

429.061 ASSESSMENT PROCEDURE.

Subdivision 1. **Calculation, notice.** At any time after the expense incurred or to be incurred in making an improvement shall be calculated under the direction of the council, the council shall determine by resolution the amount of the total expense the municipality will pay, other than the amount, if any, which it will pay as a property owner, and the amount to be assessed. If a county proposes to assess within the boundaries of a city for a county state-aid highway or county highway, including curbs, gutters, and storm sewers, the resolution must include the portion of the cost proposed to be assessed within the city. The county shall forward the resolution to the city and it may not proceed with the assessment procedure nor may the county allocate any cost under this section for property within the city unless the city council adopts the resolution approving the assessment. Thereupon the clerk, with the assistance of the engineer or other qualified person selected by the council, shall calculate the proper amount to be specially assessed for the improvement against every assessable lot, piece or parcel of land, without regard to cash valuation, in accordance with the provisions of section 429.051. The proposed assessment roll shall be filed with the clerk and be open to public inspection. The clerk shall thereupon, under the council's direction, publish notice that the council will meet to consider the proposed assessment. Such notice shall be published in the newspaper at least once and shall be mailed to the owner of each parcel described in the assessment roll. For the purpose of giving mailed notice under this subdivision, owners shall be those shown to be such on the records of the county auditor or, in any county where tax statements are mailed by the county treasurer, on the records of the county treasurer; but other appropriate records may be used for this purpose. Such publication and mailing shall be no less than two weeks prior to such meeting of the council. Except as to the owners of tax-exempt

Copyright © 2017 by the Revisor of Statutes, State of Minnesota. All Rights Reserved.

property or property taxes on a gross earnings basis, every property owner whose name does not appear on the records of the county auditor or the county treasurer shall be deemed to have waived such mailed notice unless the owner has requested in writing that the county auditor or county treasurer, as the case may be, include the name on the records for such purpose. Such notice shall state the date, time, and place of such meeting, the general nature of the improvement, the area proposed to be assessed, the total amount of the proposed assessment, that the proposed assessment roll is on the file with the clerk, and that written or oral objections thereto by any property owner will be considered. The notice must also state that no appeal may be taken as to the amount of any assessment adopted pursuant to subdivision 2, unless a written objection signed by the affected property owner is filed with the municipal clerk prior to the assessment hearing or presented to the presiding officer at the hearing. The notice shall also state that an owner may appeal an assessment to district court pursuant to section 429.081 by serving notice of the appeal upon the mayor or clerk of the municipality within 30 days after the adoption of the assessment and filing such notice with the district court within ten days after service upon the mayor or clerk. The notice shall also inform property owners of the provisions of sections 435.193 to 435.195 and the existence of any deferment procedure established pursuant thereto in the municipality. In addition, the notice mailed to the owner must state in clear language the following information:

(1) the amount to be specially assessed against that particular lot, piece, or parcel of land;

(2) adoption by the council of the proposed assessment may be taken at the hearing;

(3) the right of the property owner to prepay the entire assessment and the person to whom prepayment must be made;

(4) whether partial prepayment of the assessment has been authorized by ordinance;

(5) the time within which prepayment may be made without the assessment of interest; and

(6) the rate of interest to be accrued if the assessment is not prepaid within the required time period.

Subd. 2. **Adoption; interest.** At such meeting or at any adjournment thereof the council shall hear and pass upon all objections to the proposed assessment, whether presented orally or in writing. The council may amend the proposed assessment as to any parcel and by resolution adopt the same as the special assessment against the lands named in the assessment roll. Notice of any adjournment of the hearing shall be adequate if the minutes of the meeting so adjourned show the time and place when and where the hearing is to be continued.

The council may consider any objection to the amount of a proposed assessment as to a specific parcel of land at an adjourned hearing upon further notice to the affected property owner as it deems advisable. At the adjourned hearing the council or a committee of it may hear further written or oral testimony on behalf of the objecting property owner and may consider further written or oral testimony from appropriate city officials and other witnesses as to the amount of the assessment. The council or committee shall prepare a record of the proceedings at the adjourned hearing and written findings as to the amount of the assessment. The amount of the assessment as finally determined by the council shall become a part of the adopted assessment roll. No appeal may be taken as to the amount of any assessment adopted under this section unless written objection signed by the affected property owner is filed with the municipal clerk prior to the assessment hearing or presented to the presiding officer at the hearing. All objections to the assessments not received at the assessment hearing in the manner prescribed by this subdivision are waived, unless the failure to object at the assessment hearing is due to a reasonable cause.

Copyright © 2017 by the Revisor of Statutes, State of Minnesota. All Rights Reserved.

If the adopted assessment differs from the proposed assessment as to any particular lot, piece, or parcel of land, the clerk must mail to the owner a notice stating the amount of the adopted assessment. Owners must also be notified by mail of any changes adopted by the council in interest rates or prepayment requirements from those contained in the notice of the proposed assessment.

The assessment, with accruing interest, shall be a lien upon all private and public property included therein, from the date of the resolution adopting the assessment, concurrent with general taxes; but the lien shall not be enforceable against public property as long as it is publicly owned, and during such period the assessment shall be recoverable from the owner of such property only in the manner and to the extent provided in section 435.19. Unless otherwise provided in the resolution, all assessments shall be payable in equal annual installments extending over such period, not exceeding 30 years, as the resolution determines, payable on the first Monday in January in each year, but the number of installments need not be uniform for all assessments included in a single assessment roll if a uniform criterion for determining the number of installments is provided by the resolution. Assessments on property located in a targeted neighborhood as defined in Laws 1987, chapter 386, article 6, section 4, may be payable in variable annual installments if the resolution provides for a variable payment. The first installment of each assessment shall be included in the first tax rolls completed after its adoption and shall be payable in the same year as the taxes contained therein; except that the payment of the first installment of any assessment levied upon unimproved property may be deferred until a designated future year, or until the platting of the property or the construction of improvements thereon, upon such terms and conditions and based upon such standards and criteria as may be provided by resolution of the council. If special assessments against the property have been deferred pursuant to this subdivision, the governmental unit shall record with the county recorder in the county in which the property is located a certificate containing the legal description of the affected property and of the amount deferred. In any event, every assessment the payment of which is so deferred, when it becomes payable, shall be divided into a number of installments such that the last installment thereof will be payable not more than 30 years after the levy of the assessment. All assessments shall bear interest at such rate as the resolution determines. To the first installment of each assessment shall be added interest on the entire assessment from a date specified in the resolution levying the assessment, not earlier than the date of the resolution, until December 31 of the year in which the first installment is payable, and to each subsequent installment shall be added interest for one year on all unpaid installments; or alternatively, any assessment may be made payable in equal annual installments including principal and interest, each in the amount annually required to pay the principal over such period with interest at such rate as the resolution determines, not exceeding the maximum period and rate specified above. In the latter event no prepayment shall be accepted under subdivision 3 without payment of all installments due to and including December 31 of the year of prepayment, together with the original principal amount reduced only by the amounts of principal included in such installments, computed on an annual amortization basis. When payment of an assessment is deferred, as authorized in this subdivision, interest thereon for the period of deferment may be made payable annually at the same times as the principal installments of the assessment would have been payable if not deferred; or interest for this period may be added to the principal amount of the assessment when it becomes payable; or, if so provided in the resolution levying the assessment, interest thereon to December 31 of the year before the first installment is payable may be forgiven.

Subd. 3. **Transmitted to auditor, prepayment.** After the adoption of the assessment, the clerk shall transmit a certified duplicate of the assessment roll with each installment, including interest, set forth separately to the county auditor of the county to be extended on the proper tax lists of the county; but in lieu of such certification, the council may in its discretion direct the clerk to file all assessment rolls in the clerk's office and to certify annually to the county auditor, on or before November 30 in each year, the total amount of installments of and interest on assessments on each parcel of land in the municipality which are to become due in the following year. If any installment and interest has not been so certified prior to the year when it

Copyright © 2017 by the Revisor of Statutes, State of Minnesota. All Rights Reserved.

is due, the clerk shall forthwith certify the same to the county auditor for collection in the then succeeding year; and if the municipality has issued improvement warrants to finance the improvement, it shall pay out of its general funds into the fund of the improvement interest on the then unpaid balance of the assessment for the year or years during which the collection of such installment is postponed. All assessments and interest thereon shall be collected and paid over in the same manner as other municipal taxes. The owner of any property so assessed may, at any time prior to certification of the assessment or the first installment thereof to the county auditor, pay the whole of the assessment on such property, with interest accrued to the date of payment, to the municipal treasurer, except that no interest shall be charged if the entire assessment is paid within 30 days from the adoption thereof; and, except as hereinafter provided, the owner may at any time prior to November 15 of any year, prepay to the treasurer of the municipality having levied said assessments, the whole assessment remaining due with interest accrued to December 31 of the year in which said prepayment is made. If the assessment roll is retained by the municipal clerk, the installment and interest in process of collection on the current tax list shall be paid to the county treasurer and the remaining principal balance of the assessment, if paid, shall be paid to the municipal treasurer. The council may by ordinance authorize the partial prepayment of assessments, in such manner as the ordinance may provide, prior to certification of the assessment or the first installment thereof to the county auditor.

Subd. 4. **Collection, tax-exempt property.** On the confirmation of any assessments the clerk shall mail to the county auditor a notice specifying the amount payable by any county, to the clerk or recorder of any other political subdivision a notice specifying the amount payable by the political subdivision and to the owner of any right-of-way, at its principal office in the state, a notice specifying the amount payable on account of any right-of-way. The amount payable on account of any right-of-way or public property shall be payable to the municipality's treasurer and shall be payable in like installments and with like interest and penalties as provided for in reference to the installments payable on account of assessable real property, except that interest accruing shall not begin to run until the notice provided in this subdivision has been properly given and 30 days thereafter have elapsed. The governing body of any such political subdivision shall provide for the payment of these amounts and shall take appropriate action to that end. If the assessment is not paid in a single installment, the municipal treasurer shall annually mail to the owner of any right-of-way and, as long as the property is publicly owned, to the owner of any public property a notice stating that an installment is due and should be paid to the municipal treasurer of the municipality which levied the special assessment. The municipality may collect the amount due on account of the right-of-way of any railroad or privately owned public utility by distress and sale of personal property in the manner provided by law in case of taxes levied upon personal property or by suit brought to enforce the collection of this indebtedness unless a different method of collecting such amounts is provided for by any contract between the owner of any right-of-way and the municipality.

Subd. 5. **Special assessments; administrative expenses.** Notwithstanding any general or special law to the contrary, a municipality shall pay to the county auditor all administrative expenses incurred by the county under subdivision 3 for each special assessment of any local improvement certified by the municipality to the county auditor.

History: *1953 c 398 s 6; 1955 c 811 s 2; 1957 c 510 s 2; 1957 c 699 s 1; 1961 c 77 s 1; 1961 c 525 s 5-7; 1963 c 771 s 2-4; 1965 c 877 s 3; 1969 c 1045 s 1; 1969 c 1095 s 1; 1974 c 314 s 2; 1976 c 195 s 2; 1976 c 324 s 18; 1980 c 509 s 164; 1980 c 560 s 5; 1980 c 607 art 11 s 1,2; 1984 c 478 s 2; 1984 c 543 s 50; 1Sp1985 c 16 art 1 s 3; 1986 c 315 s 2; 1986 c 444; 1986 c 473 s 10,11; 1987 c 344 s 3; 1987 c 386 art 6 s 2; 1991 c 342 s 8; 1993 c 375 art 5 s 33; art 17 s 17; 2005 c 4 s 106*

429.07 [Repealed, 1953 c 398 s 13]

Copyright © 2017 by the Revisor of Statutes, State of Minnesota. All Rights Reserved.

429.071 SUPPLEMENTAL ASSESSMENTS; REASSESSMENT.

Subdivision 1. **Supplemental assessments.** The council may make supplemental assessments to correct omissions, errors, or mistakes in the assessment relating to the total cost of the improvement or any other particular. A supplemental assessment shall be preceded by personal or mailed notice to the owner of each parcel included in the supplemental assessment and a hearing as provided for the original assessment.

Subd. 2. **Reassessment.** When an assessment is, for any reason whatever, set aside by a court of competent jurisdiction as to any parcel or parcels of land, or in event the council finds that the assessment or any part thereof is excessive or determines on advice of the municipal attorney that the assessment or proposed assessment or any part thereof is or may be invalid for any reason, the council may, upon notice and hearing as provided for the original assessment, make a reassessment or a new assessment as to such parcel or parcels.

Subd. 3. **Reapportionment upon land division.** When a tract of land against which a special assessment has been levied is thereafter divided or subdivided by plat or otherwise, the council may, on application of the owner of any part of the tract or on its own motion equitably apportion among the various lots or parcels in the tract all the installments of the assessment against the tract remaining unpaid and not then due if it determines that such apportionment will not materially impair collection of the unpaid balance of the original assessment against the tract. The council may, and if the special assessment has been pledged to the payment of improvement warrants shall, require the owner or owners, as a condition of such apportionment, to furnish a satisfactory surety bond fully protecting the municipality against any loss resulting from failure to pay any part of the reapportionment assessment when due. Notice of such apportionment and of the right to appeal shall be mailed to or personally served upon all owners of any part of the tract. Within 30 days after the mailing or service of the notice of such apportionment any such owner may appeal as provided in section 429.081.

Subd. 4. **Reassessment, tax-forfeited land.** When a parcel of tax-forfeited land is returned to private ownership and the parcel is benefited by an improvement for which special assessments were canceled because of the forfeiture, the municipality that made the improvement may, upon notice and hearing as provided for the original assessment, make a reassessment or a new assessment as to the parcel in an amount equal to the amount remaining unpaid on the original assessment.

History: *1953 c 398 s 7; 1957 c 366 s 1; 1961 c 525 s 8; 1965 c 877 s 4; 1976 c 259 s 1*

429.08 [Repealed, 1953 c 398 s 13 subd 1]

429.081 APPEAL TO DISTRICT COURT.

Within 30 days after the adoption of the assessment, any person aggrieved, who is not precluded by failure to object prior to or at the assessment hearing, or whose failure to so object is due to a reasonable cause, may appeal to the district court by serving a notice upon the mayor or clerk of the municipality. The notice shall be filed with the court administrator of the district court within ten days after its service. The municipal clerk shall furnish appellant a certified copy of objections filed in the assessment proceedings, the assessment roll or part complained of, and all papers necessary to present the appeal. The appeal shall be placed upon the calendar of the next general term commencing more than five days after the date of serving the notice and shall be tried as other appeals in such cases. The court shall either affirm the assessment or set it aside and order a reassessment as provided in section 429.071, subdivision 2. If appellant does not prevail upon the appeal, the costs incurred shall be taxed by the court and judgment entered therefor. All

Copyright © 2017 by the Revisor of Statutes, State of Minnesota. All Rights Reserved.

objections to the assessment shall be deemed waived unless presented on such appeal. This section provides the exclusive method of appeal from a special assessment levied pursuant to this chapter.

History: *1953 c 398 s 8; 1961 c 525 s 9; 1978 c 749 s 2; 1980 c 607 art 11 s 3; 1Sp1986 c 3 art 1 s 82*

429.09 [Repealed, 1953 c 398 s 13]

429.091 FINANCING.

Subdivision 1. **Authority.** At any time after one or more improvements are ordered as contemplated in section 429.031, the council may issue obligations in such amount as it deems necessary to defray in whole or in part the expense incurred and estimated to be incurred in making the improvement or improvements, including every item of cost of the kinds authorized in section 475.65. In the event of any omission, error, or mistake in any of the proceedings required precedent to the ordering of any improvement, the validity of the obligations shall not be affected thereby. The council shall cause all further actions and proceedings to be taken with due diligence that are required for the construction of each improvement financed wholly or partly from the proceeds of obligations issued hereunder, and for the final and valid levy of special assessments and the appropriation of any other funds needed to pay the obligations and interest thereon when due.

Subd. 2. **Types of obligations permitted.** The council may by resolution adopted prior to the sale of obligations pledge the full faith, credit, and taxing power of the municipality for the payment of the principal and interest. Such obligations shall be called improvement bonds and the council shall pay the principal and interest out of any fund of the municipality when the amount credited to the specified fund is insufficient for the purpose and shall each year levy a sufficient amount to take care of accumulated or anticipated deficiencies, which levy shall not be subject to any statutory or charter tax limitation. Obligations for the payment of which the full faith and credit of the municipality is not pledged shall be called assessment revenue notes or, in the case of bonds for fire protection, revenue bonds and shall contain a promise to pay solely out of the proper special fund or funds pledged to their payment. It shall be the duty of the municipal treasurer to pay maturing principal and interest on warrants or revenue bonds out of funds on hand in the proper funds and not otherwise.

Subd. 3. **Method of issuance.** All obligations shall be issued in accordance with the provisions of chapter 475, except as provided in this subdivision.

An election shall be required for bonds if less than 20 percent of the cost of the improvement to the municipality is to be assessed against benefited property.

If the full faith, credit, and taxing power of the municipality is not pledged and the bonds are issued to finance a fire protection system, a public sale shall not be required and the obligations may

(1) mature at any time or times within 30 years from date of issue; or 40 years or the useful life of the asset, whichever is less, for municipal water and wastewater treatment systems and essential community facilities financed or guaranteed by the United States Department of Agriculture;

(2) mature in the amount or amounts;

(3) be sold at a price equal to the percentage of their par value, plus accrued interest; and

(4) bear interest at the rate or rates,

as agreed by the purchaser and the municipality, notwithstanding any limitation of interest rate or cost or of the amounts of annual maturities contained in any other law.

Copyright © 2017 by the Revisor of Statutes, State of Minnesota. All Rights Reserved.

The maturities shall be such as in the opinion of the council are warranted by the anticipated collections of assessments and ad valorem levies for the municipality's share of the cost; except that the council may in its discretion issue and sell temporary improvement bonds maturing and subject to further conditions as set forth in subdivision 5. All obligations shall state upon their face the purpose of the issue and the fund from which they are payable. The amount of any obligations issued hereunder shall not be included in determining the net indebtedness of any municipality under the provisions of any law limiting such indebtedness.

Subd. 4. **Funds.** The proceeds from the sale of each issue of obligations and from collections of special assessments levied and other moneys appropriated for each improvement to be financed wholly or partly from such proceeds shall be credited to a separate construction fund which shall be used solely to defray expenses of such improvements and payment of principal and interest due upon the obligations prior to completion and payment of all costs of the improvements so financed. Any balance of the proceeds of bonds remaining therein may be used to pay the cost, in whole or in part, of any other improvement instituted pursuant to this chapter. A separate account shall be maintained in the construction fund to record expenditures for each improvement, and when the total cost thereof has been paid all subsequent collections of special assessments levied for the improvement shall be credited and paid into the debt service fund for the obligations issued to finance the improvement, as provided in section 475.61. Any taxes levied for improvements financed by an issue of obligations shall be credited directly to the debt service fund.

Subd. 5. **Temporary improvement bonds.** In anticipation of the issuance of improvement bonds, the council may by resolution issue and sell temporary improvement bonds maturing within not more than three years from their date of issue to pay any part or all of the cost of one or more improvements. To the extent that the principal of and interest on the temporary improvement bonds cannot be paid when due from receipts of special assessments, taxes, or other funds appropriated for the purpose, they shall be paid from the proceeds of improvement bonds or additional temporary improvement bonds which the council shall offer for sale in advance of their maturity but the indebtedness funded by an issue of temporary improvement bonds shall not be extended by the issue of additional temporary improvement bonds for more than six years from the date of the first issue. The holders of any temporary improvement bonds shall have and may enforce, by mandamus or other appropriate proceedings, all rights respecting the levy and collection of sufficient special assessments and taxes to pay the cost of the improvements financed by them which are granted by law to holders of improvement bonds, except the right to require the levies to be collected prior to the maturity of the temporary improvement bonds. If any temporary improvement bonds are not paid in full at maturity, the holders may require the issuance in exchange for them, at par, of new temporary improvement bonds maturing within one year from their date of issue (but not subject to any other maturity limitation), and bearing interest at the maximum rate permitted by law.

Subd. 6. **Investment of other municipal funds.** Funds of a municipality may be invested in its temporary improvement bonds in accordance with the provisions of section 118A.04, and may be purchased upon their initial issue, but shall be purchased only from funds which the council determines will not be required for other purposes before the maturity date, and shall be resold before maturity only in case of emergency. If purchased from a debt service fund securing other bonds, the holders of those bonds may enforce the municipality's obligations on the temporary improvement bonds in the same manner as if they held the temporary improvement bonds.

Subd. 7. **General obligation temporary improvement bonds.** The council may by resolution adopted prior to the sale of any temporary improvement bonds pledge the full faith, credit, and taxing power of the municipality for the payment of the principal and interest, in addition to all provisions made for their security in subdivision 5. In this event the bonds shall be designated as general obligation temporary improvement

Copyright © 2017 by the Revisor of Statutes, State of Minnesota. All Rights Reserved.

bonds, and the council shall levy taxes for their payment in accordance with section 475.61. Proceeds of improvement bonds or temporary improvement bonds not yet sold may be treated as pledged revenues, in reduction of the tax otherwise required by section 475.61 to be levied prior to delivery of the obligations.

Subd. 7a. **Revolving fund bonds.** The council may by resolution establish a revolving fund for the payment of the costs of any improvement or any waterworks systems, sewer systems, or storm sewer systems described in section 444.075, the costs of facilities to maintain streets and water, sewer, and storm sewer systems and for the payment of any obligations issued to pay the costs of the facilities and systems referred to in this subdivision or to refund obligations issued for those purposes. The council may create within the revolving fund a separate construction account into which the municipality may deposit the proceeds of any obligations payable from the fund, the proceeds of any special assessments collected with respect to any improvement, any net revenues of a waterworks, sewer system, or storm sewer system described in section 444.075 or any other available funds of the municipality appropriated to it. Amounts on deposit in the construction account may be used to pay the costs of any improvement or any waterworks, sewer system, or storm sewer system described in section 444.075 or any street or water, sewer, or storm sewer maintenance facilities. No funds may be expended for an improvement unless at least 20 percent of the costs of each such improvement is to be assessed against benefited property. No funds may be expended for a waterworks, sewer system, or storm sewer system, other than a sewer system described in section 115.46, or maintenance facilities unless the council estimates that the costs will be recovered from the net revenues of the system or any combined waterworks, sewer systems, or storm sewer systems operated by the municipality. The council may also create a separate debt service account within the revolving fund for the payment of principal of and interest on any obligations payable therefrom. Notwithstanding subdivision 4, the council is not required to pledge any particular assessments or other revenues to the payment of the obligations. Collections of special assessments or net revenues may be deposited in either the construction account or the debt service account as the council or an officer designated by the council may determine, having due regard for anticipated collections of special assessments and net revenues from improvements or waterworks, sewer systems, or storm sewer systems financed in whole or in part from the construction account, and taxes levied for the payment of the obligations. The council may issue obligations that are payable primarily from the debt service account for the purpose of providing funds to defray in whole or in part any expenses incurred or estimated to be incurred in making the improvement or improvements or in constructing the waterworks, sewer system, or storm sewer system, including every item of cost of the kinds authorized by section 475.65, and street and water, sewer, and storm sewer maintenance facilities or to refund obligations previously issued under this section or section 115.46 or 444.075. The obligations may be general obligations to which the full faith and credit of the municipality are pledged. If the special assessments to be levied and net revenues estimated to be available for their payment are estimated to be at least 20 percent of the principal amount of the obligations, the obligations may be issued without an election and shall not be included in determining the net indebtedness of the municipality under the provisions of any law limiting net indebtedness. The cost of a maintenance facility that may be financed under this subdivision is limited only to the portion of the facility that is fairly allocable to the maintenance of streets and water, sewer, and storm sewer systems.

Subd. 8. **Application; limitations under federal tax law.** Sections 474A.01 to 474A.21 apply to any issuance of obligations under this section which are subject to limitation under a federal tax law as defined in section 474A.02, subdivision 8.

History: *1953 c 398 s 9; 1955 c 811 s 3-5; 1957 c 385 s 1; 1965 c 877 s 5; 1976 c 324 s 19-21; 1981 c 171 s 1-4; 1984 c 548 s 6; 1984 c 582 s 5,6,23; 1984 c 591 s 4,5; 1984 c 633 s 4; 1Sp1985 c 14 art 8 s 63; 1986 c 465 art 1 s 3; 1987 c 344 s 4,5; 1992 c 545 art 2 s 4; 1996 c 297 s 1; 1996 c 399 art 2 s 12; 2000 c 260 s 57; 2001 c 214 s 11*

Copyright © 2017 by the Revisor of Statutes, State of Minnesota. All Rights Reserved.

429.10 [Repealed, 1953 c 398 s 13]

429.101 UNPAID SPECIAL CHARGES MAY BE SPECIAL ASSESSMENTS.

Subdivision 1. **Ordinances.** (a) In addition to any other method authorized by law or charter, the governing body of any municipality may provide for the collection of unpaid special charges as a special assessment against the property benefited for all or any part of the cost of:

(1) snow, ice, or rubbish removal from sidewalks;

(2) weed elimination from streets or private property;

(3) removal or elimination of public health or safety hazards from private property, excluding any structure included under the provisions of sections 463.15 to 463.26;

(4) installation or repair of water service lines, street sprinkling or other dust treatment of streets;

(5) the trimming and care of trees and the removal of unsound trees from any street;

(6) the treatment and removal of insect infested or diseased trees on private property, the repair of sidewalks and alleys;

(7) the operation of a street lighting system;

(8) the operation and maintenance of a fire protection or a pedestrian skyway system;

(9) inspections relating to a municipal housing maintenance code violation;

(10) the recovery of any disbursements under section 504B.445, subdivision 4, clause (5), including disbursements for payment of utility bills and other services, even if provided by a third party, necessary to remedy violations as described in section 504B.445, subdivision 4, clause (2); or

(11) [Repealed, 2004 c 275 s 5]

(12) the recovery of delinquent vacant building registration fees under a municipal program designed to identify and register vacant buildings.

(b) The council may by ordinance adopt regulations consistent with this section to make this authority effective, including, at the option of the council, provisions for placing primary responsibility upon the property owner or occupant to do the work personally (except in the case of street sprinkling or other dust treatment, alley repair, tree trimming, care, and removal, or the operation of a street lighting system) upon notice before the work is undertaken, and for collection from the property owner or other person served of the charges when due before unpaid charges are made a special assessment.

(c) A home rule charter city, statutory city, county, or town operating an energy improvements financing program under section 216C.436 has the authority granted to a municipality under paragraph (a) with respect to energy improvements financed under that section.

Subd. 2. **Procedure for assessment.** Any special assessment levied under subdivision 1 shall be payable in a single installment, or by up to ten equal annual installments as the council may provide, except that a special assessment made under an energy improvements financing program under subdivision 1, paragraph (c), may be repayable in up to 20 equal installments. With these exceptions, sections 429.061, 429.071, and 429.081 shall apply to assessments made under this section.

Copyright © 2017 by the Revisor of Statutes, State of Minnesota. All Rights Reserved.

Subd. 3. **Issuance of obligations.** (a) After a contract for any of the work enumerated in subdivision 1 has been let, or the work commenced, the council may issue obligations to defray the expense of any such work financed in whole or in part by special charges and assessments imposed upon benefited property under this section.

(b) Section 429.091 shall apply to such obligations with the following modifications:

(1) such obligations shall be payable not more than two years from the date of issuance;

(2) the amount of such obligations issued at one time in a municipality shall not exceed the cost of such work during the ensuing six months as estimated by the council;

(3) a separate improvement fund shall be set up for each of the enumerated services referred to in subdivision 1 and financed under this section.

(c) Proceeds of special charges as well as special assessments and taxes shall be credited to such improvement fund.

History: *1953 c 398 s 10; 1955 c 811 s 6; 1963 c 771 s 5; 1965 c 323 s 2; 1973 c 337 s 1; 1974 c 340 s 1,2; 1984 c 548 s 7; 1984 c 582 s 7; 1984 c 591 s 6; 1984 c 633 s 5; 1986 c 444; 1Sp2003 c 21 art 11 s 29; 2004 c 275 s 2; 2008 c 366 art 6 s 42; 2010 c 216 s 22; 2013 c 85 art 8 s 6*

429.11 [Repealed, 1953 c 398 s 13]

429.111 CHARTER PROVISIONS, EFFECT.

Any city operating under a home rule charter may proceed either under this chapter or under its charter in making an improvement unless a home rule charter or amendment adopted after April 17, 1953, provides for making such improvement under this chapter or under the charter exclusively.

History: *1953 c 398 s 11; 1955 c 811 s 7; 1976 c 44 s 39*

429.12 [Repealed, 1953 c 398 s 13]

429.13 [Repealed, 1953 c 398 s 13]

429.14 [Repealed, 1953 c 398 s 13]

429.15 [Repealed, 1953 c 398 s 13]

429.16 [Repealed, 1953 c 398 s 13]

429.17 [Repealed, 1953 c 398 s 13]

429.18 [Repealed, 1953 c 398 s 13]

429.185 [Repealed, 1949 c 314 s 3]

429.19 [Renumbered 429.035]

429.20 [Renumbered 429.036]

429.21 [Repealed, 1953 c 398 s 13]

429.22 [Repealed, 1953 c 398 s 13]

Copyright © 2017 by the Revisor of Statutes, State of Minnesota. All Rights Reserved.

429.23 [Repealed, 1953 c 398 s 13]

429.24 [Repealed, 1953 c 398 s 13]

429.25 [Repealed, 1953 c 398 s 13]

429.27 [Repealed, 1953 c 398 s 13]

429.28 [Repealed, 1953 c 398 s 13]

429.29 [Repealed, 1953 c 398 s 13]

429.30 [Renumbered 435.36, subdivision 1]

429.31 [Renumbered 435.36, subd 2]

Copyright © 2017 by the Revisor of Statutes, State of Minnesota. All Rights Reserved.

CHAPTER 8. - PUBLIC IMPROVEMENTS AND SPECIAL ASSESSMENTS

Sec. 8.1. - Power to make improvements and levy assessments.

The city may make any type of local improvement not forbidden by law and levy special assessments to pay all or part of the cost of such local improvements. The total of the assessments for any local improvement may not exceed the cost of the local improvement, plus all costs and expenses connected therewith, including interest. No assessment shall exceed the benefit to the property assessed as measured by the increase in the market value of the property assessed as a result of the local improvement.

(Ord. of 1-25-1993)

Sec. 8.2. - Application of Charter.

All local improvement projects shall be carried out exclusively under the provisions of this Charter. The term "local improvement" as used in this section shall mean a public improvement financed partly or wholly from special assessments.

(Ord. of 1-25-1993)

Sec. 8.3. - Assessments for services.

The council may provide by ordinance that the cost of the city services to streets, sidewalks, or other public or private property may be assessed against property benefited and may be collected in the same manner as special assessments.

(Ord. of 1-25-1993)

Sec. 8.4. - Local improvement procedure.

When the city undertakes any local improvement to which the state local improvement code, Minn. Stats. chapter 429 applies, it shall comply with the provisions of that law, except as modified below. The council may by ordinance prescribe the procedure to be followed in making any other local improvement and levying assessments therefor.

8.4.1 *Sixty-day waiting period.* A period of 60 days shall elapse after the conclusion of the public hearing required by law to precede the ordering of the construction of a local improvement project (the "public hearing") before the actual ordering of the local improvement by the council and the council entering into a contract for the local improvement construction.

8.4.2 *Percentage of owners required.* When the local improvement has been petitioned for by the owners of not less than 50 percent in frontage of the real property abutting on streets named in the petition as the location of the local improvement the resolution ordering the local improvement by the council may be approved by vote of a majority of all members of the council. When there has been no such petition, the resolution may be adopted only by vote of four-fifths of all members of the council.

8.4.3 *Petition against the local improvement.* A proposed local improvement may be initiated by petition of the owners of real property abutting on the streets named in the petition. If, within 30 days of the conclusion of the public hearing, a petition against such local improvement is filed with the city administrator which petition is signed by a percentage of the owners of real property abutting on the streets named in the initiating petition as the location of the improvement which

percentage is greater than the percentage of owners of real property who signed the initiating petition, the council shall not make such local improvement at the expense of the abutting property owners. For purposes of the foregoing sentence, "owners of real property" shall not include owners of properties zoned for commercial or industrial uses or owners of properties zoned residential greater than ten acres in size based on zoning classifications in effect at the date of such petition, or owners of non-homestead real property greater than one acre in size.

8.4.4 *Counter petition in favor of the improvement.* If within 30 days of the filing with the city administrator of a petition against the local improvement as described in section 8.4.3 above, there is filed with the city administrator a petition in favor of the local improvement, signed by owners of real property abutting on the streets named in the initiating petition as the location of the improvement, in a percentage greater than the percent of owners of real property who signed the petition against the local improvement, then in such event the council may disregard the petition against the local improvement and proceed with the local improvement.

8.4.5 *Petition against council initiated improvement.* If the local improvement was initiated by council resolution without an initiating petition and, within 60 days of the conclusion of the public hearing, a petition is filed with the city administrator against such local improvement and which petition is signed by 60 percent or more of the owners of real property proposed to be assessed for and benefited by the local improvement, the council shall not make such local improvement at the expense of the benefited property owners. For purposes of the foregoing sentence, "owners of real property" shall not include owners of properties zoned for commercial or industrial uses or owners of properties zoned residential greater than ten acres in size based on zoning classifications in effect at the date of such petition, or owners of non-homestead real property greater than one acre in size.

8.4.6 *Withdrawal of name from petition.* Any person whose name appears on a petition to the council in favor of a local improvement, or on a petition to the council filed against a local improvement, may withdraw his/her name by a statement in writing filed with the city administrator before such petition is presented to the council or in person at a city council meeting before the city council accepts said petition.

8.4.7 *Filing of petition with city council.* All completed petitions filed with the city administrator as described herein shall be presented to the council by the city administrator at the council's next regularly scheduled meeting.

8.4.8 *One year before any further action.* When a proposed local improvement is disallowed pursuant to the petition process described in the foregoing sections, the council shall not vote on the same improvement within a period of one year after the public hearing on said improvement.

(Ord. of 1-25-1993; Ord. No. 06-22, § 2, 7-5-2006; Ord. No. 12-08, § 2, 6-26-2012; Ord. No. 14-07, § 2, 8-11-2014)

Sec. 8.5. - Computation of time.

Where the performance or doing of any act or matter is required by this Charter, and the period of time is prescribed and fixed by this Charter, the time shall be computed so as to exclude the first and include the last day of the prescribed or fixed period of time. When the last day of the period falls on a Saturday, Sunday, or a legal holiday, that day shall be omitted from the computation.

(Ord. of 1-25-1993)

Sec. 8.6. - Sewer and water projects.

This section applies to any local improvement project completed after January 1, 1996, which includes extending urban services (sewer and/or water) to an existing home or neighborhood.

8.6.1 *Connection policy.* The city may not compel any property owner with a functional private sewer and water system to connect to city sewer and/or water.

8.6.2 *Assessment policy.* The city may not levy an assessment for any component of any project which includes sewer and/or water improvements against a property whose owner elects to remain on a functional private sewer and/or water system.

8.6.3 *Request for urban services.* Property owners who remain on private sewer and water systems after urban services become available may request connection to urban services at any time. Upon connection to urban services an assessment may be levied provided it is consistent with the original assessment.

(Ref. of 5-20-1996; Ord. of 1-24-2001)

Our Mission: To work together to resposibly grow our community, and to provide quality, cost-effective, and efficient government services.

CC Regular Session **6. 3.**

Meeting Date: 11/14/2017

By: Bruce Westby, Engineering/Public Works

Information

Title:

PUBLIC HEARING: Adopt Resolution #17-11-286 Approving Feasibility Report and Ordering Plans and Specifications for Improvement Project #18-01, The North Forty Street Reconstructions

Purpose/Background:

Purpose:

The purpose of this case is to adopt Resolution #17-11-286 approving Feasibility Report and ordering Plans and Specifications for Improvement Project #18-01, North Forty Street Reconstructions.

Background:

City Improvement Project #18-01 proposes to reconstruct four street segments within the North Forty residential neighborhood including;

- 163rd Lane between Armstrong Boulevard and Alpaca Street,
- Alpaca Street between 163rd Lane and 165th Avenue,
- Chameleon Street between 163rd Lane and 164th Lane, and
- 164th Lane between Chameleon Street and the termini cul-de-sac.

These street segments total approximately 2,750 linear feet in length. A map showing the location and scope of the proposed improvements is included in the Feasibility Report as ***Figure 1*** in ***Appendix A***, which is included as an attachment to this case.

These street segments were constructed in 1989. Per field observations, record plan documents, and results from Braun Intertec's geotechnical report and ground penetrating radar (GPR) analysis, the bituminous pavement section ranges from 1.3 to 3.7 inches thick with an average of 2.2 inches, the aggregate base ranges from 1.4 to 8.4 inches thick with an average of 4.4 inches, and the pavement section was built on sandy subgrade material, generally considered suitable for pavement support. The streets were constructed with bituminous curb to a width of 30-feet from face-of-curb to face-of-curb, and are generally centered within 66-foot right-of-ways.

The storm sewer system consists of a catch basin at the intersection of 163rd Street and Alpaca, a bituminous flume between 16420 and 16450 Alpaca Street, a bituminous flume at 16427 Chameleon Street, and a bituminous flume on the cul-de-sac on 164th Lane. The storm sewer systems drain to 3 low-lying areas located within drainage and utility easements.

City staff evaluates and rates the condition of pavement sections on all City streets on an annual basis using the Pavement Surface Evaluation and Rating (PASER) system. In the summer of 2017, the pavement sections of these street segments were rated with a PASER rating of 4, indicating that these streets require complete reconstruction. City staff patch the streets annually, particularly before winter so the streets can be plowed without further damaging pavement in the process. Pictures of the street are included in ***Appendix A*** of the Feasibility Report.

Proposed improvements include removing existing bituminous curb and replacing with B618 concrete curb and gutter, and reconstructing the existing bituminous pavement section using the Full Depth Reclamation (FDR) process. The FDR process involves milling the entire existing bituminous pavement section, along with an inch or more of existing underlying aggregate base. This reclaim material would then be spread over the reshaped and compacted subgrade between the concrete curb and gutter, and then the top 3½ inches of reclaim material would be removed and hauled off site. Then 3½ inches of new bituminous pavement would be installed over the remaining compacted reclaim material, resulting in a 7-ton pavement design, which is standard for residential streets.

The existing storm sewer system is proposed to be improved to meet City design standards. This will include additional catch basins placed along the roadway, and replacing existing bituminous flumes, where possible.

The engineer's opinion of probable costs for completing the proposed improvements on the North Forty as outlined in this report is $518,685.13. Estimated costs include 5% contingency costs plus 23% indirect costs for administrative, engineering, finance and legal costs. A summary of the engineer's opinion of probable costs is included in***Appendix B*** of the Feasibility Report.

Fifteen (15) parcels have been identified as receiving special benefit from the improvements. These parcels are identified in the preliminary Assessment Map and Roll, which are included in ***Appendix C*** of the Feasibility Report. Staff recommends assessing 25-percent of eligible improvement costs equally across these 15 parcels using the "per lot" assessment method. This results in a proposed preliminary assessment rate of $8,644.75 per assessable parcel.

Staff recommends ordering a special benefit consultation report for this project to verify the proposed assessment amount will not exceed the benefit to the properties. If the report concludes the benefit to the properties is less than the proposed preliminary assessment rate, Staff will then propose to lower the assessment rate accordingly during the Assessment Hearing, which is scheduled for October 9, 2018. If the report verifies the assessment rate as proposed is justified, Staff will propose to adopt the final assessment roll using the rate as preliminarily proposed.

Five soil borings were completed by Braun Intertec to assist with the preparation of this report. Pavement design recommendations were offered by Braun Intertec, and Staff considered and incorporated to varying degrees while preparing the report. Ground Penetrating Radar (GPR) was conducted on all street segments within the project. The GPR identifies existing bituminous pavement and aggregate base thicknesses, and is used to help staff determine the appropriate treatment. Copies of Braun Intertec's GPR results and Geotechnical Exploration report are included in***Appendix C*** of the Feasibility Report.

This improvement project, which is listed in the City's current 10-year Capital Improvement Plan, is proposed to be funded using a combination of special assessments to benefiting properties, street reconstruction bond proceeds, and storm sewer funds.

This project would best be constructed in conjunction with the River's Bend Street Reconstructions and the Stanhope Terrace Street Reconstructions projects, is necessary, feasible, and cost-effective from an engineering standpoint, and can be constructed as proposed herein.

Notification:

In accordance with State Statutes, the attached Notice of Public Hearing was published in the Anoka Union Herald on October 27 and November 3, 2017, and Public Hearing Notices were mailed to all benefiting property owners identified in the preliminary assessment roll.

Observations/Alternatives:

Observations:
The proposed improvements should have a serviceable life of 60 years, assuming that proactive, regular pavement maintenance treatments are performed during the life of the improvements.

Developed properties along the project corridor may have private irrigation systems. Impacts to these systems may occur when existing bituminous curb and gutter is replaced with concrete curb and gutter. Staff will notify property owners in writing of the pending construction as far in advance of construction as possible to allow them time to move their irrigation system components out of the construction area, after which they may replace the components in their original locations.

Public Comment
On November 1, 2017, Staff conducted a Public Information Meeting from 5:30 - 7:10 pm at City Hall. Notices for this meeting were mailed to all benefiting property owners. Eleven (11) property owners attended the meeting. The meeting was conducted as an open house forum, with Staff responding to questions one-on-one from 5:30 – 6:05 pm, and again from 6:50 – 7:10 pm. A formal presentation was provided by Staff from 6:05 – 6:50 pm, which addressed all aspects of the project including project purpose, scope, and schedule, existing conditions, proposed improvements, estimated project costs, proposed funding sources, including special assessments, and a primer on the Public Hearing. Numerous comments were received during this meeting as summarized below.

Similar to the other two meetings, one of the main comments was that it is difficult for property owners to pay special assessments, especially when they are as high as the assessment being proposed with this project. Property owners generally do not budget for assessments. Special assessments also make it difficult to sell your property. In general, those in attendance were opposed to paying special assessments and felt these projects would be better funded through the general fund.

Attendees also questioned the addition of concrete curb and gutter, noting that the existing bituminous curb has been in place for 28 years and is not falling apart yet. Staff responded that while bituminous curb exists on numerous streets throughout the City, the observed life expectancy is typically much less than that of concrete curb and gutter, and that concrete curb and gutter better directs snow plow drivers increasing safety and preventing damage to sod, mailboxes, landscaping, irrigation system components, etc. Concrete curb and gutter also better directs drainage along the edges of streets and driveways, and does not degrade over time as bituminous gutters do. Another common comment was that adding concrete curb and gutter would be completely out of context for this neighborhood.

Another question received was why the City is not paving gravel streets first. Why spend money on streets that are already paved when other streets are not paved yet? Staff noted that gravel roads do not fail in a similar manner as paved roads and are therefore not as high a priority as paved roads when it comes to maintaining all 180 miles of public roads in the City.

Another question raised was what guarantee do the property owners who are being assessed for this work have that the new street will be maintained properly to protect their investment? Several property owners are concerned about this based on the lack of previous maintenance completed on these streets after they were first paved. The property owners asked what the City's plan is for maintaining these and other streets throughout the City. Staff responded that current Staff and City Council are committed to maintaining the public streets, as evidenced by the $500,000 that is budgeted annually for sealcoating to help proactively maintain public streets, as well as the 5-year Street Reconstruction and Overlay Bond program. The property owners agreed this is a good start, but they are still concerned that this will change over time as Council members change.

Questions were also posed regarding property owner's rights for opposing assessments. Staff briefly discussed Chapter 8 of the City Charter, including the right to petition against a project. One resident requested a petition form template, which was emailed to them the following day, along with a link to the City Charter on the City's web site.

Attached is a copy of 3 comment cards received during the Public Information Meeting containing additional information.

Any comments received after this case was prepared will be presented to Council before the Public Hearing is opened.

Alternatives:
Alternative #1 – Motion to adopt Resolution #17-11-286 approving Feasibility Report and ordering Plans and Specifications for Improvement Project #18-01, North Forty Street Reconstructions.

Alternative #2 – Motion to deny adoption of Resolution #17-11-286 at this time.

Funding Source:
The Feasibility Report was completed in-house as part of Staff's regular duties.

The current Capital Improvement Plan (CIP) estimates costs for reconstructing these streets at $900,000.

Per the attached Feasibility Report, the engineer's opinion of probable project costs is $518,685.13. A total of 15 residential parcels will benefit from the proposed improvements and are preliminarily proposed to be assessed for 25-percent of eligible project costs which totals $129,671.28. This equates to preliminary assessments of $8,644.75 per parcel. The City will fund the remaining 75-percent of project costs, which totals $389,013.85. The City's costs will be funded using Street Reconstruction and Overlay Program bond funds, as well as a Stormwater Utility Funds.

Assessments are proposed to be assessed over a term of ten years, with interest rates proposed at two percent above the bond interest rate.

Staff proposes to request Council authorization to order a benefit appraisal consultation for this project in accordance with the City's Special Assessments Policy at the time Council awards a construction contract.

Recommendation:
Staff recommends Alternative #1 to allow the project to be constructed as part of the 2018 Street Maintenance Program, and to allow for the use of special assessments to pay for a portion of the project costs per the applicable provisions of Chapter 8 of the City Charter, the City's Special Assessments Policy, and Minnesota Statute Chapter 429.

Action:
Motion to adopt Resolution #17-11-286 approving Feasibility Report and ordering Plans and Specifications for Improvement Project #18-01, North Forty Street Reconstructions.

Attachments

Resolution 1711286
Feas Report IP1801
PH Notice
Spec Assessments Policy
MN Statute Chapter 429
City Charter Chapter 8
Public Info Mtg Comment Cards

Form Review

Inbox	Reviewed By	Date
Kurt Ulrich	Bruce Westby	11/09/2017 02:22 PM
Bruce Westby (Originator)	Bruce Westby	11/09/2017 02:25 PM
Kurt Ulrich	Kurt Ulrich	11/09/2017 02:48 PM

Form Started By: Bruce Westby Started On: 11/06/2017 03:30 PM
Final Approval Date: 11/09/2017

Councilmember _____ introduced the following resolution and moved for its adoption:

RESOLUTION #17-11-286

RESOLUTION APPROVING FEASIBILITY REPORT AND ORDERING PLANS AND SPECIFICATIONS FOR IMPROVEMENT PROJECT #18-01 THE NORTH FORTY STREET RECONSTRUCTIONS

WHEREAS, pursuant to Ramsey City Council resolution #17-07-169, adopted on July 11, 2017, the City Engineer was ordered to prepare a Feasibility Report to study the feasibility of reconstructing approximately 0.52 miles of streets within The North Forty development including 163rd Lane between Armstrong Boulevard and Alpaca Street, Alpaca Street between 163rd Lane and 165th Avenue, Chameleon Street between 163rd Lane and 164th Lane, and 164th Lane from Chameleon Street to its termini cul-de-sac, including the reconstruction of streets and curb and gutter, the construction of storm sewer, and other appurtenant work; and

WHEREAS, pursuant to Ramsey City Council resolution #17-10-272, adopted October 24, 2017, the Feasibility Report was received and accepted, and a Public Hearing was ordered for November 14, 2017 at 7 p.m., where the City Council will consider the proposed improvements for said streets in accordance with the updated Feasibility Report; and

WHEREAS, benefiting properties are proposed to be assessed for 25-percent of the cost of the improvements, pursuant to Minnesota Statutes Chapter 429, Chapter 8 of the City Charter, and the City's Special Assessments Policy; and

WHEREAS, the City Clerk gave mailed and published notice of such hearing and improvements as required by law; and

WHEREAS, the City Council conducted a Public Hearing for the proposed improvements on November 14, 2017.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RAMSEY, ANOKA COUNTY, STATE OF MINNESOTA, as follows:

1) Such improvement is necessary, cost-effective and feasible as detailed in the Feasibility Report approved by Council on November 14, 2017.

2) Pursuant to Minnesota Statutes Chapter 429, Chapter 8 of the City Charter, and the City's Special Assessments Policy, benefiting properties shall be assessed for 25-pecent of the cost of the improvements, which have an estimated total cost of $518,685.13.

3) The City Engineer is hereby designated as the engineer for this improvement, and the engineer is ordered to prepare plans and specifications for the making of such improvements.

The motion for the adoption of the foregoing resolution was duly seconded by Councilmember _____ and upon vote being taken thereon, the following voted in favor thereof:

and the following voted against the same:

and the following abstained:

and the following were absent:

Whereupon said resolution was declared duly passed and adopted by the Ramsey City Council this the 14th day of November, 2017.

Mayor

ATTEST:

City Clerk

FEASIBILITY REPORT

THE NORTH FORTY STREET RECONSTRUCTIONS

CITY IMPROVEMENT PROJECT NO. 18-01

October 20, 2017

Prepared By:

City of Ramsey
Engineering Department
7550 Sunwood Drive NW
Ramsey, MN 55303
763-433-9820
763-433-9848 (Fax)

October 20, 2017

Honorable Mayor and City Council
City of Ramsey
7550 Sunwood Drive NW
Ramsey, MN 55303

Re: Feasibility Report - City of Ramsey Improvement Project #18-01
The North Forty Street Reconstructions

Dear Mayor and City Council Members:

Transmitted herewith is a Feasibility Report for the proposed North Forty Street Reconstructions project including; 163rd Lane between Armstrong Boulevard and Alpaca Street, Alpaca Street between 163rd Lane and 165th Avenue, Chameleon Street between 163rd Lane and 164th Lane, and 164th Lane from Chameleon Street to its termini cul-de-sac. The report examines the feasibility of reconstructing the bituminous street section and completing other appurtenant improvements.

This Feasibility Report examines the scope of the proposed improvements, explores estimated costs and available funding sources, defines a preliminary project schedule, and determines the necessity, feasibility and general cost-effectiveness of the proposed improvements, including any alternate designs, as well as whether the improvements would best be completed separately or in conjunction with another project.

I would be happy to discuss this report with you at your convenience. Please feel free to contact me at 763-433-9825 or bwestby@cityoframsey.com with any questions.

Sincerely,
City of Ramsey

Bruce Westby, PE
City Engineer

Enclosure

C: Kurt Ulrich, City Administrator
Leonard Linton, Civil Engineer IV

CERTIFICATION

I hereby certify that this plan, specification or report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota.

Bruce Westby, PE

Date: October 20, 2017 License No. 40116

I hereby certify that this plan, specification or report was reviewed for Quality Control and Quality Assurance purposes and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota.

Leonard Linton, PE

Date: October 20, 2017 License No. 21112

TITLE SHEET
LETTER OF TRANSMITTAL
CERTIFICATION SHEET
TABLE OF CONTENTS

1. EXECUTIVE SUMMARY 3

2. INTRODUCTION 5

2.1 Authorization 5
2.2 Program Overview 5
2.3 Scope 5

3. EXISTING CONDITIONS 6

3.1 Existing Pavement and Soil Conditions 6
3.2 Watermain 7
3.3 Sanitary Sewer 7
3.4 Storm Sewer/Drainage 7
3.5 Streets 7
3.5.1 Existing Typical Sections 7
3.5.2 Maintenance History 7
3.6 Land Use 7

4. PROPOSED IMPROVEMENTS 8

4.1 Street and Stormwater Improvements 8
4.1.1 Street Improvements 8
4.1.2 Storm Sewer Improvements 8
4.1.3 Geotechnical Considerations 8
4.1.4 Other Considerations 9
4.2 Stormwater Treatment 9
4.3 Water Main Improvements 9
4.4 Sanitary Sewer Improvements 10
4.5 Construction Methods 10
4.6 Private Utilities 10
4.7 Permits 10
4.8 Right-of-Ways/Easements 10

5. FINANCING 11

5.1 Opinion of Cost 11
5.2 Funding 11
5.2.1 Assessments 11
5.2.2 City Contribution 12

6. PROJECT SCHEDULE 13

7. CONCLUSIONS AND RECOMMENDATIONS 14

Appendix A

Figure 1 – Project Scope
Figure 2 – Typical Section
Project Site Pictures

Appendix B

Opinion of Probable Costs
Preliminary Assessment Map
Preliminary Assessment Roll

Appendix C

Ground Penetrating Radar Summary
Geotechnical Exploration and Engineering Review (Braun 49 pages)

1. EXECUTIVE SUMMARY

City Improvement Project No. 18-01 proposes to reconstruct streets within The North Forty neighborhood which includes 163rd Lane, Alpaca Street, Chameleon Street, and 164th Lane. The streets total approximately 2,750 linear feet (0.52 miles) in length. A map showing the location and scope of the proposed improvements is included as ***Figure 1*** in ***Appendix A.***

The North Forty neighborhood was constructed in 1989. Based on results from the geotechnical report and ground penetrating radar (GPR) analysis performed by Braun Intertec, field observation and record plan documentation, the bituminous pavement section ranges from 1.3 to 3.7-inches thick with an average of 2.2-inches. The aggregate base ranges from 1.4 to 8.4-inches thick with an average of 4.4-inches. The road section was built on sandy subgrade material generally considered suitable for pavement support. The streets were constructed with bituminous curb to a width of 30-feet from face-of-curb to face-of-curb, and are generally centered within a 66-foot right-of-way. The storm sewer system consists of a catch basin at the intersection of 163rd Street and Alpaca, a bituminous flume between 16420 and 16450 Alpaca Street, a bituminous flume at 16427 Chameleon Street, and a bituminous flume on the cul-de-sac on 164th Lane. The storm sewer systems drain to 3 low-lying areas located within drainage and utility easements.

City staff evaluates and rates the condition of pavement sections on all City streets on an annual basis using the Pavement Surface Evaluation and Rating (PASER) system. In the summer of 2017, the pavement section of the above-referenced street segments were rated with a PASER rating of 4 which indicates these streets require complete reconstruction. City staff patch the streets at least once per year, particularly before winter so the street can be plowed without damaging the pavement in the process. Pictures of the street are located in ***Appendix A.***

Proposed improvements include replacing existing bituminous curb with B618 concrete curb and gutter and reconstructing the existing bituminous pavement section using the full-depth reclamation (FDR) process. This process involves reclaiming the entire existing bituminous pavement section along with a portion of the existing aggregate base material. A portion of this reclaimed (ground and mixed) material would then be spread and compacted on top of the reshaped and compacted subgrade. Then 3.5 inches of bituminous pavement would be placed, generally meeting the City of Ramsey's standard pavement design.

The existing storm sewer system will be updated to meet City design standards. This will include additional catch basins placed along the roadway, and replacing the existing bituminous flumes where possible.

The engineer's opinion of probable costs for completing the proposed improvements on the North Forty as outlined in this report is $518,685.13. Estimated costs include 5-percent contingency costs plus 23-percent indirect costs for administrative, engineering, finance and legal costs. A summary of the engineer's opinion of probable costs is included in ***Appendix B***.

A total of 15 assessable parcels have been identified. Staff recommends applying 25-percent of the eligible improvement costs equally across the 15 assessable properties using the "per lot"

assessment method. This results in a proposed preliminary assessment rate of $8,644.75 per assessable parcel.

Staff recommends ordering a special benefit consultation report for this project to verify the proposed assessment amount will not exceed the benefit to the properties. If the report concludes the benefit to the properties is less than the proposed preliminary assessment rate, Staff will then propose to lower the assessment rate accordingly during the Assessment Hearing, which is scheduled for October 9, 2018. If the report verifies the assessment rate as proposed is justified, Staff will propose to adopt the final assessment roll using the rate as preliminarily proposed.

Five soil borings were completed by Braun Intertec to assist with the preparation of this report. Pavement design recommendations were offered by Braun and Staff considered and incorporated to varying degrees while preparing this report. Ground Penetrating Radar (GPR) was conducted on all street segments within the project. The GPR identifies existing bituminous pavement and aggregate base thicknesses, and is used to help staff determine the appropriate treatment. Copies of Braun Intertec's GPR results and Geotechnical Exploration report are attached in ***Appendix C***.

This improvement project, which is listed in the City's current 10-year Capital Improvement Plan, is proposed to be funded using a combination of special assessments to benefiting properties, street reconstruction bond proceeds, and storm sewer funds.

Staff has not yet discussed the proposed improvements with local property owners. However, Staff has scheduled a meeting for November 7, 2017 with local property owners for the purpose of explaining the proposed improvements and assessments in more detail, and to gather their input on the project, including any information which should be explored in more detail during development of plans and specifications. Staff will incorporate comments and present this information to Council during the Public Hearing.

This project would best be constructed in conjunction with the River's Bend and the Stanhope Terrace Street Reconstructions projects, is necessary, feasible, and cost-effective from an engineering standpoint, and can be constructed as proposed herein.

2. INTRODUCTION

2.1 Authorization

The preparation of this report was authorized by the Ramsey City Council on July 11, 2017. This project has been designated as City Improvement Project No. 18-01.

2.2 Program Overview

In support of the City's long-term Street Maintenance Program, the entire existing bituminous pavement section will be reconstructed using a full-depth reclamation (FDR) process. The existing bituminous curb will be replaced with B618 concrete curb and gutter, plus other appurtenant work will be completed as outlined in this report.

The City's pavement evaluation process involves a visual evaluation of each street's pavement surface based on the type, extent and severity of each pavement distress observed. Numerous types of pavement distresses may exist within a pavement section including, but not limited to, alligator cracking, block cracking, longitudinal cracking, transverse cracking, rutting, raveling, shoving, potholes and patches. This field data is then used to rate the pavement condition.

The City uses the Pavement Surface Evaluation and Rating (PASER) system to rate pavement condition. A PASER rating is a numerical index between 1 and 10 indicating the condition of a pavement based on the various pavement distresses recorded during visual observations. A PASER rating of 10 represents brand new pavement, while a PASER rating of 1 represents a pavement section that has fallen into complete disrepair requiring full reconstruction.

In the summer of 2017, City staff evaluated and rated the condition of the pavement along the North Forty street segments. A PASER rating of 4 was determined for 163rd Lane, Alpaca Street, Chameleon Street, and 164th Lane.

2.3 Scope

City of Ramsey Improvement Project No. 18-01 proposes to reconstruct the existing bituminous pavement, remove existing bituminous curb and replace with B618 concrete curb and gutter, and to complete other appurtenant work on 163rd Lane between Armstrong Boulevard and Alpaca Street, Alpaca Street between 163rd Lane and 165th Avenue, Chameleon Street between 163rd Lane and 164th Lane, and 164th Lane from Chameleon Street to its termini cul-de-sac, which totals approximately 2,750 linear feet (0.52 miles) in length.

The existing bituminous pavement section is proposed to be reconstructed using the FDR process. This involves reclaiming the entire bituminous pavement section from back of curb to back of curb, along with a portion of the existing aggregate base, hauling and disposing of excess reclaim material off site, spreading and compacting the reclaimed material on top of the reshaped and compacted subgrade, then placing 3.5 inches of new bituminous pavement on top. The resulting pavement design will generally meet current City design standards. A map showing the location and scope of the proposed improvements is included as ***Figure 1*** in ***Appendix A.***

3. EXISTING CONDITIONS

3.1 Existing Pavement and Soil Conditions

The streets were constructed in 1991. Based on results from the geotechnical report and ground penetrating radar (GPR) analysis performed by Braun Intertec, along with field observation, and record plan documentation, the street sections are typically 2.2-inches of bituminous pavement, 4.4-inches of aggregate base, bituminous curb, and a mix of concrete pipe and bituminous flume storm sewer. The streets were constructed to a width of 31-feet from back-of-curb to back-of-curb. The streets are generally centered within a 66-foot wide right-of-way.

The only pavement maintenance treatments applied to the street segments were crackseal and sealcoat improvements in 1998. Spot patching has been performed on an as-needed basis, and has been needed more often in recent years as the streets deteriorate. In 2017, Staff observed a PASER of 4 on all the street segments.

In July of 2017, City staff recorded a traffic volume of 147 average annual daily traffic (AADT) on Alpaca Street south of 165th Avenue, and 207 AADT on 163rd Lane east of Armstrong Boulevard. The posted speed limit is 30 mph for these street segments.

Braun Intertec was employed to complete a Geotechnical Exploration and Engineering Review for this project, which included five (5) soil borings spaced approximately 500 feet along the streets, including one (1) boring at the cul-de-sac on 164th Lane, the intersection of 163rd and Chameleon, and the intersection of 163rd and Alpaca. The locations of the borings are shown in the Soil Boring Location Map in the Appendix of Braun's report, attached in ***Appendix C.***

The soil borings provide information on existing bituminous pavement and aggregate base course thicknesses, subsurface soil conditions, existing ground water elevations, and potential issues which may be encountered during construction. All borings terminated at a nominal depth of 11-feet below the existing ground surface. There was no groundwater observed during the soil borings. Based on only storm sewer utilities proposed with this project, depths of which are not expected to reach 11-feet below the existing surface, groundwater is not anticipated to be a significant issue for work completed with this proposed project.

The soil borings generally indicate the existing bituminous pavement thickness is 3.0-inches, and aggregate base thickness ranges between 4.0 to 8.0-inches. The subgrade generally consists of poorly graded sand with silt and trace gravel at depths ranging from 2.0 to 11.0-feet below the top of the pavement. Native alluvial soils consisting of poorly graded sand (SP) generally extend to the bottom of the borings.

Braun Intertec was employed to complete a GPR Analysis for the project area, which included driving the GPR equipped vehicle throughout all street segments within the project area. In general, the streets had similar results, a summary table and charts of the GPR analysis are attached in ***Appendix C***. The GPR data resulted in an average bituminous pavement thickness of 2.2-inches and an aggregate base thickness of 4.4-inches, with an average total section thickness of 6.5-inches. The minimum total section thickness was found to be 3.4-inches located on

Chameleon Street 460-feet north of 163rd Lane, which is near the location of the bituminous flume taking water into the low area east of Chameleon Street.

3.2 Watermain

Watermain does not exist on site.

3.3 Sanitary Sewer

Sanitary sewer does not exist on site.

3.4 Storm Sewer/Drainage

The storm sewer system consists of a catch basin at the intersection of 163rd Street and Alpaca, a bituminous flume between 16420 and 16450 Alpaca Street, a bituminous flume at 16427 Chameleon Street, and a bituminous flume on the cul-de-sac on 164th Lane. The storm sewer systems drain to 3 low-lying areas located within drainage and utility easements.

3.5 Streets

3.5.1 Existing Typical Sections

The width of 163rd Lane, Alpaca Street, Chameleon Street, and 164th Lane is 31-feet from back-of-curb to back-of-curb. The cul-de-sac on 164th Lane has a 50-foot radius to the back of curb. The streets are centered within a 66-foot wide City-owned right-of-way. The cul-de-sac on 164th Lane is considered temporary with possible future development to the west, no record of a temporary or permanent easement has been found to encompass this cul-de-sac. Therefore, the City will have to obtain a right of entry from the property owners to complete the proposed work.

3.5.2 Maintenance History

The North Forty streets were originally constructed in 1989. All street segments within the subdivision received crackseal and sealcoat improvements in 1998. The street segments have regularly received spot patching on an as-needed basis.

3.6 Land Use

The parcels within the construction area are zoned residential.

4. PROPOSED IMPROVEMENTS

4.1 Street and Stormwater Improvements

The scope of the proposed surface improvements is shown in ***Figure 1*** in ***Appendix A***.

4.1.1 Street Improvements

All streets are proposed to be reconstructed with bituminous pavement and concrete curb and gutter, which will better facilitate drainage over time. Numerous streets exist throughout the City with bituminous curbing and almost all are deteriorating more rapidly than streets with concrete curb and gutter due to their inability to rapidly convey drainage off of the pavement surface, particularly along edges of streets.

The proposed surface improvements are shown on ***Figure 1 in Appendix A.***

Street Design:

163rd Lane, Alpaca Street, Chameleon Street, and 164th Lane are currently urban residential streets with bituminous curb and pavement 31-feet wide from back-of-curb to back-of-curb. The cul-de-sac on 164th Lane is 100-feet in diameter from back-of-curb to back-of-curb. Existing and proposed traffic counts are consistent with typical residential streets.

All street segments are proposed to be reconstructed at their current width. A typical section for the proposed pavement reconstruction improvements is shown in ***Figure 2*** in ***Appendix A.***

City staff is proposing a pavement section design of 1.5 inches bituminous wear course, 2 inches bituminous base course, and 4 inches of aggregate base composed of full depth reclamation material. This pavement section would be constructed over the existing subgrade after it is reshaped and compacted.

4.1.2 Storm Sewer Improvements

The existing drainage and storm sewer system will be improved by adding concrete curb and gutter, replacing bituminous flumes with concrete pipe systems, and providing additional catch basins along curb lines to reduce the width of stormwater encroachment onto the pavement surface during rainfall and snowmelt events.

No stormwater treatment improvements are required for this project since the street is proposed to be reconstructed at its current width.

4.1.3 Geotechnical Considerations

Braun Intertec completed a Geotechnical Exploration and Engineering Review including five (5) soil borings spaced at approximate 500-foot intervals along 163rd Lane, Alpaca Street, and Chameleon Street. The locations of the borings are shown in the Boring

Location Diagram in the Appendix of Braun's report, attached in ***Appendix C.*** Braun recommends completing a 6-8 inch deep reclamation of the existing bituminous pavement. Placing 6 inches of aggregate base class 5 or reclaim material, and 3.5 inches of bituminous pavement. City staff is in close agreement and proposes completing a full-depth reclamation process of the existing pavement, placing 4-inches of aggregate base class 5 or reclaim material, and 3.5-inches of new bituminous pavement. The proposed improvements should have a service life of approximately 60 years, assuming maintenance such as overlays, crack sealing and seal coating is routinely performed.

4.1.4 Other Considerations

Driveways:
Existing driveway aprons may need to be reconstructed to varying degrees. The limits of construction will vary with each driveway apron based on the elevation of the street abutting the driveway and the driveway pavement type. During design, staff will evaluate the construction limits for each driveway and will incorporate this into the plans, but as with all street reconstruction projects, the exact limits of construction will be determined in the field during construction. Right-of-entry forms will be obtained from private property owners where work is required outside City right-of-ways and easements.

Irrigation Systems:
Developed properties along the project corridor may have private irrigation systems. Staff will notify property owners of pending construction as far in advance as practical to allow them time to move their irrigation systems out of harm's way before work begins.

Parking Restrictions:
Parking is currently provided along both sides of the streets and is not currently restricted except for overnight parking per City code. During this project, parking will be restricted during allowable working hours.

Pavement Corings:
Existing pavement thicknesses have been found to be inconsistent throughout the City. It is now standard practice to have City staff on-site during pavement installation to insure the proper quantities are being placed. As further conformation, staff is proposing to have pavement corings taken at the conclusion of all reconstruction projects. This is already a requirement on all State Aid projects, and will leave more data on the pavement section for future street maintenance projects.

4.2 Stormwater Treatment

No stormwater retention and/or treatment improvements will be required as a result of this project.

4.3 Water Main Improvements

No watermain improvements are proposed with this project.

4.4 Sanitary Sewer Improvements

No sanitary sewer improvements are proposed with this project.

4.5 Construction Methods

The existing bituminous pavement section will be reconstructed using the FDR process outlined within this report.

4.6 Private Utilities

Staff has not yet met with the telephone, gas, power and cable utilities regarding this project. During preparation of plans and specifications, staff will meet with the private utility companies to discuss the proposed improvements as noted in the project schedule within this report. The alignment and footprint of the streets will be considered to minimize impacts to private utilities. No impacts to power poles or street lights are anticipated with this project.

Should any utility company indicate they wish to upgrade, replace and/or otherwise modify their services during this project, any such upgrades, replacements and/or modifications will be at the sole discretion and cost of the utility company.

4.7 Permits

Permits that are anticipated to be required as part of the proposed improvements include:

- MPCA General Stormwater Permit (NPDES)..... Grading and Storm Water

4.8 Right-of-Ways/Easements

During preparation of this report, City staff found the 164th Lane cul-de-sac was constructed without the necessary permanent easement. It is likely this cul-de-sac was built as a temporary cul-de-sac for possible development to the west. Four properties access Chameleon Street / 164th Lane, none have access and two have property located within the cul-de-sac. With a length of approximately 900-feet it would be ideal for future development to loop this cul-de-sac road. City code sets 600-feet as the maximum length of a cul-de-sac. City staff will contact the two property owners to discuss options for securing easements. The costs for easement acquisitions are not included in the probable project costs.

City staff will obtain required right of entries on a case by case basis.

5. FINANCING

5.1 Opinion of Cost

A detailed opinion of probable costs for the proposed improvements can be found in ***Appendix B*** of this report. The opinion of probable costs incorporates anticipated 2018 construction costs for the proposed improvements with 5-percent contingency costs, plus 23-percent indirect costs for administrative, engineering, financing and legal costs.

City staff prepared the Feasibility Report in-house as part of staff's normal duties.

Braun Intertec prepared the Geotechnical Exploration and Engineering Review, included in ***Appendix C***, at a cost of $3,228.67.

5.2 Funding

5.2.1 Assessments

A portion of the project costs is proposed to be recovered through special assessments levied against the 15 identified benefiting properties; 5 along 163rd Lane, 6 along Alpaca Street, 3 along Chameleon Street, and 1 along 164th Lane. Assessments are proposed to be collected for eligible improvements benefiting residential properties with direct access to the improved segments of the North Forty as described below. A preliminary assessment summary is included below in ***Table 1.***

Residential Assessments:
Special assessments are proposed to be levied against residential properties having direct access to improved streets. To be consistent with previous applications of the Special Assessments Policy, each residential property is proposed to be assessed using the "per lot" method.

Each residential property is preliminarily proposed to be assessed at the rate of $8,644.75 per lot. Since State Statute and the City Charter does not allow for assessments to exceed the benefit to the property, staff therefore requests Council authorization to order a benefit appraisal consultation for this project in accordance with the City's Special Assessment Policy.

The Preliminary Assessment Map and Roll are included in ***Appendix B.***

TABLE 1
Proposed Preliminary Assessments – 163rd Lane, Alpaca Street, Chameleon Street, 164th Lane

STREET SEGMENT	ASSESSMENT PER LOT	NO. OF LOTS	TOTAL ASSESSMENTS
163rd Lane Residential Assessment	$8,644.75	5	$43,223.75
164th Lane Residential Assessment	$8,644.75	1	$8,644.75
Alpaca Street Residential Assessment	$8,644.75	6	$51,868.50
Chameleon Street Residential Assessment	$8,644.75	3	$25,934.25
TOTAL PROJECT ASSESSMENTS			**$129,671.28**

5.2.2 City Contribution

The City contribution to the project would include all funding in excess of the amount collected through special assessments to benefiting properties. No funds have been budgeted for this project. The City's share of eligible project costs related to surface (street) improvements is proposed to come from the previously encumbered 5-year Street Reconstruction and Overlay Program bonds. Stormwater Utility Funds are proposed to pay for all storm sewer improvements.

Table 2 illustrates the proposed project funding based on design proposed within this report. This funding program assumes construction will occur in 2018.

TABLE 2
Proposed Project Funding

	ASSESSMENTS	CITY FUNDS	TOTAL
Surface	**$107,867.53**	**$323,602.60**	**$431,470.13**
Storm Sewer	**$21,803.75**	**$65,411.25**	**$87,215.00**
TOTALS	**$129,671.28**	**$389,013.85**	**$518,685.13**

Total Project Cost		**$518,685.13**
Less Special Assessments	-	$129,671.28
Subtotal	**=**	**$389,013.85**
Less City Bonding Funds	-	$323,602.60
Subtotal	**=**	**$65,411.25**
Less Stormwater Utility Funds	-	$65,411.25
TOTAL Remaining Cost	**=**	**$0**

6. PROJECT SCHEDULE

The proposed project schedule is as follows:

Council Orders Feasibility Report ..... July 11, 2017

Council Accepts Feasibility Report/Orders Public Hearing ..... October 24, 2017

Staff Conducts Neighborhood Information Meeting ..... November 7, 2017

Council Conducts Public Hearing Authorizes Plans and Specifications ..... November 14, 2017

Staff Conducts Private Utility Coordination Meeting ..... December, 2017

Council Approves Plans and Specifications / Authorizes Ad for Bids ..... January 9, 2018

Staff Receives Bids ..... February 6, 2018

Council Awards Contract ..... February 13, 2018

Contractor Begins Construction ..... May / June 2018

Contractor Completes Construction ..... September 2018

Council Conducts Assessment Hearing ..... October 9, 2018

7. CONCLUSIONS AND RECOMMENDATIONS

City of Ramsey Improvement Project No. 18-01 proposes to reconstruct the bituminous pavement section, to remove the existing bituminous curb and replace it with B618 concrete curb and gutter, and to complete miscellaneous appurtenant work on the following street segments within the North Forty subdivision:

1. 163rd Lane (approx. 920 linear feet) – Armstrong Boulevard to Alpaca Street.
2. Alpaca Street (approx. 920 linear feet) – 163rd Lane to 165th Avenue.
3. Chameleon Street (approx. 670 linear feet) – 163rd Lane to 164th Lane.
4. 164th Lane (approx. 260 linear feet) – Chameleon Street to west cul-de-sac.

It is the recommendation of City staff that Improvement Project No. 18-01 is feasible, necessary, and cost-effective from an engineering standpoint, and this project would best be constructed in conjunction with the River's Bend and Stanhope Terrace Street Reconstruction projects as proposed herein.

The following Staff recommendations related to the proposed project are presented for Council consideration and concurrence:

1. Remove existing bituminous curb and replace with B618 concrete curb and gutter.

2. Reconstruct existing bituminous pavement using full-depth reclamation process, meeting the City's standard residential pavement section of 4" aggregate base class 5 or (reclaim), 2" new bituminous base course, and 1 ½" new bituminous wear course.

3. Staff recommends excluding private irrigation system work from this project. Instead Staff will notify property owners of pending construction as far in advance as possible, and instruct them to relocate their irrigation system(s) away from the construction area during construction, then allow replacement in or near the original location after construction is complete.

4. Staff recommends holding a neighborhood information meeting on November 7, 2017 to inform property owners of the proposed improvements and to gather their input prior to completing plans and specifications and requesting Council approval to advertise for bids as outlined in the project schedule.

5. Order an assessment appraisal consultation to ensure special assessments do not exceed the benefit received as a result of the improvements.

6. Meet with 164th Lane cul-de-sac property owners to discuss acquisition of easements for cul-de-sac.

The City Council is asked to act on the following items related to the proposed project:

1. Accept the preliminary residential special assessment rate of $8,644.75 per lot.
2. Authorize an assessment appraisal consultation to ensure all special assessments are commensurate with benefit received from the proposed improvements.

3. Adopt Resolution #17-10-272 approving this Feasibility Report and ordering the Public Hearing for November 14, 2017.

APPENDIX A

Figure 1 – Project Scope
Figure 2 – Typical Section
Project Site Pictures

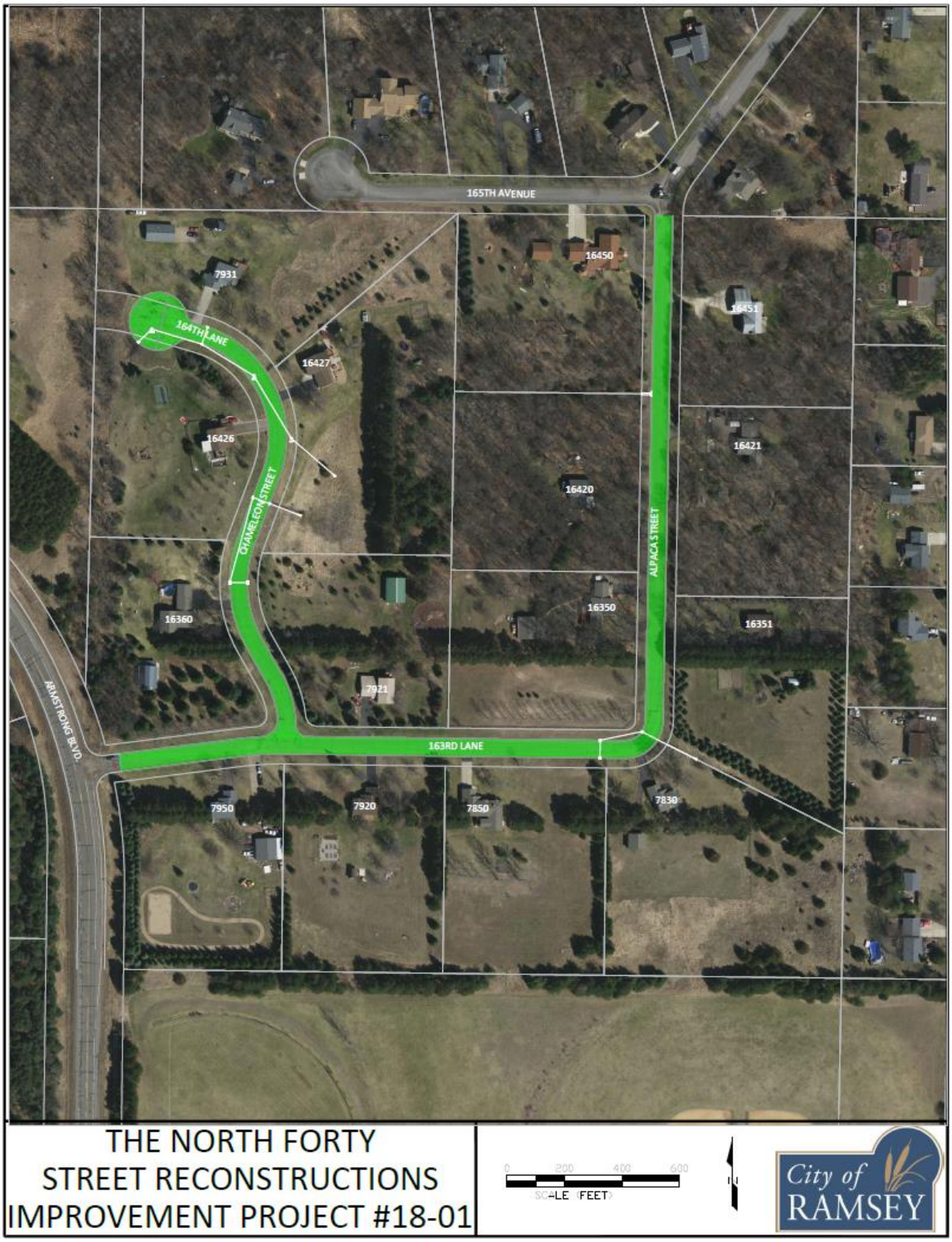


FIGURE 1
PROJECT SCOPE

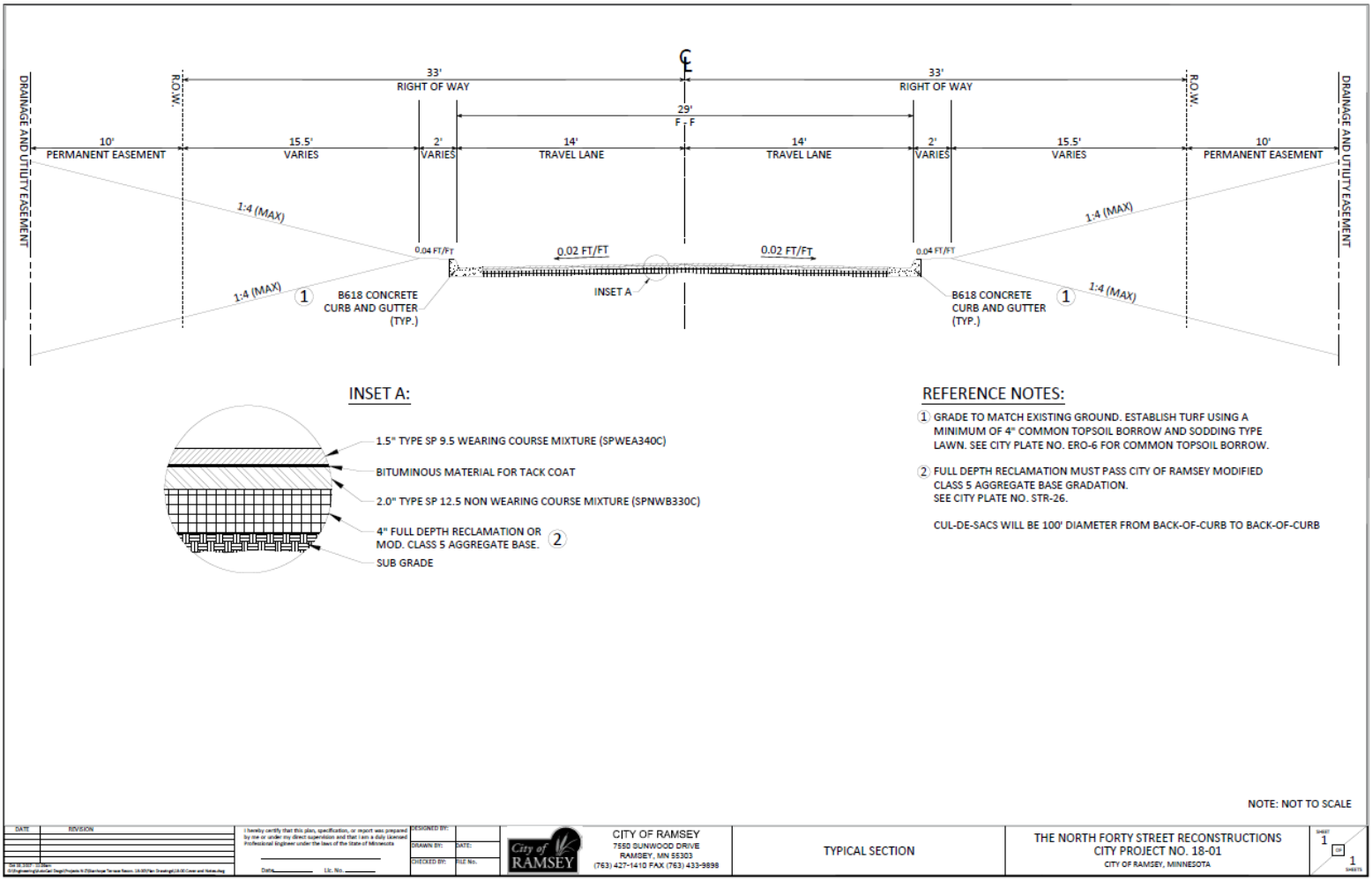


FIGURE 2
TYPICAL SECTION – PROPOSED IMPROVEMENTS

PROJECT SITE PICTURES

1: Chameleon Street from 163rd Lane

2: 164th Lane cul-de-sac from West

3: 163rd Lane from Alpaca Street

4: Alpaca Street from 165th Avenue

APPENDIX B

Opinion of Probable Costs
Preliminary Assessment Map
Preliminary Assessment Roll

18-01 THE NORTH FORTY STREET RECONSTRUCTION					
Preliminary Engineer's Estimate 10/19/2017					
STREET CONSTRUCTION					
Item No.	**Description**	**Unit**	**Estimated Quantity**	**Unit Cost**	**Cost Extension**
1	MOBILIZATION	LS	1	$16,000.00	$16,000.00
2	REMOVE SEWER PIPE – STORM	LF	100	$20.00	$2,000.00
3	REMOVE CONCRETE DRIVEWAY PAVEMENT	SF	210	$3.00	$630.00
4	REMOVE BITUMINOUS DRIVEWAY PAVEMENT	SY	145	$8.00	$1,160.00
5	REMOVE MANHOLE OR CATCH BASIN	EA	1	$400.00	$400.00
6	REMOVE BITUMINOUS FLUME	EA	3	$500.00	$1,500.00
7	SAWING CONCRETE PAVEMENT – FULL DEPTH	LF	34	$6.00	$204.00
8	SAWING BITUMINOUS PAVEMENT – FULL DEPTH	LF	264	$3.00	$792.00
9	SALVAGE MAIL BOX SUPPORT	EA	14	$50.00	$700.00
10	TEMPORARY MAIL BOX CLUSTER	EA	2	$400.00	$800.00
11	COMMON EXCAVATION (EV)	CY	400	$12.00	$4,800.00
12	SUBGRADE PREPARATION	RDST	28	$200.00	$5,600.00
13	WATER	MGAL	50	$30.00	$1,500.00
14	AGGREGATE BASE CLASS 5 MODIFIED (CV)	CY	1,400	$20.00	$28,000.00
15	BITUMINOUS PAVEMENT RECLAMATION – FULL DEPTH	SY	10,048	$2.00	$20,096.00
16	HAUL BIT PAVEMENT RECLAMATION (LV)	CY	1,350	$11.00	$14,850.00
17	BITUMINOUS MATERIAL FOR TACK COAT	GAL	611	$3.00	$1,833.00
18	TYPE SP 9.5 WEARING COURSE MIXTURE (SPWEA340C) (1.5")	TON	720	$68.00	$48,960.00
19	TYPE SP 12.5 NON WEARING COURSE MIXTURE (SPNWB330C) (2.0")	TON	960	$60.00	$57,600.00
20	TYPE SP 9.5 WEARING COURSE MIXTURE (SPWEA340C) DRIVEWAYS (2")	TON	16	$68.00	$1,088.00
21	CONCRETE CURB & GUTTER DESIGN B618 (HE)	LF	5,231	$13.00	$68,003.00
22	6" CONCRETE DRIVEWAY PAVEMENT (HE)	SY	25	$55.00	$1,375.00
23	7" CONCRETE VALLEY GUTTER (HE)	SY	45	$80.00	$3,600.00
24	BITUMINOUS CURB	LF	300	$10.00	$3,000.00
25	LANDSCAPE RESTORATION	LS	1	$10,000.00	$10,000.00
26	INSTALL MAIL BOX SUPPORT	EA	14	$50.00	$700.00
27	TRAFFIC CONTROL	LS	1	$3,000.00	$3,000.00
28	SILT FENCE, TYPE MS	LF	100	$3.00	$300.00
29	STORM DRAIN INLET PROTECTION	EA	11	$200.00	$2,200.00
30	FERTILIZER TYPE 3	LB	15	$3.50	$52.50
31	COMMON TOPSOIL BORROW (LV)	CY	500	$30.00	$15,000.00
32	SEED MIXTURE 33-261	LB	5	$10.00	$50.00
33	SODDING TYPE LAWN	SY	3,450	$5.00	$17,250.00
34	EROSION CONTROL BLANKET CATEGORY 3	SY	267	$3.00	$801.00
35	SEEDING	ACRE	0.06	$4,000.00	$240.00
				TOTAL STREET CONSTRUCTION COST	*$334,084.50*
				5% CONTIGENCY COST	*$16,704.23*
				23% INDIRECT COST	*$80,681.41*
				TOTAL STREET PROJECT COST	*$431,470.13*

STORM SEWER CONSTRUCTION					
Item No.	**Description**	**Unit**	**Estimated Quantity**	**Unit Cost**	**Cost Extension**
1	UTILITY DEWATERING	LS	1	$1,000.00	$1,000.00
2	GEOTEXTILE FABRIC TYPE IV	SY	50	$3.50	$175.00
3	CONCRETE FLUME	EA	1	$200.00	$200.00
4	15” RC PIPE APRON	EA	1	$500.00	$500.00
5	18” RC PIPE APRON	EA	1	$750.00	$750.00
6	TRASH GUARD FOR 15” RC PIPE APRON	EA	1	$300.00	$300.00
7	TRASH GUARD FOR 18” RC PIPE APRON	EA	1	$400.00	$400.00
8	15” RC PIPE SEWER, DESIGN 3006 CLASS III	LF	340	$35.00	$11,900.00
9	18” RC PIPE SEWER, DESIGN 3006 CLASS III	LF	412	$40.00	$16,480.00
10	CONSTRUCT DRAINAGE STRUCTURE DESIGN 48-4020	LF	45	$425.00	$19,125.00
11	CONSTRUCT DRAINAGE STRUCTURE DESIGN 2X3 CATCH BASIN	EA	2	$1,200.00	$2,400.00
12	CASTING ASSEMBLY	EA	10	$550.00	$5,500.00
13	INSTALL CASTING	EA	10	$250.00	$2,500.00
14	ADJUST FRAME AND RING CASTING	EA	10	$350.00	$3,500.00
15	RESET CATCH BASIN CASTING	EA	1	$1,000.00	$1,000.00
16	RANDOME RIP RAP CLASS III	CY	12	$150.00	$1,800.00
				TOTAL STORM SEWER CONSTRUCTION COST	*$67,530.00*
				5% CONTINGENCY COST	*$3,376.50*
				23% INDIRECT COST	*$16,308.50*
				TOTAL STORM SEWER PROJECT COST	*$87,215.00*

PRELIMINARY ENGINEER’S ESTIMATE SUMMARY	
TOTAL STREET PROJECT COST	*$431,470.13*
TOTAL STORM SEWER PROJECT COST	*$87,215.00*
TOTAL ESTIMATED PROJECT COST	**$518,685.13**
STREET RECONSTRUCTION AND OVERLAY PROGRAM BONDS	*$323,602.60*
STORM WATER UTILITY FUND	*$65,411.25*
SPECIAL ASSESSMENTS	*$129,671.28*

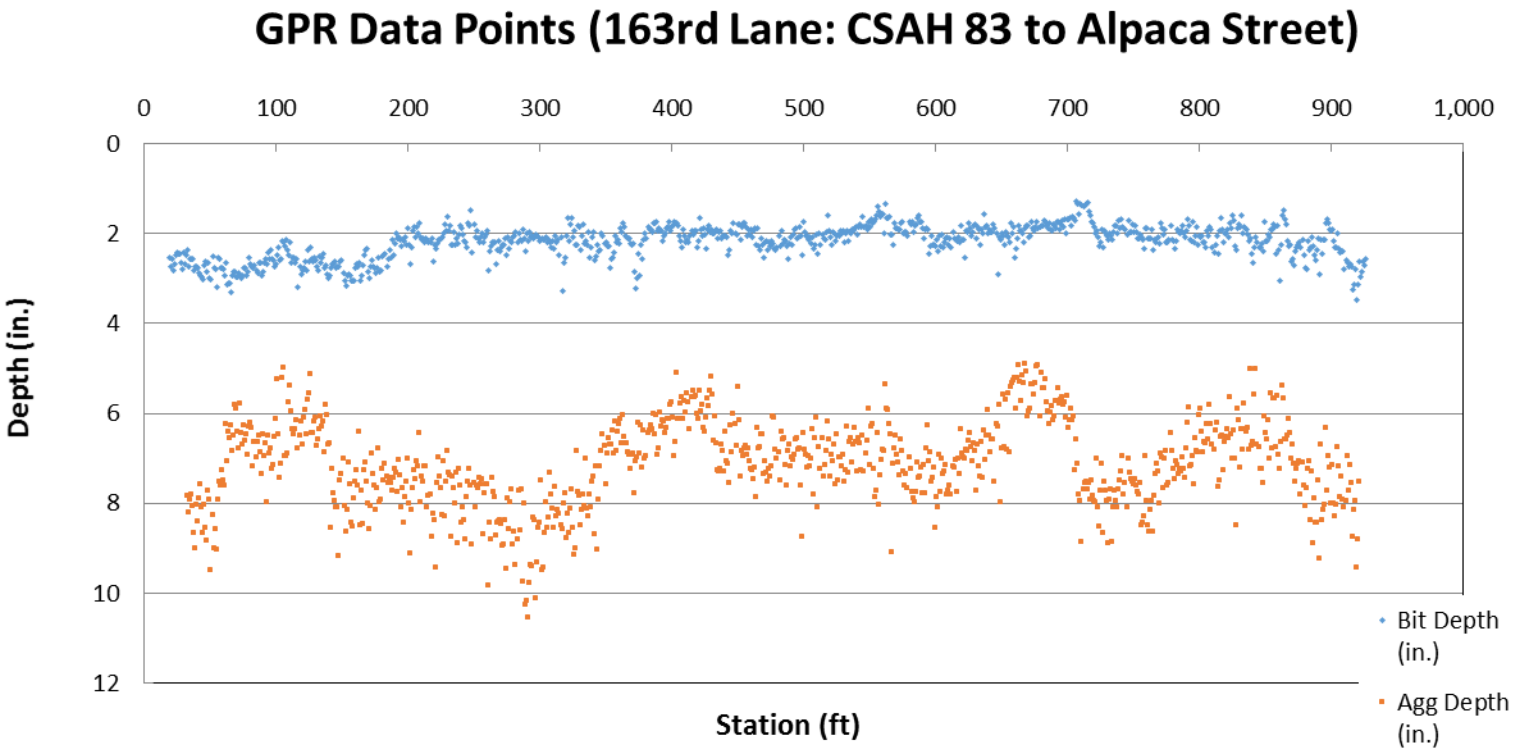
165TH AVENUE
7931
16450
16451
164TH LANE
16427
16426
CHAMELEON STREET
16420
16421
ALPACA STREET
16360
16350
16351
7921
ARMSTRONG BLVD.
163RD LANE
7950
7320
7850
7830
THE NORTH FORTY
ASSESSABLE PROPERTIES
0
200
400
600
SCALE (FEET)
City of
RAMSEY

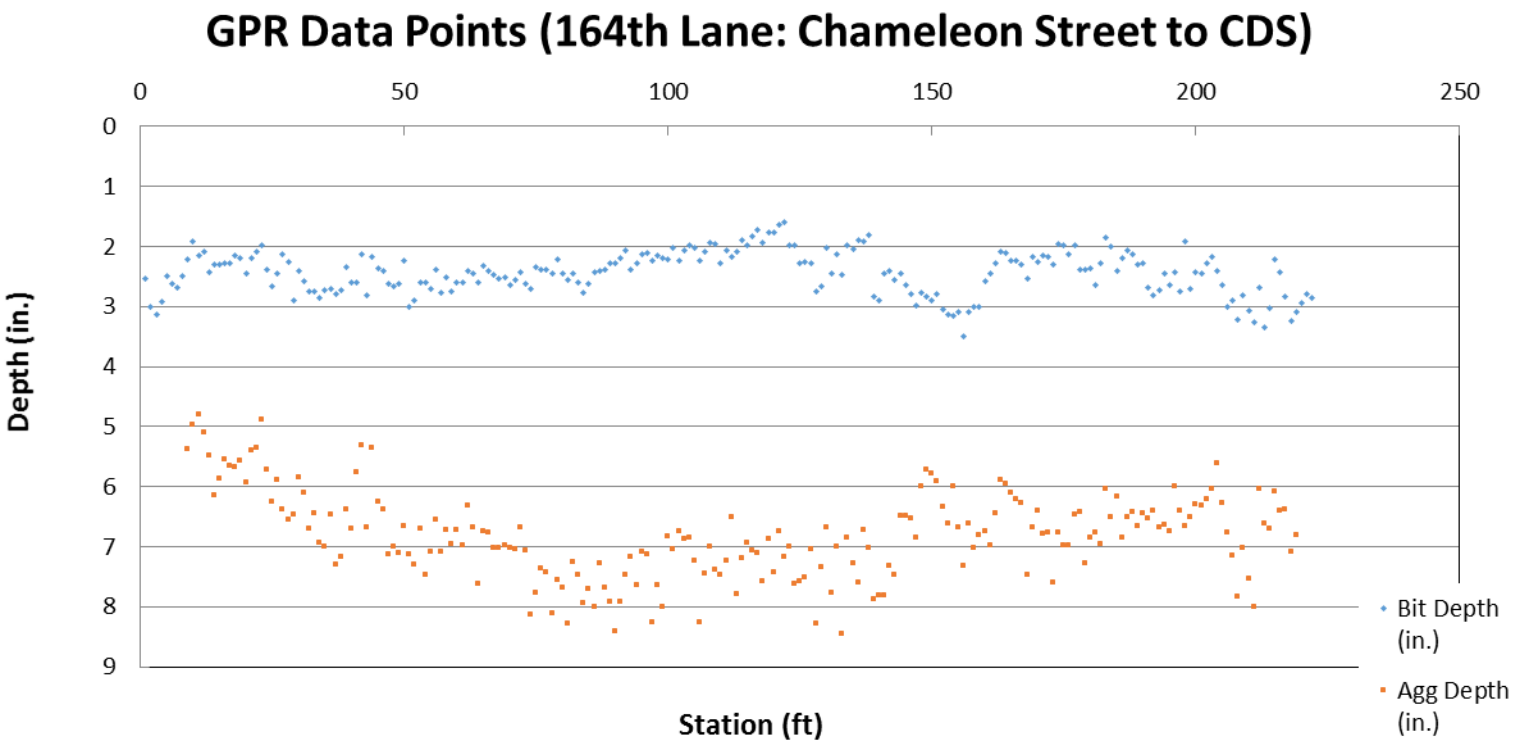
PROPOSED ASSESSMENT ROLL – 18-01 THE NORTH FORTY							
PID	**NAME / OWNER**	**ADDRESS 1**	**CITY**	**STATE**	**ZIP**	**ASSESSABLE UNITS**	**PROPOSED ASSESSMENT**
163225220002	OPSAL DOUGLAS O & KIMBERLY	16360 CHAMELEON ST NW	RAMSEY	MN	55303-0000	1	$8,644.75
163225220003	RAMSEY JUDY ANN	16426 CHAMELEON ST NW	RAMSEY	MN	55303-0000	1	$8,644.75
163225220004	JOHNSON DANIEL A	7931 164TH LN NW	RAMSEY	MN	55303-0000	1	$8,644.75
163225220005	RAMOS JILL	16427 CHAMELEON ST NW	RAMSEY	MN	55303-0000	1	$8,644.75
163225220006	GREGA JAMES S & MARY B	7921 163RD LN NW	RAMSEY	MN	55303-0000	1	$8,644.75
163225220007	BARTON KAREN	16350 ALPACA ST NW	RAMSEY	MN	55303-0000	1	$8,644.75
163225220008	MOSS CHRISTINA	16420 ALPACA ST NW	RAMSEY	MN	55303-0000	1	$8,644.75
163225220009	OLSON BRIAN	16450 ALPACA ST NW	RAMSEY	MN	55303-0000	1	$8,644.75
163225220010	EIRICH JOHN H	7950 163RD LN NW	RAMSEY	MN	55303-0000	1	$8,644.75
163225220011	MINNICH WILLIAM & KATHERINE	7920 163RD LN NW	RAMSEY	MN	55303-0000	1	$8,644.75
163225220012	CORBIN CASSANDRA	7850 163RD LN NW	RAMSEY	MN	55303-0000	1	$8,644.75
163225220013	KNOSALLA KRIS	7830 163RD LN NW	RAMSEY	MN	55303-0000	1	$8,644.75
163225220014	ECKHOFF C R & VOGEL J L	16351 ALPACA ST NW	RAMSEY	MN	55303-0000	1	$8,644.75
163225220015	WACHTLER DAVID E & VICTORIA J	16421 ALPACA ST NW	RAMSEY	MN	55303-0000	1	$8,644.75
163225220016	THEIS TRUSTEE IDA & THEIS TRUSTEE JEFFREY	16451 ALPACA ST NW	RAMSEY	MN	55303-0000	1	$8,644.75
TOTALS						**15**	**$129,671.28**

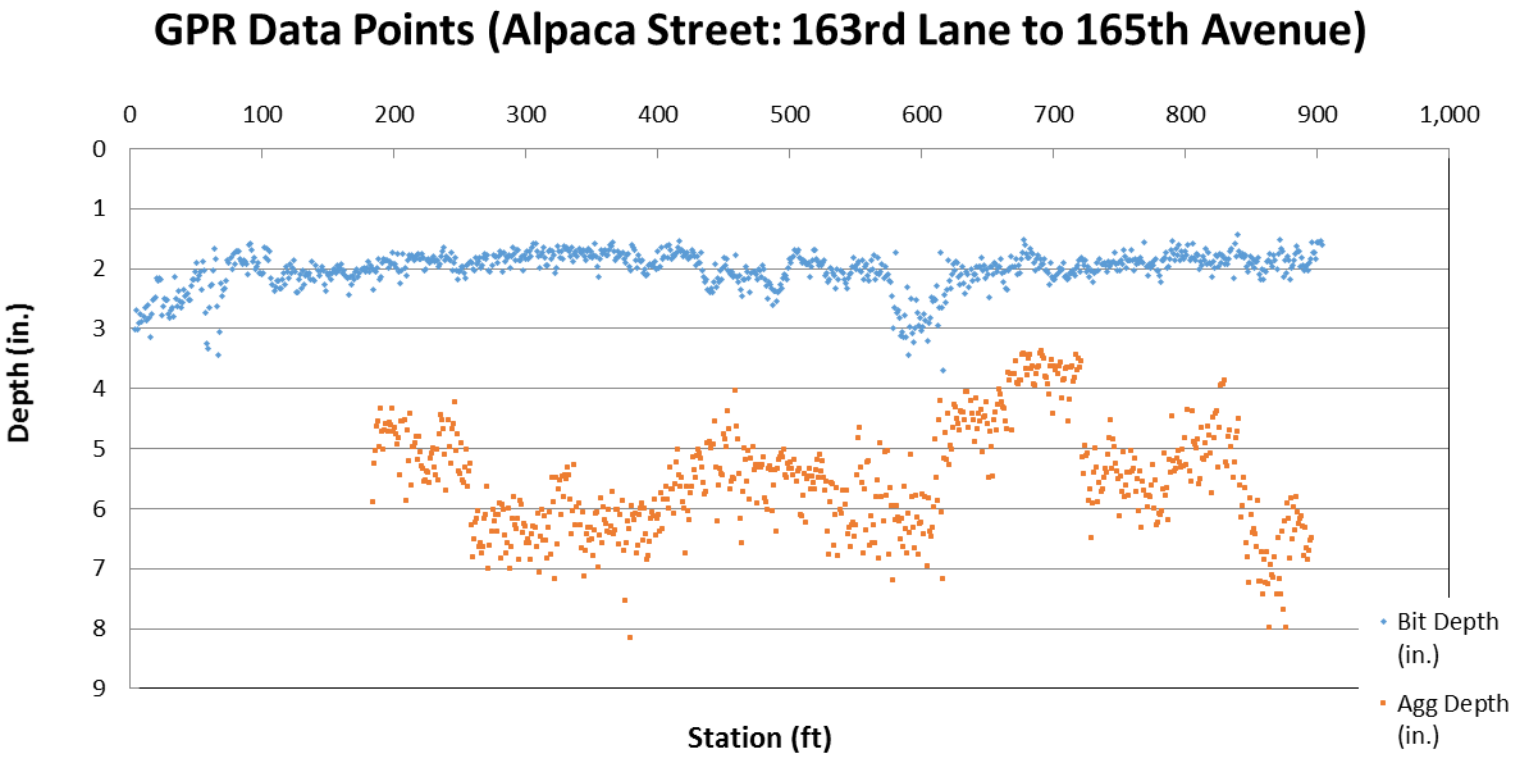
APPENDIX C

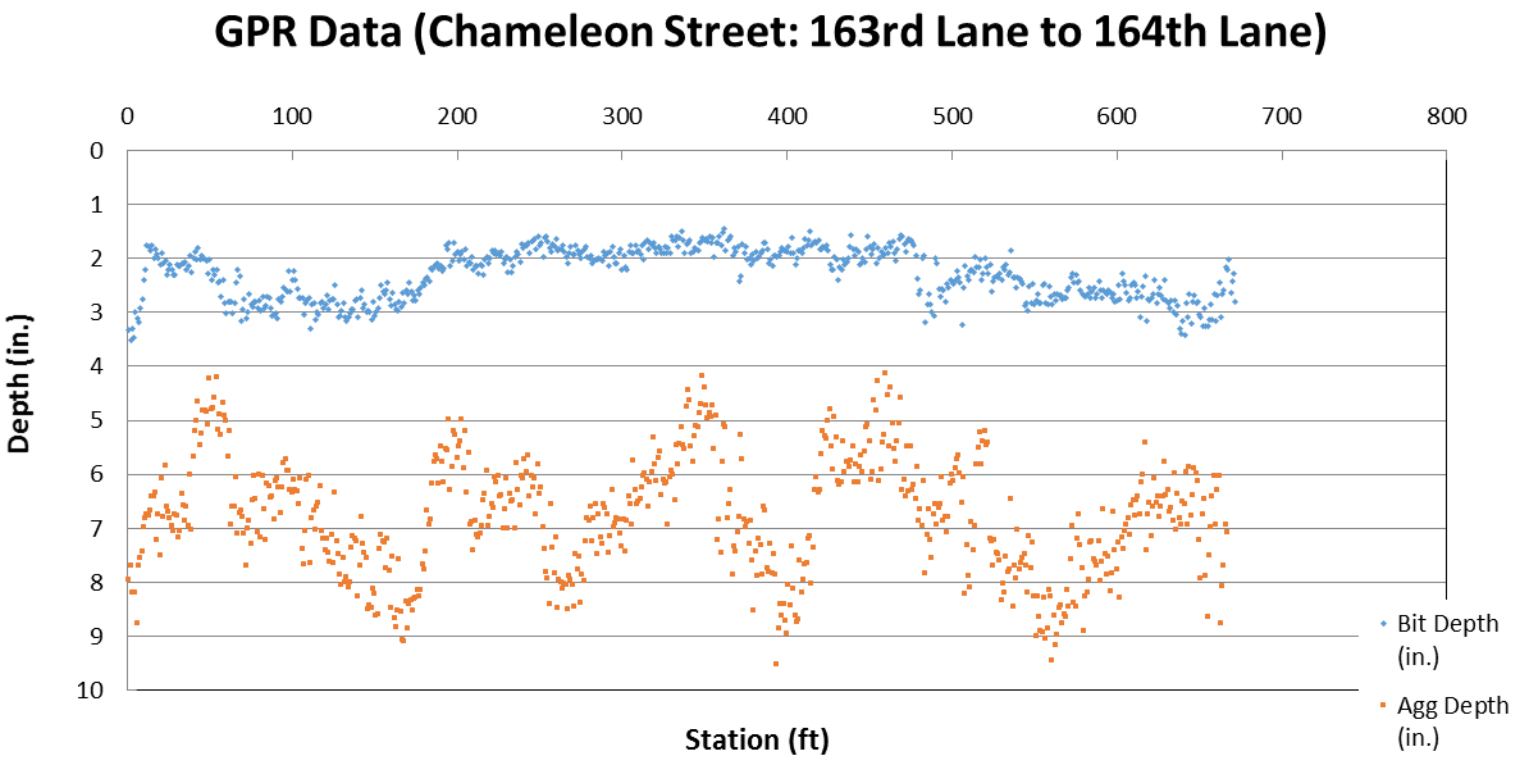
Ground Penetrating Radar (GPR) Results
Geotechnical Exploration and Engineering Review

The North Forty GPR Summary										
Project Segment		**Pavement**			**Aggregate**			**Section**		
Street	**Segment Description**	**Min**	**Max**	**Avg**	**Min**	**Max**	**Avg**	**Avg**	**Min**	**Location of Min**
163rd Lane	CR 83 / Alpaca St	1.3	3.5	2.2	2.7	8.4	5.0	4.9	7.1	668 feet east of CR 83
164th Lane	Chameleon St / CDS	1.6	3.5	2.4	2.6	6.1	4.4	4.8	6.8	11 feet north of Chameleon St.
Alpaca Street	163rd Ln / 165th Ave	1.4	3.7	2.0	1.4	6.2	3.5	3.4	5.5	691 feet north of 163rd Lane.
Chameleon Street	163rd Ln / 164th Ln	1.5	3.5	2.3	2.0	7.5	4.5	4.1	6.8	460 feet north of 163rd Lane.
Project Summary		*1.3*	*3.7*	*2.2*	*1.4*	*8.4*	*4.4*	*3.4*	*6.5*	*691 feet north of 163rd Lane.*




GPR Data Points (164th Lane: Chameleon Street to CDS)
0
50
100
150
200
250
0
1
2
3
4
5
6
7
8
9
Depth (in.)
Station (ft)
Bit Depth (in.)
Agg Depth (in.)


GPR Data Points (Alpaca Street: 163rd Lane to 165th Avenue)
0
100
200
300
400
500
600
700
800
900
1,000
0
1
2
3
4
5
6
7
8
9
Depth (in.)
Station (ft)
Bit Depth (in.)
Agg Depth (in.)


GPR Data (Chameleon Street: 163rd Lane to 164th Lane)
0
100
200
300
400
500
600
700
800
0
1
2
3
4
5
6
7
8
9
10
Depth (in.)
Station (ft)
Bit Depth (in.)
Agg Depth (in.)

Geotechnical Evaluation Report

2018-2019 Reconstruction Projects
North Forty, Stanhope Terrace, Ford Brook Estates Subdivisions
Ramsey, Minnesota

Prepared for

City of Ramsey

DRAFT

Professional Certification:
I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota.

Neil G. Lund, PE
Senior Engineer
License Number: 46212
August 11, 2017

Project B1705491

Braun Intertec Corporation

Braun Intertec Corporation
11001 Hampshire Avenue S
Minneapolis, MN 55438

Phone: 952.995.2000
Fax: 952.995.2020
Web: braunintertec.com

August 11, 2017 Project B1705491

Bruce Westby, PE
City of Ramsey
7550 Sunwood Dr NW
Ramsey, MN 55303

Re: Geotechnical Evaluation
2018-2019 Reconstruction Projects
North Forty, Stanhope Terrace, Ford Brook Estates Subdivisions
Ramsey, Minnesota

Dear Mr. Westby:

We are pleased to present this Geotechnical Evaluation Report for the 2018-2019 Reconstruction Projects in Ramsey, Minnesota. Our results and recommendations in light of the geotechnical issues influencing design and construction are presented in the attached report, which we request you read in its entirety.

Remarks

Thank you for making Braun Intertec Corporation your geotechnical consultant for this project. If you have questions about this report, or if there are other services that we can provide in support of our work to date, please call Neil Lund at 952.995.2284.

Sincerely,

BRAUN INTERTEC CORPORATION

Neil G. Lund, PE
Senior Engineer

Matthew S. Oman, PE
Principal Engineer

DRAFT

Table of Contents

Description **Page**

A. Introduction 1
A.1. Project Description 1
A.2. Purpose 1
A.3. Background Information and Reference Documents 1
A.4. Project Area Conditions 2
A.5. Scope of Services 2
B. Results 3
B.1. Exploration Logs 3
B.1.a. Log of Boring Sheets 3
B.1.b. Geologic Origins 3
B.2. Geologic Profile 3
B.2.a. Pavement Materials 3
B.2.b. Geologic Materials 5
B.2.c. Groundwater 6
B.3. Laboratory Test Results 6
C. Basis for Recommendations 7
C.1. Design Details 7
C.1.a. Traffic Loads 7
C.1.b. Anticipated Grade Changes 7
C.1.c. Utility Depths 7
C.1.d. Precautions Regarding Changed Information 7
C.2. Design and Construction Considerations 7
C.2.a. Reuse of Pavement Materials 7
C.2.b. Pavement Subgrades 8
C.2.c. Utility Support and Impact of Groundwater 8
D. Recommendations 9
D.1. Pavements 9
D.1.a. Subgrade Preparation and Proofrolls 9
D.1.b. Backfill and Material Compaction 9
D.1.c. Design Sections 10
D.1.d. Materials and Compaction 10
D.2. Utilities 11
D.2.a. Subgrades and Trench Backfill 11
D.2.b. Excavation Side Slopes 11
D.2.c. Selection, Placement and Compaction of Backfill 11
D.2.d. Excavation Dewatering 12
D.2.e. Corrosion Potential 12
D.3. Construction Quality Control 12

DRAFT

Table of Contents (continued)

Description **Page**

D.3.a. Excavation Observations 12
D.3.b. Materials Testing 12
D.3.c. Pavement Subgrade Proofroll 12
D.3.d. Cold Weather Precautions 13
E. Procedures 13
E.1. Penetration Test Borings 13
E.2. Material Classification and Testing 13
E.2.a. Visual and Manual Classification 13
E.2.b. Laboratory Testing 13
E.3. Groundwater Measurements 13
F. Qualifications 14
F.1. Variations in Subsurface Conditions 14
F.1.a. Material Strata 14
F.1.b. Groundwater Levels 14
F.2. Continuity of Professional Responsibility 14
F.2.a. Plan Review 14
F.2.b. Construction Observations and Testing 14
F.3. Use of Report 15
F.4. Standard of Care 15

Appendix

Boring Location Sketches (3 sheets)
Log of Boring Sheets ST-A1 to ST-A5, ST-B1 to ST-B5, ST-C1 to ST-C15
Descriptive Terminology of Soil

DRAFT

A. Introduction

A.1. Project Description

This Geotechnical Evaluation Report addresses the proposed 2018-2019 Reconstruction Projects in Ramsey, Minnesota. The projects will be in three subdivisions as summarized in Table 1.

Table 1. Project Area Details

Subdivision	Approximate Street Length (feet)	Borings
The North Forty (Area A)	2,939	ST-A1 to ST-A5
Stanhope Terrace (Area B)	2,763	ST-B1 to ST-B5
Ford Brook Estates (Area C)	7,369	ST-C1 to ST-C15

The proposed projects will include pavement reconstruction and storm sewer improvements.

A.2. Purpose

The purpose of this geotechnical evaluation was to characterize subsurface geologic conditions at selected exploration locations and provide geotechnical recommendations for the design and construction of the Ramsey 2018-2019 Reconstruction Projects.

A.3. Background Information and Reference Documents

To facilitate our evaluation, we were provided with or reviewed the following information or documents:

- A base map of the project area provided by City of Ramsey
- *Geologic Atlas of Anoka County* available from the Minnesota Geological Survey.

DRAFT

A.4. Project Area Conditions

Based on our referenced documents and past experience, the native soils underlying the project area include sandy alluvium.

The 2018-2019 Reconstruction Project areas are zoned as residential.

The current streets are surfaced with bituminous pavement with rural cross-sections. The topography of each project area is slightly rolling.

A.5. Scope of Services

Our scope of services for this project was originally submitted as a quote to Mr. Bruce Westby of the City of Ramsey, for which we received authorization to proceed on June 8, 2017. Tasks performed in accordance with our authorized scope of services included:

- Staking and clearing exploration locations of underground utilities.
- Performing 25 penetration test borings and extending them to a nominal 10 feet below the current pavement surface.
- Performing laboratory moisture content tests and mechanical analyses (#200 sieve only) on selected penetration test samples.
- Preparing this report containing a CAD sketch, exploration logs, a summary of the geologic materials encountered, results of laboratory tests, and recommendations for subgrade preparation, pavement thickness design and utility placement.

Exploration locations and surface elevations at the exploration locations were determined using GPS technology that utilizes the Minnesota Department of Transportation's (MnDOT's) permanent GPS Virtual Reference Network (VRN).

Our scope of services was performed under the terms of our July 18, 2016 General Conditions.

DRAFT

B. Results

B.1. Exploration Logs

B.1.a. Log of Boring Sheets

Log of Boring sheets for our penetration test borings are included in the Appendix. The logs identify and describe the geologic materials that were penetrated, and present the results of penetration resistance tests, laboratory tests performed on penetration test samples retrieved from them and groundwater measurements.

Strata boundaries were inferred from changes in the penetration test samples and the auger cuttings. Because sampling was not performed continuously, the strata boundary depths are only approximate. The boundary depths likely vary away from the boring locations, and the boundaries themselves may also occur as gradual rather than abrupt transitions.

B.1.b. Geologic Origins

Geologic origins assigned to the materials shown on the logs and referenced within this report were based on: (1) a review of the background information and reference documents cited above, (2) visual classification of the various geologic material samples retrieved during the course of our subsurface exploration, (3) penetration resistance testing performed for the project, (4) laboratory test results and (5) available common knowledge of the geologic processes and environments that have impacted the site and surrounding area in the past.

B.2. Geologic Profile

B.2.a. Pavement Materials

The borings first encountered an average bituminous pavement thickness of 4.3 inches as shown in Table 2. The aggregate base averaged 7.5 inches.

DRAFT

Table 2. Pavement Thickness Summary

Boring	Subdivision	Street	Pavement Thickness (in.)		Notes
			Bituminous	Aggregate Base	
ST-A1	The North Forty	163rd Ln	3	5	
ST-A2		163rd Ln	3	5	
ST-A3		Alpaca St	3	---	Aggregate base not noted
ST-A4		Chameleon St	3	8	
ST-A5		Chameleon St	3	4	
AREA A AVERAGE			**3.0**	**5.5**	
ST-B1	Stanhope Terrace	Ute St	3	5	
ST-B2		Ute St	4	6	
ST-B3		154th Ln	4	5	
ST-B4		Ute St	3	4	
ST-B5		153rd Ct	3	4	
AREA B AVERAGE			**3.4**	**4.8**	
ST-C1	Ford Brook Estates	Junkite St	4	5	
ST-C2		180th Ave	5	5	
ST-C3		180th Ave	3	5	
ST-C4		180th Ave	3	4	
ST-C5		180th Ave	4	4	
ST-C6		180th Ave	6	4	3 inches of bituminous and 4 inches of aggregate base underlay the surface section
ST-C7		Iodine St	3	5	
ST-C8		Germanium St	3	4	
ST-C9		Flourine St	3	5	
ST-C10		Erkium St	5	---	Aggregate base not noted
ST-C11		Erkium St	3	6	
ST-C12		180th Ln	3	6	
ST-C13		Iodine St	4	5	
ST-C14		180th Ln	5	5	
ST-C15		Krypton St	4	5	
AREA C AVERAGE			**3.9**	**4.9**	

DRAFT

B.2.b. Geologic Materials

Table 3 provides a summary of the soil boring results, in the general order we encountered the strata. Please refer to the Log of Boring sheets in the Appendix for additional details. The Descriptive Terminology sheet in the Appendix includes definitions of abbreviations used in Table 3.

Table 3. Subsurface Profile Summary*

Strata	Soil Type - ASTM Classification	Range of Penetration Resistances	Commentary and Details
Pavement section	N/A	N/A	▪ See Table 1.
Fill	SP-SM, SP, SC, CL	3 to 24 blows per foot (BPF)	▪ Overwhelmingly SP-SM or SP. ▪ General penetration resistance of about 10 BPF. ▪ Moisture condition moist to wet. ▪ Thicknesses at boring locations varied from 1 to 11 feet (boring ST-A% terminated in likely fill material). ▪ Limited clayey layers (ST-C5, ST-C14).
Alluvium	SP, SP-SM, CL, SC	3 to 28 BPF	▪ General penetration resistances of less than 10 BPF in sands (loose), or 3 to 7 BPF in clays (soft to medium). ▪ Sands typically brown to light brown, fine-grained and moist. ▪ Clays generally present near observed water; usually gray in color, with limited sandy soil content. Present in ST-C3, ST-C5, ST-C14, ST-C15. ▪ Moisture condition variable above the apparent water table, though generally moist. ▪ Water table penetrated in a limited number of borings (see Table 3).
Swamp deposits	SM, CH	1 to 7 BPF	▪ Present in two locations: ST-C6 and ST-C11. ▪ SM layer was black, 4 to 5 feet thick and included organic fines and trace wood pieces (ST-C06). ▪ Underlain by gray, fat clay to boring termination depth in ST-C11.

*Abbreviations defined in the attached Descriptive Terminology sheet.

For simplicity in this report, we define fill to mean existing, uncontrolled or undocumented fill.

DRAFT

B.2.c. Groundwater

Groundwater was observed during our drilling operations as shown in Table 4.

Table 4. Groundwater Observation Summary

Boring	Surface Elevation (ft)*	Observed Groundwater Depth (ft)	Corresponding Groundwater Elevation (ft)
ST-C3	882	7	875
ST-C4	883	9	874
ST-C10	889	8 1/2	880 1/2

*Rounded to nearest 1/2 foot.

The groundwater elevation was approximately between 874 and 880 1/2 feet. Seasonal and annual fluctuations of groundwater should be anticipated.

B.3. Laboratory Test Results

Laboratory test results, including moisture content, organic content and mechanical analysis (#200 sieve only) tests, are summarized in Table 5. The moisture contents of the sandy fill and native soils were around 3 to 15 percent, indicating the materials ranged from below to above their optimum moisture contents for compaction. The higher moisture contents of noted clayey soils, ranging from 15 to 37 percent, are likely near or above their optimum moisture contents for compaction.

Table 5. Laboratory Testing Results

Borehole	Soil Classification	Depth	%<#200 Sieve	Water Content (%)	Organic Content (%)
ST-A2	SP-SM	2 1/2	9	8	---
ST-A4	SP	2 1/2	---	3	---
ST-B4	SP-SM	2 1/2	6	4	---
ST-C1	SP-SM	5	6	4	---
ST-C3	SP-SM	5	---	18	---
ST-C7	SP	7 1/2	---	8	---
ST-C10	SP-SM	5	12	10	---
ST-C11	SM	5	---	15	2
ST-C13	SP-SM	2 1/2	---	9	---
ST-C14	CL	2 1/2	---	15	2
ST-C14	CL	5	98	37	--

DRAFT

C. Basis for Recommendations

C.1. Design Details

C.1.a. Traffic Loads

Traffic counts for the streets were not available. Based on the residential zoning in the project areas, we anticipate they will experience approximately 50,000 equivalent single axle loads (ESALs) over a 20-year service life.

C.1.b. Anticipated Grade Changes

Based on the nature of construction, we anticipate grade changes will be minimal.

C.1.c. Utility Depths

Design utility depths were not available. We also assume storm sewer improvements will be less than 10 feet below grade.

C.1.d. Precautions Regarding Changed Information

We have attempted to describe our understanding of the proposed construction to the extent it was reported to us by others. Depending on the extent of available information, assumptions may have been made based on our experience with similar projects. If we have not correctly recorded or interpreted the project details, we should be notified. New or changed information could require additional evaluation, analyses and/or recommendations.

C.2. Design and Construction Considerations

C.2.a. Reuse of Pavement Materials

Our borings encountered a bituminous layer averaging 3 to 4 inches thick, depending on the project area. The aggregate base was 5 to 5 1/2 inches thick, on average, and was underlain with sandy fill material in nearly all of our soil borings.

In our opinion, full-depth reclamation (FDR) can be utilized in order to obtain materials for aggregate base on the projects, assuming the material can be stockpiled or processed on site, or hauled to an off-site location to be sorted and reused. A proper reclamation depth will likely vary be between 6 and 8 inches. It may be possible to increase this thickness locally depending on the conditions encountered and nature of the subbase materials.

DRAFT

We recommend thorough quality control practices, including frequent sieve analyses of the reclaimed material, if the product will be reused directly on site as aggregate base or as a stabilizing material with minimal processing.

C.2.b. Pavement Subgrades

The pavement subgrades will consist almost exclusively of sandy materials, though areas of clayey sand or lean and fat clay were also present.

We anticipate the subgrade soils present beneath the streets will generally be suitable for pavement support in their current condition or with minor rework such as surface compaction. The exception is the swamp-deposited soils, which should be removed from excavations for pavements and in utility trenches. The shallow clayey sand or lean clay fill, present in ST-C5, ST-C14 and ST-C15, may be wet or become wet upon exposure. These soils in particular may require additional work, such as drying or moisture conditioning, before they can be properly compacted.

C.2.c. Utility Support and Impact of Groundwater

The reuse of the utility trench backfill soils will have potential impacts on the pavement subgrades. If the backfill is not properly compacted, there is the potential for subgrade instability and settlement (and premature deterioration) of the driving surface. We anticipate the trench soils will consist mostly of granular soils (poorly graded sand and poorly graded sand with silt). In some cases, poor or unsuitable soils will be encountered that should be removed or will need additional effort to properly compact.

Depending on the conditions at the time of excavation, drying of the clayey and silty soils may be necessary to achieve the levels of compaction recommended for utility support. Clayey and particularly silt-rich trench soils that are exposed to moisture will be more susceptible to strength loss and may also become unstable, which will require moisture conditioning or removal and replacement with suitable soils. Fat clay and organic soils (ST-C6, ST-C11) should not be used as utility support or backfill material.

Groundwater was present in a limited number of borings (see Table 3), which may affect the placement of storm sewer. A coarse stabilizing aggregate could help with utility placement in wet or saturated conditions in these soils.

DRAFT

D. Recommendations

D.1. Pavements

D.1.a. Subgrade Preparation and Proofrolls

For preparation of any exposed subgrades prior to placement of new pavement sections or reclaimed aggregate (see below), we recommend proofrolling the subgrade soils with a loaded tandem-axle truck. This will assist in identifying any soft or weak areas that will require additional soil correction work. Areas that yield or rut more than 1 to 2 inches due to wheel traffic, depending on conditions, should be corrected. Failed areas should be compacted, or if too wet, we recommend that the upper 1 to 2 feet of the resulting subgrade be scarified, dried to a proper moisture content (see Table 6), and compacted to a 100 percent of its standard Proctor maximum dry density (ASTM D 698).

If there are areas that still cannot be compacted, we recommend subexcavating the unstable materials to a minimum depth of 1 to 2 feet, depending on the outcome of the proofroll and the replacement material. The soils should be replaced with suitable, properly compacted materials such as select granular material, aggregate base or larger diameter crushed aggregate ("3-inch minus").

D.1.b. Backfill and Material Compaction

We recommend compacting soils used as backfill for subcuts or material replacement to a minimum of 100 percent of standard Proctor density within 3 feet of the top of the subgrade. For fills more than 3 feet below final subgrades, 95 percent compaction is sufficient. The moisture content of the fill and backfill should be as shown in the table below depending on the classification of the backfill soils.

Table 6. Compaction Recommendations Summary

Reference	Relative Compaction, percent (ASTM D 698 – Standard Proctor)	Moisture Content Variance from Optimum, percentage Points
Below pavements, within 3 feet of subgrade elevations	100	-3/+3 (sandy soils) -2/+1 (clayey soils)
Below pavements, more than 3 feet below subgrade elevations Below utilities	95	-3/+3 (sandy soils) -2/+3 (clayey soils)

DRAFT

D.1.c. Design Sections

Laboratory tests to determine an R-value for pavement design were not included in the scope of this project. Given the most common soils in the top 5 feet of pavement sections, which include poorly graded sand with silt and poorly graded sand, we recommend using an R-value of 50 for pavement thickness design on all three projects.

Based upon the assumed traffic loads and an R-value of 50, we recommend a new pavement section for the 2018-2019 Street Reconstruction Projects meet the minimum thicknesses presented in Table 7.

Table 7. Recommended Bituminous Pavement Thickness Design (Areas A, B and C)

Layer	Thickness (in.)	MnDOT Specification/Designation
Bituminous Wear	1 1/2 (1 lift)	SPWEA240C
Bituminous Non-wear	2 (1 lift)	SPNWB230C*
Aggregate Base (Class 5 or 6) or Reclaim	6	3138 3135

*For small quantities, SPWEA240C can be used for the entire thickness.

The above pavement design is based upon a 20-year performance life. This is the amount of time before major reconstruction is anticipated. This performance life assumes maintenance such as seal coating and crack sealing is routinely performed. The actual pavement life will vary depending on variations in weather, traffic conditions and maintenance.

D.1.d. Materials and Compaction

We recommend specifying pavement materials as recommended in Table 6.

We recommend compacting the aggregate base or reclaim materials to meet the requirements of MnDOT specification 2211.3.D.2.c. (Penetration Index Method). We recommend compacting bituminous pavements to at least 92 percent of the maximum theoretical Rice density per the Maximum Density Method (specification 2360.3.D.1), with bituminous materials and placement practices meeting the requirements of MnDOT Specification 2360.

DRAFT

D.2. Utilities

D.2.a. Subgrades and Trench Backfill

The native and fill soils encountered at likely utility elevations generally appear suitable for pipe and utility structure support and we anticipate that utilities can be installed per manufacturer bedding requirements. However, we encountered some wet, clayey or silty soils in some borings; these soils may have limited stability and not be suitable for backfill or support of utilities if wet. We recommend providing a contingency for further subcutting and soil replacement of utility backfill soils in such soils.

In addition, the swamp-deposited clays and silty sands (ST-C6, ST-C11) are not considered suitable backfill materials under any circumstances. These soils should be removed and replaced with suitable grading materials where encountered during excavation. At pipe elevations, we recommend a minimum subcut and replacement with crushed-faced rock that is free of material 1 inch in diameter or smaller.

A geotechnical engineer should observe all utility trench excavations and subcuts.

D.2.b. Excavation Side Slopes

The project area soils appear to meet OSHA Type C requirements in most cases. We recommend constructing excavation side slopes to lie back at a horizontal to vertical slope of 1 1/2 to 1 or flatter. In significant depths of organic soils these side slopes may need to be made flatter, or supplemental support may be necessary.

All excavations must comply with the requirements of OSHA 29 CFR, Part 1926, Subpart P, “Excavations and Trenches.” This document states that excavation safety is the responsibility of the contractor. Reference to these OSHA requirements should be included in the project specifications.

Trenches deeper than 20 feet must be designed by a professional engineer.

D.2.c. Selection, Placement and Compaction of Backfill

We recommend compacting backfill placed above and below utilities as shown in Table 6.

To achieve compaction over wet or waterbearing subgrades, we recommend the use of sands or gravel with MnDOT aggregate backfill material (Specification 3149.2E).

DRAFT

D.2.d. Excavation Dewatering

We recommend removing groundwater from the utility excavations if encountered, and removing any water that seeps into excavations from sidewalls or the adjacent sitework. Sumps and pumps will generally be suitable for short-term, small-scale water removal under the soil conditions likely to be encountered for this project. Alternative approaches should be considered for long-term or large-scale groundwater removal, particularly in sands such as those encountered on the project, which can become unstable during dewatering with pumps from within excavations.

D.2.e. Corrosion Potential

If founded in sandy soils, corrosion protection should not be required for ductile iron pipe. Type I cement may also be specified for concrete utilities.

Some clayey soils were present at likely utility depths, which are considered at least moderately corrosive to ductile iron pipe. We recommend corrosion protection or the use of corrosion-resistant pipe material if utilities will be bedded within such soils, particular if in close proximity to static groundwater. Soils with organic content should not be allowed as pipe support or as backfill around pipes.

D.3. Construction Quality Control

D.3.a. Excavation Observations

We recommend having a geotechnical engineer observe all excavations related to subgrade preparation, utility placement and pavement construction. The purpose of the observations is to evaluate the competence of the geologic materials exposed in the excavations and the adequacy of required excavation oversizing.

D.3.b. Materials Testing

We recommend density tests be taken in excavation backfill and additional required fill placed below pavements and utilities. This includes DCP tests for aggregate base or reclaim and imported granular materials.

We recommend Gyratory tests on bituminous mixes to evaluate strength and air voids and density tests to evaluate compaction.

D.3.c. Pavement Subgrade Proofroll

We recommend that proofrolling of the pavement subgrades be observed by a geotechnical engineer to determine if the results of the procedure meet project specifications and to delineate the extent of additional pavement subgrade preparation work that may be necessary.

DRAFT

D.3.d. Cold Weather Precautions

If site grading and construction is anticipated during cold weather, all snow and ice should be removed from cut and fill areas prior to additional grading. No fill should be placed on frozen subgrades. No frozen soils should be used as fill.

Concrete delivered to the site should meet the temperature requirements of ASTM C 94. Concrete should not be placed on frozen subgrades. Concrete should be protected from freezing until the necessary strength is attained.

E. Procedures

E.1. Penetration Test Borings

The penetration test borings were drilled with a truck-mounted core and auger drill equipped with hollow-stem auger. The borings were performed in accordance with ASTM D 1586. Penetration test samples were taken at 2 1/2 foot intervals.

E.2. Material Classification and Testing

E.2.a. Visual and Manual Classification

The geologic materials encountered were visually and manually classified in accordance with ASTM Standard Practice D 2488. A chart explaining the classification system is attached. Samples were placed in jars or bags and returned to our facility for review and storage.

E.2.b. Laboratory Testing

The results of the laboratory tests performed on geologic material samples are noted on the appropriate attached exploration logs. The tests were performed in accordance with ASTM or AASHTO procedures.

E.3. Groundwater Measurements

The drillers checked for groundwater as the penetration test borings were advanced, and again after auger withdrawal. The boreholes were then backfilled as noted on the boring logs.

DRAFT

F. Qualifications

F.1. Variations in Subsurface Conditions

F.1.a. Material Strata

Our evaluation, analyses and recommendations were developed from a limited amount of site and subsurface information. It is not standard engineering practice to retrieve material samples from exploration locations continuously with depth, and therefore strata boundaries and thicknesses must be inferred to some extent. Strata boundaries may also be gradual transitions, and can be expected to vary in depth, elevation and thickness away from the exploration locations.

Variations in subsurface conditions present between exploration locations may not be revealed until additional exploration work is completed, or construction commences. If any such variations are revealed, our recommendations should be re-evaluated. Such variations could increase construction costs, and a contingency should be provided to accommodate them.

F.1.b. Groundwater Levels

Groundwater measurements were made under the conditions reported herein and shown on the exploration logs, and interpreted in the text of this report. It should be noted that the observation periods were relatively short, and groundwater can be expected to fluctuate in response to rainfall, flooding, irrigation, seasonal freezing and thawing, surface drainage modifications and other seasonal and annual factors.

F.2. Continuity of Professional Responsibility

F.2.a. Plan Review

This report is based on a limited amount of information, and a number of assumptions were necessary to help us develop our recommendations. It is recommended that our firm review the geotechnical aspects of the designs and specifications, and evaluate whether the design is as expected, if any design changes have affected the validity of our recommendations, and if our recommendations have been correctly interpreted and implemented in the designs and specifications.

F.2.b. Construction Observations and Testing

It is recommended that we be retained to perform observations and tests during construction. This will allow correlation of the subsurface conditions encountered during construction with those encountered by the borings, and provide continuity of professional responsibility.

DRAFT

F.3. Use of Report

This report is for the exclusive use of the parties to which it has been addressed. Without written approval, we assume no responsibility to other parties regarding this report. Our evaluation, analyses and recommendations may not be appropriate for other parties or projects.

F.4. Standard of Care

In performing its services, Braun Intertec used that degree of care and skill ordinarily exercised under similar circumstances by reputable members of its profession currently practicing in the same locality. No warranty, express or implied, is made.

DRAFT

DRAFT

Appendix

DENOTES APPROXIMATE LOCATION OF STANDARD PENETRATION TEST BORING

60' 0 120'

SCALE: 1"= 120'

BRAUN INTERTEC
The Science You Build On.

11001 Hampshire Avenue S
Minneapolis, MN 55438
PH. (952) 995-2000
FAX (952) 995-2020

Base Dwg Provided By:

SOIL BORING LOCATION SKETCH - AREA A
GEOTECHNICAL EVALUATION
2018-2019 RECONSTRUCTION PROJECTS
NORTH FORTY, STANHOPE TERRACE AND FORD BROOK ESTATES SUBDIVISIONS
RAMSEY, MINNESOTA

Project No:	B1705491
Drawing No:	B1705491
Scale:	1"= 120'
Drawn By:	JAG
Date Drawn:	6/28/17
Checked By:	NGL
Last Modified:	8/9/17
Sheet: of	Fig:

F:\2017\B1705491.dwg,Area A,8/9/2017 5:06:59 PM

DENOTES APPROXIMATE LOCATION OF STANDARD PENETRATION TEST BORING

75' 0 150'

SCALE: 1"= 150'

F:\2017\B1705491.dwg,Area B,8/9/2017 5:06:18 PM

BRAUN INTERTEC
The Science You Build On.
11001 Hampshire Avenue S
Minneapolis, MN 55438
PH. (952) 995-2000
FAX (952) 995-2020

Base Dwg Provided By:

SOIL BORING LOCATION SKETCH - AREA B

GEOTECHNICAL EVALUATION
2018-2019 RECONSTRUCTION PROJECTS
NORTH FORTY, STANHOPE TERRACE AND FORD BROOK ESTATES SUBDIVISIONS
RAMSEY, MINNESOTA

Project No:	B1705491
Drawing No:	B1705491
Scale:	1"= 150'
Drawn By:	JAG
Date Drawn:	6/28/17
Checked By:	NGL
Last Modified:	8/9/17
Sheet:	Fig:
of	

DENOTES APPROXIMATE LOCATION OF STANDARD PENETRATION TEST BORING

100' 0 200'

SCALE: 1"= 200'

BRAUN INTERTEC
The Science You Build On.
11001 Hampshire Avenue S
Minneapolis, MN 55438
PH. (952) 995-2000
FAX (952) 995-2020

Base Dwg Provided By:

SOIL BORING LOCATION SKETCH - AREA C
GEOTECHNICAL EVALUATION
2018-2019 RECONSTRUCTION PROJECTS
NORTH FORTY, STANHOPE TERRACE AND FORD BROOK ESTATES SUBDIVISIONS
RAMSEY, MINNESOTA

Project No: B1705491

Drawing No: B1705491

Scale:	1"= 200'
Drawn By:	JAG
Date Drawn:	6/28/17
Checked By:	NGL
Last Modified:	8/9/17

Sheet: of

Fig:

F:\2017\B1705491.dwg,Area C,8/9/2017 5:05:42 PM

BRAUN INTERTEC

LOG OF BORING

Braun Project B1705491
GEOTECHNICAL EVALUATION
City of Ramsey 2018-2019 Reconstruction Projects
Ramsey, Minnesota

BORING: **ST-A1**

LOCATION: N: 184793, E: 447907 See attached sketch.

DRILLER: SC | METHOD: 3 1/4" HSA, Autohammer | DATE: **7/6/17** | SCALE: **1" = 4'**

Elev. feet	Depth feet	Symbol	Description of Materials (Soil-ASTM D2488 or D2487, Rock-USACE EM1110-1-2908)	BPF	WL	Tests or Notes
897.0	0.0					
896.3	0.7	PAV	3 inches of bituminous over 5 inches of aggregate base.			
		FILL	FILL: Poorly Graded Sand with Silt, fine-grained, trace Gravel, dark brown, moist.	13		
893.0	4.0	SP	POORLY GRADED SAND, fine-grained, brown, moist, loose to medium dense. (Alluvium)	6		No recovery.
				8		
886.0	11.0			11		
			END OF BORING. Water not observed while drilling. Boring then backfilled.			

(See Descriptive Terminology sheet for explanation of abbreviations)

LOG OF BORING N:\GINT\PROJECTS\AX PROJECTS\2017\05491.GPJ BRAUN_V8_CURRENT.GDT 8/11/17 16:36

BRAUN INTERTEC

LOG OF BORING

Braun Project B1705491
GEOTECHNICAL EVALUATION
City of Ramsey 2018-2019 Reconstruction Projects
Ramsey, Minnesota

BORING: **ST-A2**

LOCATION: N: 184814, E: 448514 See attached sketch.

DRILLER: SC | METHOD: 3 1/4" HSA, Autohammer | DATE: **7/6/17** | SCALE: **1" = 4'**

Elev. feet	Depth feet	Symbol	Description of Materials (Soil-ASTM D2488 or D2487, Rock-USACE EM1110-1-2908)	BPF	WL	MC %	P200 %	Tests or Notes
895.7	0.0							
895.0	0.7	PAV	3 inches of bituminous over 5 inches of aggregate base.					
		FILL	FILL: Poorly Graded Sand with Silt, fine-grained, dark brown, moist.					
892.7	3.0			11		8	9	
		SP	POORLY GRADED SAND, fine-grained, brown, moist, loose to medium dense. (Alluvium)	8				
				5				
884.7	11.0			13				
			END OF BORING. Water not observed while drilling. Boring then backfilled.					

(See Descriptive Terminology sheet for explanation of abbreviations)

LOG OF BORING N:\GINT\PROJECTS\AX PROJECTS\2017\05491.GPJ BRAUN_V8_CURRENT.GDT 8/11/17 16:36

BRAUN INTERTEC

LOG OF BORING

Braun Project B1705491
GEOTECHNICAL EVALUATION
City of Ramsey 2018-2019 Reconstruction Projects
Ramsey, Minnesota

BORING: **ST-A3**

LOCATION: N: 185249, E: 448553 See attached sketch.

DRILLER: SC | METHOD: 3 1/4" HSA, Autohammer | DATE: **7/6/17** | SCALE: **1" = 4'**

Elev. feet	Depth feet	Symbol	Description of Materials (Soil-ASTM D2488 or D2487, Rock-USACE EM1110-1-2908)	BPF	WL	Tests or Notes
897.0	0.0					
896.7	0.3	BIT	3 inches of bituminous.			
		FILL	FILL: Poorly Graded Sand with Silt, fine-grained, trace Gravel, dark brown to brown, moist.			
894.0	3.0			11		
		SP	POORLY GRADED SAND, fine-grained, brown, moist, loose. (Alluvium)	6		
				5		
886.0	11.0			10		
			END OF BORING.			
			Water not observed while drilling.			
			Boring then backfilled.			

(See Descriptive Terminology sheet for explanation of abbreviations)

LOG OF BORING N:\GINT\PROJECTS\AX PROJECTS\2017\05491.GPJ BRAUN_V8_CURRENT.GDT 8/11/17 16:36

BRAUN INTERTEC

LOG OF BORING

Braun Project B1705491
GEOTECHNICAL EVALUATION
City of Ramsey 2018-2019 Reconstruction Projects
Ramsey, Minnesota

BORING: **ST-A4**

LOCATION: N: 185237, E: 447847 See attached sketch.

DRILLER: SC | METHOD: 3 1/4" HSA, Autohammer | DATE: **7/6/17** | SCALE: **1" = 4'**

Elev. feet	Depth feet	Symbol	Description of Materials (Soil-ASTM D2488 or D2487, Rock-USACE EM1110-1-2908)	BPF	WL	MC %	Tests or Notes
893.3	0.0						
892.4	0.9	PAV	3 inches of bituminous over 8 inches of aggregate base.				
891.3	2.0	FILL	FILL: Poorly Graded Sand with Silt, fine- to medium-grained, dark brown, moist.				
		SP	POORLY GRADED SAND, fine-grained, trace Gravel, brown, moist, loose to medium dense. (Alluvium)	13		3	
				6			
				16			
882.3	11.0			12			
			END OF BORING.				
			Water not observed while drilling.				
			Boring then backfilled.				

(See Descriptive Terminology sheet for explanation of abbreviations)

LOG OF BORING N:\GINT\PROJECTS\AX PROJECTS\2017\05491.GPJ BRAUN_V8_CURRENT.GDT 8/11/17 16:36

BRAUN INTERTEC

LOG OF BORING

Braun Project B1705491
GEOTECHNICAL EVALUATION
City of Ramsey 2018-2019 Reconstruction Projects
Ramsey, Minnesota

BORING: **ST-A5**

LOCATION: N: 185545, E: 447646 See attached sketch.

DRILLER: SC | METHOD: 3 1/4" HSA, Autohammer | DATE: **7/6/17** | SCALE: **1" = 4'**

(See Descriptive Terminology sheet for explanation of abbreviations)

Elev. feet	Depth feet	Symbol	Description of Materials (Soil-ASTM D2488 or D2487, Rock-USACE EM1110-1-2908)	BPF	WL	Tests or Notes
890.0	0.0					
889.4	0.6	PAV / FILL	3 inches of bituminous over 4 inches of aggregate base. FILL: Poorly Graded Sand with Silt, fine- to medium-grained, trace Gravel, dark brown and brown, moist to wet.	9 15 3 5		
879.0	11.0		END OF BORING. Water not observed while drilling. Boring then backfilled.			

LOG OF BORING N:\GINT\PROJECTS\AX PROJECTS\2017\05491.GPJ BRAUN_V8_CURRENT.GDT 8/11/17 16:36

BRAUN INTERTEC

LOG OF BORING

Braun Project B1705491
GEOTECHNICAL EVALUATION
City of Ramsey 2018-2019 Reconstruction Projects
Ramsey, Minnesota

BORING: **ST-B1**

LOCATION: N: 178200, E: 467663 See attached sketch.

DRILLER: SC | METHOD: 3 1/4" HSA, Autohammer | DATE: **7/6/17** | SCALE: **1" = 4'**

(See Descriptive Terminology sheet for explanation of abbreviations)

Elev. feet	Depth feet	Symbol	Description of Materials (Soil-ASTM D2488 or D2487, Rock-USACE EM1110-1-2908)	BPF	WL	Tests or Notes
888.4	0.0					
887.7	0.7	PAV / FILL	3 inches of bituminous over 5 inches of aggregate base. FILL: Poorly Graded Sand with Silt, fine-grained, dark brown to brown, moist.	19		
884.4	4.0	SP	POORLY GRADED SAND, fine- to medium-grained, brown, wet, loose to medium dense. (Alluvium)	5		
				6		
877.4	11.0			16		
			END OF BORING. Water not observed while drilling. Boring then backfilled.			

LOG OF BORING N:\GINT\PROJECTS\AX PROJECTS\2017\05491.GPJ BRAUN_V8_CURRENT.GDT 8/11/17 16:36

BRAUN INTERTEC

LOG OF BORING

Braun Project B1705491
GEOTECHNICAL EVALUATION
City of Ramsey 2018-2019 Reconstruction Projects
Ramsey, Minnesota

BORING: **ST-B2**

LOCATION: N: 178670, E: 467672 See attached sketch.

DRILLER: SC | METHOD: 3 1/4" HSA, Autohammer | DATE: **7/6/17** | SCALE: **1" = 4'**

(See Descriptive Terminology sheet for explanation of abbreviations)

Elev. feet	Depth feet	Symbol	Description of Materials (Soil-ASTM D2488 or D2487, Rock-USACE EM1110-1-2908)	BPF	WL	Tests or Notes
884.6	0.0					
883.8	0.8	PAV	4 inches of bituminous over 6 inches of aggregate base.			
		FILL	FILL: Poorly Graded Sand with Silt, fine-grained, dark brown, moist.			
882.6	2.0	SP	POORLY GRADED SAND, fine- to medium-grained, trace Gravel, brown, moist, loose. (Alluvium)	9		
				6		
				10		
				8		
873.6	11.0		END OF BORING.			
			Water not observed while drilling.			
			Boring then backfilled.			

BRAUN INTERTEC

LOG OF BORING

Braun Project B1705491
GEOTECHNICAL EVALUATION
City of Ramsey 2018-2019 Reconstruction Projects
Ramsey, Minnesota

BORING: **ST-B3**

LOCATION: N: 178780, E: 468035 See attached sketch.

DRILLER: SC | METHOD: 3 1/4" HSA, Autohammer | DATE: **7/6/17** | SCALE: **1" = 4'**

Elev. feet	Depth feet	Symbol	Description of Materials (Soil-ASTM D2488 or D2487, Rock-USACE EM1110-1-2908)	BPF	WL	Tests or Notes
878.3	0.0					
877.5	0.8	PAV	4 inches of bituminous over 5 inches of aggregate base.			
		FILL	FILL: Poorly Graded Sand with Silt, fine-grained, dark brown to brown, moist.	9		
872.3	6.0			14		
		SP	POORLY GRADED SAND, fine-grained, brown, moist, loose. (Alluvium)	9		
867.3	11.0			7		
			END OF BORING. Water not observed while drilling. Boring then backfilled.			

(See Descriptive Terminology sheet for explanation of abbreviations)

LOG OF BORING N:\GINT\PROJECTS\AX PROJECTS\2017\05491.GPJ BRAUN_V8_CURRENT.GDT 8/11/17 16:36

BRAUN INTERTEC

LOG OF BORING

Braun Project B1705491
GEOTECHNICAL EVALUATION
City of Ramsey 2018-2019 Reconstruction Projects
Ramsey, Minnesota

BORING: **ST-B4**

LOCATION: N: 179030, E: 467625 See attached sketch.

DRILLER: SC | METHOD: 3 1/4" HSA, Autohammer | DATE: **7/6/17** | SCALE: **1" = 4'**

Elev. feet	Depth feet	Symbol	Description of Materials (Soil-ASTM D2488 or D2487, Rock-USACE EM1110-1-2908)	BPF	WL	MC %	P200 %	Tests or Notes
891.2	0.0							
890.6	0.6	PAV	3 inches of bituminous over 4 inches of aggregate base.					
		FILL	FILL: Poorly Graded Sand with Silt, fine-grained, dark brown and brown, moist.	12		4	6	
886.2	5.0	SP	POORLY GRADED SAND, fine-grained, brown, moist, loose. (Alluvium)	10				
				6				
880.2	11.0			15				
			END OF BORING. Water not observed while drilling. Boring then backfilled.					

(See Descriptive Terminology sheet for explanation of abbreviations)

LOG OF BORING N:\GINT\PROJECTS\AX PROJECTS\2017\05491.GPJ BRAUN_V8_CURRENT.GDT 8/11/17 16:36

BRAUN INTERTEC

LOG OF BORING

Braun Project B1705491
GEOTECHNICAL EVALUATION
City of Ramsey 2018-2019 Reconstruction Projects
Ramsey, Minnesota

BORING: **ST-B5**

LOCATION: N: 175086, E: 468267 See attached sketch.

DRILLER: SC | METHOD: 3 1/4" HSA, Autohammer | DATE: **7/6/17** | SCALE: **1" = 4'**

Elev. feet	Depth feet	Symbol	Description of Materials (Soil-ASTM D2488 or D2487, Rock-USACE EM1110-1-2908)	BPF	WL	Tests or Notes
891.2	0.0					
890.6	0.6	PAV	3 inches of bituminous over 4 inches of aggregate base.			
		FILL	FILL: Poorly Graded Sand with Silt, fine-grained, dark brown, moist.			
888.2	3.0			7		
		SP	POORLY GRADED SAND, fine-grained, trace Gravel, brown and light brown, moist, very loose to loose. (Alluvium)	9		
				4		
880.2	11.0			12		
			END OF BORING.			
			Water not observed while drilling.			
			Boring then backfilled.			

(See Descriptive Terminology sheet for explanation of abbreviations)

LOG OF BORING N:\GINT\PROJECTS\AX PROJECTS\2017\05491.GPJ BRAUN_V8_CURRENT.GDT 8/11/17 16:36

BRAUN INTERTEC

LOG OF BORING

Braun Project B1705491
GEOTECHNICAL EVALUATION
City of Ramsey 2018-2019 Reconstruction Projects
Ramsey, Minnesota

BORING: **ST-C1**

LOCATION: N: 195376, E: 462823 See attached sketch.

DRILLER: SC | METHOD: 3 1/4" HSA, Autohammer | DATE: **7/5/17** | SCALE: **1" = 4'**

Elev. feet	Depth feet	Symbol	Description of Materials (Soil-ASTM D2488 or D2487, Rock-USACE EM1110-1-2908)	BPF	WL	MC %	P200 %	Tests or Notes
897.2	0.0							
896.4	0.8	PAV	4 inches of bituminous over 5 inches of aggregate base.					
895.2	2.0	FILL	FILL: Poorly Graded Sand with Silt, fine-grained, with Gravel, dark brown, moist.					
		FILL	FILL: Poorly Graded Sand with SILT, fine- to coarse-grained, with Gravel, brown, moist.	14				
				10		4	6	
890.2	7.0	SP	POORLY GRADED SAND, fine- to medium-grained, trace Gravel, light brown, moist, medium dense. (Alluvium)	12				
886.2	11.0			28				
			END OF BORING.					
			Water not observed while drilling.					
			Boring then backfilled.					

(See Descriptive Terminology sheet for explanation of abbreviations)

LOG OF BORING N:\GINT\PROJECTS\AX PROJECTS\2017\05491.GPJ BRAUN_V8_CURRENT.GDT 8/11/17 16:36

BRAUN INTERTEC

LOG OF BORING

Braun Project B1705491
GEOTECHNICAL EVALUATION
City of Ramsey 2018-2019 Reconstruction Projects
Ramsey, Minnesota

BORING: **ST-C2**

LOCATION: N: 195624, E: 463131 See attached sketch.

DRILLER: SC | METHOD: 3 1/4" HSA, Autohammer | DATE: **7/5/17** | SCALE: **1" = 4'**

Elev. feet	Depth feet	Symbol	Description of Materials (Soil-ASTM D2488 or D2487, Rock-USACE EM1110-1-2908)	BPF	WL	Tests or Notes
894.5	0.0					
893.7	0.8	PAV	5 inches of bituminous over 5 inches of aggregate base.			
892.5	2.0	FILL	FILL: Poorly Graded Sand with Silt, fine-grained, trace Gravel, dark brown, moist.			
890.5	4.0	FILL	FILL: Poorly Graded Sand, fine-grained, brown, moist.	28		
		SP	POORLY GRADED SAND, fine-grained, brown, moist, loose to medium dense. (Alluvium)	10		
				19		
883.5	11.0			19		
			END OF BORING. Water not observed while drilling. Boring then backfilled.			

(See Descriptive Terminology sheet for explanation of abbreviations)

LOG OF BORING N:\GINT\PROJECTS\AX PROJECTS\2017\05491.GPJ BRAUN_V8_CURRENT.GDT 8/11/17 16:36

BRAUN INTERTEC

LOG OF BORING

Braun Project B1705491
GEOTECHNICAL EVALUATION
City of Ramsey 2018-2019 Reconstruction Projects
Ramsey, Minnesota

BORING: **ST-C3**

LOCATION: N: 195609, E: 463651 See attached sketch.

DRILLER: SC | METHOD: 3 1/4" HSA, Autohammer | DATE: **7/5/17** | SCALE: **1" = 4'**

(See Descriptive Terminology sheet for explanation of abbreviations)

Elev. feet	Depth feet	Symbol	Description of Materials (Soil-ASTM D2488 or D2487, Rock-USACE EM1110-1-2908)	BPF	WL	MC %	Tests or Notes
881.8	0.0						
881.1	0.7	PAV	3 inches of bituminous over 5 inches of aggregate base.				
		FILL	FILL: Poorly Graded Sand with Silt, fine-grained, brown to dark brown, wet.	16			
				4		18	
874.8	7.0				▽		
		CL	LEAN CLAY, gray, moist, rather soft. (Alluvium)	4			An open triangle in the water level (WL) column indicates the depth at which groundwater was observed while drilling. Groundwater levels fluctuate.
872.3	9.5						
		SP	POORLY GRADED SAND, fine- to coarse-grained, gray, waterbearing, very loose. (Alluvium)	3			
870.8	11.0		END OF BORING.				
			Water observed at 7 feet with 9 1/2 feet of hollow-stem auger in the ground.				
			Boring then backfilled.				

LOG OF BORING N:\GINT\PROJECTS\AX PROJECTS\2017\05491.GPJ BRAUN_V8_CURRENT.GDT 8/11/17 16:36

BRAUN INTERTEC

LOG OF BORING

Braun Project B1705491
GEOTECHNICAL EVALUATION
City of Ramsey 2018-2019 Reconstruction Projects
Ramsey, Minnesota

BORING: **ST-C4**

LOCATION: N: 195602, E: 464086 See attached sketch.

DRILLER: SC | METHOD: 3 1/4" HSA, Autohammer | DATE: **7/5/17** | SCALE: **1" = 4'**

(See Descriptive Terminology sheet for explanation of abbreviations)

Elev. feet	Depth feet	Symbol	Description of Materials (Soil-ASTM D2488 or D2487, Rock-USACE EM1110-1-2908)	BPF	WL	Tests or Notes
883.0	0.0					
882.4	0.6	PAV / FILL	3 inches of bituminous over 4 inches of aggregate base. FILL: Poorly Graded Sand with Silt, fine-grained, dark brown, moist to wet.	11		
879.0	4.0	SP-SM	POORLY GRADED SAND with SILT, fine-grained, brown, wet, loose to medium dense. (Alluvium)	11		
				12	▽	
			Waterbearing at 9 feet.			
872.0	11.0		Intermixed with gray, Lean Clay at sampler tip.	6		
			END OF BORING. Water observed at 9 feet with 9 1/2 feet of hollow-stem auger in the ground. Boring then backfilled.			

LOG OF BORING N:\GINT\PROJECTS\AX PROJECTS\2017\05491.GPJ BRAUN_V8_CURRENT.GDT 8/11/17 16:36

BRAUN INTERTEC

LOG OF BORING

Braun Project B1705491
GEOTECHNICAL EVALUATION
City of Ramsey 2018-2019 Reconstruction Projects
Ramsey, Minnesota

BORING: **ST-C5**

LOCATION: N: 195599, E: 464519 See attached sketch.

DRILLER: SC | METHOD: 3 1/4" HSA, Autohammer | DATE: **7/5/17** | SCALE: **1" = 4'**

(See Descriptive Terminology sheet for explanation of abbreviations)

Elev. feet	Depth feet	Symbol	Description of Materials (Soil-ASTM D2488 or D2487, Rock-USACE EM1110-1-2908)	BPF	WL	Tests or Notes
890.3	0.0					
889.6	0.7	PAV	4 inches of bituminous over 4 inches of aggregate base.			
		FILL	FILL: Poorly Graded Sand with Silt, fine-grained, dark brown, moist.			
888.3	2.0	FILL	FILL: Clayey Sand, brown, moist.	8		
887.3	3.0	FILL	FILL: Poorly Graded Sand, fine-grained, brown, moist.			
885.3	5.0	CL	LEAN CLAY, with Sand, brown, moist, rather soft. (Alluvium)	5		
883.3	7.0	SC	CLAYEY SAND, trace Gravel, brown to gray, moist, rather stiff to stiff. (Alluvium)	13		
879.3	11.0			12		
			END OF BORING.			
			Water not observed while drilling.			
			Boring then backfilled.			

LOG OF BORING N:\GINT\PROJECTS\AX PROJECTS\2017\05491.GPJ BRAUN_V8_CURRENT.GDT 8/11/17 16:36

BRAUN INTERTEC

LOG OF BORING

Braun Project B1705491
GEOTECHNICAL EVALUATION
City of Ramsey 2018-2019 Reconstruction Projects
Ramsey, Minnesota

BORING: **ST-C6**

LOCATION: N: 195594, E: 464693 See attached sketch.

DRILLER: SC | METHOD: 3 1/4" HSA, Autohammer | DATE: **7/5/17** | SCALE: **1" = 4'**

Elev. feet	Depth feet	Symbol	Description of Materials (Soil-ASTM D2488 or D2487, Rock-USACE EM1110-1-2908)	BPF	WL	Tests or Notes
885.7	0.0					
884.3	1.4	PAV	6 inches of bituminous over 4 inches of aggregate base over 3 inches of bituminous over 4 inches of aggregate base.			
		FILL	FILL: Poorly Graded Sand with Silt, fine- to medium-grained, trace Gravel, dark brown to brown, moist.	13		
880.7	5.0	SM	SILTY SAND, fine-grained, organic, trace wood pieces, black, wet, very loose. (Swamp Deposit)	1		
				7		
876.7	9.0	SM	SILTY SAND, fine- to medium-grained, dark gray, wet, loose. (Alluvium)	6		
874.7	11.0		END OF BORING.			
			Water not observed while drilling.			
			Boring then backfilled.			

(See Descriptive Terminology sheet for explanation of abbreviations)

LOG OF BORING N:\GINT\PROJECTS\AX PROJECTS\2017\05491.GPJ BRAUN_V8_CURRENT.GDT 8/11/17 16:36

BRAUN INTERTEC

LOG OF BORING

Braun Project B1705491
GEOTECHNICAL EVALUATION
City of Ramsey 2018-2019 Reconstruction Projects
Ramsey, Minnesota

BORING: **ST-C7**

LOCATION: N: 195304, E: 463197 See attached sketch.

DRILLER: SC | METHOD: 3 1/4" HSA, Autohammer | DATE: **7/5/17** | SCALE: **1" = 4'**

Elev. feet	Depth feet	Symbol	Description of Materials (Soil-ASTM D2488 or D2487, Rock-USACE EM1110-1-2908)	BPF	WL	MC %	Tests or Notes
899.4	0.0						
898.7	0.7	PAV	3 inches of bituminous over 5 inches of aggregate base.				
		FILL	FILL: Poorly Graded Sand with Silt, fine- to medium-grained, with Gravel, dark brown, moist.				
897.4	2.0	SP	POORLY GRADED SAND, fine- to medium-grained, brown, moist, very loose to medium dense. (Alluvium)	13			
				9			
				3		8	
888.4	11.0		Fine- to coarse-grained, with Gravel, wet at 10 feet.	2			
			END OF BORING.				
			Water not observed while drilling.				
			Boring then backfilled.				

(See Descriptive Terminology sheet for explanation of abbreviations)

LOG OF BORING N:\GINT\PROJECTS\AX PROJECTS\2017\05491.GPJ BRAUN_V8_CURRENT.GDT 8/11/17 16:36

BRAUN INTERTEC

LOG OF BORING

Braun Project B1705491
GEOTECHNICAL EVALUATION
City of Ramsey 2018-2019 Reconstruction Projects
Ramsey, Minnesota

BORING: **ST-C8**

LOCATION: N: 195252, E: 463659 See attached sketch.

DRILLER: SC | METHOD: 3 1/4" HSA, Autohammer | DATE: **7/5/17** | SCALE: **1" = 4'**

(See Descriptive Terminology sheet for explanation of abbreviations)

Elev. feet	Depth feet	Symbol	Description of Materials (Soil-ASTM D2488 or D2487, Rock-USACE EM1110-1-2908)	BPF	WL	Tests or Notes
887.7	0.0					
887.1	0.6	PAV / FILL	3 inches of bituminous over 4 inches of aggregate base.			
			FILL: Poorly Graded Sand, fine-grained, dark brown to brown, moist.	24		
				10		
880.7	7.0	SP	POORLY GRADED SAND, fine-grained, brown, moist to wet, very loose to loose. (Alluvium)	10		
				2		
876.7	11.0		END OF BORING.			
			Water not observed while drilling.			
			Boring then backfilled.			

LOG OF BORING N:\GINT\PROJECTS\AX PROJECTS\2017\05491.GPJ BRAUN_V8_CURRENT.GDT 8/11/17 16:36

BRAUN INTERTEC

LOG OF BORING

Braun Project B1705491
GEOTECHNICAL EVALUATION
City of Ramsey 2018-2019 Reconstruction Projects
Ramsey, Minnesota

BORING: **ST-C9**

LOCATION: N: 195286, E: 464075 See attached sketch.

DRILLER: SC | METHOD: 3 1/4" HSA, Autohammer | DATE: **7/6/17** | SCALE: **1" = 4'**

(See Descriptive Terminology sheet for explanation of abbreviations)

Elev. feet	Depth feet	Symbol	Description of Materials (Soil-ASTM D2488 or D2487, Rock-USACE EM1110-1-2908)	BPF	WL	Tests or Notes
886.4	0.0					
885.7	0.7	PAV	3 inches of bituminous over 5 inches of aggregate base.			
		FILL	FILL: Poorly Graded Sand with Silt, fine-grained, dark brown, moist.	15		
882.4	4.0	SP	POORLY GRADED SAND, fine-grained, brown, wet, loose. (Alluvium)	7		
				7		
875.4	11.0			8		
			END OF BORING. Water not observed while drilling. Boring then backfilled.			

LOG OF BORING N:\GINT\PROJECTS\AX PROJECTS\2017\05491.GPJ BRAUN_V8_CURRENT.GDT 8/11/17 16:36

BRAUN INTERTEC

LOG OF BORING

Braun Project B1705491
GEOTECHNICAL EVALUATION
City of Ramsey 2018-2019 Reconstruction Projects
Ramsey, Minnesota

BORING: **ST-C10**

LOCATION: N: 195282, E: 464524 See attached sketch.

DRILLER: SC | METHOD: 3 1/4" HSA, Autohammer | DATE: **7/6/17** | SCALE: **1" = 4'**

(See Descriptive Terminology sheet for explanation of abbreviations)

Elev. feet	Depth feet	Symbol	Description of Materials (Soil-ASTM D2488 or D2487, Rock-USACE EM1110-1-2908)	BPF	WL	MC %	P200 %	Tests or Notes
888.8	0.0							
888.4	0.4	BIT	5 inches of bituminous.					
		FILL	FILL: Poorly Graded Sand with Silt, fine-grained, dark brown and brown, moist.	8				
884.8	4.0	SP-SM	POORLY GRADED SAND with SILT, fine-grained, brown, wet, very loose to loose. (Alluvium)	4		10	12	
				7	▽			
877.8	11.0		Waterbearing at 10 feet.	10				
			END OF BORING.					
			Water observed at 8 1/2 feet with 9 1/2 feet of hollow-stem auger in the ground.					
			Boring then backfilled.					

LOG OF BORING N:\GINT\PROJECTS\AX PROJECTS\2017\05491.GPJ BRAUN_V8_CURRENT.GDT 8/11/17 16:36

BRAUN INTERTEC

LOG OF BORING

Braun Project B1705491
GEOTECHNICAL EVALUATION
City of Ramsey 2018-2019 Reconstruction Projects
Ramsey, Minnesota

BORING: **ST-C11**

LOCATION: N: 195903, E: 464272 See attached sketch.

DRILLER: SC | METHOD: 3 1/4" HSA, Autohammer | DATE: **7/5/17** | SCALE: **1" = 4'**

(See Descriptive Terminology sheet for explanation of abbreviations)

Elev. feet	Depth feet	Symbol	Description of Materials (Soil-ASTM D2488 or D2487, Rock-USACE EM1110-1-2908)	BPF	WL	MC %	Tests or Notes
881.7	0.0						
880.9	0.8	PAV	3 inches of bituminous over 6 inches of aggregate base.				
		FILL	FILL: Poorly Graded Sand with Silt, fine- to medium-grained, dark brown, moist to wet.				
878.7	3.0			12			
		SM	SILTY SAND, fine-grained, slightly organic, black, wet, loose. (Swamp Deposit)	7		15	OC=2%
873.7	8.0			3			
		CH	FAT CLAY, trace fibers and roots, gray, wet, soft. (Swamp Deposit)				
870.7	11.0			3			
			END OF BORING.				
			Water not observed while drilling.				
			Boring then backfilled.				

LOG OF BORING N:\GINT\PROJECTS\AX PROJECTS\2017\05491.GPJ BRAUN_V8_CURRENT.GDT 8/11/17 16:36

BRAUN INTERTEC

LOG OF BORING

Braun Project B1705491
GEOTECHNICAL EVALUATION
City of Ramsey 2018-2019 Reconstruction Projects
Ramsey, Minnesota

BORING: **ST-C12**

LOCATION: N: 195998, E: 464525 See attached sketch.

DRILLER: SC | METHOD: 3 1/4" HSA, Autohammer | DATE: **7/5/17** | SCALE: **1" = 4'**

Elev. feet	Depth feet	Symbol	Description of Materials (Soil-ASTM D2488 or D2487, Rock-USACE EM1110-1-2908)	BPF	WL	Tests or Notes
893.2	0.0					
892.4	0.8	PAV	3 inches of bituminous over 6 inches of aggregate base.			
		FILL	FILL: Poorly Graded Sand with Silt, fine-grained, brown, moist.	15		
889.2	4.0	SP	POORLY GRADED SAND, fine-grained, brown, moist to wet, medium dense. (Alluvium)	11		
				18		
882.2	11.0		Reddish brown Silty Sand lenses at 10 feet.	22		
			END OF BORING.			
			Water not observed while drilling.			
			Boring then backfilled.			

(See Descriptive Terminology sheet for explanation of abbreviations)

LOG OF BORING N:\GINT\PROJECTS\AX PROJECTS\2017\05491.GPJ BRAUN_V8_CURRENT.GDT 8/11/17 16:36

BRAUN INTERTEC

LOG OF BORING

Braun Project B1705491
GEOTECHNICAL EVALUATION
City of Ramsey 2018-2019 Reconstruction Projects
Ramsey, Minnesota

BORING: **ST-C13**

LOCATION: N: 195813, E: 463033 See attached sketch.

DRILLER: SC | METHOD: 3 1/4" HSA, Autohammer | DATE: **7/5/17** | SCALE: **1" = 4'**

Elev. feet	Depth feet	Symbol	Description of Materials (Soil-ASTM D2488 or D2487, Rock-USACE EM1110-1-2908)	BPF	WL	MC %	Tests or Notes
889.6	0.0						
888.8	0.8	PAV	4 inches of bituminous over 5 inches of aggregate base.				
		FILL					
887.6	2.0		FILL: Poorly Graded Sand with Silt, fine- to medium-grained, with Gravel, dark brown, moist.				
		SP-SM	POORLY GRADED SAND with SILT, fine- to medium-grained, trace Gravel, brown, moist, loose to medium dense. (Alluvium)	13		9	
				15			
				9			
878.6	11.0			5			
			END OF BORING.				
			Water not observed while drilling.				
			Boring then backfilled.				

(See Descriptive Terminology sheet for explanation of abbreviations)

LOG OF BORING N:\GINT\PROJECTS\AX PROJECTS\2017\05491.GPJ BRAUN_V8_CURRENT.GDT 8/11/17 16:36

BRAUN INTERTEC

LOG OF BORING

Braun Project B1705491
GEOTECHNICAL EVALUATION
City of Ramsey 2018-2019 Reconstruction Projects
Ramsey, Minnesota

BORING: **ST-C14**

LOCATION: N: 495994, E: 462578 See attached sketch.

DRILLER: SC | METHOD: 3 1/4" HSA, Autohammer | DATE: **7/5/17** | SCALE: **1" = 4'**

Elev. feet	Depth feet	Symbol	Description of Materials (Soil-ASTM D2488 or D2487, Rock-USACE EM1110-1-2908)	BPF	WL	MC %	P200 %	Tests or Notes
884.7	0.0							
883.9	0.8	PAV	5 inches of bituminous over 5 inches of aggregate base.					
		FILL	FILL: Lean Clay with Sand, slightly organic, dark brown, moist. Poorly Graded Sand with Silt layer at 2 feet.	6		15		OC=2%
880.7	4.0	CL	LEAN CLAY, gray, moist, soft to medium. (Alluvium)	3		37	98	
				7				
875.7	9.0	SP	POORLY GRADED SAND, fine-grained, brown, moist, loose. (Alluvium)	8				
873.7	11.0		END OF BORING. Water not observed while drilling. Boring then backfilled.					

(See Descriptive Terminology sheet for explanation of abbreviations)

LOG OF BORING N:\GINT\PROJECTS\AX PROJECTS\2017\05491.GPJ BRAUN_V8_CURRENT.GDT 8/11/17 16:36

BRAUN INTERTEC

LOG OF BORING

Braun Project B1705491
GEOTECHNICAL EVALUATION
City of Ramsey 2018-2019 Reconstruction Projects
Ramsey, Minnesota

BORING: **ST-C15**

LOCATION: N: 195692, E: 462332 See attached sketch.

DRILLER: SC | METHOD: 3 1/4" HSA, Autohammer | DATE: **7/5/17** | SCALE: **1" = 4'**

Elev. feet	Depth feet	Symbol	Description of Materials (Soil-ASTM D2488 or D2487, Rock-USACE EM1110-1-2908)	BPF	WL	Tests or Notes
887.1	0.0					
886.3	0.8	PAV	4 inches of bituminous over 5 inches of aggregate base.			
		FILL	FILL: Silty Sand, fine- to medium-grained, with Gravel, dark brown, moist.			
885.1	2.0	CL	LEAN CLAY, gray, moist, medium. (Alluvium)	7		
883.1	4.0	SP	POORLY GRADED SAND, fine-grained, brown, moist, loose to medium dense. (Alluvium)	11		
				8		
876.1	11.0			7		
			END OF BORING.			
			Water not observed while drilling.			
			Boring then backfilled.			

(See Descriptive Terminology sheet for explanation of abbreviations)

LOG OF BORING N:\GINT\PROJECTS\AX PROJECTS\2017\05491.GPJ BRAUN_V8_CURRENT.GDT 8/11/17 16:36

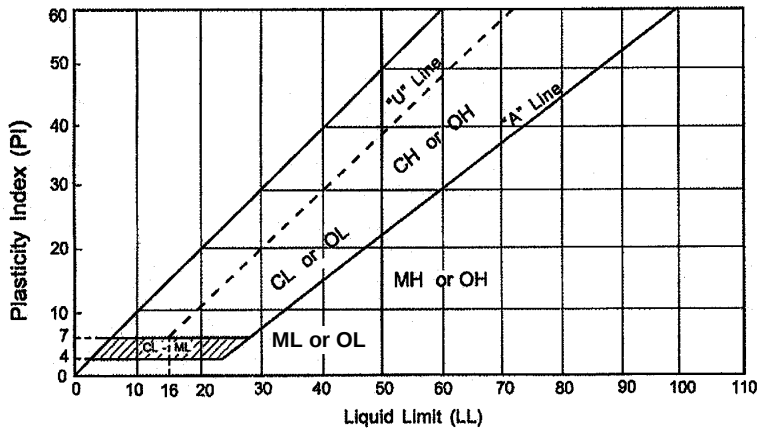
BRAUN INTERTEC

Descriptive Terminology of Soil

Standard D 2487
Classification of Soils for Engineering Purposes
(Unified Soil Classification System)

Criteria for Assigning Group Symbols and Group Names Using Laboratory Tests [a]				Soils Classification	
				Group Symbol	Group Name [b]
Coarse-grained Soils more than 50% retained on No. 200 sieve	Gravels More than 50% of coarse fraction retained on No. 4 sieve	Clean Gravels Less than 5% fines [e]	$C_u \geq 4$ and $1 \leq C_c \leq 3$ [c]	GW	Well-graded gravel [d]
			$C_u < 4$ and/or $1 > C_c > 3$ [c]	GP	Poorly graded gravel [d]
		Gravels with Fines More than 12% fines [e]	Fines classify as ML or MH	GM	Silty gravel [d f g]
			Fines classify as CL or CH	GC	Clayey gravel [d f g]
	Sands 50% or more of coarse fraction passes No. 4 sieve	Clean Sands Less than 5% fines [i]	$C_u \geq 6$ and $1 \leq C_c \leq 3$ [c]	SW	Well-graded sand [h]
			$C_u < 6$ and/or $1 > C_c > 3$ [c]	SP	Poorly graded sand [h]
		Sands with Fines More than 12% [i]	Fines classify as ML or MH	SM	Silty sand [f g h]
			Fines classify as CL or CH	SC	Clayey sand [f g h]
Fine-grained Soils 50% or more passed the No. 200 sieve	Silts and Clays Liquid limit less than 50	Inorganic	PI > 7 and plots on or above "A" line [j]	CL	Lean clay [k l m]
			PI < 4 or plots below "A" line [j]	ML	Silt [k l m]
		Organic	Liquid limit - oven dried / Liquid limit - not dried < 0.75	OL	Organic clay [k l m n]
				OL	Organic silt [k l m o]
	Silts and clays Liquid limit 50 or more	Inorganic	PI plots on or above "A" line	CH	Fat clay [k l m]
			PI plots below "A" line	MH	Elastic silt [k l m]
		Organic	Liquid limit - oven dried / Liquid limit - not dried < 0.75	OH	Organic clay [k l m p]
				OH	Organic silt [k l m q]
Highly Organic Soils	Primarily organic matter, dark in color and organic odor			PT	Peat

a. Based on the material passing the 3-inch (75mm) sieve.
b. If field sample contained cobbles or boulders, or both, add "with cobbles or boulders or both" to group name.
c. $C_u = D_{60}/D_{10}$ $C_c = \frac{(D30)^2}{D_{10} \times D_{60}}$
d. If soil contains ≥15% sand, add "with sand" to group name.
e. Gravels with 5 to 12% fines require dual symbols:
   GW-GM well-graded gravel with silt
   GW-GC well-graded gravel with clay
   GP-GM poorly graded gravel with silt
   GP-GC poorly graded gravel with clay
f. If fines classify as CL-ML, use dual symbol GC-GM or SC-SM.
g. If fines are organic, add "with organic fines: to group name.
h. If soil contains ≥15% gravel, add "with gravel" to group name.
i. Sand with 5 to 12% fines require dual symbols:
   SW-SM well-graded sand with silt
   SW-SC well-graded sand with clay
   SP-SM poorly graded sand with silt
   SP-SC poorly graded sand with clay
j. If Atterberg limits plot in hatched area, soil is a CL-ML, silty clay.
k. If soil contains 10 to 29% plus No. 200, add "with sand" or "with gravel" whichever is predominant.
l. If soil contains ≥ 30% plus No. 200, predominantly sand, add "sandy" to group name.
m. If soil contains ≥ 30% plus No. 200, predominantly gravel, add "gravelly" to group name.
n. PI ≥ 4 and plots on or above "A" line.
o. PI < 4 or plots below "A" line.
p. PI plots on or above "A" lines.
q. PI plots below "A" line.



Laboratory Tests

DD	Dry density, pcf	**OC**	Organic content, %
WD	Wet density, pcg	**S**	Percent of saturation, %
MC	Natural moisture content, %	**SG**	Specific gravity
LL	Liquid limit, %	**C**	Cohesion, psf
PL	Plastic limits, %	**Ø**	Angle of internal friction
PI	Plasticity index, %	**qu**	Unconfined compressive strength, psf
P200	% passing 200 sieve	**qp**	Pocket penetrometer strength, tsf

Particle Size Identification

Boulders..... over 12"
Cobbles ..... 3" to 12"
Gravel
  Coarse ..... 3/4" to 3"
  Fine..... No. 4 to 3/4"
Sand
  Coarse ..... No. 4 to No. 10
  Medium..... No. 10 to No. 40
  Fine..... No. 40 to No. 200
Silt ..... <No. 200, PI< 4 or below "A" line
Clay ..... <No. 200, PI ≥ 4 and on or about "A" line

Relative Density of Cohesionless Soils

Very Loose..... 0 to 4 BPF
Loose..... 5 to 10 BPF
Medium dense ..... 11 to 30 PPF
Dense ..... 31 to 50 BPF
Very dense..... over 50 BPF

Consistency of Cohesive Soils

Very soft..... 0 to 1 BPF
Soft..... 2 to 3 BPF
Rather soft ..... 4 to 5 BPF
Medium..... 6 to 8 BPF
Rather stiff ..... 9 to 12 BPF
Stiff ..... 13 to 16 BPF
Very stiff..... 17 to 30 BPF
Hard..... over 30 BPF

Drilling Notes

Standard penetration test borings were advanced by 3 1/4" or 6 1/4" ID hollow-stem augers, unless noted otherwise. Jetting water was used to clean out auger prior to sampling only where indicated on logs. All samples were taken with the standard 2" OD split-tube samples, except where noted.

Power auger borings were advanced by 4" or 6" diameter continuous flight, solid-stern augers. Soil classifications and strata depths were inferred from disturbed samples augered to the surface, and are therefore, somewhat approximate.

Hand auger borings were advanced manually with a 1 1/2" or 3 1/4" diameter auger and were limited to the depth from which the auger could be manually withdrawn.

BPF: Numbers indicate blows per foot recorded in standard penetration test, also known as "N" value. The sampler was set 6" into undisturbed soil below the hollow-stem auger. Driving resistances were then counted for second and third 6" increments, and added to get BPF. Where they differed significantly, they are reported in the following form: 2/12 for the second and third 6" increments, respectively.

WH: WH indicates the sampler penetrated soil under weight of hammer and rods alone; driving not required.

WR: WR indicates the sampler penetrated soil under weight of rods alone; hammer weight, and driving not required.

TW: TW indicates thin-walled (undisturbed) tube sample.

Note: All tests were run in general accordance with applicable ASTM standards.

NOTICE OF PUBLIC HEARING
IMPROVEMENT PROJECT #18-01
THE NORTH FORTY STREET RECONSTRUCTIONS

CITY OF RAMSEY
ANOKA COUNTY
STATE OF MINNESOTA

TO WHOM IT MAY CONCERN:

Notice is hereby given that the Ramsey City Council will hold a public hearing at 7:00 p.m. on Tuesday, November 14, 2017 in the Ramsey Municipal Center Council Chambers, 7550 Sunwood Drive NW, Ramsey, MN. The purpose of the hearing is to consider Improvement Project #18-01 which proposes grading, concrete curb and gutter, bituminous pavement reclamation and paving, drainage, and miscellaneous appurtenant improvements to 163rd Lane between Armstrong Boulevard and Alpaca Street, Alpaca Street between 163rd Lane and 165th Avenue, Chameleon Street between 163rd Lane and 164th Lane, and 164th Lane from Chameleon Street to its termini cul-de-sac.

Properties abutting the improved street are proposed to be assessed per Minnesota Statutes, Sections 429.011 to 429.111, Chapter 8 of the Ramsey City Charter, and the City's adopted Special Assessments Policy. The total estimated cost of the above described project is $518,685. A reasonable estimate of the impact of the assessment, preliminarily proposed at $8,644.75 per benefitting property to be assessed over ten years with interest at two-percent above the bond interest rate, will be available at the hearing.

Written comments are welcome and shall be addressed to the Ramsey City Council, 7550 Sunwood Drive NW, Ramsey, MN 55303. Written comments will be received at the above address until 4:30 p.m. on November 14, 2017. All interested persons are invited to attend the hearing and comment on the proposed improvement project. Questions on the project and proposed assessments may be directed to City Engineer, Bruce Westby, at 763-433-9825.

The City of Ramsey complies with the Americans With Disabilities Act and upon advance request, information will be provided in an alternative form and interpreters will be available. Any person with such a request should contact Mary Jo Warner at 763-433-9820 by 4:30 p.m. on Tuesday, November 7, 2017. A TDD machine is available at the Ramsey Municipal Center; the number is 763-427-8591.

Bruce Westby, City Engineer

Dates published: October 27 and November 3, 2017

SPECIAL ASSESSMENTS POLICY AND PROCEDURES FOR PUBLIC IMPROVEMENTS AND MAINTENANCE COSTS

SECTION 1. General Policy Statement.
SECTION 2. Improvements and Maintenance Costs Eligible for Special Assessment.
SECTION 3. Initiation of Public Improvement Projects.
SECTION 4. Public Improvement Procedures.
SECTION 5. Financing of Public Improvements.
SECTION 6. General Assessment Policies.
SECTION 7. Methods of Assessment.
SECTION 8. Standards for Public Improvement Projects.
SECTION 9. Policies of Reassessment.
SECTION 10. Assessment Computations.
SECTION 11. Deferment of Assessments.

SECTION 1. GENERAL POLICY STATEMENT.

The purpose of this policy is to establish a fair and equitable manner of assessing the increase in market value (special benefit) associated with public improvements. The procedures used by the City for levying special assessments are those specified by the City Charter and Minnesota Statutes Chapter 429, which provide that all or a part of the cost of improvements may be assessed against benefiting properties.

Three basic criteria must be satisfied before a particular parcel can be assessed. The criteria are as follows:

1. The land must have received special benefit from the improvement.
2. The amount of the assessment must not exceed the special benefit.
3. The assessment must be uniform in relation to the same class of property within the assessment area.

It is important to recognize that the actual cost of extending an improvement past or through a particular parcel is not the controlling factor in determining the amount to be assessed. However, in many cases the method for assigning the value of the benefit received by the improvement, and therefore the amount to be assessed, will focus on calculating the proportionate cost of providing the improvement, provided the cost does not exceed the increase in property market value resulting from the improvement. The entire project shall be considered as a whole for the purpose of calculating and computing an assessment rate. In the event City staff has doubt as to whether the costs of the project may exceed the special benefits to the property, the City Council may obtain such appraisals as may be necessary to support the proposed assessment.

The assessment policy is intended to serve as a guide for a systematic assessment process in the City. There may be exceptions to the policy or unique circumstances or situations that may require special consideration and discretion by City staff and the City Council.

SECTION 2. IMPROVEMENTS AND MAINTENANCE COSTS ELIGIBLE FOR SPECIAL ASSESSMENT.

Subd. 1. Public improvements, and related acquisition, construction, extension, and maintenance of such improvements, authorized by Minnesota Statutes, Sections 429.021 and 459.14, subd. 7, that are eligible for special assessment within the City include the following:

1. Streets, sidewalks, pavement, curbs and gutters, including the beautification thereof.
2. Parking lots.
3. Water works systems and appurtenances, within and without the corporate limits.
4. Sanitary sewer and storm sewer systems including appurtenances, within and without the corporate limits.
5. Street boulevard trees.
6. Street lights, street lighting systems and special lighting systems.
7. Steam heating mains.
8. Parks, playgrounds, and recreational facilities, including the purchase of equipment, within or without the corporate limits.
9. Abatement of nuisances, including but not limited to, draining and filling swamps, marshes, and ponds on public and private property.
10. Dikes and other flood control works.
11. Retaining walls and area walls.
12. A pedestrian skyway system upon a petition pursuant to section 429.031, subdivision 3.
13. Underground pedestrian concourses.
14. Public malls, plazas or courtyards.
15. District heating systems.
16. Fire protection systems in existing buildings upon a petition pursuant to section 429.031, subdivision 3.
17. Highway sound barriers.
18. Gas and electric distribution facilities.

Subd. 2. The City is also authorized by ordinance adopted pursuant to Minnesota Statutes Section 429.101 to recover, through special assessment, certain costs, including the following:

1. Snow, ice, or rubbish removal from sidewalks.
2. Weed elimination from streets or private property.
3. Removal or elimination of public health or safety hazards from private property excluding any structure included under the provisions of Minnesota Statutes, sections 463.15 to 463.26.
4. Installation or repair of water service lines, street sprinkling, sweeping, or other dust treatment of streets.
5. The trimming and care of trees and the removal of unsound trees from any street.
6. The treatment and removal of insect infested or diseased trees on private property.
7. The repair of sidewalks and alleys.
8. The operation of a street lighting system.
9. The operation and maintenance of a fire protection or a pedestrian skyway system.

SECTION 3. INITIATION OF PUBLIC IMPROVEMENT PROJECTS.

Public improvement projects can be initiated in the following ways.

1. Public improvement projects may be initiated by petition of owners of not less than 50% in frontage of the property abutting the proposed improvement in accordance with the provisions of Section 8.4.2 of the City Charter.

2. Public improvements also may be initiated by the City Council when, in its judgment, such action is required and is in accordance with the provisions of Chapter 8 of the City Charter.

3. A resolution ordering any improvements initiated by the Council requires a four-fifths majority vote of all members of the Council. A resolution ordering any improvements petitioned for by owners of not less than 50% of abutting property owners requires a majority vote of all members of the Council. A resolution ordering any improvements initiated by all owners of abutting property, and assessing the entire cost against their property, may be adopted without a public hearing. The Council may consider the request of a Developer to construct the improvements and assess them.

SECTION 4. PUBLIC IMPROVEMENT PROCEDURE.

The following is the general procedure followed by the City Council for all public improvement projects from initiation of such a project through certification of the assessment roll to the County Auditor. Formats for the various reports and resolutions referenced in this section are made a part of the policies and procedures of the City**. Applicable state law and City Charter provisions take precedence over the following general procedure.**

1. Staff reviews the petition or Developer's request for submission to Council.
2. Council accepts or rejects the petition or request. If based upon a petition, the Council adopts a resolution declaring whether the required percentage of property owners signed the petition. If the petition or request is accepted, Council orders the preparation of a feasibility report.
3. Staff prepares the feasibility report. The report shall preliminarily evaluate whether the proposed improvement is necessary, cost-effective, and feasible and whether it should be made as proposed or in conjunction with another project. The report shall include an estimate of the cost of the improvement as proposed. Council may refer the report to the Planning and Zoning Commission.
4. Council accepts or rejects the feasibility report. If accepted, Council orders a public hearing on the improvements.
5. Staff posts and publishes the hearing notice and mails notices to affected property owners as provided in Minn. Stat. § 429.031(a).
6. Council conducts a public hearing.
7. Within six (6) months of the hearing date, but no sooner than sixty (60) days after per City Charter § 8.4.1, Council adopts or rejects a resolution ordering the improvement to be constructed and advertisement of bids. If adopted, staff prepares final plans, advertises for and opens bids as provided in Minn. Stat. § 429.041, prepares a bid tabulation, makes a recommendation to City Council for award, and prepares a proposed assessment roll. Bonds to finance project costs may be issued at any time after the improvements are ordered.

8. Council reviews the proposed assessment roll and orders an assessment hearing.
9. Staff publishes a hearing notice and mails notice of the hearing date and proposed assessments to the affected property owners as provided in Minn. Stat. § 429.061.
10. Council conducts the assessment hearing and adopts, revises, or rejects the resolution determining the amount of the total expense the City will pay, if any, and establishing the assessment roll. If adopted, Council authorizes certification of the assessment to the County Auditor.
11. Council awards contracts based on the bids received.
12. Staff certifies the assessment roll to the County Auditor.
13. Staff supervises construction and prepares payments.

SECTION 5. FINANCING OF PUBLIC IMPROVEMENTS.

The City encourages public improvement projects when the area benefiting and needing such improvements develop. Examples of this policy can be seen through the subdivision regulations, zoning ordinance, and building codes. Developers are required to provide the needed improvements and services before development occurs, thereby avoiding unexpected hardships on the property owners purchasing such property and the general public. However, it is recognized that certain areas of the City have developed without all needed public improvements (e.g. parks, water, sewer, and street improvements) and that methods must be found to provide these improvements without causing undue hardships on the general public or the individual property owners.

Special assessments are generally accepted as a means by which areas can obtain improvements or services; however, the method of financing assessment is a critical factor to both the City and the property owner. Full project costs spread over a very short term can cause an undue hardship on the property owner and, likewise, city costs and systems costs spread over a long period of time can cause an undue hardship on the City.

It is the policy of the City to not defer assessments except in cases where hardship to senior citizens 65 years of age or older, or persons retired by virtue of a permanent and total disability, would result. Also, the City Council may elect to defer assessments on undeveloped land for a specified length of time or until the lands are developed. Terms and conditions of any such deferral will be established in the resolution adopting the assessments.

SECTION 6. GENERAL ASSESSMENT POLICIES APPLICABLE TO ALL TYPES OF IMPROVEMENTS.

The cost of any improvement shall be assessed based upon benefits received. The following general principles shall be used as a basis of the City's assessment policy:

1. **Project Cost.** The "project cost" of an improvement includes the costs of all necessary construction work required to accomplish the improvement (direct costs), plus engineering, legal, administrative, financing and other contingent costs, including acquisition of right-of-way and other property (indirect costs). The finance charges include all costs of financing the project. These costs include, but are not limited to, financial consultant's fees, bond rating agency fee, bond attorney's fees, and capitalized interest. The interest charged to the project shall be included as financing charges.

2. **City Cost.** The "city cost" of an improvement is the amount of the total improvement expense the City will pay as determined by Council resolution. Where the project cost of an improvement is not entirely attributed to the need for service to the area served by the improvement, or where unusual conditions beyond the control of the owners of the property in the area served by the improvement would result in an inequitable distribution of special assessments, or for any other reason determined by the City, the City, through the use of other funds, may pay such "city cost."
3. **Assessable Cost.** The "assessable cost" of an improvement is equal to the "project cost" minus the "city cost."
4. **Interest.** The City will charge interest on special assessments at a rate specified in the resolution approving the assessment roll. If bonds were sold to finance the improvement project, the interest rate shall be equal to the interest rate of the bonds plus 2% (2% above bond rate), rounded to the nearest quarter of a percent. If no bonds were sold, the interest rate shall be set at the U.S. Treasury rate (10-year for 10 year assessment; 15-Year for 15 year assessment) plus 2 percentage points.
5. **Prepayment.** Property owners may pay their assessments in full, interest free, for a period of 30 days after the assessment hearing. After such period interest shall be computed from the date specified in the assessment resolution. The City will transmit a certified duplicate of the assessment roll with each installment, including interest, to the County Auditor, or in lieu of such certification, annually certify to the County Auditor by November 30 in each year, the total amount of installments of and interest on assessments on each parcel that are to become due in the following year.
6. **Extensions.** Where an improvement is designed for service of an area beyond that receiving the initial benefit, the City may pay for increased project costs due to such provisions for future service extensions. The City will levy assessments to cover this cost when a new improvement is installed as an extension of the existing improvement upon identification of such additional amount in the notice of hearing for the extensions or new improvements. As an alternative, the City may assess these costs to the area of future extension immediately based on the value of benefit received.
7. **Project Assistance.** If the City receives financial assistance from the Federal Government, the State of Minnesota, the County, or from any other source to defray a portion of the costs of a given improvement, such aid will be used first to reduce the "city cost" of the improvement. If the financial assistance received is greater than the "city cost," the remainder of the aid will be placed in the Public Improvement Revolving Fund to be applied towards other City projects.
8. **Assessable Property.** Property owned by the City and other political subdivisions including municipal building sites, parks and playgrounds, but not including public streets, alleys, and right-of-way, shall be regarded as being assessable on the same basis as if such property was privately owned. Private right-of-way shall be assessable.
9. **Individual Benefits.** The City may construct improvements specifically designed for or shown to be of benefit solely to one or more properties. The costs for these improvements will be assessed directly to such properties, and not included in the assessments for the remainder of the project. An example would be utility service lines running from the main lines to the property.
10. **Benefit Appraisals.** In the event that City staff has doubt as to whether the proposed assessments exceed the special benefits to the property(ies) in question, the City Council may order benefit appraisals or benefit appraisal consultations as deemed necessary to support the proposed assessments. As a general rule, benefit appraisals or benefit appraisal consultations may be ordered when the proposed assessment exceeds $5,000 for a standard city street

reconstruction project on a residential lot, or $20,000 per acre for commercial or industrial property.

11. **Condemnation Awards.** A property owner may elect to offset special assessments against condemnation awards. In such case, the property owner must execute an agreement (Net Assessment Agreement) with the City.
12. **Subgrade Corrections.** All costs relative to subgrade soil corrections deemed necessary to construct or reconstruct City streets will be considered a "city cost" and will not be assessed.
13. **Rural to Urban Conversion.** All costs relative to converting an existing rural street section to an urban street section by filling roadside drainage ditches and adding curb and gutter and storm sewer will be considered a "city cost" and will not be assessed.
14. **Oversizing.** All costs relative to oversizing an existing City street by increasing the width of the street and/or the load carrying capacity of the pavement section will be considered a "city cost" and will not be assessed.

SECTION 7. METHODS OF ASSESSMENT.

Subd. 1. General Statement. There are three different methods of assessment: adjusted front footage, area, and per lot. The feasibility report will recommend one or a combination of these methods for each project, based upon which method would best reflect the benefit received for the area to be assessed. The City Council will select the preferred method of calculating the assessments along with other applicable assessment criteria.

Subd. 2. Policy Statement. The following methods of assessment, as described and defined below, are hereby established as the preferred methods of assessment in the City.

A. "Adjusted Front Footage" Method of Assessment.

The "adjusted front footage" method of assessment is based on the quotient of the "assessable cost" divided by the total assessable frontage benefiting from the improvement. This method is typically applied to commercial, industrial, and multi-family residential properties. For the purpose of determining the "assessable frontage," all properties, including those owned by governmental entities, shall have their frontages included in such calculation.

The actual physical dimensions of a parcel abutting an improvement (i.e., street, sewer, water, etc.) shall not be construed as the frontage utilized to calculate the assessment for a particular parcel. Rather, an "adjusted front footage" will be determined. The purpose of this method is to equalize assessment calculations for lots of similar size. Individual parcels by their very nature differ considerably in shape and area. The following procedures will apply when calculating adjusted front footage. The selection of the appropriate procedure will be determined by the specified configuration of the parcel. All measurements will be scaled from available plat and section maps and will be rounded down to the nearest foot dimension with any excess fraction deleted.

1. *Rectangular Interior Lots.* The rectangular lot is defined as having no more than 2 feet of difference between the front and rear lot lines. The adjusted front footage is the actual front footage of the lot. For rectangular lots whose frontage is greater than its depth, the "odd shaped lot" method shall be used.

2. *Odd Shaped Lots.* For odd shaped lots such as exist on cul-de-sacs and curved streets where there is more than 2 feet of difference between the front and rear lot lines, and where the lots frontage is greater than its depth, the "odd shaped lot" method of determining the adjusted front footage shall be used. The adjusted front footage shall be computed by dividing the area of the lot by 12,000 square feet to determine the equivalent number of front footage units in the parcel. The number of units multiplied by 65 feet will give the adjusted front footage.

3. *Corner Lot Adjustment.* For street and trail assessments, the short side will be assessed the actual front footage. The long side will be assessed one-half the actual side footage. Sanitary sewer and watermain will only be assessed on the short side of a corner lot.

4. *Zonal Assessment.* When the street along the long side of a corner lot is improved, the cost shall be assessed equally to all lots within ½ block in each direction of the street improved. This method may be selected rather than the "corner lot adjustment".

5. *Double Fronting Lots.* When a lot has frontage on two streets, the lot is subject to assessments for improvements to both streets, consistent with this policy, regardless of the timing of the improvements.

B. "Area" Method of Assessment.

The "area" method of assessment is based on the number of square feet or acres within the boundaries of the appropriate property lines of the parcels benefiting from the project. This method is most often applied to commercial and industrial lots. The assessment rate (i.e., cost per square foot) shall be calculated by dividing the total assessable cost by the total assessable area. On large lots, the City Engineer may determine that only a portion of the lots receives the benefit and may select a lot depth for the calculations equal to the benefit received.

All properties included in the benefited area, including those owned by governmental entities, churches, etc., shall be assessable. The following items may not be included in area calculations: public right-of-ways, and natural waterways, swamps and lakes and other wetlands designated by the Minnesota Department of Natural Resources or the City. The City Engineer will make a recommendation on the boundaries or parameters of the benefited area in the feasibility report.

C. "Per Lot" Method of Assessment.

The "per lot" method of assessment is based on equal assessment of all lots within the benefited area. This method is typically applied to single-family residential lots with similar sizes and configurations. The "assessment per lot" shall be the quotient of the "assessable cost" divided by the total assessable lots or parcels benefiting from the improvement. For the purpose of determining the "lots" or "parcels" all parcels, including those owned by governmental entities, shall be included in such calculations.

SECTION 8. STANDARDS FOR PUBLIC IMPROVEMENT PROJECTS.

The following standards are hereby established by the City to provide a uniform guide for improvements within the City.

A. Surface Improvements

Surface improvements shall normally include all improvements visible on or above the ground within the right-of-way, and include, but are not limited to, trees, lighting, sidewalks, trails, signing, street and accessory improvements such as drainage ponds and facilities, parking lots, parks and playgrounds. Surface improvements shall also normally include aggregate or granular base materials for bituminous and concrete pavements.

Policy Statement. Prior to construction or completion of surface improvements, all utilities and utility service lines (including sanitary sewers, storm sewers, water lines, gas and electric service) shall be installed to all planned service locations such as residences or buildings.

When practicable, no surface improvements to less than both sides of a full block of street shall be approved except as necessary to complete partially completed improvements initiated previously. Concrete or bituminous curbing, or concrete curb and gutter, shall be installed at the same time as street surfacing.

B. Sub-Surface Improvements

Sub-surface improvements shall normally include such items as water distribution, sanitary sewer and storm sewer lines and appurtenant infrastructure, and electric and gas utilities.

Main lines are the publicly owned and maintained lines or facilities such as trunk lines, interceptors, mains, and laterals. Service lines are those privately owned lines or facilities extending from the main line to the property line.

Policy Statement. Sub-surface improvements shall be made to serve current and projected land use. All installations shall conform to applicable standards established by local, state and/or federal agencies of competent jurisdiction. All installations shall also comply, to the maximum extent feasible, with nationally recognized standards such as those of the American Insurance Association.

Service lines from the lateral or trunk utility to the property line of all planned service locations such as residences or buildings on properties whose owner has requested service shall be installed in conjunction with the construction of the mains.

C. Subgrade Improvements

Subgrade improvements shall normally include such items as subgrade corrections (removing layers/pockets of unsuitable soils and replacing them with aggregate base, select granular material, or other more suitable soils) and installation of geotextile fabrics.

Policy Statement. Prior to construction or completion of subgrade improvements, all utilities and utility service lines (including sanitary sewers, storm sewers, water lines, gas and electric service) shall be installed to all planned service locations such as residences or buildings.

SECTION 9. POLICIES OF REASSESSMENT.

The City shall design public improvements to last for a definite period. The life expectancy or service life shall be as stated in the policy statement of this section, or if different, shall be as stated in the resolution ordering improvement and preparation of plans.

Policy Statement

The following are the "life expectancies" or "service lives" of public improvements except as may be otherwise stated in the resolution ordering improvement and preparation of plans.

1. Sidewalks and Trails – 30 years.
2. Street improvements, including surfacing and curb and gutter – 60 years.
3. Ornamental street lighting – 30 years.
4. Water Mains – 60 years.
5. Sanitary Sewers – 60 years.
6. Storm Sewers – 60 years.

SECTION 10. ASSESSMENT COMPUTATIONS.

The following is the typical city assessment for various specified improvements. The City Council reserves the right to vary from the following computations when conditions warrant. All computations are subject to the criteria set forth in Section 1.

A. Street and Curb and Gutter Improvements

1. ***New Construction.*** New streets are assessed 100% to the abutting benefited properties. Street and curb and gutter improvements will normally be assessed by the adjusted front footage method for commercial, industrial and multi-family residential properties, or by the per lot method for single-family residential properties, however other methods including the area method may be utilized if conditions warrant. Cost of construction of streets shall be assessed based on the minimum design of 7-ton axle load in residential areas and 9-ton axle load in commercial and industrial areas. Oversizing costs that are incurred in excess of the above may be paid by: (1) State funds, (2) larger assessment rates to other benefited properties, (3) general obligation funds, or (4) any other method or combination of methods authorized by the City Council.
2. ***Reconstruction and Overlays.*** Street reconstructions and overlays, including the associated removal and replacement of curb and gutter, are assessed 25% to the abutting benefited properties or as otherwise determined by Council ordered benefit appraisals.
3. ***Gravel Streets.*** Upgrading existing gravel streets by adding pavement, curb and gutter, and storm sewer are assessed 50% to the abutting benefited properties or as otherwise determined by Council ordered benefit appraisals.
4. ***Seal Coats.*** Sealcoats are not assessed.
5. ***Alleys.*** Upgrading existing gravel alleys by adding pavement is assessed 50% to all lots abutting on the alley in the block being improved or as otherwise determined by Council ordered benefit appraisals. Reconstructing existing paved alleys is 25% assessed to all lots abutting on the alley or as otherwise determined by Council ordered benefit appraisals.

B. Sidewalks and Trails

1. ***New Construction.*** New sidewalks and trails are not assessed to the abutting property on which the sidewalk is located, but rather are funded 100% by the City. In new subdivisions, the City will require the developer to finance sidewalk and trail improvements rather than assessing the cost.
2. ***Reconstruction.*** Replacement sidewalks are assessed 25% to the abutting property owner and 75% City funded.

C. Storm Sewer Improvements

Storm sewers are assessed on a project-by-project basis. Storm sewers in new subdivisions are considered an assessable improvement on an area basis.

Oversizing costs due to larger mains and larger appurtenances are paid for by a combination of availability charges, user charges and/or trunk area assessment charges. Trunk area storm sewer charges are levied to all unplatted property at the time of platting, to re-plats that have not been charged trunk area charges when the land was originally platted, and to re-plats that have been charged trunk area charges when the land was originally platted but where the use is increasing (only the cost difference based on current and prior use is charged). The charges will be set in the annual fee schedule approved by the City Council.

Normally, storm sewers are assessed on an area basis (square foot or acres), but in certain situations the per lot method or adjusted front footage method may be utilized at the City Council's discretion.

The replacement of existing storm sewers is paid for entirely through the Stormwater Utility Fund.

D. Sanitary Sewer Assessments

Assessments for sanitary sewer in residential areas are based upon the cost of construction of 8-inch mains, which is the smallest size installed in residential areas of the City. Assessments for sanitary sewers in commercial and industrial areas are based upon a standard size of 12-inch mains. Sanitary sewer assessments must conform to Chapter 8 of the City Charter.

Oversizing costs due to larger mains and larger appurtenances will be paid for by a combination of availability charges, user charges and/or trunk area assessment charges. Trunk area sanitary sewer charges shall be levied on all un-platted property at the time of platting and on re-plats that have not been charged trunk area charges when the land was originally platted. The charges will be set in the annual fee schedule approved by the City Council. Services installed to individual properties are assessed to the benefiting property as allowed under Chapter 8 of the City Charter.

Normally, sanitary sewers are assessed on an area basis (square foot or acres), but in certain situations the per lot method or adjusted front footage method may be utilized at the City Council's discretion.

Lateral benefit from major trunk sewers or interceptors is assessed to the properties benefited by the sewer. Any oversizing cost is assessed as described above.

The replacement of existing sewers is funded entirely by the City through the sewer enterprise funds.

Individual sanitary sewer service lines installed directly to specified properties are fully assessed directly to the benefited properties. Properties that have existing private sanitary services, but do not have mainline sewers adjacent to, across or abutting their property lines pay 0% of the assessment rate for the new mainline sanitary sewer, and 100% of the cost associated with replacing the service lines.

Any existing sanitary sewer service lines found to be defective as part of a project are replaced as part of the project and are assessed to the benefiting property as allowed under Chapter 8 of the City Charter.

Property owners electing to connect to City sewer during street reconstruction projects will receive a credit to offset those costs that would have been incurred by the City to reconstruct the street and boulevard after connecting to City sewer if the street were not being reconstructed. The amount of the credit will be set in the annual fee schedule approved by the City Council. Connecting to City sewer requires a City water connection.

E. Watermain Assessments

Assessments for watermains in residential areas are based upon the cost of construction of 8-inch mains, which is the smallest size installed in residential areas of the City. Assessments for watermains in commercial and industrial areas are based upon the standard size of 12-inch mains. Watermain assessments must conform to Chapter 8 of the City Charter.

Oversizing costs due to larger mains and larger appurtenances are paid for by a combination of availability charges, user charges and/or trunk area assessment charges. Trunk area water charges shall be levied on all un-platted property at the time of platting and on re-plats that have not been charged trunk area charges when the land was originally platted. The charges will be set in the annual fee schedule approved by the City Council. Services installed to individual properties shall be fully assessed to the benefiting property.

Normally, watermains are assessed on a per lot basis, but in certain situations the area or adjusted front footage method may be utilized at the City Council's discretion.

The replacement of existing watermains is funded entirely by the City through the water enterprise funds.

Lateral benefit from major trunk watermains is assessed to properties benefited by the watermain. Lateral watermain assessments are based on the costs for an equivalent 8-inch diameter watermain for residential properties and for an equivalent 12-inch diameter watermain for commercial/industrial properties.

Individual water service lines installed directly to specified properties are fully assessed directly to the benefited properties. Properties that have existing private water services, but do not have

mainline watermains adjacent to, across or abutting their property lines pay 0% of the assessment rate for the new watermain but 100% of the cost associated with replacing their service lines.

Any existing water service lines found to be defective as part of the project, are replaced as part of the project and are assessed directly to the benefiting property as allowed under Chapter 8 of the City Charter.

Property owners electing to connect to City water during street reconstruction projects will receive a credit to offset those costs that would have been incurred by the City to reconstruct the street and boulevard after connecting to City water if the street were not being reconstructed. The amount of the credit will be set in the annual fee schedule approved by the City Council.

F. Street Boulevard Trees

All street boulevard trees installed as part of new street constructions or in reconstructing existing streets shall be included as part of the overall project costs included in the assessment calculations.

G. Street Lights

All costs for new streetlights installed as part of constructing new streets or streetlights relocated as part of reconstructing streets are included in the overall project costs and included in the assessment calculations, unless otherwise directed by the City Council. In new subdivisions, the City will require the developer to finance street light improvements rather than assessing the cost.

H. Other Improvements

Based on the City Council's determination, any other eligible improvements may be fully assessed or assessed in part.

SECTION 11. DEFERMENT OF SPECIAL ASSESSMENTS.

Subd. 1. The Council may defer the payment of any special assessment on homestead property owned by a person who is 65 years of age or older, or who is retired by virtue of permanent and total disability, and the City Clerk is hereby authorized to record the deferment of special assessments where all of the following conditions are met:

1. The applicant must apply for the deferment not later than 90 days after the assessment is adopted by the City Council.
2. The applicant must be 65 years of age or older or retired by virtue of permanent and total disability at the time the assessment is adopted.
3. The applicant must be the owner of the property.
4. The applicant must occupy the property as his or her principal place of residence.
5. The average annual payment for assessments levied against the subject property exceed one percent of the adjusted gross income of the applicant as evidenced by the applicant's most recent federal income tax return. The average annual payment of an assessment shall be the total cost of the assessment divided by the number of years over which it is spread.

Subd. 2. The deferment shall be granted for as long a period of time as the hardship exists and the conditions in subdivision 1 remain true. It shall be the duty of the applicant to notify the City Clerk of any change in his or her status that would affect eligibility for deferment.

Subd. 3. The entire amount of deferred special assessments shall be due within sixty days after loss of eligibility by the applicant. If the special assessment is not paid within the sixty (60) days, the City Clerk shall add thereto interest accruing from the first date the applicant loses eligibility at the rate as defined in section 6.4 and the total amount of principal and interest shall be certified to the County Auditor for collection with taxes the following year. Should the applicant demonstrate to the satisfaction of the Council, that full repayment of the deferred special assessment would cause the applicant particular undue financial hardship, the Council may order that the applicant pay within sixty days a sum equal to the number of installments of deferred special assessments outstanding and unpaid to date, including principal and interest, with the balance thereafter paid according to the terms and conditions of the original special assessments.

Subd. 4. The option to defer the payment of special assessments shall terminate and all amounts accumulated plus applicable interest shall become due upon the occurrence of any one of the following:

1. The death of the owner when there is no spouse who is eligible for deferment.
2. The sale, transfer or subdivision of all or any part of the property.
3. Loss of homestead status on the property.
4. Determination by the Council for any reason that immediate or partial payment would impose no hardship.

State Law References(s): Minn. Stat. § 435.193, Senior Citizens or retired & disabled persons hardship special assessment deferral.

*Original Adoption: 12/9/14 by Resolution #14-12-250
*Amended: 1/13/15 by Resolution #15-01-016 – *Section 6 - #4 Interest to reflect interest rate on bonded projects*

CHAPTER 429

LOCAL IMPROVEMENTS, SPECIAL ASSESSMENTS

429.011 DEFINITIONS.
429.021 LOCAL IMPROVEMENTS, COUNCIL POWERS.
429.031 PRELIMINARY PLANS, HEARINGS.
429.035 IMPROVEMENTS, PETITION.
429.036 APPEAL FROM DETERMINATION OF LEGALITY OF PETITION.
429.041 COUNCIL PROCEDURE.
429.051 APPORTIONMENT OF COST.
429.052 STREET OR ROAD IMPROVEMENTS OUTSIDE MUNICIPAL BOUNDARIES.
429.061 ASSESSMENT PROCEDURE.
429.071 SUPPLEMENTAL ASSESSMENTS; REASSESSMENT.
429.081 APPEAL TO DISTRICT COURT.
429.091 FINANCING.
429.101 UNPAID SPECIAL CHARGES MAY BE SPECIAL ASSESSMENTS.
429.111 CHARTER PROVISIONS, EFFECT.

429.01 [Repealed, 1953 c 398 s 13 subd 1]

429.011 DEFINITIONS.

Subdivision 1. **Application.** For the purpose of this chapter the terms defined in this section shall have the meanings ascribed to them.

Subd. 2. **Municipality; certain cities and towns.** "Municipality" means any city of the second, third, or fourth class however organized, or any statutory city or any town as defined in section 368.01.

Subd. 2a. **Municipality; certain counties.** "Municipality" also includes the following:

(1) a county in the case of construction, reconstruction, or improvement of a county state-aid highway;

(2) a county in the case of construction, reconstruction, or improvement of a county highway as defined in section 160.02 including curbs and gutters and storm sewers;

(3) a county exercising its powers and duties under section 444.075, subdivision 1;

(4) a county for expenses not paid for under section 403.113, subdivision 3, paragraph (b), clause (3);

(5) a county in the case of the abatement of nuisances; and

(6) a county operating an energy improvements financing program under section 216C.436.

Subd. 2b. **Municipality; certain towns.** "Municipality" also includes any town not having the powers granted herein pursuant to any other law in the case of construction, reconstruction or improvement of a town road including curbs and gutters and storm sewers and in the case of those improvements designated in section 429.021, subdivision 1, clauses (1), (2), (4), (5), (6), (7), (8), and (10).

Subd. 3. **Council.** "Council" means the body of the city having general legislative powers, the town board of the town, or the county board of a county.

Subd. 4. **Clerk.** "Clerk" means the chief clerical officer of the municipality.

Subd. 5. **Improvement.** "Improvement" means any type of improvement made under authority granted by section 429.021, and in the case of a county is limited to the construction, reconstruction, or improvement of a county state-aid highway or county highway including curbs and gutters and storm sewers, and to the purchase, installation, or maintenance of signs, posts, and markers for addressing related to the operation of enhanced 911 telephone service.

Copyright © 2017 by the Revisor of Statutes, State of Minnesota. All Rights Reserved.

Subd. 6. **Newspaper.** "Newspaper" means the official newspaper of the municipality, or if there is no official newspaper, a legal newspaper of general circulation in the municipality.

Subd. 7. **Street.** "Street" means any street, alley, or other public way, or any part thereof.

Subd. 8. **Utilities commission.** "Utilities commission" means the municipal board or commission, other than the council, which exercises any authority or control over the operation of any municipally owned public utility.

Subd. 9. **Pedestrian skyway system.** "Pedestrian skyway system" means any system of providing for pedestrian traffic circulation, mechanical or otherwise, elevated above ground, within and without the public right-of-way, and through or above private property and buildings, and includes overpasses, bridges, passageways, walkways, concourses, hallways, corridors, arcades, courts, plazas, elevators, escalators, heated canopies, and accesses and all fixtures, furniture, equipment, facilities, services, and appurtenances which in the judgment of the council will enhance the movement, safety, security, convenience and enjoyment of pedestrians and benefit the city and adjoining properties.

Subd. 10. **Underground pedestrian concourse.** "Underground pedestrian concourse" means any system of providing for pedestrian traffic circulation, mechanical or otherwise, below ground, within and without the public right-of-way, and through or below private property, and includes tunnels, passageways, walkways, concourses, hallways, corridors, arcades, plazas, elevators, escalators, heated canopies, and accesses and all fixtures, furniture, equipment, facilities, and appurtenances which in the judgment of the council will enhance the movement, safety, security, convenience and enjoyment of pedestrians and benefit the city and adjoining properties.

Subd. 11. **Special lighting system.** "Special lighting system" means lights or light displays of any type located within or without the public right-of-way.

Subd. 12. **Acquire.** "Acquire" includes, but is not limited to, the obtaining by purchase, condemnation, or leasing rights or interests in the areas above or below the surface of the ground of real property or structures or improvements thereon.

Subd. 13. **Public mall, plaza, or courtyard.** "Public mall, plaza, or courtyard" means any wholly or partly opened or enclosed public area adjacent to or attached to a wall, fence, commercial structure, hotel, or any other building and designed as a place for passive recreation, public entertainment, exhibition and education, or a pedestrian walk.

Subd. 14. **Fire protection system.** "Fire protection system" means pipes, standpipes, sprinklers, control systems and other devices and equipment installed in or outside a building for the primary purpose of eliminating or reducing the spread of fire in the building or providing for safe evacuation of the building, whether the devices and equipment are publicly or privately owned.

Subd. 15. **Highway sound barriers.** "Highway sound barriers" means sound abatement walls erected along highways to reduce noise levels attributable to vehicular traffic.

Subd. 16. **On-site water contaminant improvements.** "On-site water contaminant improvements" means pipes, wells, and other devices and equipment installed in or outside a building for the primary purpose of eliminating water contamination caused by lead or other toxic or health threatening substances in the water, whether the improvements so installed are publicly or privately owned.

History: *1953 c 398 s 1; 1961 c 338 s 1; 1969 c 741 s 1-3; 1971 c 617 s 1-4; 1973 c 123 art 5 s 7; 1973 c 636 s 1; 1973 c 702 s 22; 1974 c 233 s 1; 1976 c 147 s 1; 1978 c 634 s 1,2; 1979 c 330 s 1; 1983 c 9 s 1;*

Copyright © 2017 by the Revisor of Statutes, State of Minnesota. All Rights Reserved.

1984 c 478 s 1; 1984 c 591 s 1; 1986 c 315 s 1; 1987 c 138 s 1; 1988 c 564 s 1; 1994 c 614 s 5; 2000 c 490 art 5 s 29,30; 2009 c 88 art 2 s 31; 2010 c 389 art 7 s 4

429.02 [Repealed, 1953 c 398 s 13 subd 1]

429.021 LOCAL IMPROVEMENTS, COUNCIL POWERS.

Subdivision 1. **Improvements authorized.** The council of a municipality shall have power to make the following improvements:

(1) To acquire, open, and widen any street, and to improve the same by constructing, reconstructing, and maintaining sidewalks, pavement, gutters, curbs, and vehicle parking strips of any material, or by grading, graveling, oiling, or otherwise improving the same, including the beautification thereof and including storm sewers or other street drainage and connections from sewer, water, or similar mains to curb lines.

(2) To acquire, develop, construct, reconstruct, extend, and maintain storm and sanitary sewers and systems, including outlets, holding areas and ponds, treatment plants, pumps, lift stations, service connections, and other appurtenances of a sewer system, within and without the corporate limits.

(3) To construct, reconstruct, extend, and maintain steam heating mains.

(4) To install, replace, extend, and maintain street lights and street lighting systems and special lighting systems.

(5) To acquire, improve, construct, reconstruct, extend, and maintain water works systems, including mains, valves, hydrants, service connections, wells, pumps, reservoirs, tanks, treatment plants, and other appurtenances of a water works system, within and without the corporate limits.

(6) To acquire, improve and equip parks, open space areas, playgrounds, and recreational facilities within or without the corporate limits.

(7) To plant trees on streets and provide for their trimming, care, and removal.

(8) To abate nuisances and to drain swamps, marshes, and ponds on public or private property and to fill the same.

(9) To construct, reconstruct, extend, and maintain dikes and other flood control works.

(10) To construct, reconstruct, extend, and maintain retaining walls and area walls.

(11) To acquire, construct, reconstruct, improve, alter, extend, operate, maintain, and promote a pedestrian skyway system. Such improvement may be made upon a petition pursuant to section 429.031, subdivision 3.

(12) To acquire, construct, reconstruct, extend, operate, maintain, and promote underground pedestrian concourses.

(13) To acquire, construct, improve, alter, extend, operate, maintain, and promote public malls, plazas or courtyards.

(14) To construct, reconstruct, extend, and maintain district heating systems.

(15) To construct, reconstruct, alter, extend, operate, maintain, and promote fire protection systems in existing buildings, but only upon a petition pursuant to section 429.031, subdivision 3.

Copyright © 2017 by the Revisor of Statutes, State of Minnesota. All Rights Reserved.

(16) To acquire, construct, reconstruct, improve, alter, extend, and maintain highway sound barriers.

(17) To improve, construct, reconstruct, extend, and maintain gas and electric distribution facilities owned by a municipal gas or electric utility.

(18) To purchase, install, and maintain signs, posts, and other markers for addressing related to the operation of enhanced 911 telephone service.

(19) To improve, construct, extend, and maintain facilities for Internet access and other communications purposes, if the council finds that:

(i) the facilities are necessary to make available Internet access or other communications services that are not and will not be available through other providers or the private market in the reasonably foreseeable future; and

(ii) the service to be provided by the facilities will not compete with service provided by private entities.

(20) To assess affected property owners for all or a portion of the costs agreed to with an electric utility, telecommunications carrier, or cable system operator to bury or alter a new or existing distribution system within the public right-of-way that exceeds the utility's design and construction standards, or those set by law, tariff, or franchise, but only upon petition under section 429.031, subdivision 3.

(21) To assess affected property owners for repayment of voluntary energy improvement financings under section 216C.436, subdivision 7.

Subd. 2. **Combining improvements.** An improvement on two or more streets or two or more types of improvement in or on the same street or streets or different streets may be included in one proceeding and conducted as one improvement.

Subd. 3. **Relation to charter and other laws.** When any portion of the cost of an improvement is defrayed by special assessments, the procedure prescribed in this chapter shall be followed unless the council determines to proceed under charter provisions; but this chapter does not prescribe the procedure to be followed by a municipality in making improvements financed without the use of special assessments.

If the council determines to proceed under charter provisions for special assessments, such provisions shall be deemed to include a requirement that notices of proposed assessments inform property owners of the procedures they must follow under the charter in order to appeal the assessments to district court. The notices shall also inform property owners of the provisions of sections 435.193 to 435.195 and the existence of any deferment procedure established pursuant thereto in the municipality.

Charter provisions shall also be deemed to require that when the council determines to make any improvement, it shall let the contract for all or part of the work, or order all or part of the work done by day labor or otherwise as may be authorized by the charter, no later than one year after the adoption of the resolution ordering such improvement, unless a different time limit is specifically stated in the resolution ordering the improvement.

History: *1953 c 398 s 2; 1965 c 877 s 1; 1971 c 617 s 5; 1973 c 201 s 1; 1974 c 233 s 2; 1974 c 314 s 1; 1976 c 195 s 1; 1978 c 518 s 1; 1979 c 330 s 2; 1981 c 334 s 5; 1984 c 548 s 4; 1984 c 582 s 3; 1984 c 591 s 2; 1984 c 633 s 2; 1987 c 138 s 2; 1997 c 219 s 5; 2000 c 490 art 5 s 31; 2000 c 493 s 5; 2005 c 67 s 1; 2010 c 216 s 21*

429.03 [Repealed, 1953 c 398 s 13 subd 1]

Copyright © 2017 by the Revisor of Statutes, State of Minnesota. All Rights Reserved.

429.031 PRELIMINARY PLANS, HEARINGS.

Subdivision 1. **Preparation of plans, notice of hearing.** (a) Before the municipality awards a contract for an improvement or orders it made by day labor, or before the municipality may assess any portion of the cost of an improvement to be made under a cooperative agreement with the state or another political subdivision for sharing the cost of making the improvement, the council shall hold a public hearing on the proposed improvement following two publications in the newspaper of a notice stating the time and place of the hearing, the general nature of the improvement, the estimated cost, and the area proposed to be assessed. The two publications must be a week apart, and the hearing must be at least three days after the second publication. Not less than ten days before the hearing, notice of the hearing must also be mailed to the owner of each parcel within the area proposed to be assessed and must contain a statement that a reasonable estimate of the impact of the assessment will be available at the hearing, but failure to give mailed notice or any defects in the notice does not invalidate the proceedings. For the purpose of giving mailed notice, owners are those shown as owners on the records of the county auditor or, in any county where tax statements are mailed by the county treasurer, on the records of the county treasurer; but other appropriate records may be used for this purpose. For properties that are tax exempt or subject to taxation on a gross earnings basis and are not listed on the records of the county auditor or the county treasurer, the owners may be ascertained by any practicable means, and mailed notice must be given them as provided in this subdivision.

(b) Before the adoption of a resolution ordering the improvement, the council shall secure from the city engineer or some other competent person of its selection a report advising it in a preliminary way as to whether the proposed improvement is necessary, cost-effective, and feasible and as to whether it should best be made as proposed or in connection with some other improvement. The report must also include the estimated cost of the improvement as recommended. A reasonable estimate of the total amount to be assessed, and a description of the methodology used to calculate individual assessments for affected parcels, must be available at the hearing. No error or omission in the report invalidates the proceeding unless it materially prejudices the interests of an owner.

(c) If the report is not prepared by an employee of a municipality, the compensation for preparing the report under this subdivision must be based on the following factors:

(1) the time and labor required;

(2) the experience and knowledge of the preparer;

(3) the complexity and novelty of the problems involved; and

(4) the extent of the responsibilities assumed.

(d) The compensation must not be based primarily on a percentage of the estimated cost of the improvement.

(e) The council may also take other steps prior to the hearing, including, among other things, the preparation of plans and specifications and the advertisement for bids that will in its judgment provide helpful information in determining the desirability and feasibility of the improvement.

(f) The hearing may be adjourned from time to time, and a resolution ordering the improvement may be adopted at any time within six months after the date of the hearing by vote of a majority of all members of the council when the improvement has been petitioned for by the owners of not less than 35 percent in frontage of the real property abutting on the streets named in the petition as the location of the improvement. When there has been no such petition, the resolution may be adopted only by vote of four-fifths of all members of the council; provided that if the mayor of the municipality is a member of the council but has

Copyright © 2017 by the Revisor of Statutes, State of Minnesota. All Rights Reserved.

no vote or votes only in case of a tie, the mayor is not deemed to be a member for the purpose of determining a four-fifths majority vote.

(g) The resolution ordering the improvement may reduce, but not increase, the extent of the improvement as stated in the notice of hearing.

Subd. 2. **Approval by park board or utilities commission.** A resolution ordering a park improvement may be adopted only by a four-fifths vote of the council and shall also be approved by the park board, if there is one; provided, that if the mayor of the municipality is a member of the council but has no vote or votes only in case of a tie, the mayor shall not be deemed to be a member for the purpose of determining such four-fifths majority vote. A resolution ordering an improvement of the water, sewer, steam heating, street lighting or other facility over which a utilities commission has jurisdiction shall also be approved by the utilities commission.

Subd. 3. **Petition by all owners.** Whenever all owners of real property abutting upon any street named as the location of any improvement shall petition the council to construct the improvement and to assess the entire cost against their property, the council may, without a public hearing, adopt a resolution determining such fact and ordering the improvement. The validity of the resolution shall not be questioned by any taxpayer or property owner or the municipality unless an action for that purpose is commenced within 30 days after adoption of the resolution as provided in section 429.036. Nothing herein prevents any property owner from questioning the amount or validity of the special assessment against the owner's property pursuant to section 429.081. In the case of a petition for the municipality to own and install a fire protection system, a pedestrian skyway system, or on-site water contaminant improvements, the petition must contain or be accompanied by an undertaking satisfactory to the city by the petitioner that the petitioner will grant the municipality the necessary property interest in the building to permit the city to enter upon the property and the building to construct, maintain, and operate the fire protection system, pedestrian skyway system, or on-site water contaminant improvements. In the case of a petition for the installation of a privately owned fire protection system, a privately owned pedestrian skyway system, or privately owned on-site water contaminant improvements, the petition shall contain the plans and specifications for the improvement, the estimated cost of the improvement and a statement indicating whether the city or the owner will contract for the construction of the improvement. If the owner is contracting for the construction of the improvement, the city shall not approve the petition until it has reviewed and approved the plans, specifications, and cost estimates contained in the petition. The construction cost financed under section 429.091 shall not exceed the amount of the cost estimate contained in the petition. In the case of a petition for the installation of a fire protection system, a pedestrian skyway system, or on-site water contaminant improvements, the petitioner may request abandonment of the improvement at any time after it has been ordered pursuant to subdivision 1 and before contracts have been awarded for the construction of the improvement under section 429.041, subdivision 2. If such a request is received, the city council shall abandon the proceedings but in such case the petitioner shall reimburse the city for any and all expenses incurred by the city in connection with the improvement.

History: *1953 c 398 s 3; 1955 c 811 s 1; 1957 c 430 s 1; 1961 c 525 s 1,2; 1963 c 771 s 1; 1965 c 877 s 2; 1967 c 57 s 1,2; 1973 c 123 art 5 s 7; 1984 c 548 s 5; 1984 c 582 s 4; 1984 c 591 s 3; 1984 c 633 s 3; 1986 c 444; 1994 c 614 s 6; 1996 c 402 s 1; 2000 c 490 art 5 s 32*

429.035 IMPROVEMENTS, PETITION.

When any petition for the making of any improvement in any statutory city, town, or city of the second, third, or fourth class, however organized, for the cost of which special assessments may be, in whole or in part, levied therefor, is presented to the governing body of the municipality, this body shall, by resolution,

Copyright © 2017 by the Revisor of Statutes, State of Minnesota. All Rights Reserved.

determine whether or not the petition has been signed by the required percentage of owners of property affected thereby.

History: *(1918-33) 1927 c 311 s 1; 1953 c 398 s 12; 1961 c 338 s 2; 1973 c 123 art 5 s 7*

429.036 APPEAL FROM DETERMINATION OF LEGALITY OF PETITION.

Any person, being aggrieved by this determination, may appeal to the district court of the county in which the property is located by serving upon the clerk of the municipality, within 30 days after the adoption and publication of the resolution, a notice of appeal briefly stating the grounds of appeal and giving a bond in the penal sum of $250, in which the municipality shall be named as obligee, to be approved by the clerk of the municipality, conditioned that the appellant will duly prosecute the appeal, pay all costs and disbursements which may be adjudged against the appellant, and abide by the order of the court. The clerk shall furnish the appellant a certified copy of the petition, or any part thereof, on being paid by appellant of the proper charges therefor. The appeal shall be placed upon the calendar of the next general term commencing more than 30 days after the date of serving the notice and filing the bond and shall be tried as are other appeals in such cases. Unless reversed upon the appeal, the determination of the governing body as to the sufficiency of the petition shall be final and conclusive.

History: *(1918-34) 1927 c 311 s 2; 1986 c 444*

429.04 [Repealed, 1953 c 398 s 13]

429.041 COUNCIL PROCEDURE.

Subdivision 1. **Plans and specifications, advertisement for bids.** When the council determines to make any improvement, it shall let the contract for all or part of the work, or order all or part of the work done by day labor or otherwise as authorized by subdivision 2, no later than one year after the adoption of the resolution ordering such improvement, unless a different time limit is specifically stated in the resolution ordering the improvement. The council shall cause plans and specifications of the improvement to be made, or if previously made, to be modified, if necessary, and to be approved and filed with the clerk, and if the estimated cost exceeds the amount in section 471.345, subdivision 3, shall advertise for bids for the improvement in the newspaper or recognized industry trade journal as defined in section 331A.01, subdivision 11, and for such length of time as it may deem advisable. If the estimated cost exceeds twice the amount in section 471.345, subdivision 3, publication shall be made no less than three weeks before the last day for submission of bids once in the newspaper and at least once in either a newspaper published in a city of the first class or a recognized industry trade journal. The advertisement shall specify the work to be done, shall state the time when the bids will be publicly opened for consideration by the council, which shall be not less than ten days after the first publication of the advertisement when the estimated cost is less than twice the amount in section 471.345, subdivision 3, and not less than three weeks after such publication in other cases, and shall state that no bids will be considered unless sealed and filed with the clerk and accompanied by a cash deposit, cashier's check, bid bond, or certified check payable to the clerk, for such percentage of the amount of the bid as the council may specify. In providing for the advertisement for bids the council may direct that the bids shall be opened publicly by two or more designated officers or agents of the municipality and tabulated in advance of the meeting at which they are to be considered by the council. Nothing herein shall prevent the council from advertising separately for various portions of the work involved in an improvement, or from itself, supplying by such means as may be otherwise authorized by law, all or any part of the materials, supplies, or equipment to be used in the improvement or from combining two or more improvements in a single set of plans and specifications or a single contract.

Copyright © 2017 by the Revisor of Statutes, State of Minnesota. All Rights Reserved.

Subd. 2. **Contracts; day labor.** In contracting for an improvement, the council shall require the execution of one or more written contracts and bonds, conditioned as required by law. The council shall award the contract to the lowest responsible bidder or it may reject all bids. If any bidder to whom a contract is awarded fails to enter promptly into a written contract and to furnish the required bond, the defaulting bidder shall forfeit to the municipality the amount of the defaulter's cash deposit, cashier's check, bid bond, or certified check, and the council may thereupon award the contract to the next lowest responsible bidder. When it appears to the council that the cost of the entire work projected will be less than the amount in section 471.345, subdivision 3, or whenever no bid is submitted after proper advertisement or the only bids submitted are higher than the engineer's estimate, the council may advertise for new bids or, without advertising for bids, directly purchase the materials for the work and do it by the employment of day labor or in any other manner the council considers proper. The council may have the work supervised by the city engineer or other qualified person but shall have the work supervised by a registered engineer if done by day labor and it appears to the council that the entire cost of all work and materials for the improvement will be more than the lowest amount in section 471.345, subdivision 4. In case of improper construction or unreasonable delay in the prosecution of the work by the contractor, the council may order and cause the suspension of the work at any time and relet the contract, or order a reconstruction of any portion of the work improperly done, and where the cost of completion or reconstruction necessary will be less than the amount in section 471.345, subdivision 3, the council may do it by the employment of day labor.

Subd. 2a. **Best value alternative.** As an alternative to the procurement method described in subdivision 2, the council may issue a request for proposals and award the contract to the vendor or contractor offering the best value as described in section 16C.28, subdivision 1, paragraph (a), clause (2), and paragraph (c).

Subd. 3. **Day labor; detailed report.** When the council has performed construction work by day labor, it shall cause a detailed report to be filed with the clerk and certified by the registered engineer or other person in charge, if there is no registered engineer. The report shall show:

(a) the complete cost of the construction;

(b) final quantities of the various units of work done;

(c) materials furnished for the project and the cost of each item thereof;

(d) cost of labor, cost of equipment hired, and supervisory costs.

The report shall have attached a certificate by the registered engineer or other person in charge that the work was done according to the plans and specifications, or, if there were any deviations from them, an itemized statement of those deviations.

Subd. 4. **Alternate procedure on street improvements.** As to any improvement or improvements consisting of grading, graveling, or bituminous surfacing of streets and alleys, the council may proceed in the manner provided in this chapter, except that it may

(1) order the work done by day labor, regardless of the estimated cost of such improvement or improvements,

(2) use municipal equipment or hire equipment and purchase materials for all such improvements to be done by day labor in any 12-month period by advertising once therefor, such advertisement to call for bids for the furnishing of equipment, if the municipality does not use its own equipment, and for materials at unit prices based on the quantities which the council estimates will be required, and

Copyright © 2017 by the Revisor of Statutes, State of Minnesota. All Rights Reserved.

(3) contract at one time on a unit price basis for part or all of the street improvements to be constructed by the municipality during the current year, including improvements which may thereafter be ordered constructed.

Subd. 5. **Cooperation with state or local government.** When an improvement is made under a cooperative agreement with the state or another political subdivision by the terms of which the state or other subdivision is to construct or contract to construct the improvement, it shall not be necessary to comply with subdivisions 1 and 2.

Subd. 6. **Percentage payment on engineer's estimate.** In case the contractor properly performs the work, the council shall, from month to month before completion of the work, pay the contractor not to exceed 95 percent of the amount already earned under the contract, upon the estimate of the engineer or other competent person selected by the council, and the contract shall so provide, and shall further agree that when the work is 95 percent or more completed upon the recommendation of the engineer such portions of the retained price shall be released as the governing body of the municipality determines are not required to be retained to protect the municipality's interest in satisfactory completion of the contract. Failure to pay any amount due and payable under the terms of the contract within 30 days of a monthly estimate or 90 days after the final estimate of the amount earned shall obligate the municipality to pay to the contractor simple interest on the past due amount at an annual rate equal to the monthly index of long term United States bond yields for the month prior to the month in which this obligation is incurred plus an additional one percent per annum. Interest shall not be imposed with respect to any amount which a municipality may legally withhold as a result of breach of contract or other contractual claim or if the delay is caused by the contractor.

Subd. 7. **Modification of contracts.** After work has been commenced on an improvement undertaken pursuant to a contract awarded on a unit price basis the council may, without advertising for bids, authorize changes in the contract so as to include additional units of work at the same unit price if the cost of the additional work does not exceed 25 percent of the original contract price. Original contract price means that figure determined by multiplying the estimated number of units required by the unit price.

History: *1953 c 398 s 4; 1957 c 430 s 2,3; 1961 c 525 s 3,4; 1973 c 123 art 5 s 7; 1976 c 156 s 1; 1977 c 278 s 1; 1978 c 518 s 2; 1980 c 464 s 8; 1985 c 174 s 3; 1986 c 444; 1993 c 38 s 1,2; 2001 c 5 s 1,2; 2004 c 278 s 6,7; 2007 c 148 art 3 s 25; 2009 c 152 s 18,19; 2013 c 46 s 2*

429.05 [Repealed, 1953 c 398 s 13 subd 1]

429.051 APPORTIONMENT OF COST.

The cost of any improvement, or any part thereof, may be assessed upon property benefited by the improvement, based upon the benefits received, whether or not the property abuts on the improvement and whether or not any part of the cost of the improvement is paid from the county state-aid highway fund, the municipal state-aid street fund, or the trunk highway fund. The area assessed may be less than but may not exceed the area proposed to be assessed as stated in the notice of hearing on the improvement, except as provided below. The municipality may pay such portion of the cost of the improvement as the council may determine from general ad valorem tax levies or from other revenues or funds of the municipality available for the purpose. The municipality may subsequently reimburse itself for all or any of the portion of the cost of a water, storm sewer, or sanitary sewer improvement so paid by levying additional assessments upon any properties abutting on but not previously assessed for the improvement, on notice and hearing as provided for the assessments initially made. To the extent that such an improvement benefits nonabutting properties which may be served by the improvement when one or more later extensions or improvements are made but which are not initially assessed therefor, the municipality may also reimburse itself by adding all or any

Copyright © 2017 by the Revisor of Statutes, State of Minnesota. All Rights Reserved.

of the portion of the cost so paid to the assessments levied for any of such later extensions or improvements, provided that notice that such additional amount will be assessed is included in the notice of hearing on the making of such extensions or improvements. The additional assessments herein authorized may be made whether or not the properties assessed were included in the area described in the notice of hearing on the making of the original improvement.

In any city of the fourth class electing to proceed under a home rule charter as provided in this chapter, which charter provides for a board of water commissioners and authorizes such board to assess a water frontage tax to defray the cost of construction of water mains, such board may assess the tax based upon the benefits received and without regard to any charter limitation on the amount that may be assessed for each lineal foot of property abutting on the water main. The water frontage tax shall be imposed according to the procedure and, except as herein provided, subject to the limitations of the charter of the city.

History: *1953 c 398 s 5; 1955 c 842 s 1; 1957 c 40 s 1; 1959 c 490 s 1; 1961 c 286 s 1*

429.052 STREET OR ROAD IMPROVEMENTS OUTSIDE MUNICIPAL BOUNDARIES.

A municipality may construct street or road improvements outside its jurisdiction with the consent of the affected township, or if the property is located in unorganized territory, the county. When property is brought within the corporate limits of the municipality, the municipality may subsequently reimburse itself for all or any portion of the cost of the improvement for which municipal funds have been expended, by levying an assessment upon any property abutting on, but not previously assessed for, the improvement. No assessment may be so levied unless the property to be assessed was given notice and hearing of the improvements under section 429.031 at the time the improvement was ordered, and subsequently in accordance with the notice, hearing, and appeal rights, provided for under sections 429.061 and 429.081.

History: *2005 c 152 art 1 s 12*

429.06 [Repealed, 1953 c 398 s 13 subd 1]

429.061 ASSESSMENT PROCEDURE.

Subdivision 1. **Calculation, notice.** At any time after the expense incurred or to be incurred in making an improvement shall be calculated under the direction of the council, the council shall determine by resolution the amount of the total expense the municipality will pay, other than the amount, if any, which it will pay as a property owner, and the amount to be assessed. If a county proposes to assess within the boundaries of a city for a county state-aid highway or county highway, including curbs, gutters, and storm sewers, the resolution must include the portion of the cost proposed to be assessed within the city. The county shall forward the resolution to the city and it may not proceed with the assessment procedure nor may the county allocate any cost under this section for property within the city unless the city council adopts the resolution approving the assessment. Thereupon the clerk, with the assistance of the engineer or other qualified person selected by the council, shall calculate the proper amount to be specially assessed for the improvement against every assessable lot, piece or parcel of land, without regard to cash valuation, in accordance with the provisions of section 429.051. The proposed assessment roll shall be filed with the clerk and be open to public inspection. The clerk shall thereupon, under the council's direction, publish notice that the council will meet to consider the proposed assessment. Such notice shall be published in the newspaper at least once and shall be mailed to the owner of each parcel described in the assessment roll. For the purpose of giving mailed notice under this subdivision, owners shall be those shown to be such on the records of the county auditor or, in any county where tax statements are mailed by the county treasurer, on the records of the county treasurer; but other appropriate records may be used for this purpose. Such publication and mailing shall be no less than two weeks prior to such meeting of the council. Except as to the owners of tax-exempt

Copyright © 2017 by the Revisor of Statutes, State of Minnesota. All Rights Reserved.

property or property taxes on a gross earnings basis, every property owner whose name does not appear on the records of the county auditor or the county treasurer shall be deemed to have waived such mailed notice unless the owner has requested in writing that the county auditor or county treasurer, as the case may be, include the name on the records for such purpose. Such notice shall state the date, time, and place of such meeting, the general nature of the improvement, the area proposed to be assessed, the total amount of the proposed assessment, that the proposed assessment roll is on the file with the clerk, and that written or oral objections thereto by any property owner will be considered. The notice must also state that no appeal may be taken as to the amount of any assessment adopted pursuant to subdivision 2, unless a written objection signed by the affected property owner is filed with the municipal clerk prior to the assessment hearing or presented to the presiding officer at the hearing. The notice shall also state that an owner may appeal an assessment to district court pursuant to section 429.081 by serving notice of the appeal upon the mayor or clerk of the municipality within 30 days after the adoption of the assessment and filing such notice with the district court within ten days after service upon the mayor or clerk. The notice shall also inform property owners of the provisions of sections 435.193 to 435.195 and the existence of any deferment procedure established pursuant thereto in the municipality. In addition, the notice mailed to the owner must state in clear language the following information:

(1) the amount to be specially assessed against that particular lot, piece, or parcel of land;

(2) adoption by the council of the proposed assessment may be taken at the hearing;

(3) the right of the property owner to prepay the entire assessment and the person to whom prepayment must be made;

(4) whether partial prepayment of the assessment has been authorized by ordinance;

(5) the time within which prepayment may be made without the assessment of interest; and

(6) the rate of interest to be accrued if the assessment is not prepaid within the required time period.

Subd. 2. **Adoption; interest.** At such meeting or at any adjournment thereof the council shall hear and pass upon all objections to the proposed assessment, whether presented orally or in writing. The council may amend the proposed assessment as to any parcel and by resolution adopt the same as the special assessment against the lands named in the assessment roll. Notice of any adjournment of the hearing shall be adequate if the minutes of the meeting so adjourned show the time and place when and where the hearing is to be continued.

The council may consider any objection to the amount of a proposed assessment as to a specific parcel of land at an adjourned hearing upon further notice to the affected property owner as it deems advisable. At the adjourned hearing the council or a committee of it may hear further written or oral testimony on behalf of the objecting property owner and may consider further written or oral testimony from appropriate city officials and other witnesses as to the amount of the assessment. The council or committee shall prepare a record of the proceedings at the adjourned hearing and written findings as to the amount of the assessment. The amount of the assessment as finally determined by the council shall become a part of the adopted assessment roll. No appeal may be taken as to the amount of any assessment adopted under this section unless written objection signed by the affected property owner is filed with the municipal clerk prior to the assessment hearing or presented to the presiding officer at the hearing. All objections to the assessments not received at the assessment hearing in the manner prescribed by this subdivision are waived, unless the failure to object at the assessment hearing is due to a reasonable cause.

Copyright © 2017 by the Revisor of Statutes, State of Minnesota. All Rights Reserved.

If the adopted assessment differs from the proposed assessment as to any particular lot, piece, or parcel of land, the clerk must mail to the owner a notice stating the amount of the adopted assessment. Owners must also be notified by mail of any changes adopted by the council in interest rates or prepayment requirements from those contained in the notice of the proposed assessment.

The assessment, with accruing interest, shall be a lien upon all private and public property included therein, from the date of the resolution adopting the assessment, concurrent with general taxes; but the lien shall not be enforceable against public property as long as it is publicly owned, and during such period the assessment shall be recoverable from the owner of such property only in the manner and to the extent provided in section 435.19. Unless otherwise provided in the resolution, all assessments shall be payable in equal annual installments extending over such period, not exceeding 30 years, as the resolution determines, payable on the first Monday in January in each year, but the number of installments need not be uniform for all assessments included in a single assessment roll if a uniform criterion for determining the number of installments is provided by the resolution. Assessments on property located in a targeted neighborhood as defined in Laws 1987, chapter 386, article 6, section 4, may be payable in variable annual installments if the resolution provides for a variable payment. The first installment of each assessment shall be included in the first tax rolls completed after its adoption and shall be payable in the same year as the taxes contained therein; except that the payment of the first installment of any assessment levied upon unimproved property may be deferred until a designated future year, or until the platting of the property or the construction of improvements thereon, upon such terms and conditions and based upon such standards and criteria as may be provided by resolution of the council. If special assessments against the property have been deferred pursuant to this subdivision, the governmental unit shall record with the county recorder in the county in which the property is located a certificate containing the legal description of the affected property and of the amount deferred. In any event, every assessment the payment of which is so deferred, when it becomes payable, shall be divided into a number of installments such that the last installment thereof will be payable not more than 30 years after the levy of the assessment. All assessments shall bear interest at such rate as the resolution determines. To the first installment of each assessment shall be added interest on the entire assessment from a date specified in the resolution levying the assessment, not earlier than the date of the resolution, until December 31 of the year in which the first installment is payable, and to each subsequent installment shall be added interest for one year on all unpaid installments; or alternatively, any assessment may be made payable in equal annual installments including principal and interest, each in the amount annually required to pay the principal over such period with interest at such rate as the resolution determines, not exceeding the maximum period and rate specified above. In the latter event no prepayment shall be accepted under subdivision 3 without payment of all installments due to and including December 31 of the year of prepayment, together with the original principal amount reduced only by the amounts of principal included in such installments, computed on an annual amortization basis. When payment of an assessment is deferred, as authorized in this subdivision, interest thereon for the period of deferment may be made payable annually at the same times as the principal installments of the assessment would have been payable if not deferred; or interest for this period may be added to the principal amount of the assessment when it becomes payable; or, if so provided in the resolution levying the assessment, interest thereon to December 31 of the year before the first installment is payable may be forgiven.

Subd. 3. **Transmitted to auditor, prepayment.** After the adoption of the assessment, the clerk shall transmit a certified duplicate of the assessment roll with each installment, including interest, set forth separately to the county auditor of the county to be extended on the proper tax lists of the county; but in lieu of such certification, the council may in its discretion direct the clerk to file all assessment rolls in the clerk's office and to certify annually to the county auditor, on or before November 30 in each year, the total amount of installments of and interest on assessments on each parcel of land in the municipality which are to become due in the following year. If any installment and interest has not been so certified prior to the year when it

Copyright © 2017 by the Revisor of Statutes, State of Minnesota. All Rights Reserved.

is due, the clerk shall forthwith certify the same to the county auditor for collection in the then succeeding year; and if the municipality has issued improvement warrants to finance the improvement, it shall pay out of its general funds into the fund of the improvement interest on the then unpaid balance of the assessment for the year or years during which the collection of such installment is postponed. All assessments and interest thereon shall be collected and paid over in the same manner as other municipal taxes. The owner of any property so assessed may, at any time prior to certification of the assessment or the first installment thereof to the county auditor, pay the whole of the assessment on such property, with interest accrued to the date of payment, to the municipal treasurer, except that no interest shall be charged if the entire assessment is paid within 30 days from the adoption thereof; and, except as hereinafter provided, the owner may at any time prior to November 15 of any year, prepay to the treasurer of the municipality having levied said assessments, the whole assessment remaining due with interest accrued to December 31 of the year in which said prepayment is made. If the assessment roll is retained by the municipal clerk, the installment and interest in process of collection on the current tax list shall be paid to the county treasurer and the remaining principal balance of the assessment, if paid, shall be paid to the municipal treasurer. The council may by ordinance authorize the partial prepayment of assessments, in such manner as the ordinance may provide, prior to certification of the assessment or the first installment thereof to the county auditor.

Subd. 4. **Collection, tax-exempt property.** On the confirmation of any assessments the clerk shall mail to the county auditor a notice specifying the amount payable by any county, to the clerk or recorder of any other political subdivision a notice specifying the amount payable by the political subdivision and to the owner of any right-of-way, at its principal office in the state, a notice specifying the amount payable on account of any right-of-way. The amount payable on account of any right-of-way or public property shall be payable to the municipality's treasurer and shall be payable in like installments and with like interest and penalties as provided for in reference to the installments payable on account of assessable real property, except that interest accruing shall not begin to run until the notice provided in this subdivision has been properly given and 30 days thereafter have elapsed. The governing body of any such political subdivision shall provide for the payment of these amounts and shall take appropriate action to that end. If the assessment is not paid in a single installment, the municipal treasurer shall annually mail to the owner of any right-of-way and, as long as the property is publicly owned, to the owner of any public property a notice stating that an installment is due and should be paid to the municipal treasurer of the municipality which levied the special assessment. The municipality may collect the amount due on account of the right-of-way of any railroad or privately owned public utility by distress and sale of personal property in the manner provided by law in case of taxes levied upon personal property or by suit brought to enforce the collection of this indebtedness unless a different method of collecting such amounts is provided for by any contract between the owner of any right-of-way and the municipality.

Subd. 5. **Special assessments; administrative expenses.** Notwithstanding any general or special law to the contrary, a municipality shall pay to the county auditor all administrative expenses incurred by the county under subdivision 3 for each special assessment of any local improvement certified by the municipality to the county auditor.

History: *1953 c 398 s 6; 1955 c 811 s 2; 1957 c 510 s 2; 1957 c 699 s 1; 1961 c 77 s 1; 1961 c 525 s 5-7; 1963 c 771 s 2-4; 1965 c 877 s 3; 1969 c 1045 s 1; 1969 c 1095 s 1; 1974 c 314 s 2; 1976 c 195 s 2; 1976 c 324 s 18; 1980 c 509 s 164; 1980 c 560 s 5; 1980 c 607 art 11 s 1,2; 1984 c 478 s 2; 1984 c 543 s 50; 1Sp1985 c 16 art 1 s 3; 1986 c 315 s 2; 1986 c 444; 1986 c 473 s 10,11; 1987 c 344 s 3; 1987 c 386 art 6 s 2; 1991 c 342 s 8; 1993 c 375 art 5 s 33; art 17 s 17; 2005 c 4 s 106*

429.07 [Repealed, 1953 c 398 s 13]

Copyright © 2017 by the Revisor of Statutes, State of Minnesota. All Rights Reserved.

429.071 SUPPLEMENTAL ASSESSMENTS; REASSESSMENT.

Subdivision 1. **Supplemental assessments.** The council may make supplemental assessments to correct omissions, errors, or mistakes in the assessment relating to the total cost of the improvement or any other particular. A supplemental assessment shall be preceded by personal or mailed notice to the owner of each parcel included in the supplemental assessment and a hearing as provided for the original assessment.

Subd. 2. **Reassessment.** When an assessment is, for any reason whatever, set aside by a court of competent jurisdiction as to any parcel or parcels of land, or in event the council finds that the assessment or any part thereof is excessive or determines on advice of the municipal attorney that the assessment or proposed assessment or any part thereof is or may be invalid for any reason, the council may, upon notice and hearing as provided for the original assessment, make a reassessment or a new assessment as to such parcel or parcels.

Subd. 3. **Reapportionment upon land division.** When a tract of land against which a special assessment has been levied is thereafter divided or subdivided by plat or otherwise, the council may, on application of the owner of any part of the tract or on its own motion equitably apportion among the various lots or parcels in the tract all the installments of the assessment against the tract remaining unpaid and not then due if it determines that such apportionment will not materially impair collection of the unpaid balance of the original assessment against the tract. The council may, and if the special assessment has been pledged to the payment of improvement warrants shall, require the owner or owners, as a condition of such apportionment, to furnish a satisfactory surety bond fully protecting the municipality against any loss resulting from failure to pay any part of the reapportionment assessment when due. Notice of such apportionment and of the right to appeal shall be mailed to or personally served upon all owners of any part of the tract. Within 30 days after the mailing or service of the notice of such apportionment any such owner may appeal as provided in section 429.081.

Subd. 4. **Reassessment, tax-forfeited land.** When a parcel of tax-forfeited land is returned to private ownership and the parcel is benefited by an improvement for which special assessments were canceled because of the forfeiture, the municipality that made the improvement may, upon notice and hearing as provided for the original assessment, make a reassessment or a new assessment as to the parcel in an amount equal to the amount remaining unpaid on the original assessment.

History: *1953 c 398 s 7; 1957 c 366 s 1; 1961 c 525 s 8; 1965 c 877 s 4; 1976 c 259 s 1*

429.08 [Repealed, 1953 c 398 s 13 subd 1]

429.081 APPEAL TO DISTRICT COURT.

Within 30 days after the adoption of the assessment, any person aggrieved, who is not precluded by failure to object prior to or at the assessment hearing, or whose failure to so object is due to a reasonable cause, may appeal to the district court by serving a notice upon the mayor or clerk of the municipality. The notice shall be filed with the court administrator of the district court within ten days after its service. The municipal clerk shall furnish appellant a certified copy of objections filed in the assessment proceedings, the assessment roll or part complained of, and all papers necessary to present the appeal. The appeal shall be placed upon the calendar of the next general term commencing more than five days after the date of serving the notice and shall be tried as other appeals in such cases. The court shall either affirm the assessment or set it aside and order a reassessment as provided in section 429.071, subdivision 2. If appellant does not prevail upon the appeal, the costs incurred shall be taxed by the court and judgment entered therefor. All

Copyright © 2017 by the Revisor of Statutes, State of Minnesota. All Rights Reserved.

objections to the assessment shall be deemed waived unless presented on such appeal. This section provides the exclusive method of appeal from a special assessment levied pursuant to this chapter.

History: *1953 c 398 s 8; 1961 c 525 s 9; 1978 c 749 s 2; 1980 c 607 art 11 s 3; 1Sp1986 c 3 art 1 s 82*

429.09 [Repealed, 1953 c 398 s 13]

429.091 FINANCING.

Subdivision 1. **Authority.** At any time after one or more improvements are ordered as contemplated in section 429.031, the council may issue obligations in such amount as it deems necessary to defray in whole or in part the expense incurred and estimated to be incurred in making the improvement or improvements, including every item of cost of the kinds authorized in section 475.65. In the event of any omission, error, or mistake in any of the proceedings required precedent to the ordering of any improvement, the validity of the obligations shall not be affected thereby. The council shall cause all further actions and proceedings to be taken with due diligence that are required for the construction of each improvement financed wholly or partly from the proceeds of obligations issued hereunder, and for the final and valid levy of special assessments and the appropriation of any other funds needed to pay the obligations and interest thereon when due.

Subd. 2. **Types of obligations permitted.** The council may by resolution adopted prior to the sale of obligations pledge the full faith, credit, and taxing power of the municipality for the payment of the principal and interest. Such obligations shall be called improvement bonds and the council shall pay the principal and interest out of any fund of the municipality when the amount credited to the specified fund is insufficient for the purpose and shall each year levy a sufficient amount to take care of accumulated or anticipated deficiencies, which levy shall not be subject to any statutory or charter tax limitation. Obligations for the payment of which the full faith and credit of the municipality is not pledged shall be called assessment revenue notes or, in the case of bonds for fire protection, revenue bonds and shall contain a promise to pay solely out of the proper special fund or funds pledged to their payment. It shall be the duty of the municipal treasurer to pay maturing principal and interest on warrants or revenue bonds out of funds on hand in the proper funds and not otherwise.

Subd. 3. **Method of issuance.** All obligations shall be issued in accordance with the provisions of chapter 475, except as provided in this subdivision.

An election shall be required for bonds if less than 20 percent of the cost of the improvement to the municipality is to be assessed against benefited property.

If the full faith, credit, and taxing power of the municipality is not pledged and the bonds are issued to finance a fire protection system, a public sale shall not be required and the obligations may

(1) mature at any time or times within 30 years from date of issue; or 40 years or the useful life of the asset, whichever is less, for municipal water and wastewater treatment systems and essential community facilities financed or guaranteed by the United States Department of Agriculture;

(2) mature in the amount or amounts;

(3) be sold at a price equal to the percentage of their par value, plus accrued interest; and

(4) bear interest at the rate or rates,

as agreed by the purchaser and the municipality, notwithstanding any limitation of interest rate or cost or of the amounts of annual maturities contained in any other law.

Copyright © 2017 by the Revisor of Statutes, State of Minnesota. All Rights Reserved.

The maturities shall be such as in the opinion of the council are warranted by the anticipated collections of assessments and ad valorem levies for the municipality's share of the cost; except that the council may in its discretion issue and sell temporary improvement bonds maturing and subject to further conditions as set forth in subdivision 5. All obligations shall state upon their face the purpose of the issue and the fund from which they are payable. The amount of any obligations issued hereunder shall not be included in determining the net indebtedness of any municipality under the provisions of any law limiting such indebtedness.

Subd. 4. **Funds.** The proceeds from the sale of each issue of obligations and from collections of special assessments levied and other moneys appropriated for each improvement to be financed wholly or partly from such proceeds shall be credited to a separate construction fund which shall be used solely to defray expenses of such improvements and payment of principal and interest due upon the obligations prior to completion and payment of all costs of the improvements so financed. Any balance of the proceeds of bonds remaining therein may be used to pay the cost, in whole or in part, of any other improvement instituted pursuant to this chapter. A separate account shall be maintained in the construction fund to record expenditures for each improvement, and when the total cost thereof has been paid all subsequent collections of special assessments levied for the improvement shall be credited and paid into the debt service fund for the obligations issued to finance the improvement, as provided in section 475.61. Any taxes levied for improvements financed by an issue of obligations shall be credited directly to the debt service fund.

Subd. 5. **Temporary improvement bonds.** In anticipation of the issuance of improvement bonds, the council may by resolution issue and sell temporary improvement bonds maturing within not more than three years from their date of issue to pay any part or all of the cost of one or more improvements. To the extent that the principal of and interest on the temporary improvement bonds cannot be paid when due from receipts of special assessments, taxes, or other funds appropriated for the purpose, they shall be paid from the proceeds of improvement bonds or additional temporary improvement bonds which the council shall offer for sale in advance of their maturity but the indebtedness funded by an issue of temporary improvement bonds shall not be extended by the issue of additional temporary improvement bonds for more than six years from the date of the first issue. The holders of any temporary improvement bonds shall have and may enforce, by mandamus or other appropriate proceedings, all rights respecting the levy and collection of sufficient special assessments and taxes to pay the cost of the improvements financed by them which are granted by law to holders of improvement bonds, except the right to require the levies to be collected prior to the maturity of the temporary improvement bonds. If any temporary improvement bonds are not paid in full at maturity, the holders may require the issuance in exchange for them, at par, of new temporary improvement bonds maturing within one year from their date of issue (but not subject to any other maturity limitation), and bearing interest at the maximum rate permitted by law.

Subd. 6. **Investment of other municipal funds.** Funds of a municipality may be invested in its temporary improvement bonds in accordance with the provisions of section 118A.04, and may be purchased upon their initial issue, but shall be purchased only from funds which the council determines will not be required for other purposes before the maturity date, and shall be resold before maturity only in case of emergency. If purchased from a debt service fund securing other bonds, the holders of those bonds may enforce the municipality's obligations on the temporary improvement bonds in the same manner as if they held the temporary improvement bonds.

Subd. 7. **General obligation temporary improvement bonds.** The council may by resolution adopted prior to the sale of any temporary improvement bonds pledge the full faith, credit, and taxing power of the municipality for the payment of the principal and interest, in addition to all provisions made for their security in subdivision 5. In this event the bonds shall be designated as general obligation temporary improvement

Copyright © 2017 by the Revisor of Statutes, State of Minnesota. All Rights Reserved.

bonds, and the council shall levy taxes for their payment in accordance with section 475.61. Proceeds of improvement bonds or temporary improvement bonds not yet sold may be treated as pledged revenues, in reduction of the tax otherwise required by section 475.61 to be levied prior to delivery of the obligations.

Subd. 7a. **Revolving fund bonds.** The council may by resolution establish a revolving fund for the payment of the costs of any improvement or any waterworks systems, sewer systems, or storm sewer systems described in section 444.075, the costs of facilities to maintain streets and water, sewer, and storm sewer systems and for the payment of any obligations issued to pay the costs of the facilities and systems referred to in this subdivision or to refund obligations issued for those purposes. The council may create within the revolving fund a separate construction account into which the municipality may deposit the proceeds of any obligations payable from the fund, the proceeds of any special assessments collected with respect to any improvement, any net revenues of a waterworks, sewer system, or storm sewer system described in section 444.075 or any other available funds of the municipality appropriated to it. Amounts on deposit in the construction account may be used to pay the costs of any improvement or any waterworks, sewer system, or storm sewer system described in section 444.075 or any street or water, sewer, or storm sewer maintenance facilities. No funds may be expended for an improvement unless at least 20 percent of the costs of each such improvement is to be assessed against benefited property. No funds may be expended for a waterworks, sewer system, or storm sewer system, other than a sewer system described in section 115.46, or maintenance facilities unless the council estimates that the costs will be recovered from the net revenues of the system or any combined waterworks, sewer systems, or storm sewer systems operated by the municipality. The council may also create a separate debt service account within the revolving fund for the payment of principal of and interest on any obligations payable therefrom. Notwithstanding subdivision 4, the council is not required to pledge any particular assessments or other revenues to the payment of the obligations. Collections of special assessments or net revenues may be deposited in either the construction account or the debt service account as the council or an officer designated by the council may determine, having due regard for anticipated collections of special assessments and net revenues from improvements or waterworks, sewer systems, or storm sewer systems financed in whole or in part from the construction account, and taxes levied for the payment of the obligations. The council may issue obligations that are payable primarily from the debt service account for the purpose of providing funds to defray in whole or in part any expenses incurred or estimated to be incurred in making the improvement or improvements or in constructing the waterworks, sewer system, or storm sewer system, including every item of cost of the kinds authorized by section 475.65, and street and water, sewer, and storm sewer maintenance facilities or to refund obligations previously issued under this section or section 115.46 or 444.075. The obligations may be general obligations to which the full faith and credit of the municipality are pledged. If the special assessments to be levied and net revenues estimated to be available for their payment are estimated to be at least 20 percent of the principal amount of the obligations, the obligations may be issued without an election and shall not be included in determining the net indebtedness of the municipality under the provisions of any law limiting net indebtedness. The cost of a maintenance facility that may be financed under this subdivision is limited only to the portion of the facility that is fairly allocable to the maintenance of streets and water, sewer, and storm sewer systems.

Subd. 8. **Application; limitations under federal tax law.** Sections 474A.01 to 474A.21 apply to any issuance of obligations under this section which are subject to limitation under a federal tax law as defined in section 474A.02, subdivision 8.

History: *1953 c 398 s 9; 1955 c 811 s 3-5; 1957 c 385 s 1; 1965 c 877 s 5; 1976 c 324 s 19-21; 1981 c 171 s 1-4; 1984 c 548 s 6; 1984 c 582 s 5,6,23; 1984 c 591 s 4,5; 1984 c 633 s 4; 1Sp1985 c 14 art 8 s 63; 1986 c 465 art 1 s 3; 1987 c 344 s 4,5; 1992 c 545 art 2 s 4; 1996 c 297 s 1; 1996 c 399 art 2 s 12; 2000 c 260 s 57; 2001 c 214 s 11*

Copyright © 2017 by the Revisor of Statutes, State of Minnesota. All Rights Reserved.

429.10 [Repealed, 1953 c 398 s 13]

429.101 UNPAID SPECIAL CHARGES MAY BE SPECIAL ASSESSMENTS.

Subdivision 1. **Ordinances.** (a) In addition to any other method authorized by law or charter, the governing body of any municipality may provide for the collection of unpaid special charges as a special assessment against the property benefited for all or any part of the cost of:

(1) snow, ice, or rubbish removal from sidewalks;

(2) weed elimination from streets or private property;

(3) removal or elimination of public health or safety hazards from private property, excluding any structure included under the provisions of sections 463.15 to 463.26;

(4) installation or repair of water service lines, street sprinkling or other dust treatment of streets;

(5) the trimming and care of trees and the removal of unsound trees from any street;

(6) the treatment and removal of insect infested or diseased trees on private property, the repair of sidewalks and alleys;

(7) the operation of a street lighting system;

(8) the operation and maintenance of a fire protection or a pedestrian skyway system;

(9) inspections relating to a municipal housing maintenance code violation;

(10) the recovery of any disbursements under section 504B.445, subdivision 4, clause (5), including disbursements for payment of utility bills and other services, even if provided by a third party, necessary to remedy violations as described in section 504B.445, subdivision 4, clause (2); or

(11) [Repealed, 2004 c 275 s 5]

(12) the recovery of delinquent vacant building registration fees under a municipal program designed to identify and register vacant buildings.

(b) The council may by ordinance adopt regulations consistent with this section to make this authority effective, including, at the option of the council, provisions for placing primary responsibility upon the property owner or occupant to do the work personally (except in the case of street sprinkling or other dust treatment, alley repair, tree trimming, care, and removal, or the operation of a street lighting system) upon notice before the work is undertaken, and for collection from the property owner or other person served of the charges when due before unpaid charges are made a special assessment.

(c) A home rule charter city, statutory city, county, or town operating an energy improvements financing program under section 216C.436 has the authority granted to a municipality under paragraph (a) with respect to energy improvements financed under that section.

Subd. 2. **Procedure for assessment.** Any special assessment levied under subdivision 1 shall be payable in a single installment, or by up to ten equal annual installments as the council may provide, except that a special assessment made under an energy improvements financing program under subdivision 1, paragraph (c), may be repayable in up to 20 equal installments. With these exceptions, sections 429.061, 429.071, and 429.081 shall apply to assessments made under this section.

Copyright © 2017 by the Revisor of Statutes, State of Minnesota. All Rights Reserved.

Subd. 3. **Issuance of obligations.** (a) After a contract for any of the work enumerated in subdivision 1 has been let, or the work commenced, the council may issue obligations to defray the expense of any such work financed in whole or in part by special charges and assessments imposed upon benefited property under this section.

(b) Section 429.091 shall apply to such obligations with the following modifications:

(1) such obligations shall be payable not more than two years from the date of issuance;

(2) the amount of such obligations issued at one time in a municipality shall not exceed the cost of such work during the ensuing six months as estimated by the council;

(3) a separate improvement fund shall be set up for each of the enumerated services referred to in subdivision 1 and financed under this section.

(c) Proceeds of special charges as well as special assessments and taxes shall be credited to such improvement fund.

History: *1953 c 398 s 10; 1955 c 811 s 6; 1963 c 771 s 5; 1965 c 323 s 2; 1973 c 337 s 1; 1974 c 340 s 1,2; 1984 c 548 s 7; 1984 c 582 s 7; 1984 c 591 s 6; 1984 c 633 s 5; 1986 c 444; 1Sp2003 c 21 art 11 s 29; 2004 c 275 s 2; 2008 c 366 art 6 s 42; 2010 c 216 s 22; 2013 c 85 art 8 s 6*

429.11 [Repealed, 1953 c 398 s 13]

429.111 CHARTER PROVISIONS, EFFECT.

Any city operating under a home rule charter may proceed either under this chapter or under its charter in making an improvement unless a home rule charter or amendment adopted after April 17, 1953, provides for making such improvement under this chapter or under the charter exclusively.

History: *1953 c 398 s 11; 1955 c 811 s 7; 1976 c 44 s 39*

429.12 [Repealed, 1953 c 398 s 13]

429.13 [Repealed, 1953 c 398 s 13]

429.14 [Repealed, 1953 c 398 s 13]

429.15 [Repealed, 1953 c 398 s 13]

429.16 [Repealed, 1953 c 398 s 13]

429.17 [Repealed, 1953 c 398 s 13]

429.18 [Repealed, 1953 c 398 s 13]

429.185 [Repealed, 1949 c 314 s 3]

429.19 [Renumbered 429.035]

429.20 [Renumbered 429.036]

429.21 [Repealed, 1953 c 398 s 13]

429.22 [Repealed, 1953 c 398 s 13]

Copyright © 2017 by the Revisor of Statutes, State of Minnesota. All Rights Reserved.

429.23 [Repealed, 1953 c 398 s 13]

429.24 [Repealed, 1953 c 398 s 13]

429.25 [Repealed, 1953 c 398 s 13]

429.27 [Repealed, 1953 c 398 s 13]

429.28 [Repealed, 1953 c 398 s 13]

429.29 [Repealed, 1953 c 398 s 13]

429.30 [Renumbered 435.36, subdivision 1]

429.31 [Renumbered 435.36, subd 2]

Copyright © 2017 by the Revisor of Statutes, State of Minnesota. All Rights Reserved.

CHAPTER 8. - PUBLIC IMPROVEMENTS AND SPECIAL ASSESSMENTS

Sec. 8.1. - Power to make improvements and levy assessments.

The city may make any type of local improvement not forbidden by law and levy special assessments to pay all or part of the cost of such local improvements. The total of the assessments for any local improvement may not exceed the cost of the local improvement, plus all costs and expenses connected therewith, including interest. No assessment shall exceed the benefit to the property assessed as measured by the increase in the market value of the property assessed as a result of the local improvement.

(Ord. of 1-25-1993)

Sec. 8.2. - Application of Charter.

All local improvement projects shall be carried out exclusively under the provisions of this Charter. The term "local improvement" as used in this section shall mean a public improvement financed partly or wholly from special assessments.

(Ord. of 1-25-1993)

Sec. 8.3. - Assessments for services.

The council may provide by ordinance that the cost of the city services to streets, sidewalks, or other public or private property may be assessed against property benefited and may be collected in the same manner as special assessments.

(Ord. of 1-25-1993)

Sec. 8.4. - Local improvement procedure.

When the city undertakes any local improvement to which the state local improvement code, Minn. Stats. chapter 429 applies, it shall comply with the provisions of that law, except as modified below. The council may by ordinance prescribe the procedure to be followed in making any other local improvement and levying assessments therefor.

8.4.1 *Sixty-day waiting period.* A period of 60 days shall elapse after the conclusion of the public hearing required by law to precede the ordering of the construction of a local improvement project (the "public hearing") before the actual ordering of the local improvement by the council and the council entering into a contract for the local improvement construction.

8.4.2 *Percentage of owners required.* When the local improvement has been petitioned for by the owners of not less than 50 percent in frontage of the real property abutting on streets named in the petition as the location of the local improvement the resolution ordering the local improvement by the council may be approved by vote of a majority of all members of the council. When there has been no such petition, the resolution may be adopted only by vote of four-fifths of all members of the council.

8.4.3 *Petition against the local improvement.* A proposed local improvement may be initiated by petition of the owners of real property abutting on the streets named in the petition. If, within 30 days of the conclusion of the public hearing, a petition against such local improvement is filed with the city administrator which petition is signed by a percentage of the owners of real property abutting on the streets named in the initiating petition as the location of the improvement which

percentage is greater than the percentage of owners of real property who signed the initiating petition, the council shall not make such local improvement at the expense of the abutting property owners. For purposes of the foregoing sentence, "owners of real property" shall not include owners of properties zoned for commercial or industrial uses or owners of properties zoned residential greater than ten acres in size based on zoning classifications in effect at the date of such petition, or owners of non-homestead real property greater than one acre in size.

8.4.4 *Counter petition in favor of the improvement.* If within 30 days of the filing with the city administrator of a petition against the local improvement as described in section 8.4.3 above, there is filed with the city administrator a petition in favor of the local improvement, signed by owners of real property abutting on the streets named in the initiating petition as the location of the improvement, in a percentage greater than the percent of owners of real property who signed the petition against the local improvement, then in such event the council may disregard the petition against the local improvement and proceed with the local improvement.

8.4.5 *Petition against council initiated improvement.* If the local improvement was initiated by council resolution without an initiating petition and, within 60 days of the conclusion of the public hearing, a petition is filed with the city administrator against such local improvement and which petition is signed by 60 percent or more of the owners of real property proposed to be assessed for and benefited by the local improvement, the council shall not make such local improvement at the expense of the benefited property owners. For purposes of the foregoing sentence, "owners of real property" shall not include owners of properties zoned for commercial or industrial uses or owners of properties zoned residential greater than ten acres in size based on zoning classifications in effect at the date of such petition, or owners of non-homestead real property greater than one acre in size.

8.4.6 *Withdrawal of name from petition.* Any person whose name appears on a petition to the council in favor of a local improvement, or on a petition to the council filed against a local improvement, may withdraw his/her name by a statement in writing filed with the city administrator before such petition is presented to the council or in person at a city council meeting before the city council accepts said petition.

8.4.7 *Filing of petition with city council.* All completed petitions filed with the city administrator as described herein shall be presented to the council by the city administrator at the council's next regularly scheduled meeting.

8.4.8 *One year before any further action.* When a proposed local improvement is disallowed pursuant to the petition process described in the foregoing sections, the council shall not vote on the same improvement within a period of one year after the public hearing on said improvement.

(Ord. of 1-25-1993; Ord. No. 06-22, § 2, 7-5-2006; Ord. No. 12-08, § 2, 6-26-2012; Ord. No. 14-07, § 2, 8-11-2014)

Sec. 8.5. - Computation of time.

Where the performance or doing of any act or matter is required by this Charter, and the period of time is prescribed and fixed by this Charter, the time shall be computed so as to exclude the first and include the last day of the prescribed or fixed period of time. When the last day of the period falls on a Saturday, Sunday, or a legal holiday, that day shall be omitted from the computation.

(Ord. of 1-25-1993)

Sec. 8.6. - Sewer and water projects.

This section applies to any local improvement project completed after January 1, 1996, which includes extending urban services (sewer and/or water) to an existing home or neighborhood.

8.6.1 *Connection policy.* The city may not compel any property owner with a functional private sewer and water system to connect to city sewer and/or water.

8.6.2 *Assessment policy.* The city may not levy an assessment for any component of any project which includes sewer and/or water improvements against a property whose owner elects to remain on a functional private sewer and/or water system.

8.6.3 *Request for urban services.* Property owners who remain on private sewer and water systems after urban services become available may request connection to urban services at any time. Upon connection to urban services an assessment may be levied provided it is consistent with the original assessment.

(Ref. of 5-20-1996; Ord. of 1-24-2001)

Comments:

We think the road could undergo top coat and be fine. Absolutely against concrete curbs.
Assessment is extremely high.
Totally against this project.

Comments:

If the North Forty project goes through, I would like to know that the street will be ~~property~~ properly maintained for many years to come.
We just moved here a year ago, and consider it our forever home - so we don't want to have to go thru this again in the next 20 years.
Thank you for the opportunity to speak.

Benefitting properties? Victims Properties would be more precise wording

Comments:

Is this really the best use of tax payer's dollars?
I am going on record as being against this plan. Our property taxes are going up with the new school bonding and we are being taxed to death in Ramsey.
Franchise Fees? Shot down - they said No. The Homeowners that are impacted by this plan are also saying NO
Sprinkler systems? You, as the home owner, can pay to have them redone

Our Mission: To work together to resposibly grow our community, and to provide quality, cost-effective, and efficient government services.

CC Regular Session **7. 1.**

Meeting Date: 11/14/2017

By: Chris Anderson, Community Development

Information

Title:

Consider Approvals Related to Connexus Energy Solar Array (Project No. 17-135); Case of Connexus Energy

1. Ordinance Amending Official Zoning Map to guide the Property as Public/Quasi-Public to guide future uses
2. Ordinance Amendment Zoning Code amending allowable uses in the Public/Quasi-Public District allowing Solar Energy Systems as a Conditional Use Permit
3. Resolution #17-11-289 Approving Conditional Use Permit

Purpose/Background:

Connexus Energy has applied for a Zoning Amendment and a Conditional Use Permit to construct a new solar garden on the property legally described as Lot 3, Block 1 River Crossing Addition (the "Subject Property"). The system would have the capability of producing 3.5 megawatts (MW) with ground mounted solar photovoltaic panels and would include 6 MW of battery storage. This is one of three (3) sites within Anoka County that Connexus Energy is developing to produce solar energy.

The Subject Property is owned by Anoka County and would be leased by Connexus Energy. When the City contemplated solar energy systems several years ago, the Zoning Code was amended to consider ground or building mounted solar energy systems as a permitted accessory use in any zoning district. However, it did not account for, or address, the possibility of a solar energy system being the principal use of a property, as would be the case with Connexus' proposal.

Both the current zoning standards for solar energy systems and the information submitted by Connexus are attached for reference. The final design plans are in the process of being prepared by the solar developer (based on site work being conducted now) but are not complete at this time. They have stated that they do not anticipate any major changes from the initial proposed layout and the Site Plan would still be subject to review and approval by the City.

Connexus Energy had originally contemplated an expansion of their existing solar garden on the outlot adjacent to their campus. However, City Staff suggested that they consider alternative locations within the City so that their outlot could be reserved for potential future commercial/industrial development. Connexus Energy did consider a few alternative locations but ultimately entered into negotiations with Anoka County to lease the Subject Property.

This case was originally reviewed by the Planning Commission at their September 7, 2017 meeting. A Public Hearing was held (and closed) that evening; however, the Planning Commission tabled action so that the Economic Development Authority (EDA) had an opportunity to review and provide feedback specifically on the potential use of the Connexus Energy campus for the proposed solar installation.

The EDA reviewed this case at their September 14, 2017 meeting (minutes attached). Note that their review was specific to the potential use of the outlot owned by Connexus Energy that is part of Connexus' corporate campus.

The outlot is essentially rectangular in shape and is approximately 17.5 acres in size. The EDA unanimously supported reserving this land for future economic growth opportunities (commercial/industrial development) rather than for the solar farm being considered. The EDA did not provide any input or feedback on the Anoka County-owned site that is currently being considered for the solar farm. Their motion specifically recommended to City Council that the existing Connexus Energy outlot be reserved for future commercial/industrial use rather than for a solar farm.

This request was reviewed again by the Planning Commission at their October 12, 2017 meeting. While there was not a second Public Hearing, the Planning Commission did allow comments from the public. Both sets of minutes from the September and October Planning Commission meetings are attached to this case. In general terms, the following comments, concerns, and/or questions have been raised through the review process thus far:

- Aesthetics
- Impact to property values
- Financial surety to ensure equipment is removed
- Landscape buffer
- Will this deter future development
- Is this the best location for this use
- Timing of approval

Notification:

Staff attempted to notify all Property Owners within a 350 foot radius of the Subject Property of the Public Hearing held in September via Standard US Mail. The Public Hearing was also published in the City's official newsletter, the Anoka County Union Herald. Staff also attempted to notify all Property Owners within a 350 foot radius of the Subject Property that this item was scheduled to be considered by the City Council on November 14, 2017.

Observations/Alternatives:

As noted, the Subject Property is owned by Anoka County and was initially acquired to accommodate a future bridge crossing. In 2007, the Subject Property was designated with an Official Map to prevent future development from occurring in advance of the bridge crossing. However, the current Highway 10 Access Planning Study no longer identifies this parcel as needed for a potential bridge crossing (with the new Armstrong Blvd overpass alignment). The Planning Commission has assumed the duties of the Official Map Board of Appeals and Adjustments and therefore, and has already taken action on an appeal to issue any type of development permit on the Subject Property per City Code Section 117-4 (Official Map).

As part of the Official Map process in 2007, it was noted that the Subject Property was zoned R-2 Residential and that the intention was to re-guide the parcel as Public/Quasi-Public with the 2008 Comprehensive Plan Update and then subsequently rezone the parcel to Public/Quasi Public. That action did not occur. However, based on the current owner of the Subject Property (Anoka County) and the proposed use (solar farm), it seems reasonable to rezone the property as Public/Quasi-Public (this would also complete the stated intent when the area was officially mapped) and to amend the uses of that zoning district to identify Solar Energy Systems as a principal use with the issuance of a Conditional Use Permit (this district already identifies municipal and private substations as a permitted use).

The Environmental Policy Board (EPB) was introduced to this concept at their July meeting and then officially reviewed this request at their August meeting. Questions that the EPB had asked are outlined below along with the responses from the solar developer and/or Connexus Energy.

- Nuisance noise: The solar energy system will not have any moving parts (fans, panel movement/rotation, etc.) and therefore there should be no discernible noise generated, with the exception of the initial installation of the solar farm. The battery storage units would include air conditioning. As with any air conditioning system, the air condensing units would be outside and would generate some noise, but should be within allowable standards.
- Glare: The panels will be at a fixed tilt, permanently facing south (away from Highway 10), and manufactured with anti-reflective glass specifically designed to reduce glare. Two (2) glare studies have been

provided by the solar developer, one that focuses of Highway 10 and one that focuses on the areas south and west of the Subject Property. The studies do note that some glare would be produced. Specifically, one of the receptors near the southern touch-down point of the Armstrong Blvd overpass and another, near the residential lots along Bowers Drive. The receptor near the touchdown point of the overpass indicated that glare would be minimal and has low potential to create any after-image. The receptor adjacent to Bowers Drive (where the current agricultural land abuts the road) also indicated glare and did predict it would have the potential for temporary 'after-image' glare.

- Environmental Benefits/Impacts: According to the U.S. Department of Energy, few power generating technologies have as little environmental impact as photovoltaic solar panels. A ground mounted solar array generates electricity without any moving parts, requires no water, and produces no direct emissions. Underneath the ground mounted equipment, native vegetation will be established, providing pollinator habitat as well as erosion control and stormwater runoff benefits. Connexus noted that all power generated by this solar energy system would remain in Ramsey.
- Final Site Plan plans are being developed presently. Their design team is completing field work on the Subject Property necessary to complete the final design and Site Plan. However, it is not anticipated to have any significant impacts to the conceptual layout provided.

While a complete Site Plan is not yet available, consideration of the requested Zoning Amendments (both text and map) and Conditional Use Permit can still be addressed. The EPB recommended approval of the Zoning Amendments and Conditional Use Permit with the following conditions (which have been incorporated into the draft Conditional Use Permit):

- Submittal of final Site Plan for review and approval by the City.
- Submittal of a Glare Study (already received).
- Submittal of a Decommissioning Plan (already received).
- Installation of native, sustainable landscape underneath the ground mounted equipment (part of the proposal and added as condition to the Conditional Use Permit).

The City's Comprehensive Plan does address solar access protection within the Land Use Chapter. One of the identified policies for solar access protection is to work with the League of Minnesota Cities, University of Minnesota Extension Services, Minnesota Office of Environmental Assistance (now part of the Minnesota Pollution Control Agency), Anoka County, and other agencies to develop programs that increase the use of solar energy systems. It appears that the proposed project would further this policy.

Note that the attached, draft Conditional Use Permit was prepared as if the Zoning Amendments, both the text and map amendments, were in effect already. Furthermore, a condition of the Conditional Use Permit states that the Final Site Plan and Landscape Plan is subject to review and approval by the City Council.

As previously noted, the Planning Commission conducted a Public Hearing at their September 7 meeting. While there was not a second Public Hearing at their October meeting, the Planning Commission again entertained comments from the public at that meeting. Comments/concerns focused primarily on the potential impact to property values if the solar project moved forward, possible impacts to future development of the areas surrounding the Subject Property, and compatibility with potential future development in the area. The Planning Commission had also raised the issue of Connexus providing additional landscaping to ensure a transitional or buffer zone is established. Presently, this is not included in the draft Conditional Use Permit but could be added if so desired by the City Council.

Alternatives

Alternative 1: Approve the project with the necessary actions. Both private and municipal substations are already permitted uses within the Public/Quasi-Public District. It seems reasonable to also consider solar energy systems as a principal use of property in this district as a conditional use. This would not only encourage development of this renewable energy source but still afford the City to address requests on a case by case basis and apply reasonable conditions to an approval.

Alternative 2: Deny the request.

Other Alternatives

- The City could consider a financial guarantee/surety to ensure that the City is protected from clean up costs upon de-comissioning. It is noted, however, that this is not standard practice.

Funding Source:

All costs associated with this request are the responsibility of the Applicant.

Recommendation:

The Environmental Policy Board and Planning Commission recommended approval of the Zoning Amendments and Conditional Use Permit.

It is noted that since this project requires two (2) Zoning Amendments, the City is not obligated to approve said request if it feels it is not compatible with the surrounding area. That being said, the City does have the legal authority to approve this project with said Zoning Amendments if it feels it to be appropriate.

Action:

Motion #1. Motion to introduce Ordinance #17-13 to amend the City's Official Zoning Map to Public/Quasi-Public to guide future land uses on the Property.

Motion #2. Motion to introduce Ordinance #17-14 to to amend Section 177-122 (Public/Quasi-Public) to identify solar energy systems as a Conditional Use Permit to guide the approval process for these types of systems;

-and-

Motion #3. Motion to approve Resolution #17-11-289 granting a Conditional Use Permit for a Solar Energy System on the Subject Property, contingent upon review and approval of the Final Site Plan and Landscape Plan by the City Council. (Note: the Applicant will still need to bring back a final site plan for City Council Approval prior to starting construction).

Attachments

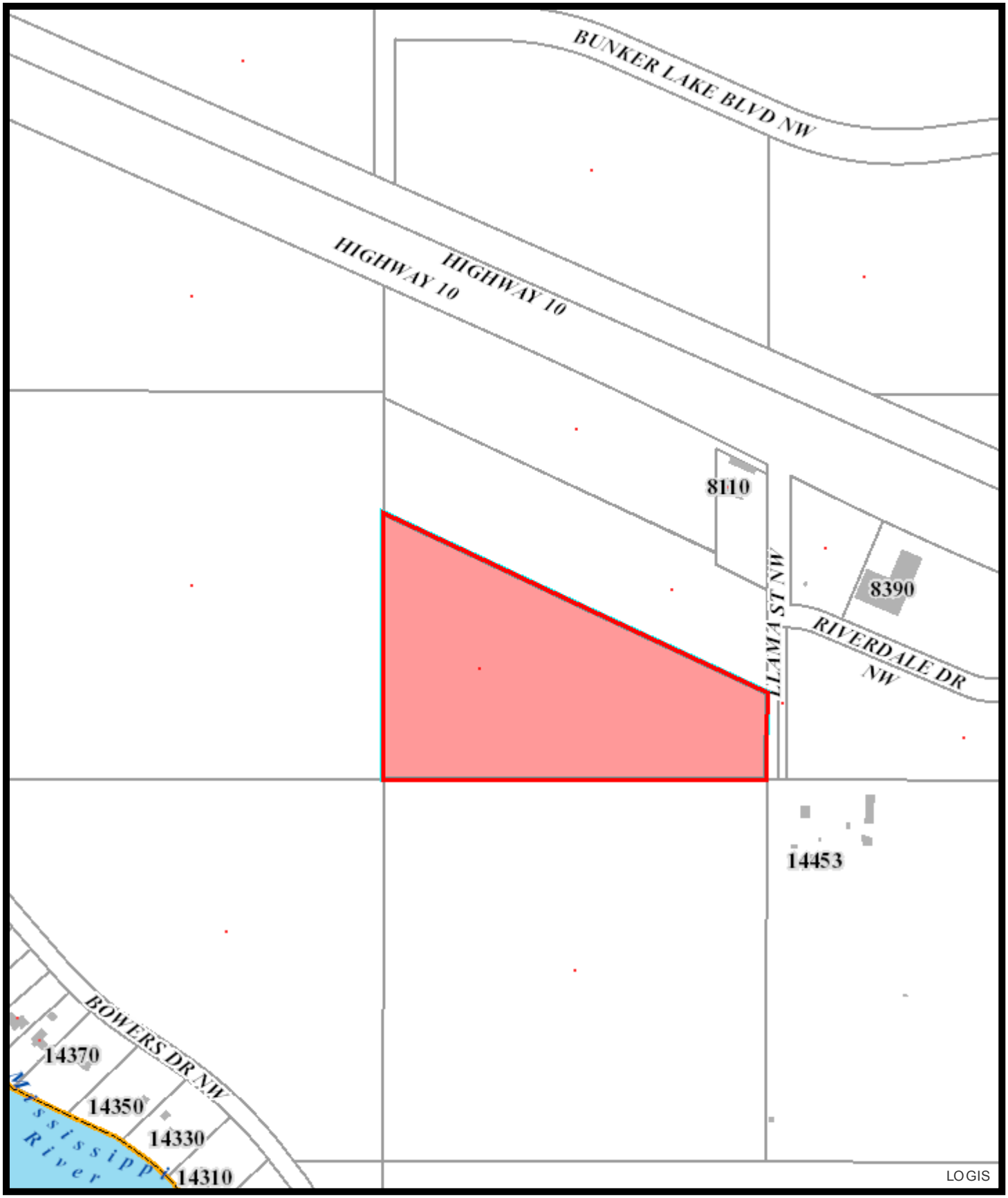
Site Location Map
Application Submittal
EPB Meeting Minutes Dated August 21, 2017
Decommissioning Plan and Glare Studies
Manufacturer Equipment Specifications
Site Layout and Typical Views of Panels and Battery Storage
Existing Solar Energy System Regulations
Aerial Overview of Connexus Energy Corporate Campus
Planning Commission Meeting Minutes Dated September 7, 2017
EDA Meeting Minutes Dated September 14, 2017
Draft Planning Commission Meeting Minutes Dated October 12, 2017
Ordinance #17-13: Zoning Map Amendment
Ordinance #17-14: Zoning Text Amendment
Resolution #17-11-289: Draft Conditional Use Permit
PowerPoint Presentation-Planning Division
Economic Development Input Summary

Form Review

Inbox	Reviewed By	Date
Tim Gladhill	Tim Gladhill	11/08/2017 02:43 PM
Chris Anderson (Originator)	Chris Anderson	11/08/2017 04:15 PM
Patrick Brama	Patrick Brama	11/08/2017 06:15 PM
Tim Gladhill	Tim Gladhill	11/09/2017 11:58 AM
Kurt Ulrich	Kurt Ulrich	11/09/2017 02:21 PM
Form Started By: Chris Anderson		Started On: 11/06/2017 04:36 PM
Final Approval Date: 11/09/2017		

29-32-25-24-0007

Site Location Map



Feet
0 115230 460 690 920

Print Date: July 12, 2017

Land Use Application

☐ Plat – Sketch Plan	☐ Plat – Preliminary Plat	☐ Plat – Final Plat
☐ Administrative Plat	☐ Site Plan Review	☐ Easement/ROW Vacation
☒ Conditional Use Permit	☐ Interim Use Permit	☐ Comprehensive Plan Amendment
☐ Zoning Amendment	☐ Home Occupation Permit	☐ Variance
☐ Dwelling Moving Permit	☐ Environmental Permit	☐ Registered Land Survey
☐ Non-Traditional Animal License	☐ Beekeeping License	☐ Private Kennel License

Applicant Contact Information

Please note: All official communication will be routed through this contact.

Name:	Brian Burandt		
Street Address:	14601 Ramsey Blvd.		
City, State, ZIP:	Ramsey, MN 55303		
Home Phone:	—	Work Phone:	763-323-2785
Email:	brian.burandt@connexusenergy.com	Fax Number:	763-323-2785
Name of Business (if applicable):	Connexus Energy		
Business Address (if applicable)	14601 Ramsey Blvd.		
Business City, State, ZIP	Ramsey, MN 55303		
Business Phone:	763-323-2785	Business Fax:	763-323-2785

Subject Property Information

(Location of Application)

Address	Unassigned, Ramsey, MN 55303
PIN	29-32-25-24-0007
Legal Description	See attachment
Zoning District	R2 – Medium Density Residential

Contact the Planning Division at 763-433-9824 or planning@cityoframsey.com to request a Zoning Verification

Property Owner Information

(If different than Applicant)

Name:	Anoka County		
Street Address:	1440 Bunker Lake Blvd.		
City, State, ZIP:	Andover, MN 55304		
Home Phone:	—	Work Phone:	763-323-5693
Email:	jerry.soma@co.anoka.mn.us.	Fax Number:	—

Please provide a detailed description of your request and attached a copy of a scaled site plan

Request to install 3.5 megawatts (MW) of solar photovoltaic panels and 6 MW of battery energy storage.
Sizing of PV and energy storage subject to final design criteria.

A "Land Use Sign" will be placed on the Subject Property to allow Ramsey Residents the opportunity to obtain information about your request.

Applicant Signature		Co-Applicant Signature	
Printed Name	Brian Burandt	Printed Name	
Title	VP, Power Supply & Business Development	Title	
Date	6/9/17	Date	

I understand that the application fee is non-refundable. All costs associated with the processing of this application are the responsibility of the applicant whether this application is approved or denied. Any excess of escrow account deposits over expenditures will be refunded at the time of account closure. I also understand that as the applicant, it is my responsibility to obtain all other permits or licenses required by any applicable regulatory agencies for this Land Use Application.

Property Owner Signature		Property Owner Signature	
Printed Name	Jerry Soma	Printed Name	
Title	County Administrator	Title	
Date	8-22-17	Date	

I hereby certify that I am the fee title owner/contract for deed vendee of record for the above-mentioned property. Failure to prove ownership may void any agreements entered into the City and I will be held liable for any and all costs incurred by the City.

Legal Description:

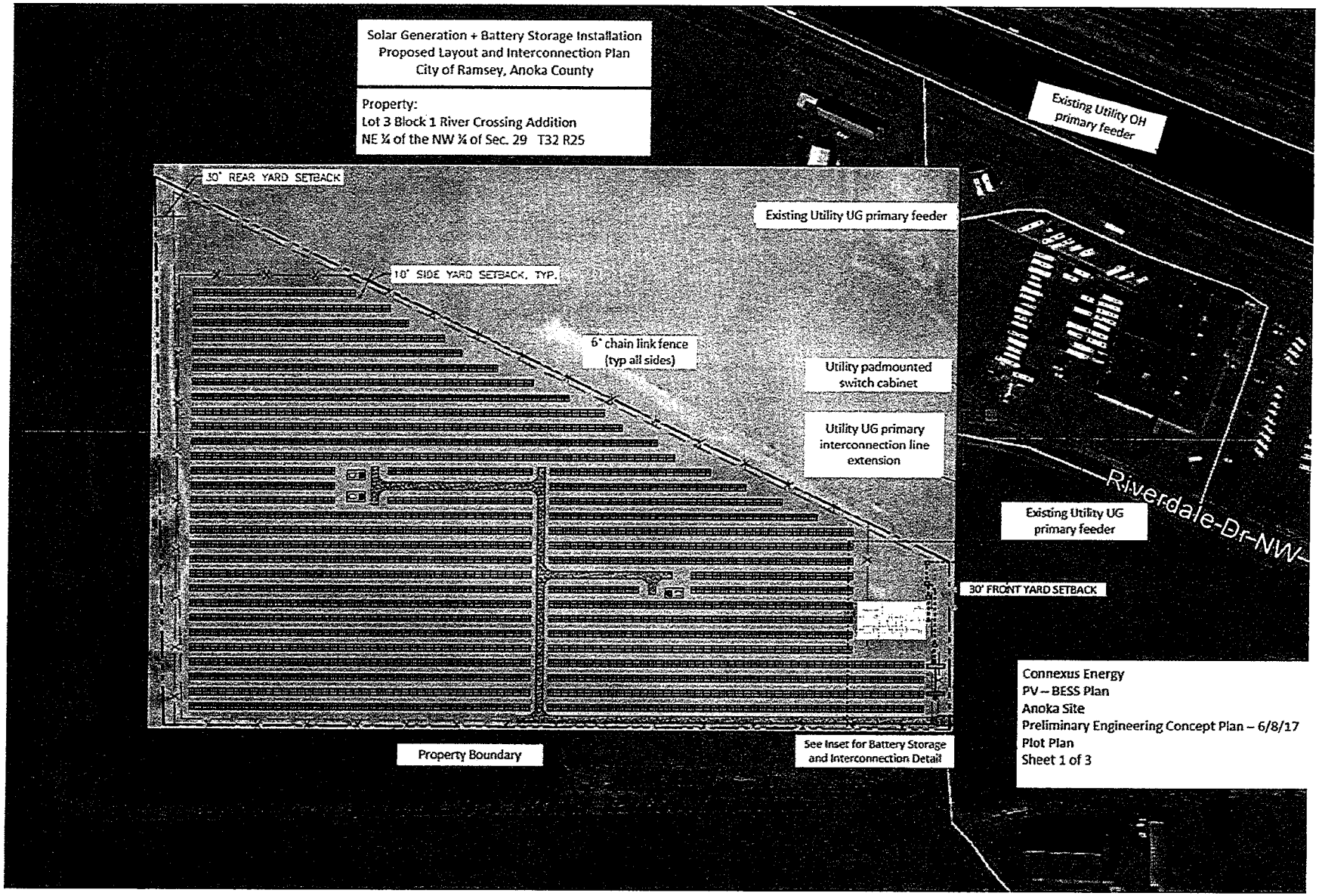
Parcel # 29-32-25-24-0007

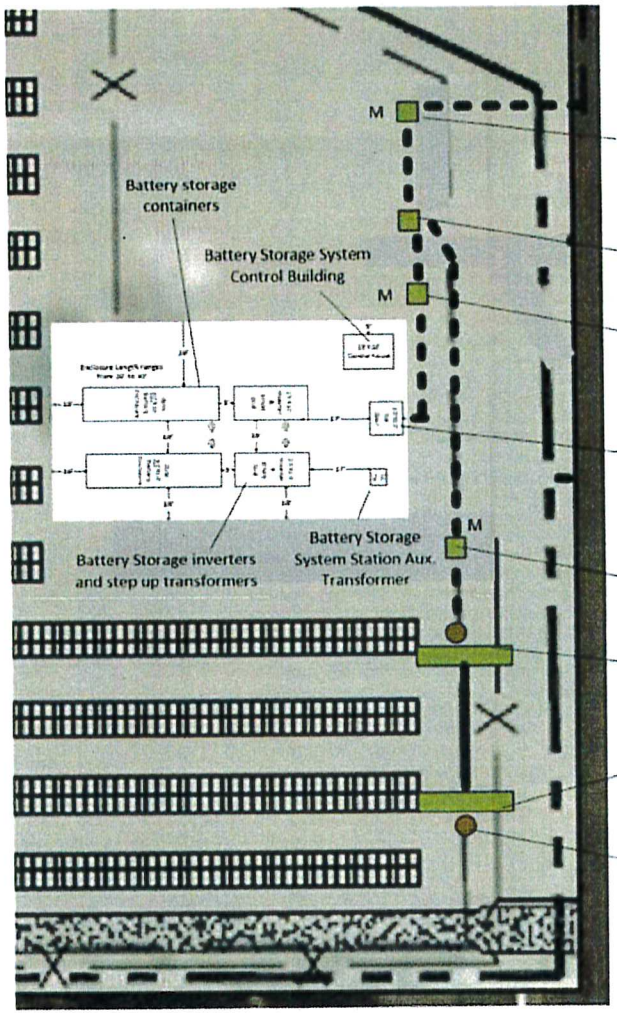
That part of the Northeast Quarter of the Northwest Quarter of Section 29, Township 32, Range 25, Anoka County, Minnesota, lying southwesterly of the northeasterly right of way line of U.S. Highway No. 10.

And

The Southeast Quarter of the Northwest Quarter of Section 29, Township 32, Range 25, Anoka County, Minnesota, except that part described as follows:

Beginning at a point on the east line of the Southeast Quarter of the Northwest Quarter of Section 29, Township 32, Range 25, distant 30 feet south of the intersection of said line with the southerly boundary of the right of way of U.S. Highway No. 10; thence northwesterly and parallel with said U.S. Highway No. 10 and 30 feet southwesterly thereof, a distance of 200 feet; thence southerly and parallel with the east line of said Southeast Quarter of the Northwest Quarter, a distance of 400 feet; thence southeasterly and parallel with said U.S. Highway No. 10, a distance of 200 feet to the east line of said Southeast Quarter of the Northwest Quarter; thence north along the east line of said Southeast Quarter of the Northwest Quarter 400 feet to the point of beginning.


Solar Generation + Battery Storage Installation
Proposed Layout and Interconnection Plan
City of Ramsey, Anoka County
Property:
Lot 3 Block 1 River Crossing Addition
NE ¼ of the NW ¼ of Sec. 29 T32 R25
30' REAR YARD SETBACK
10' SIDE YARD SETBACK, TYP.
6' chain link fence (typ all sides)
Existing Utility OH primary feeder
Existing Utility UG primary feeder
Utility padmounted switch cabinet
Utility UG primary interconnection line extension
Existing Utility UG primary feeder
Riverdale-Dr-NW
30' FRONT YARD SETBACK
Property Boundary
See Inset for Battery Storage and Interconnection Detail
Connexus Energy
PV – BESS Plan
Anoka Site
Preliminary Engineering Concept Plan – 6/8/17
Plot Plan
Sheet 1 of 3



Inset from Page 1 – Battery Storage and Interconnection Equipment

GENERAL NOTES:

- Layout as shown is preliminary – actual detailed layout of panel array and placement of interconnection equipment may change as part of detail design.
- Solar panels will be pier mounted fixed access, azimuth at 180 degrees.
- Solar panel maximum height - 15' (based on preliminary information – not vendor specific)
- All setbacks to solar panels shall located such that the distance to any property line is at least equal to the height of the solar panels at maximum designed tilt.
- All electrical collection lines inside the property shall be underground, except for overhead pole mounted equipment near the point of interconnection as indicated.
- Solar field will be surrounded by 6' chain lockable chain link fence
- Power line extension to interconnect the facility will be buried line along Llama St
- Connexus Connection Cabinet and Metering Cabinet approximate dimensions: 5' x 5' footprint, 5' high

Connexus Energy
PV – BESS Plan
Anoka Site
Preliminary Engineering Concept Plan – 6/7/17
Interconnection Detail -Equipment Plan
Sheet 2 of 3

Solar Panels – typical view

Battery containers – typical view

Connexus Energy
PV – BESS Plan
Anoka Site
Preliminary Engineering Concept Plan – 6/7/17
Major Equipment – Typical
Sheet 3 of 3

5.01: Consider Request for a Zoning Amendment and Conditional Use Permit for the Installation of a Solar Garden at the Property Legally Described as Lot 3, Block 1, River Crossing Addition (Project No. 17-135); Case of Connexus Energy

City Planner Anderson presented the staff report. He stated that Connexus Energy has applied for a Zoning Amendment and a Conditional Use Permit to construct a new solar garden on the property legally described as Lot 3, Block 1, River Crossing Addition. He stated that the subject property is owned by Anoka County and would be leased by Connexus Energy. He stated that when the City contemplated solar energy systems several years ago, the Zoning Code was amended to consider ground or building mounted solar energy systems as permitted accessory use in any zoning district; however, it did not account for or address the possibility of a solar array being the principal use of a property, as would be the case with the Connexus proposal.

Brian Burandt stated that the proposed site would be 14 times the size of the existing solar array on the Connexus campus and would generate the power supply for 600 homes, noting that energy would remain in Ramsey. He stated that there are tax credits available for the solar system, battery system, and storage system which decrease the project costs. He explained that the midday solar peak and later peak of energy use, the storage system will allow that energy to be stored until the use is needed. He stated that Connexus approached municipalities to determine interest and there are three willing partners with land available through Anoka County, St. Francis, and the National Sports Center. He stated that this would be the largest multi-site community solar array in the midwest. He provided additional details on the proposed sites which would include fencing and pollinator habitat. He stated that they have learned key takeaways from the solar array on the Connexus campus.

Board Member Trossen asked the size of the battery and average lifespan.

Mr. Burandt provided additional details on the size and lifespan of the batteries. He explained how the batteries would be charged and store energy in order to disburse the energy during peak demand times.

Board Member Valentine asked for information on fire safety.

Mr. Burandt provided additional details on the batteries and noted that the batteries are safe and the price of batteries have actually been reduced because of the competition that has been brought to the market. He confirmed that there would be fire suppression as well.

Board Member Covart asked if the members would be offered a buy-in on the project.

Mr. Burandt explained that Connexus is leasing the land through municipalities and the energy will be used to lower the costs to all Connexus customers rather than offering a buy-in. He stated that there is not an issue with glare. He stated that after 25 years the equipment would be removed and the site would be restored for Anoka County to do what they wish with it.

City Planner Anderson stated that he spoke with the solar developer and was assured that the developer would create a decommissioning plan for the removal of the equipment and restoration of the land that would occur after that leased period expires.

Mr. Burandt stated that the storage developer has not yet been named but provided examples of storage containers that could be used in the solar array. He noted that the storage containers would be located on the back side of the swale if you were looking from Highway 10.

City Planner Anderson stated that staff does not have a final Site Plan as that would be contingent on final site work that is being done. He stated that part of the mapping process that was done in 2007 to prepare for the Comprehensive Plan update identified this land as Public/Quasi Public but the reguiding of the land never occurred. He stated that currently the property is zoned as R-2/medium residential. He stated that staff believes that it would be appropriate to rezone the property as Public/Quasi-Public, especially because the County owns the property. He noted that substations are allowed in that zoning district and while a solar array is not a specified use, it would be similar. He stated that staff would recommend adding a text amendment to the zoning district to allow solar energy systems as a principal use with the issuance of a Conditional Use Permit. He noted that a Conditional Use Permit could then be used to allow the solar array. He stated that this would move forward to the Planning Commission for a public hearing at their September 5th meeting and would then move to the City Council.

Mr. Burandt stated that Connexus originally wanted to have a showcase on their property, as they have 18 acres of land but staff was hesitant and stated that they would support the solar array on another piece of property as they would rather see the land near the Connexus site preserved for a business park.

City Planner Anderson agreed that from an economic development perspective, Ramsey is short on industrial/business park land and therefore the remainder of the Connexus property would be desirable for that purpose. He stated that discussion has brought this idea to the County owned land, which would be a good marriage of the County owned land and the solar array.

Board Member Hiatt asked if there has been any feedback from the residents on Bowers Drive.

Mr. Burandt stated that they have not spoken with the residents in that area yet but would be open to holding a public meeting.

City Planner Anderson stated that if Connexus is interested, staff could open up City Hall earlier for an open house prior to the Planning Commission meeting for residents to ask more questions if desired.

Mr. Burandt stated that he has not heard any negative comments about creating more renewable energy.

Motion by Chairperson Stodola and seconded by Board Member Valentine to recommend approval of a Zoning Amendment to rezone the subject property to Public/Quasi Public and to add solar energy systems as a principal use with the issuance of a Conditional Use Permit.

Motion carried. Voting Yes: Chairperson Stodola, Board Member Valentine, Anderson, Covart, Hiatt, and Trossen. Voting No: None. Absent: Board Member Bernard.

Motion by Board Member Valentine and seconded by Board Member Hiatt to recommend approval of a Conditional Use Permit for the installation of a solar energy system on the subject property with contingencies.

Motion carried. Voting Yes: Chairperson Stodola, Board Member Valentine, Hiatt, Anderson, Covart, and Trossen. Voting No: None. Absent: Board Member Bernard.

SOLAR PROJECT DECOMMISSIONING PLAN

Anoka County Solar Facility

Sept. 2017

SoCore Energy
225 W. Hubbard St., Suite 200
Chicago, Illinois 60654

Introduction

SoCore Energy, LLC, proposes to build, own, and operate an approximately 3.5 megawatt (MW ac) solar electric photovoltaic (PV) generating facility. The Anoka County Solar Facility, a solar generating facility (SGF) will be built in Anoka County, Minnesota on approximately 18 acres that the County owns. This property is currently zoned as R2 - Medium Density Residential, but is being utilized as agricultural. The SGF could produce solar power for up to 35 years. However, for the purposes of this decommissioning plan, SoCore, as the Applicant, assumes 25 years of operation.

The Applicant has developed this decommissioning plan to return the land to agricultural use once the SGF has terminated service after approximately 25 years. The plan will assist in reclaiming the land, as much as feasible, to conditions existing before construction. This will include removal of all: PV modules, support equipment, and support beams foundations or other fixed structures. It will also include the removal of all non-native debris to a recycling facility or to a local landfill. All roads and drainage features constructed on the site for the SGF will be removed and drainages will be restored to approximate pre-construction conditions. This decommissioning plan will be kept on file with the facility owner. The plan will be updated as necessary to keep it current with the SGF site conditions, reclamation technology, and to update the cost estimates for implementation, as required.

Site Ownership and Location

The SGF property is currently privately owned. SoCore will lease the acreage for the SGF development, construction, and operation, until the completion of this decommissioning plan pursuant to a written lease agreement. If the SGF ownership is transferred to another entity, the decommissioning plan requirements shall be included within any such transaction.

Proposed Use of the Land

The SGF will be located on approximately 18 acres. The remaining approximately acreage will be maintained as agricultural land and associated farm residences, which are expected to be maintained by the owner.

Present Use of the Land

The SGF is located on agricultural land in an agricultural area. No buildings, wells, or sewage facilities are located on the approximately SGF site. Based on a review of Google Earth aerial imagery, seasonal crops have been planted on the SGF site for at least the past 25 years.

Documentation of Existing Drainages

Prior to the start of construction, existing drainage information and approximate pre- construction condition information will be preserved in the site plans that will be kept with the site environmental documentation for the life of the SGF.

Determination of Land Use After Closure

After the SGF has been operating for 25 years, a future land use for the property will be established. The property may be used for the following: continued use as a solar energy facility, redeveloped for agricultural purposes, or redeveloped for residential purposes. For the purpose of this decommissioning plan, the future land use is specified as agricultural farmland.

Major Components of the SGF

The SGF is designed for optimum performance and ease of maintenance. The SGF will include construction of a series of PV module arrays mounted on racking systems supported by a pile-driven foundation design. Rows of modules and racks will be organized, each with their own power inverters. To achieve these objectives, the SGF will use PV technology on a fixed- tilt racking mounted system at a 25-degree tilt laid out in a PV block design to allow for maintenance and access.

The energy from the PV arrays will be collected, converted from direct current (DC) to alternating current (AC) at the inverters, and combined. The electrons will be routed through an

AC collection system. The system will be designed to minimize cable routing and trenching thereby ensuring minimal electrical losses.

The final output from the SGF will be processed through a step-up transformer to match the interconnection voltage and to comply with utility interconnection requirements. Electrical safety and protection systems will be provided to meet utility and regulatory codes and standards. The energy will be delivered to the Connexus Energy electrical distribution network.

A security perimeter fence with appropriate signage for public protection will be installed. Points of ingress/egress will be accessed by locked gates for facility services and maintenance. Additional information on specific elements of the SGF is provided in the following sections.

PV MODULES

The SGF will require installation of approximately 14,000 PV modules. Any unanticipated adjustment to this number will depend upon the final selected technology decided after an optimization evaluation and detailed design. The evaluation, design, and selected technology will take into account market conditions, economic considerations, and environmental factors.

The current design for the SGF proposes to use PV crystalline silicon technology, in the form of 72 solar cell panels rated to produce between 315 watts per panel. The modules will be installed at a 25-degree angle in a fixed-tilt configuration facing south.

STANDARD INSTALLATION, ARRAY ASSEMBLY, AND RACKING

There are various solar module mounting systems that can be mounted on several different types of foundations. The SGF will use a fixed-tilt mounting system.

The module mounting system provides the structure that supports the PV module arrays. The foundations are typically beam piles, which are driven into the soil using pneumatic techniques, similar to hydraulic pile driving. The final foundation design will be determined based on the geotechnical survey for the SGF location. Once the foundation has been installed, the module mounting system will be installed to support the PV modules. For the fixed-tilt configuration, a rigged structure will be installed and design to support wind and snow loads, as well as meet local design criteria.

The PV modules will be delivered to the SGF site during construction to support the installation schedule. The module mounting system will orient the PV panels in rows, reflecting a standard and uniform appearance across the facility. The panel configuration will be uniform in height and width.

SOLAR COLLECTION, INVERTERS, AC COLLECTION, AND TRANSFORMERS

The PV modules will be electrically connected into a series of strings. A string inverter will be installed for each string located throughout the solar field. The module strings will be wired to string inverters (DC-to-AC conversion equipment) on the SGF site.

The inverter output power cables will be combined in five distributed AC panel boards located throughout the SGF. The outputs of the AC panels will be combined at a centrally located AC switchgear station installed on a concrete pad. A step-up transformer will also be located at this central location and the output of the transformer will feed to the utility, Connexus Energy.

Underground electrical cables will be installed in PVC (polyvinyl chloride) conduit using ordinary trenching techniques, which includes excavation of trenches to accommodate PVC conduit. The PVC electrical conduits and wires will be installed at varying depths across the SGF. The depths for the PVC conduit and trench backfill will be in accordance with local, state, and federal codes. The AC energy will be stepped up to the appropriate interconnection voltage by the system transformer to match the voltage at the grid interconnection. Required switchgear cabinetry will be provided as necessary for circuit control. The electrical inverters will be H- frame mounted and the AC collection panel, switchgear, and step-up transformers will be placed on poured concrete foundations.

SGF INTERCONNECTION DESCRIPTION

Each inverter will be outdoor rated and mounted on a steel, rigid frame. The AC output of the inverters will be fed to the distributed AC panel boards. The AC collection system cables will be connected in parallel and collected at the site switchgear. The switchgear includes the main circuit breaker and utility metering equipment. It will be enclosed separately but pad-mounted together with the set-up transformer.

GENERATOR-TIE LINE

The power generated by the SGF will be connected to the existing Connexus Energy network using the voltage transformation equipment and system safety equipment to be constructed at the SGF.

Timeline for Decommissioning Plan

As stated above, the proposed SGF will operate for no less than 25 years. After operations cease at the facility, equipment removal will take approximately one month, and reclamation will take an additional two weeks.

Removal of Hazardous Materials

Based on the use of the site, hazardous materials will not be present in significant quantities and the risk of spill or release is considered low. Once the SGF ceases operations, all potential hazardous materials (i.e., transformer coolant) and wastes (i.e., broken PV panels) will be removed from the site and disposed of in accordance with local, state, and federal laws.

Removal of Equipment

After SGF operations cease, all equipment, module mounting systems, and foundations will be removed from the site so it can be restored, as much as possible, to its original condition. Bids will be taken from potential vendors, whose costs will include purchasing the SGF equipment and materials, mobilizing to the site, loading it onto trucks, and transporting it from the site for off- site recycling or disposal at designated facilities, in accordance with local, state, and federal laws.

PV modules will be unbolted from the support structures and consolidated in a designated "lay down" area. The PV modules will be sold to an off-site recycler, loaded onto trucks, and moved offsite by the selected vendor.

The pier foundations supporting the mounting system have been driven to a supporting depth. They will be excavated from the ground and the entire length of column will be moved to the lay down area where they will be cleaned off and consolidated. The columns will be sold to an off-site recycler. They will be loaded onto trucks and moved offsite by the selected vendor.

The PVC electrical conduits and wires have been installed at varying depths across the SGF. Those located at depths between 0 to 3 feet below ground surface (bgs) will be removed during decommissioning, while those at depths greater than 3 feet bgs will be left in place. During decommissioning the overburden layer of soil will be removed from the targeted buried electrical trenches with a backhoe, and the PVC electrical conduits and wires from 0 to 3 feet bgs will be excavated from the ground, as appropriate. All extracted PVC electrical conduits and wires will be moved to the lay down area and consolidated. The PVC conduits and wires will be sold to an off-site recycler. They will be loaded onto trucks and moved offsite by the selected vendor.
The inverters will be removed and temporarily stored on an impermeable base (i.e., concrete pad) in the lay down area. The inverters will be sold to an off-site recycler. They will be loaded onto trucks in batches and moved offsite by the selected vendor.

The electrical switchgear and step-up transformer will be removed and temporarily stored in the lay down area. Best management practices (i.e., berms, plastic sheeting) will be implemented to minimize potential leaks or spills from occurring in the lay down area. The equipment will be sold to an off-site recycler. This equipment will be loaded onto trucks and moved offsite. The concrete foundation for the switchgear and transformer will also be removed and properly disposed of offsite by the selected vendor.

The fencing will be dismantled and sold with other scrap material. Any other miscellaneous equipment will be removed properly disposed of offsite by the selected vendor.

Any roads and access pathways within the SGF site will be grubbed, graded, and soil will be spread for restoration. Any aggregate at the site will be hauled away for disposal by the selected vendor.

Contouring, Erosion, and Sediment Control

Contouring the site will be conducted using standard grading and farming equipment to return the land to approximately match the pre-construction surface conditions. All aggregate base will be removed from access roads and removed from the site, as required. The site drainage features will be restored to their pre-construction condition. Temporary erosion and sediment control measures such as sediment fences, hay bales, mulch, and soil stabilizers and other best management practices will be used as needed. As noted above, the pre-construction site conditions will be recorded prior to beginning construction for the SGF.

Types of Crops to be Planted

After reclamation of the site, the type of crop(s) to be planted will be determined by then- prevailing market conditions. Details of ground treatments, erosion control, fertilization, planting methods, weed control, and irrigation systems will be added to the plan, once the crops are selected. This information will be summarized in a revised version of this decommissioning plan before it is implemented.

N

0 30 60 120

(IN FEET)

SCALE: 1" = 60'

LEGEND AND ABBREVIATIONS:

EXISTING PROPERTY LINE

PROPOSED SECURITY FENCE

NATIVE POLLINATOR MEADOW MIX

NOTES FOR GENERAL CONTRACTOR:

1. ALL FINAL SITE SEEDING SHALL BE CONTRACTED BY SOCORE ENERGY, LLC. THIS WORK SHOULD NOT BE INCLUDED IN THE GENERAL CONTRACTORS PRICING.
2. CONTRACTOR SHALL COORDINATE SITE ACCESS WITH SOCORE'S SEEDING AND LANDSCAPE CONTRACTORS.
3. ALL EQUIPMENT AND DEBRIS SHALL BE REMOVED FROM THE AREAS REQUIRING SEEDING AND LANDSCAPE PLANTING.

SEEDING NOTES:

1. A COVER CROP SHALL BE PROVIDED WITHIN THE LIMITS OF CONSTRUCTION (APPROX. 16.0 ACRES) AND INSTALLED BY THE CONTRACTOR FOLLOWING THE CONSTRUCTION SEQUENCING INDICATED ON SHEET C4.00. A COVER CROP IS AN ANNUAL GRASS SPECIES THAT GERMINATES QUICKLY AND WILL REDUCE THE RISK OF ON-SITE SOIL EROSION AND DETER THE ESTABLISHMENT OF WEEDS PRIOR TO PERMANENT SEEDING. THE COVER CROP SHOULD BE SOWN AT A RATE OF APPROXIMATELY 25 LBS/ACRE. OATS SHOULD BE USED FOR A SPRING OR SUMMER SEEDING, AND WINTER WHEAT WILL BE USED FOR ALL FALL SEEDING.
2. ALL OTHER AREAS DISTURBED OUTSIDE OF THE "LIMITS OF CONSTRUCTION" SHALL BE REPAIRED TO THEIR PREVIOUS CONDITIONS. SEEDING SHALL MATCH THE EXISTING ADJACENT GRASS SPECIES.
3. IT IS THE CONTRACTOR'S RESPONSIBILITY TO ESTABLISH FINAL GRADE ELEVATIONS (I.E. FINISH GRADING) WITHIN THE AREA ALLOCATED FOR THE "NATIVE POLLINATOR MEADOW MIX".
4. FINAL SITE PREPARATIONS, SEED, AND SEEDING OF THE "NATIVE POLLINATOR MEADOW MIX" WILL BE PROVIDED BY SOCORE. THE CONTRACTOR WILL NEED TO COORDINATE SITE ACCESS FOR THE INSTALLATION OF THE PERMANENT VEGETATION.

Know what's below. Call before you dig

SoCore Engineering
225 West Hubbard St, Suite 200
Chicago, IL 60654
1-877-SOCORE1

THE INFORMATION DISCLOSED HEREIN WAS ORIGINATED BY AND IS THE SOLE PROPERTY OF SOCORE ENGINEERING, LLC. ALL PATENT, PROPRIETARY, DESIGN, USE, SALE, MANUFACTURING AND REPRODUCTION RIGHTS THERETO ARE HEREBY RESERVED.
CONTRACTOR SHALL BE RESPONSIBLE FOR REVIEWING ALL PLANS AND SPECIFICATIONS, VERIFYING ALL EXISTING CONDITIONS PRIOR TO CONSTRUCTION AND NOTIFYING THE SOCORE ENGINEERING IMMEDIATELY OF ANY DISCREPANCIES OR CONFLICTS.
CONTRACTOR IS RESPONSIBLE FOR THE INSTALLATION OF PROPERLY SIZED EQUIPMENT. SUBMIT SHOP DRAWINGS TO SOCORE ENGINEERING FOR APPROVAL OF CONFORMITY TO SOCORE'S DESIGN INTENT.
SOCORE ENGINEERING, LLC. SHALL RETAIN ALL COPYRIGHTS, STATUTORY AND COMMON LAW RIGHT WITH REGARD TO THESE PLANS. REPRODUCTION, CHANGES OR ASSIGNMENT TO ANY THIRD PARTY SHALL NOT OCCUR WITHOUT OBTAINING EXPRESSED WRITTEN CONSENT OF SOCORE ENGINEERING, LLC.

REV.	DATE	ISSUE FOR

PROJECT NAME
ANOKA COUNTY SOLAR
14469 LLAMA ST. NW
RAMSEY, MN 55303
(45.2347220,-93.4829570)

SHEET NAME
SITE RESTORATION PLAN

DESIGNER	MSA
DRAFTER	MSA
CHECK	GCM
DATE	09.05.2017
SCALE	AS NOTED
SHEET SIZE	24" X 36"

STAMP

EOR: CIVIL
GAVIN MEINSCHEIN, PE

SHEET NUMBER
C5.00

FILE PATH: S:_NEW FOLDER STRUCTURE\PROJECTS\ANOKA COUNTY_MN_CONX\ENGINEERING AND DESIGN\DRAWINGS\C5.00 - SITE RESTORATION PLAN.DWG 9/7/2017 BY: MARK.ALBERY

GlareGauge Glare Analysis Results

Site Configuration: Site 1

Project site configuration details and results.

Created **Aug. 22, 2017 10:58 a.m.**
DNI **varies** and peaks at **1,000.0 W/m^2**
Analyze every **1** minute(s)
0.5 ocular transmission coefficient
0.002 ft pupil diameter
0.017 ft eye focal length
9.3 mrad sun subtended angle
Site Configuration ID: 9859.1692

Summary of Results

Glare with low potential for temporary after-image predicted

PV name	Tilt	Orientation	"Green" Glare	"Yellow" Glare	Energy Produced
	deg	deg	min	min	kWh
PV array 1	25.0	180.0	598	0	-

Component Data

PV Array(s)

Name: PV array 1
Axis tracking: Fixed (no rotation)
Tilt: 25.0 deg
Orientation: 180.0 deg
Rated power: -
Panel material: Smooth glass with AR coating
Vary reflectivity with sun position? Yes
Correlate slope error with surface type? Yes
Slope error: 8.43 mrad

Vertex	Latitude	Longitude	Ground elevation	Height above ground	Total elevation
	deg	deg	ft	ft	ft
1	45.234163	-93.480778	885.40	0.00	885.40
2	45.235825	-93.485649	875.23	0.00	875.23
3	45.233936	-93.485541	868.51	0.00	868.51
4	45.233860	-93.480713	884.62	0.00	884.62

Discrete Observation Receptors

Number	Latitude	Longitude	Ground elevation	Height above ground	Total Elevation
	deg	deg	ft	ft	ft
1	45.239919	-93.488910	883.91	0.00	883.91
2	45.238680	-93.485155	881.20	0.00	881.20
3	45.237698	-93.482108	874.43	0.00	874.43
4	45.236973	-93.479533	877.22	0.00	877.22
5	45.235734	-93.475842	879.92	0.00	879.92
6	45.233679	-93.473461	873.86	0.00	873.86

PV Array Results

PV array 1 low potential for temporary after-image

Component	Green glare (min)	Yellow glare (min)
OP: 1	0	0
OP: 2	0	0
OP: 3	0	0
OP: 4	0	0
OP: 5	13	0
OP: 6	585	0

PV array 1 - OP Receptor (1)

No glare found

PV array 1 - OP Receptor (2)

No glare found

PV array 1 - OP Receptor (3)

No glare found

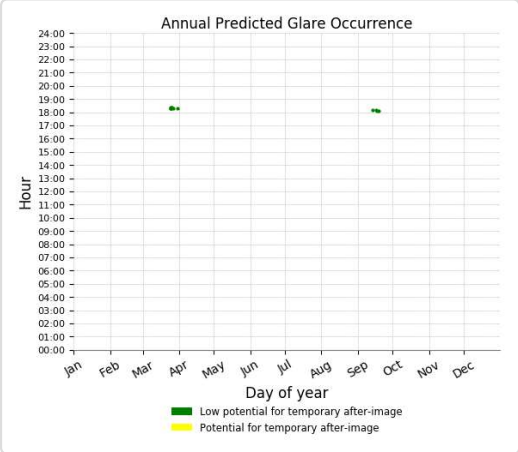
PV array 1 - OP Receptor (4)

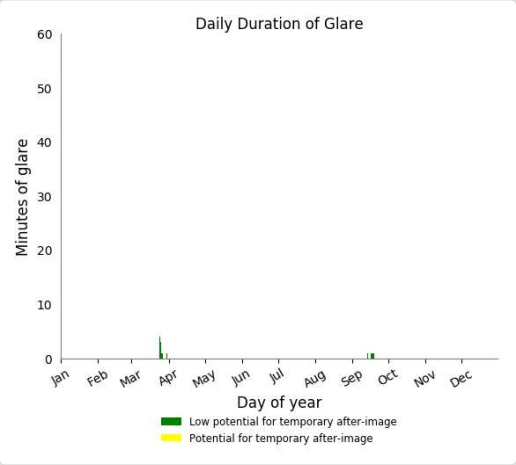
No glare found

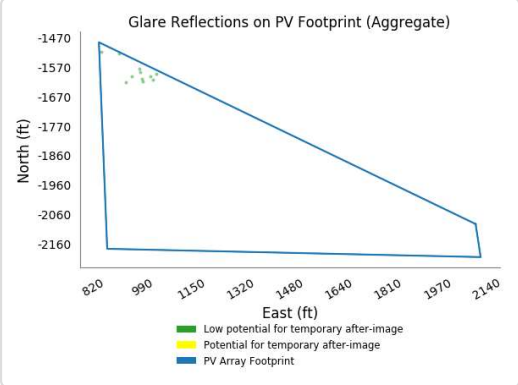
PV array 1 - OP Receptor (5)

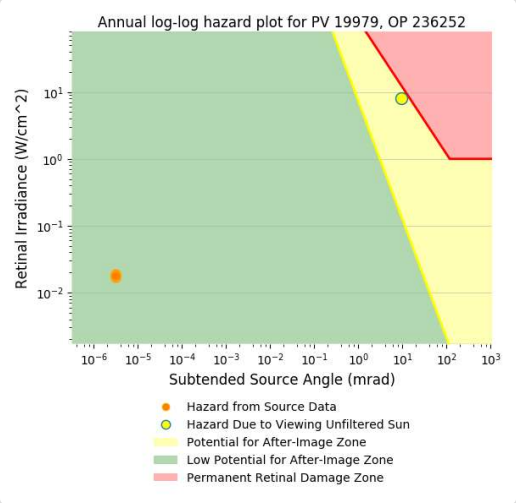
PV array is expected to produce the following glare for receptors at this location:

- 13 minutes of "green" glare with low potential to cause temporary after-image.
- 0 minutes of "yellow" glare with potential to cause temporary after-image.





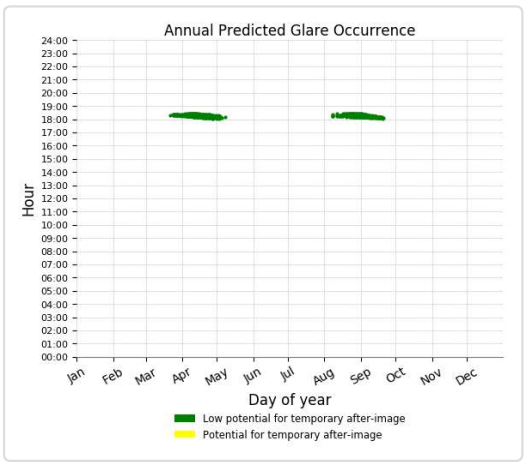


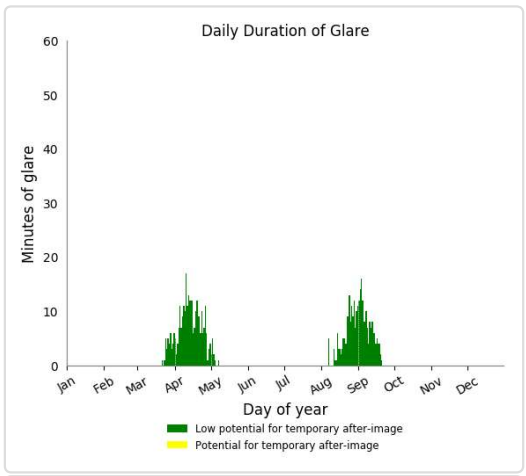


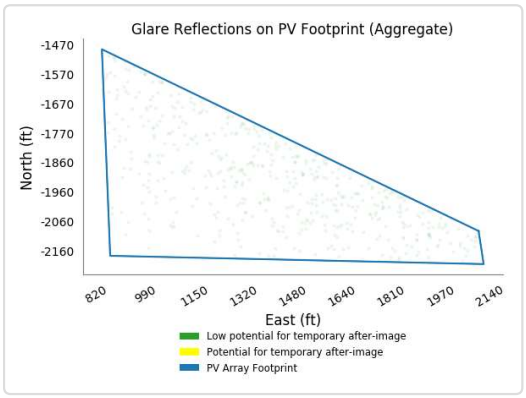
PV array 1 - OP Receptor (6)

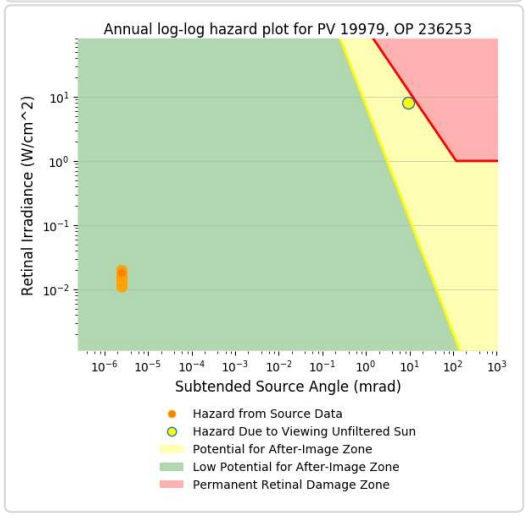
PV array is expected to produce the following glare for receptors at this location:

- 585 minutes of "green" glare with low potential to cause temporary after-image.
- 0 minutes of "yellow" glare with potential to cause temporary after-image.









Assumptions

- Times associated with glare are denoted in Standard time. For Daylight Savings, add one hour.
- Glare analyses do not account for physical obstructions between reflectors and receptors. This includes buildings, tree cover and geographic obstructions.
- The glare hazard determination relies on several approximations including observer eye characteristics, angle of view, and typical blink response time. Actual values may differ.
- Hazard zone boundaries shown in the Glare Hazard plot are an approximation and visual aid. Actual ocular impact outcomes encompass a continuous, not discrete, spectrum.

GlareGauge Glare Analysis Results

Site Configuration: Anoka-temp-0

Project site configuration details and results.

Created **Aug. 31, 2017 4:55 p.m.**
DNI **varies** and peaks at **1,000.0 W/m^2**
Analyze every **1** minute(s)
0.5 ocular transmission coefficient
0.002 ft pupil diameter
0.017 ft eye focal length
9.3 mrad sun subtended angle
Site Configuration ID: 10010.1692

Summary of Results

Glare with potential for temporary after-image predicted

PV name	Tilt	Orientation	"Green" Glare	"Yellow" Glare	Energy Produced
	deg	deg	min	min	kWh
PV array 1	25.0	180.0	2,011	851	-

Component Data

PV Array(s)

Name: PV array 1
Axis tracking: Fixed (no rotation)
Tilt: 25.0 deg
Orientation: 180.0 deg
Rated power: -
Panel material: Smooth glass with AR coating
Vary reflectivity with sun position? Yes
Correlate slope error with surface type? Yes
Slope error: 8.43 mrad

Vertex	Latitude	Longitude	Ground elevation	Height above ground	Total elevation
	deg	deg	ft	ft	ft
1	45.234163	-93.480778	885.40	0.00	885.40
2	45.235825	-93.485649	875.23	0.00	875.23
3	45.233936	-93.485541	868.51	0.00	868.51
4	45.233860	-93.480713	884.62	0.00	884.62

Discrete Observation Receptors

Number	Latitude	Longitude	Ground elevation	Height above ground	Total Elevation
	deg	deg	ft	ft	ft
1	45.233603	-93.480070	883.08	0.00	883.08
2	45.232017	-93.483396	868.74	0.00	868.74
3	45.230052	-93.486571	890.44	0.00	890.44
4	45.231956	-93.489897	880.09	0.00	880.09

PV Array Results

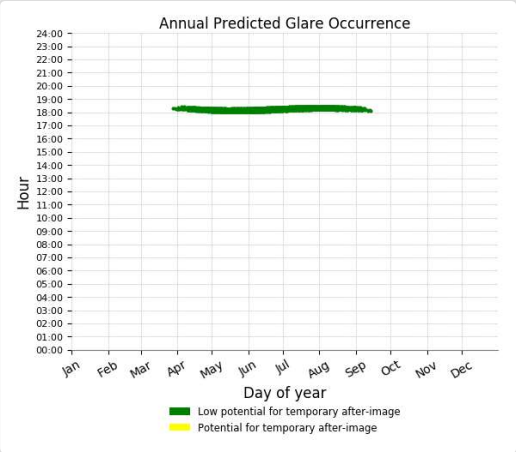
PV array 1 potential temporary after-image

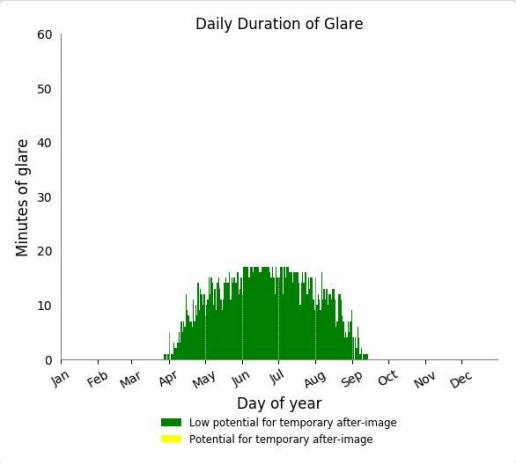
Component	Green glare (min)	Yellow glare (min)
OP: 1	1888	0
OP: 2	0	0
OP: 3	0	0
OP: 4	123	851

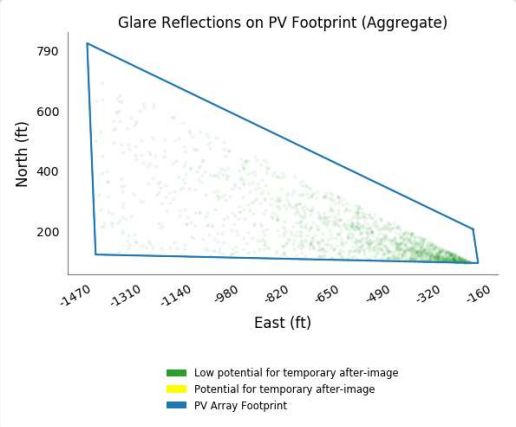
PV array 1 - OP Receptor (1)

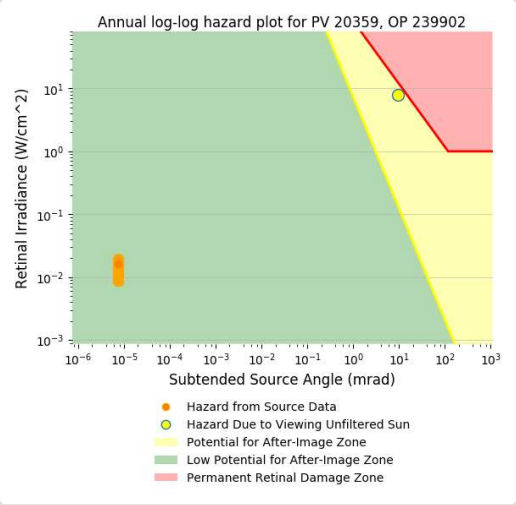
PV array is expected to produce the following glare for receptors at this location:

- 1,888 minutes of "green" glare with low potential to cause temporary after-image.
- 0 minutes of "yellow" glare with potential to cause temporary after-image.









PV array 1 - OP Receptor (2)

No glare found

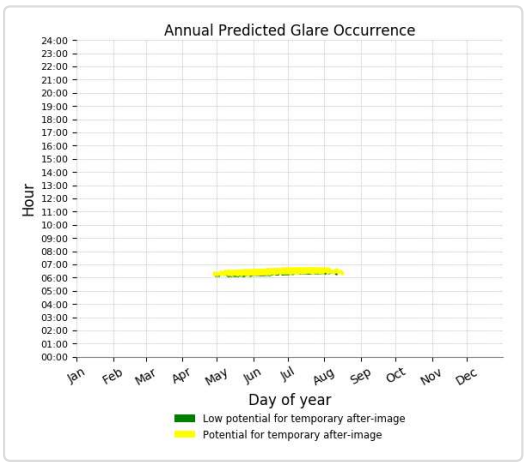
PV array 1 - OP Receptor (3)

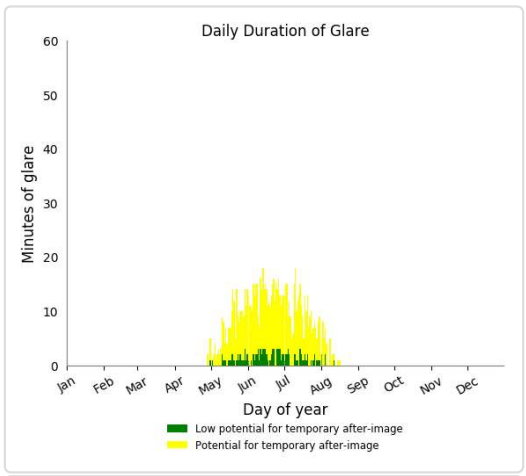
No glare found

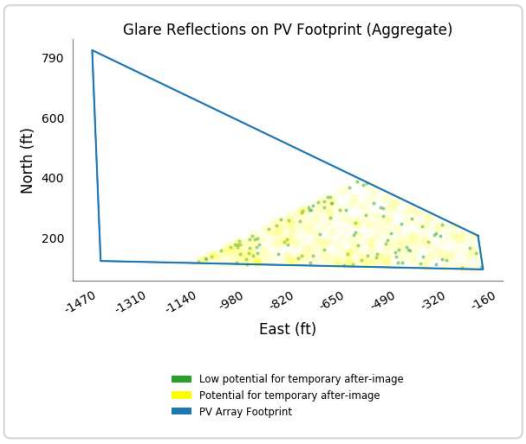
PV array 1 - OP Receptor (4)

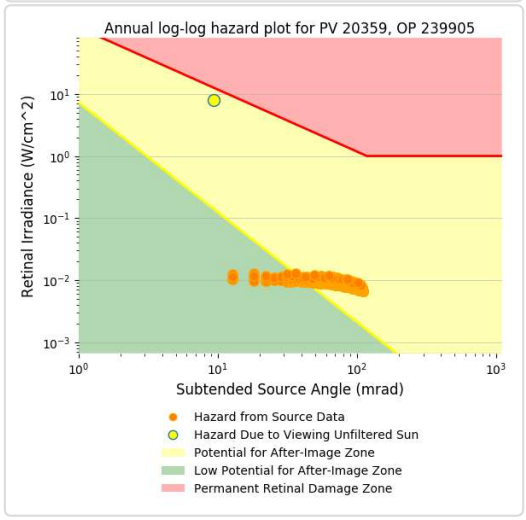
PV array is expected to produce the following glare for receptors at this location:

- 123 minutes of "green" glare with low potential to cause temporary after-image.
- 851 minutes of "yellow" glare with potential to cause temporary after-image.









Assumptions

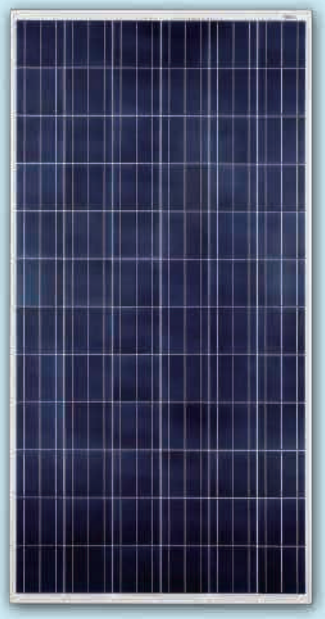
- Times associated with glare are denoted in Standard time. For Daylight Savings, add one hour.
- Glare analyses do not account for physical obstructions between reflectors and receptors. This includes buildings, tree cover and geographic obstructions.
- The glare hazard determination relies on several approximations including observer eye characteristics, angle of view, and typical blink response time. Actual values may differ.
- Hazard zone boundaries shown in the Glare Hazard plot are an approximation and visual aid. Actual ocular impact outcomes encompass a continuous, not discrete, spectrum.

JA SOLAR

JAP6

72/300-320/3BB

MULTICRYSTALLINE SILICON MODULE



Key Features

- Multicrystalline modules designed for commercial and solar farm grid-tied applications
- High output, 16.51% highest conversion efficiency
- Designed for IEC DC 1000V applications
- Anti-reflective and anti-soiling surface reduces power loss from dirt and dust
- Outstanding performance in low-light irradiance environments
- Excellent mechanical load resistance: Certified to withstand high wind loads (2400Pa) and snow loads (5400Pa)
- High salt and ammonia resistance certified by TÜV NORD

Reliable Quality

- Positive power tolerance: 0~+5W
- 100% EL double-inspection ensures modules are defects free
- Modules binned by current to improve system performance
- Potential Induced Degradation (PID) Resistant

Comprehensive Certificates

- IEC 61215, IEC 61730, UL1703, CEC Listed, MCS and CE
- ISO 9001: 2008: Quality management systems
- ISO 14001: 2004: Environmental management systems
- BS OHSAS 18001: 2007: Occupational health and safety management systems
- Environmental policy: The first solar company in China to complete Intertek's carbon footprint evaluation program and receive green leaf mark verification for our products

Specifications subject to technical changes and tests. JA Solar reserves the right of final interpretation.

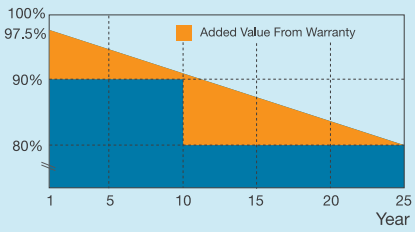
JA Solar Holdings Co., Ltd.

JA Solar Holdings Co., Ltd. is a world-leading manufacturer of high-performance photovoltaic products that convert sunlight into electricity for residential, commercial, and utility-scale power generation. The company was founded on May 18, 2005, and was publicly listed on NASDAQ on February 7, 2007. JA Solar is one of the world's largest producers of solar cells and modules. Its standard and high-efficiency product offerings are among the most powerful and cost-effective in the industry.

Add: NO.36, Jiang Chang San Road, Zhabei, Shanghai 200436, China
Tel: +86 21 6095 5888 / +86 21 6095 5999
Fax: +86 21 6095 5858 / +86 21 6095 5959
Email: sales@jasolar.com market@jasolar.com

Superior Warranty

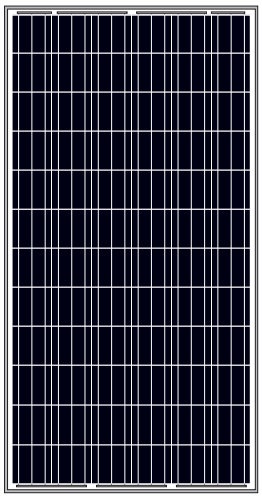
- 10-year product warranty
- 25-year linear power output warranty

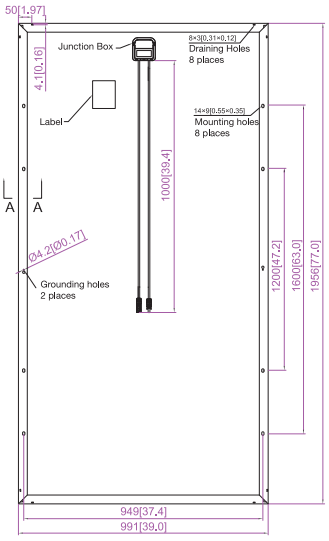


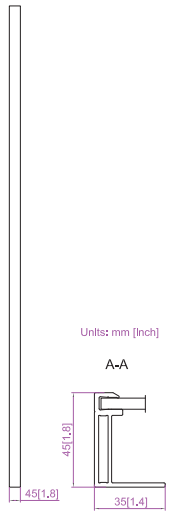
JAP6 72/300-320/3BB

JA SOLAR

Engineering Drawings







■ customized cable length available upon request

MECHANICAL PARAMETERS

Cell (mm)	Poly 156x156
Weight (kg)	26 (approx)
Glass Thickness	4 mm
Dimensions (L×W×H) (mm)	1956×991×45
Cable Cross Section Size (mm^2)	4
No. of Cells and Connections	72 (6×12)
Junction Box	IP67, 3 diodes
Connector	MC4 Compatible
Packaging Configuration	23 Per Pallet

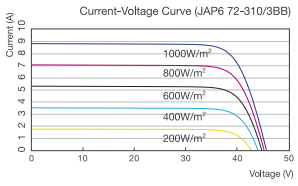
WORKING CONDITIONS

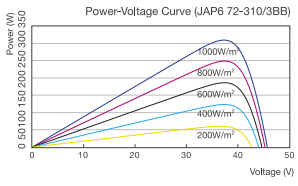
Maximum System Voltage	DC 1000V (IEC)
Operating Temperature	-40℃~+85℃
Maximum Series Fuse	15A
Maximum Static Load, Front (e.g., snow and wind) Maximum Static Load, Back (e.g., wind)	5400Pa (112 lb/ft^2) 2400Pa (50 lb/ft^2)
NOCT	45±2℃
Application Class	Class A

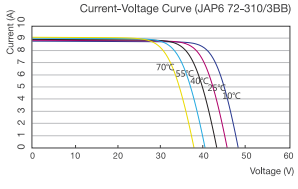
ELECTRICAL PARAMETERS

TYPE	JAP6 72-300/3BB	JAP6 72-305/3BB	JAP6 72-310/3BB	JAP6 72-315/3BB	JAP6 72-320/3BB
Rated Maximum Power at STC (W)	300	305	310	315	320
Open Circuit Voltage (Voc/V)	45.20	45.35	45.45	45.60	45.82
Maximum Power Voltage (Vmp/V)	36.41	36.71	37.00	37.28	37.56
Short Circuit Current (Isc/A)	8.73	8.79	8.85	8.91	9.03
Maximum Power Current (Imp/A)	8.24	8.31	8.38	8.45	8.52
Module Efficiency [%]	15.48	15.73	15.99	16.25	16.51
Power Tolerance (W)	-0~+5W				
Temperature Coefficient of Isc (αIsc)	+0.058%/℃				
Temperature Coefficient of Voc (βVoc)	-0.330%/℃				
Temperature Coefficient of Pmax (γPmp)	-0.410%/℃				
STC	Irradiance 1000W/m^2, Cell Temperature 25℃, Air Mass 1.5				

I-V CURVE



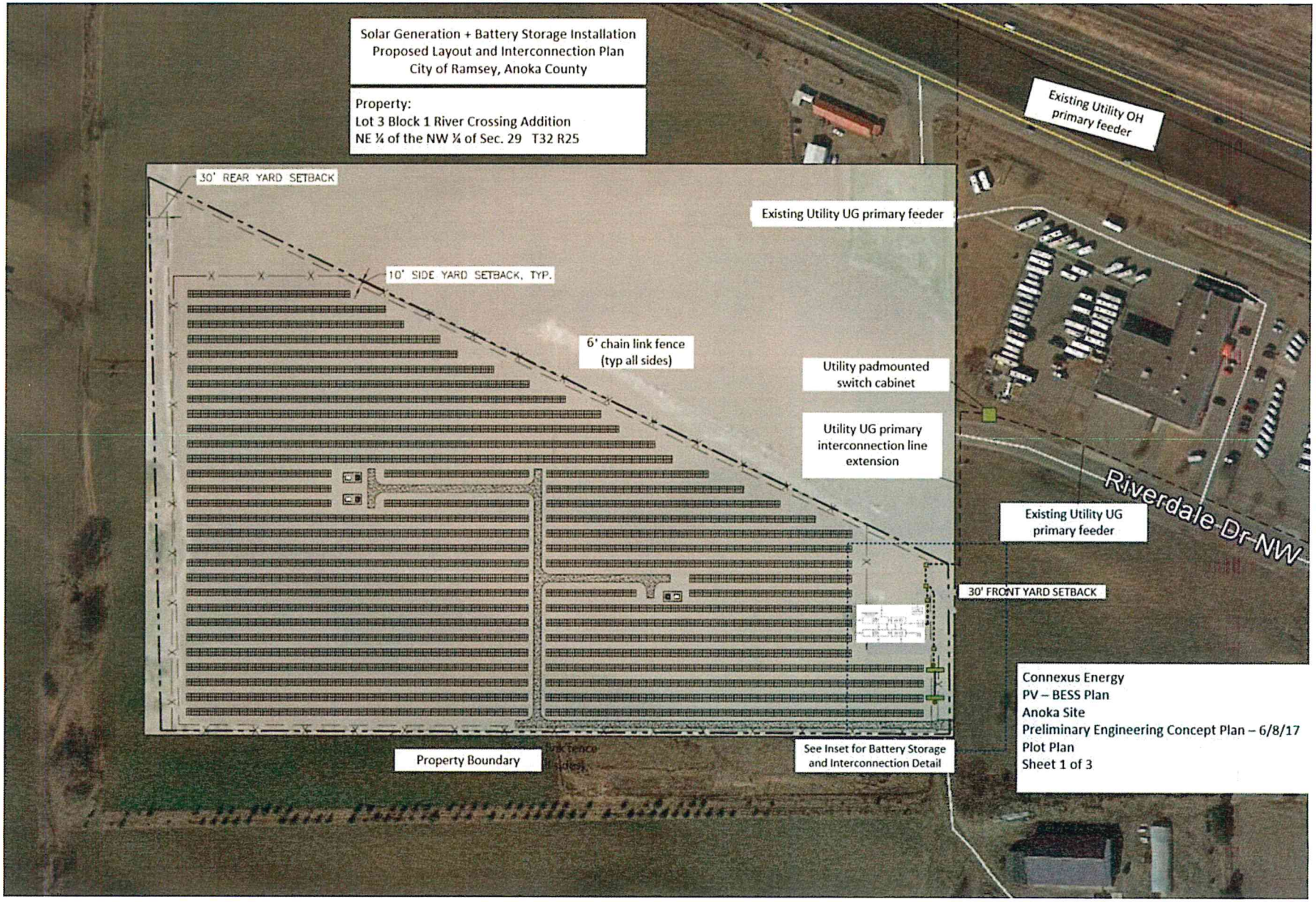


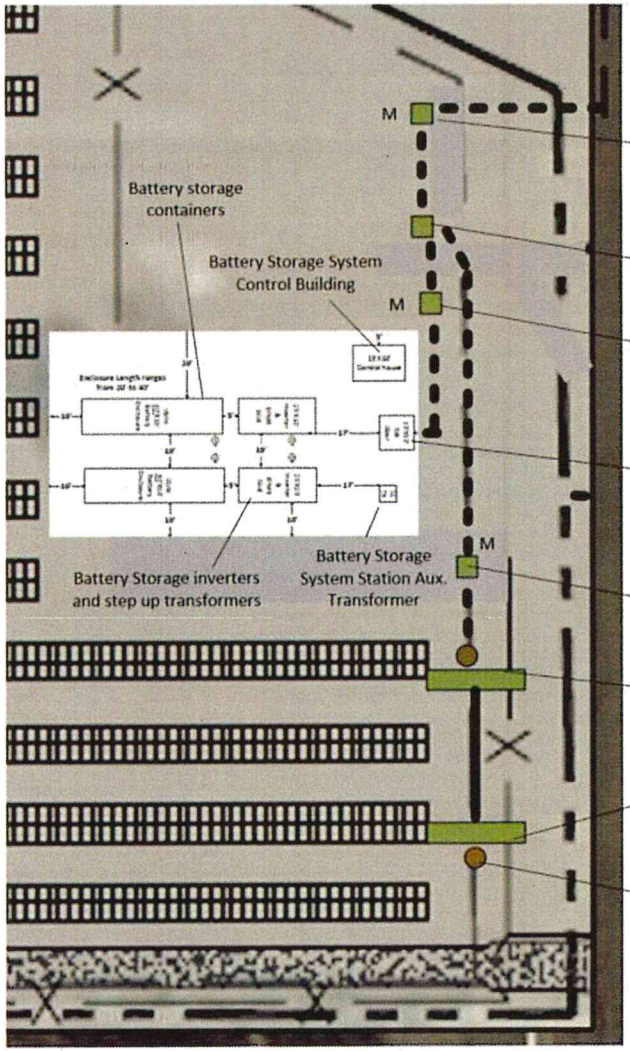


NOCT

TYPE	JAP6 72-300/3BB	JAP6 72-305/3BB	JAP6 72-310/3BB	JAP6 72-315/3BB	JAP6 72-320/3BB
Max Power (Pmax) [W]	217.80	221.43	225.06	228.69	232.32
Open Circuit Voltage (Voc) [V]	42.31	42.47	42.58	42.63	42.78
Max Power Voltage (Vmp) [V]	33.77	33.91	34.05	34.08	34.28
Short Circuit Current (Isc) [A]	6.89	6.93	6.99	7.06	7.16
Max Power Current (Imp) [A]	6.45	6.53	6.61	6.71	6.78
Condition	Under Normal Operating Cell Temperature, Irradiance of 800 W/m^2, spectrum AM 1.5, ambient temperature 20℃, wind speed 1 m/s				

Electrical data in this catalog do not refer to a single module and they are not part of the offer. They only serve for comparison among different module types.


Solar Generation + Battery Storage Installation
Proposed Layout and Interconnection Plan
City of Ramsey, Anoka County
Property:
Lot 3 Block 1 River Crossing Addition
NE ¼ of the NW ¼ of Sec. 29 T32 R25
30' REAR YARD SETBACK
10' SIDE YARD SETBACK, TYP.
6' chain link fence (typ all sides)
Existing Utility UG primary feeder
Existing Utility OH primary feeder
Utility padmounted switch cabinet
Utility UG primary interconnection line extension
Riverdale Dr NW
Existing Utility UG primary feeder
30' FRONT YARD SETBACK
Property Boundary
See Inset for Battery Storage and Interconnection Detail
Connexus Energy
PV – BESS Plan
Anoka Site
Preliminary Engineering Concept Plan – 6/8/17
Plot Plan
Sheet 1 of 3



Connexus – Primary Distribution System Metering Cabinet

Connexus - Pad mounted connection cabinet

Connexus – Battery Storage Metering Cabinet

Switchgear – Battery Storage Point of Interconnection

Connexus – Solar Metering Cabinet

OH mounted 12.5 kV switch

OH mounted 12.5 kV recloser / breaker

Wooden poles (2) – OH wires between

Inset from Page 1 – Battery Storage and Interconnection Equipment

GENERAL NOTES:

- Layout as shown is preliminary – actual detailed layout of panel array and placement of interconnection equipment may change as part of detail design.
- Solar panels will be pier mounted fixed access, azimuth at 180 degrees.
- Solar panel maximum height - 15' (based on preliminary information – not vendor specific)
- All setbacks to solar panels shall located such that the distance to any property line is at least equal to the height of the solar panels at maximum designed tilt.
- All electrical collection lines inside the property shall be underground, except for overhead pole mounted equipment near the point of interconnection as indicated.
- Solar field will be surrounded by 6' chain lockable chain link fence
- Power line extension to interconnect the facility will be buried line along Llama St
- Connexus Connection Cabinet and Metering Cabinet approximate dimensions: 5' x 5' footprint, 5' high

Connexus Energy
PV – BESS Plan
Anoka Site
Preliminary Engineering Concept Plan – 6/7/17
Interconnection Detail -Equipment Plan
Sheet 2 of 3

Solar Panels – typical view

Battery containers – typical view

Connexus Energy
PV – BESS Plan
Anoka Site
Preliminary Engineering Concept Plan – 6/7/17
Major Equipment – Typical
Sheet 3 of 3

Sec. 117-430. - Alternative energy systems.

(c) *Solar energy systems* . In all districts, solar energy systems shall be permitted as an accessory use in accordance with the standards in this section.

(1) *Exemptions* . Passive or building-integrated solar energy systems are exempt from the requirements of this section and shall be regulated as any other building element.

(2) *Standards.*

a. *Location.* Ground-mounted solar energy systems may be permitted in any yard.

1. *In residential districts, the location of ground-mounted solar energy systems shall be in accordance with the accessory building location standards in City Code section 117-349(d)(12).*

b. *Setbacks.*

1. Ground-mounted solar energy systems shall be located on a property such that the distance to the closest property boundary is at least equal to the height of the solar energy system at its maximum designed tilt.

2. Building-mounted solar energy systems shall comply with all building setbacks in the applicable zoning district and shall not extend beyond the perimeter of the building on which the system is mounted unless the mounting system has been explicitly engineered to safely extend beyond the edge.

3. In residential districts, front, side and rear yard setbacks for ground-mounted solar energy systems shall be in accordance with accessory building setbacks outlined in City Code section 117-111(d).

c. *Height.*

1. The height of ground-mounted solar energy systems at maximum designed tilt shall not exceed the distance from the nearest property boundary or the maximum allowable building height for the applicable zoning district, whichever is more restrictive.

2. Building-mounted solar energy systems shall comply with the maximum allowable building height for the applicable zoning district.

3. In residential districts, the height of ground-mounted solar energy systems shall be in accordance with accessory building height limitations outlined in City Code section 117-349(d)(6).

d. *Easements.* Solar energy systems shall not encroach on public drainage, utility, roadway or trail easements.

e. *Feeder lines.* The electrical collection system shall be placed underground within the interior of each property. The collection system may be placed overhead near substations or points of interconnection to the electric grid.

f. *Aesthetics.* All solar energy systems shall be designed to blend into the architecture of the building and to minimize glare toward vehicular traffic and adjacent properties to the extent possible without impacting the performance of the system.

g. *Abandonment.* If a solar energy system remains non-functional or inoperative for a continuous period of one year, the system shall be deemed to be abandoned and shall constitute a public nuisance. The owner shall remove the abandoned system at their expense after obtaining a demolition permit.

h. *Permits.* A permit(s) shall be obtained for any solar energy system in accordance with Minnesota State Building Code prior to installation.

i. *Glare.* The panels of ground mounted solar energy systems shall be placed and arranged such that reflected solar radiation or glare shall not be directed onto adjacent buildings, properties or roadways.

1. Prior to the issuance of a permit for a ground mounted solar energy system in a residential district or on a property abutting a residential district, the permit applicant must provide an analysis demonstrating that the ground mounted system will not impact aesthetics of adjacent residential properties due to glare.

Current Solar Farm
about 1.25 acres
Outlot owned by Connexus, about
17.5 acres in size.
BUNKER LAKE BLVD NW
RAMSEY BLVD NW
RAMSEY PKWY E
SUNWOOD DR NW
HEMATITE ST NW
COTTONWOOD
PARK
14601
6901
7231
6850

5.02: Public Hearing: Consider Multiple Actions Related to a Request to Install and Maintain a Ground-Mounted Solar Energy System on the Property legally described as Lot 3, Block 1 River Crossing Addition (Project No. 17-135); Case of Connexus Energy.

1. **Appeal for issuance of a Development Permit on an officially mapped parcel.**
2. **Zoning Amendment to include Solar Energy Systems as a Principal Use with the issuance of a Conditional Use Permit in the Public/Quasi-Public District.**
3. **Zoning Amendment to Rezone a Property from R-2 Residential to Public/Quasi Public.**
4. **Conditional Use Permit to Install and Maintain a Solar Energy System.**

Public Hearing

Chairperson Bauer called the public hearing to order at 7:08 p.m.

Presentation

Community Development Director Gladhill presented the staff report stating Connexus Energy has applied for a Zoning Amendment and a Conditional Use Permit to construct a new solar garden on the property legally described as Lot 3, Block 1 River Crossing Addition (the "Subject Property"). The system would have the capability of producing 3.5 megawatts (MW) with ground mounted solar photovoltaic panels and would include 6 MW of battery energy storage. This is one of three (3) sites within Anoka County that Connexus Energy is developing to produce solar energy.

Community Development Director Gladhill reported the Subject Property is owned by Anoka County and would be leased by Connexus Energy. When the City contemplated solar energy systems several years ago, the Zoning Code was amended to consider ground or building mounted solar energy systems as a permitted accessory use in any zoning district. However, it did not account for, or address, the possibility of a solar energy system being the principal use of a property, as would be the case with Connexus' proposal.

Community Development Director Gladhill explained both the current zoning standards for solar energy systems and the information submitted by Connexus are attached for reference. The final design plans are in the process of being prepared by the solar developer (based on site work being conducted now) but are not complete at this time. They have stated that they do not anticipate any major changes from the initial proposed layout and the Site Plan would still be subject to review and approval by the City. Staff stated the Environmental Policy Board recommended approval of the Zoning Amendments and Conditional Use Permit. City Staff also supports the recommended approvals as well as the appeal for the issuance of a development permit within an officially mapped area.

Citizen Input

Chairperson Bauer asked if the City had any zoning districts where solar energy systems were addressed.

Community Development Director Gladhill explained this was addressed within the City's employment districts. He did not anticipate the City would see another request of this size in a residential district.

Commissioner VanScoy questioned what the zoning was for the surrounding property.

Community Development Director Gladhill indicated the long-term goal of the City was to have the surrounding property be zoned R-2 Residential. He provided further comment on the City's Zoning Map.

Commissioner Anderson inquired if the City had any idea when the surrounding parcels will develop.

Community Development Director Gladhill explained one owner was considering development and the other had no plans. He anticipated that these parcels could not develop for another 10 to 20 years. He discussed how utilities were lagging in this area of the City.

Commissioner Nosan asked if there was any other solar farm in Minnesota located in a residential area.

Community Development Director Gladhill stated there were a variety of solar farms located in the State of Minnesota. He encouraged Connexus Energy to speak to this, but he reiterated that the requested solar farm would be installed prior to any residential housing.

Mike Bash, Connexus Energy Vice President and CFO, introduced himself to the Commission. He stated Connexus Energy was owned by its members and these members were looking for greener energy options. With solar energy expenses on the decline, Connexus was considering more renewable energy projects. He commented on other sites that were being considered for a solar farm, one being in Blaine and the other in St. Francis. He provided further information on his discussions with Anoka County on the proposed renewable energy project. He noted the solar farm would generate enough energy for 605 homes and estimated the solar farm would be in place for 25 years. He reported the solar farm would be planted with pollinator friendly plants. He discussed the location of other solar farms in the metro area.

Commissioner Anderson commented he was concerned about the glare coming from the solar farm.

Mr. Bash spoke to the small amount of glare that would be emitted by the solar panels. He explained numerous solar panels were located at airports and this was not a safety concern for arriving airplanes. He stated he has not noticed a glare coming from the existing solar farm in the past three years. He described how the solar farm would be landscaped to assist with reducing any glare issues.

Commissioner Anderson questioned if there have been any reports of scorched landscape or plants that were adjacent to solar farms.

Mr. Bash stated he was not aware of any instances in the entire country.

Commissioner VanScoy asked how many other sites Connexus has considered for the proposed solar farm.

Mr. Bash commented Connexus had considered a total of three other sites.

Commissioner Gengler inquired if the solar power projections were for a day, week, month or year.

Mr. Bash stated the projections were for a year.

Commissioner Surma asked if energy rates will begin to decline if more renewable energy sources are pursued.

Mr. Bash explained the cheapest energy source was wind. He commented on how the storage of solar energy would assist in slightly lowering overall energy prices.

Jan Groth, 15240 Kangaroo Street, commented on how crops were being affected by climate change.

Chairperson Bauer explained that climate change and solar farms were two totally different issues.

Jeff Nobish, 8390 Highway 10, questioned why the City was considering changing the zoning of land for a 25-year time period. He believed this was taking away from potential future development and would change the landscape of the community. He did not anticipate the visitors on the bike trail would enjoy viewing the solar farm. He also feared how his property value would be adversely impacted by the proposed solar farm.

Jeff Pengro, 8390 Highway 10, asked if it was a tax benefit to have another solar farm in the City.

Community Development Director Gladhill commented on the tax rate for the 19-acre project site and noted Connexus Energy does pay property taxes.

Mr. Pengro believed the City would benefit more by placing homes in this area of the community than another solar farm.

Further discussion ensued regarding property values and tax rates.

Mr. Nobish encouraged Connexus Energy to purchase their own parcel for the proposed solar farm as he did not want the value of his business to be reduced.

Dave Nathe, 14453 Llama Street, stated he has been farming this ground since 1971. He discussed the changes he has seen in the City over the years and noted the County purchased this land in two separate parcels for a river crossing. He believed that property values would be reduced as

residential home buyers would not want to live adjacent to a solar farm. He feared that he would not be able to subdivide or develop his land. He encouraged Connexus Energy to pursue another location and for the Commission to not offer their support for the solar energy system.

Al Pearson, 14821 Bowers Drive, stated he had the same concerns as the others that have spoken against the solar farm. He questioned how much grading would occur on the site and stated he did not believe the solar farm would be a good fit. He explained he did not support tying up this property when opportunities for development could occur. He commented on the City's tax base and encouraged the City to consider the benefits of development versus a solar farm.

Mr. Bash commented on the personal property taxes that were paid by Connexus Energy. He explained no grading would occur on the site.

Community Development Director Gladhill stated this item could be brought back if the Commission has concerns with the economic development of this area.

Motion by Commissioner VanScoy, seconded by Commissioner Surma, to close the public hearing.

Motion Carried. Voting Yes: Chairperson Bauer, Commissioners VanScoy, Surma, Anderson, Gengler, and Nosan. Voting No: None. Absent: Commissioner Brauer.

Chairperson Bauer closed the public hearing closed at 8:14 p.m.

Commission Business

Commissioner Surma stated he would like to see the proposed solar farm placed on the Connexus Energy property along Sunwood Drive.

Commissioner Anderson questioned the size of this lot.

Community Development Director Gladhill reported the Connexus Energy lot was 17.5 acres in size.

Commissioner Nosan understood that solar energy was important. She explained she did have concerns about placing a solar farm in an area completely surrounded by residentially zoned parcels. She thanked the neighbors for voicing their concerns. She believed the Commission needed additional information on this request prior to moving forward and stated she would like to hear from the EDA.

Community Development Director Gladhill stated it may make sense to step back and work through the request in further detail, noting the Commission could postpone action on the solar farm to October.

Chairperson Bauer believed this was a reasonable course of action. He asked if postponement of the item would complicate matters for Connexus Energy.

Mr. Bash stated he would rather see the item postponed than denied. He explained he appreciated the questions that were being raised by the Commission and stated he could assist in researching answers with staff.

Motion by Commissioner Nosan, seconded by Commissioner VanScoy, to table action on the Connexus Energy solar farm to the October 12, 2017 Planning Commission meeting.

Further discussion

Commissioner VanScoy stated he fully supported solar power in Ramsey but indicated he was looking forward to hearing further from the EDA on this matter.

Motion Carried. Voting Yes: Chairperson Bauer, Commissioners Nosan, VanScoy, Anderson, Gengler, and Surma. Voting No: None. Absent: Commissioner Brauer.

4. EDA BUSINESS

4.01: Review Status of Request to Install and Maintain a Ground Mounted Solar Energy System on the Property Legally Described as Lot 3, Block 1, River Crossing Addition (Project No. 17-135); Case of Connexus Energy

1. **Appeal for Issuance of a Development Permit on an Officially Mapped Parcel**
2. **Zoning Amendment to Include Solar Energy Systems as a Principal Use with the Issuance of a Conditional Use Permit in the Public/Quasi-Public District**
3. **Zoning Amendment to Rezone a Property from R-2 Residential to Public/Quasi-Public**
4. **Conditional Use Permit to Install and Maintain a Solar Energy System**

Community Development Director Gladhill presented the staff report.

Economic Dev. Mgr./Assistant City Administrator Brama provided background information on the existing solar farm and bee habitat on the Connexus property. He stated that staff had a discussion with Connexus Energy about their desire to expand their solar farm on their outlot in mid 2016. He noted that the Connexus outlot would be a great fit for economic development and therefore staff suggested Connexus also consider other available properties as part of their process. He stated that as Connexus investigated other available sites, they landed on a site owned by Anoka County. He reviewed the economic development opportunity cost, explaining that generally, businesses pay twice the amount of taxes that residential properties pay. He reviewed the opportunity loss that would occur if the solar farm were not allowed on the Anoka County site. He explained, Connexus told staff that if the Anoka County site is not allowed, Connexus would move onto another community rather than pursuing a solar farm on the Connexus outlot.

Community Development Director Gladhill reviewed some of the challenges that the Planning Commission will consider when this item is returned for their discussion.

Councilmember LeTourneau stated that he found the tax base information helpful. He asked if the Anoka County site is also subject to a two percent tax rate.

Economic Dev. Mgr./Assistant City Administrator explained that the use determines the tax classification rate, not local zoning districts.

Chairperson Steffen noted that Anoka County owns that land and therefore is not a tax paying entity.

Community Development Director Gladhill stated that currently Anoka County leases the property, which is being used for agricultural purposes, so there are taxes being paid on the property. He noted that Connexus is a tax paying entity as well. He believed that there would most likely be tax credits because this is an alternative energy use.

Member Riley asked if it would make more sense to hold the parcel for commercial industrial use or suggest that the solar garden go on the Connexus outlot. He stated that he believes that the Connexus outlot would be better used for commercial industrial use and not a solar farm.

Member Burandt stated that he has been working on this project for well over one year and provided additional information on the tax credits that would be available. He stated that the membership of Connexus wants the renewable energy to increase as long as that does not increase the cost of membership. He stated that they are looking at doing three sites within Anoka County, which would be the largest renewable energy project in the country. He stated that when Ramsey stated that they did not want Connexus to use their outlot for the project, they began to look for alternative sites and the Anoka County site came forward. He noted that this would be the showcase property with solar plus storage. He provided additional information on the other sites that will be constructed in Saint Francis and Blaine, noting that they are contracting with local government units to lease the land rather than purchasing land. He noted that in order to be eligible for the tax credits, the properties need to be constructed and operational by a deadline. He stated that the Connexus Board has already made the decision not to use the Connexus outlot in Ramsey, and therefore that is no longer an option.

Chairperson Steffen asked how long Connexus has owned the outlot.

Member Burandt stated that Connexus has owned the outlot since 1997.

Chairperson Steffen asked why the land is being held for so long.

Member Burandt stated that they use the property for lineman training and would be open to selling the property to the right tenant. He confirmed that Connexus would be open to working with City staff to market the property to the right tenant.

Member Hardin asked if there is a corridor outlined for a bridge.

Community Development Director Gladhill stated that a bridge is not shown on the Highway 10 plan, but noted that a connection could be made at Armstrong, although there is not an official map showing that connection. He stated that the areas of impact would still affect the same property owners, although the location would be shifted.

City Administrator Ulrich stated that he agrees with the Anoka County owned location proposed over the Connexus outlot. He stated that this would take an agricultural property and put it into use and would provide a showcase for conservation as well. He stated that the high-profile pollinator plantings would also be a good fit for the corridor and the community partnership the City has had with Connexus over the years.

Chairperson Steffen agreed that the Connexus outlot is a prime commercial property that he would much rather preserve.

Member Skaff also agreed that the Connexus outlot would be valuable for commercial use.

Member Burandt stated that Connexus has spent more on property taxes for the outlot over the years than it is worth and therefore they do not plan to let it stay vacant.

Councilmember LeTourneau agreed that the Connexus outlot would be better used for commercial industrial use. He stated that staff directed Connexus to look at other parcels for their solar farm for that reason and that the Connexus Board also supports that use.

Motion by Member Skaff, seconded by Member Hardin, to recommend to City Council that the existing Connexus outlot property be reserved for future commercial industrial use.

Motion carried. Voting Yes: Chairperson Steffen, Members Skaff, Hardin, and Riley. Voting No: None. Absent: Members Brunt and Williams. Abstained: Member Burandt.

6.01: Consider Multiple Actions Related to a Request to Install and Maintain a Ground-Mounted Solar Energy System on the Property Legally Described as Lot 3, Block 1 River Crossing Addition (Project No. 17-135); Case of Connexus Energy.

1. **Appeal for issuance of a Development Permit on an officially mapped parcel.**
2. **Zoning Amendment to include Solar Energy Systems as a Principal Use with the issuance of a Conditional Use Permit in the Public/Quasi-Public District.**
3. **Zoning Amendment to rezone a property from R-2 Residential to Public/Quasi Public.**
4. **Conditional Use Permit to install and maintain a Solar Energy System.**

Motion by Commissioner VanScoy, seconded by Commissioner Anderson, to remove this item from the table.

Motion Carried. Voting Yes: Chairperson Bauer, Commissioners VanScoy, Anderson, Brauer, Gengler, Nosan, and Surma. Voting No: None. Absent: None.

Presentation

City Planner Anderson presented the Staff Report stating t*his case was originally reviewed by the Planning Commission at their September 7, 2017 meeting. A Public Hearing was held (and closed) that evening; however, the Planning Commission tabled action so that the Economic Development Authority (EDA) had an opportunity to review and provide feedback specifically on the potential use of the Connexus Energy campus for the proposed solar farm installation.*

Assistant City Administrator/Economic Development Manager Brama reported t*he EDA reviewed this case at their September 14, 2017 meeting. Note that their review was specific to the potential use of the outlot owned by Connexus Energy that is part of Connexus' corporate campus. The outlot is essentially rectangular in shape and is approximately 17.5 acres in size. The EDA unanimously supported reserving this land for future economic growth opportunities (commercial/industrial development) rather than for the solar farm being considered. The EDA did not provide any input or feedback on the Anoka County-owned site that is currently being considered for the solar farm. Their motion specifically recommended to City Council that the existing Connexus Energy outlot be reserved for future commercial/industrial use rather than for a solar farm. Staff reported the* Environmental Policy Board recommended approval of the Zoning Amendments and Conditional Use Permit. City Staff also supports the recommended approvals as well as the appeal for the issuance of a development permit within an officially mapped area.

Commission Business

Chairperson Bauer asked if this site were to not move forward if a solar farm would be located in another community.

Brian Burandt, Connexus Energy, explained the membership wanted more renewable energy within the cooperative. He explained three solar sites were being sought for Anoka County. He reported Connexus was pursuing Federal grant dollars for these solar farms that would sunset in 2019. He indicated the original vision was to place the solar farm on Connexus property.

DRAFT

Chairperson Bauer questioned if the solar farm energy would be used by Ramsey residents.

Mr. Burandt reported this was the case. He stated all energy gathered within a Ramsey solar farm would benefit and be used by Ramsey residents.

Commissioner VanScoy asked why Connexus decided to go elsewhere when they originally wanted to place the solar farm on their own property.

Mr. Burandt commented the City recommended looking at alternative locations as their outlot was a prime site for future commercial/industrial development and he was looking for a showcase parcel given the size and scale of this solar panel/solar collection project. He explained the Anoka County parcel would fit the needs of Connexus Energy.

Commissioner VanScoy inquired if the solar panels would create any glare.

Andrew Dallin, SoCore Energy, described the panels that would be used by Connexus Energy and noted they were covered with an anti-reflective coating meant to absorb as much sunlight as possible. He indicated there were several different technologies that used mirrors and this would not be used in Ramsey. He stated airports around the country were installing similar systems. He provided further comment on the initial glare study and the findings within this report.

Commissioner VanScoy expressed concern that the property surrounding the proposed solar farm was zoned R-2. He questioned how the solar farm would impact future development of the surrounding land.

Mr. Dallin reported the future homeowners would be going into their purchase with full knowledge of the solar farm. He reiterated that the glare study showed there would be no impacts on the surrounding properties, except from one receptor.

Commissioner VanScoy asked if Connexus would consider installing some sort of transitional space between the solar farm and the R-2 zoned properties.

Mr. Dallin deferred this question to Connexus Energy.

City Planner Anderson explained at the south side of the solar farm a double row of eight to ten-foot evergreen trees were in place along the property line. This would provide a buffer or transitional space. He stated it was his understanding the solar panels would not extend fully to the south property line.

Community Development Director Gladhill commented that additional plantings could be required, however staff believed the existing trees currently in place were adequate.

Mr. Burandt reported he could plant additional trees if required by the City.

DRAFT

Commissioner VanScoy explained he supported the solar farm concept, however, he wanted to be assured the solar farm was buffered from the surrounding properties.

Commissioner Brauer asked how Connexus would work to eliminate the potential glare that was discussed within the study that could occur three days out of the year.

Mr. Dallin stated any visual barrier (trees) would prevent the glare from occurring.

Commissioner Brauer questioned if trees could be planted around the solar farm or if this would hinder solar power collection.

Mr. Dallin explained how the trees would have to be planted around the solar farm in order to maximize solar power collection.

Commissioner Brauer supported the project having a natural prairie area surrounding the solar farm.

Mr. Burandt commented that all solar farms would have a pollinator friendly prairie area surrounding the project area.

Commissioner Gengler requested further information regarding the longevity of the solar panels and when potential development would occur in this area of the City.

Mr. Burandt reported the solar panels would have a life expectancy of 25 years. He explained Connexus would have a 20-year land lease with Anoka County with two five-year options.

Community Development Director Gladhill anticipated development would not occur in this portion of the City for another 10 to 15 years.

Rob Davis, Director of Center for Pollinators, reviewed a photograph with the Commission and commented on the proposed pollinator friendly solar garden.

Dave Nathe, 14453 Llama Street, explained he farmed vegetables in Ramsey. He explained he had his own bees to assist with his crops. He asked if anyone in Ramsey wanted to live adjacent to a solar farm. He believed that living next to a solar farm would not be most people's choice. He stated he did not want to have a solar farm located adjacent to his farm. He feared his property value would decrease if a solar farm were to locate adjunct to his property.

Jeff Pengra, 8390 Highway 10, expressed concern with how the value of his property would be impacted if a solar farm were to locate within the River Crossing Addition. He questioned what would happen to the equipment after 25 years.

Mr. Burandt explained after 25 years all of the equipment would be removed, recycled and the property would be returned to its original state.

DRAFT

Jeff Mobee, Shorewood RV, 8390 Highway 10, stated he liked the renewable component of this project and understood energy was an important thing. However, he suggested the solar farm be located on a Connexus property versus a parcel that wasn't zoned properly. He understood that Connexus had a shovel ready parcel available for a solar farm and recommended this be pursued.

Assistant City Administrator/Economic Development Manager Brama explained the EDA was proposing this parcel in order to keep the project within Ramsey.

Mr. Burandt commented Connexus Energy would like to pursue solar on another parcel, which was why the Anoka County site was proposed.

Mr. _____ questioned if the new solar farm would create new jobs.

Cara Bolton, Bolton Bees, explained the solar farm would create jobs for local beekeepers. She provided further comment on the importance of bees to the nation's agriculture. She believed the proposed prairie area was beautiful and would help farmers. She encouraged the Commissioner to offer their support for the proposed solar energy system.

Commissioner Brauer asked if the City would oppose another solar farm on the Connexus campus.

Community Development Director Gladhill explained this would be determined by the Planning Commission and the City Council.

Chairperson Bauer commented that it was City staff's idea to move the solar farm off the Connexus property and moved the project in a new direction.

Mr. Mobee encouraged the City to stick with its original plan for the solar farm and recommend it be installed on the Connexus property.

Colleen Hollanger, Prairie Restoration, discussed with the Commission how the prairie land would be installed and cared for by her employees.

Travis Bolton, Bolton Bees, stated he was a farmer and beekeeper. He described how bees were struggling throughout the country due to pesticides and poor habitat. He explained that newly installed solar farms were creating healthy bee habitats. He thanked Connexus Energy for the positive impact they were having on the environment.

Commissioner Gengler asked what the output would be from the proposed solar farm.

Mr. Burandt explained the annual output from the proposed solar farm could power 620 homes in Ramsey each year.

Further discussion ensued regarding the complexity of the request, along with the items that need to be approved by the Commission.

DRAFT

Motion by Commissioner VanScoy, seconded by Commissioner Gengler, to recommend that City Council adopt Ordinances #17-13 and #17-14 to rezone the Subject Property to Public/Quasi-Public and to amend Section 177-122 (Public/Quasi-Public) to identify solar energy systems as a principal use with the issuance of a Conditional Use Permit.

Further discussion

Commissioner Brauer expressed frustration with the way this item was brought to the City as it appeared to be a done deal. For this reason, he was not going to offer his support to the Ordinances.

Commissioner VanScoy withdrew his motion.

Community Development Director Gladhill asked if there was general consensus among the Commission regarding the request. By a show of hands three members supported the request, three members did not support the request, and one member was abstaining.

Chairperson Bauer questioned what would happen if the Planning Commission did not offer their support for the request.

Community Development Director Gladhill commented on the recommendations before the Planning Commission and explained if the rezoning was not approved by the Commission all other requests would be denied. He reported the item would still advance to the City Council, with a recommendation for denial. He explained Connexus could appeal the denial for the variance.

Commissioner Nosan stated she supported the solar farm, but had a hard time understanding why the solar farm was not being placed in an industrial area. She was bothered by the fact the solar farm was proposed for a residential area. For this reason, she did not know if she could support the request.

Commissioner Surma indicated he could not support the solar farm at the proposed location and believed the solar farm should be placed on Connexus property.

Motion by Commissioner Surma, seconded by Commissioner Brauer, to recommend that City Council deny Ordinances #17-13 and #17-14 to rezone the Subject Property to Public/Quasi-Public and to amend Section 177-122 (Public/Quasi-Public) to identify solar energy systems as a principal use with the issuance of a Conditional Use Permit.

Further discussion

Commissioner VanScoy stated he too struggled with this request. He wanted to see a solar farm in Ramsey, however, he did not believe it was proper to place this in the middle of a residential area. He explained this request became an issue when the request changed from being on Connexus property.

Commissioner Brauer commented the EDA was making policy for the Planning Commission, and this was the issue.

DRAFT

Commissioner VanScoy believed the most appropriate place for the solar farm was on Connexus property. He had concerns with what happened and how this request was handled by the City. While he did not want to support the solar farm in a residential area, he felt as if the Planning Commission had been backed into a corner. For this reason, he stated he could support the solar farm. He understood this was a good project for the community and the environment.

Commissioner Anderson agreed the Planning Commission had been backed into a corner, by no actions of their own. He explained he did not want the solar farm to go away. However, he too struggled with how the request was brought to the Commission.

Motion Carried. Voting Yes: Commissioners Surma, and Brauer. Voting No: Chairperson Bauer, Commissioners Anderson, Gengler, Nosan and VanScoy. Absent: None.

Motion by Commissioner VanScoy, seconded by Commissioner Gengler, to recommend that City Council approve Ordinances #17-13 and #17-14 to rezone the Subject Property to Public/Quasi-Public and to amend Section 177-122 (Public/Quasi-Public) to identify solar energy systems as a principal use with the issuance of a Conditional Use Permit.

Motion Carried. Voting Yes: Chairperson Bauer, Commissioners VanScoy, Gengler, Anderson, and Nosan. Voting No: Brauer and Surma. Absent: None.

Motion by Commissioner VanScoy, seconded by Commissioner Gengler, to recommend that City Council adopt Resolution #17-09-211 approving an appeal for issuance of a development permit for the Subject Property for the installation of a solar energy system.

Motion Carried. Voting Yes: Chairperson Bauer, Commissioners VanScoy, Gengler, Anderson, and Nosan. Voting No: Brauer and Surma. Absent: None.

Motion by Commissioner VanScoy, seconded by Commissioner Gengler, to recommend that City Council adopt Resolution #17-09-212 granting a Conditional Use Permit for the installation and maintenance of solar energy system on the Subject Property contingent to review and approval as to legal form by the City Attorney.

Motion Carried. Voting Yes: Chairperson Bauer, Commissioners VanScoy, Gengler, Anderson, and Nosan. Voting No: Brauer and Surma. Absent: None.

DRAFT

ORDINANCE #17-13

CITY OF RAMSEY
ANOKA COUNTY
STATE OF MINNESOTA

AN AMENDMENT TO CHAPTER 117 WHICH IS KNOWN AS THE ZONING AND SUBDIVISIONS CHAPTER OF THE CITY CODE OF RAMSEY, MINNESOTA.

AN ORDINANCE AMENDING SECTION 117-90 "MAP" OF CHAPTER 117 OF THE CITY CODE OF RAMSEY, MINNESOTA.

SECTION 1. AMENDMENT

The following legally described property is hereby rezoned from R-2 Residential to Public/Quasi-Public.

> Lot 3, Block 1 River Crossing Addition, Anoka County, Minnesota, subject to easement of record.
>
> (the "Subject Property")

SECTION 2. MAP

The City is hereby instructed to cause this amendment to be shown on the "City of Ramsey Zoning Map", which map was adopted pursuant to Section 117-90 of the Ramsey City Code.

SECTION 3. EFFECTIVE DATE

This ordinance becomes effective 30 days after its passage and publication, subject to City Charter Section 5.04.

PASSED by the City Council of the City of Ramsey, Minnesota the _____ day of_____, 2017.

_____
Mayor

ATTEST:

_____
City Administrator

Introduction date:
Posting dates:
Adoption date:

Publication date:
Effective date:

ORDINANCE #17-14
CITY OF RAMSEY
ANOKA COUNTY
STATE OF MINNESOTA

AN AMENDMENT TO CHAPTER 117 WHICH IS KNOWN AS THE ZONING AND SUBDIVISIONS CHAPTER OF THE CITY CODE OF RAMSEY, MINNESOTA.

AN ORDINANCE AMENDING SECTION 117-122 (PUBLIC/QUASI-PUBLIC DISTRICT) OF THE RAMSEY CITY CODE.

The City of Ramsey Ordains:

SECTION 1 AUTHORITY

This ordinance is adopted pursuant to and under the authority of the City Charter of the City of Ramsey.

SECTION 2 AMENDMENTS

Section 117-122 – Public/Quasi-Public District is hereby amended to read as follows:

Sec. 117-122 – Public/Quasi-Public District.

(a) *Intent.* The intent of the Public/Quasi-Public District is to provide for and regulate uses that are public or semi-public in nature and to provide the community with area designated specifically for open spaces, community gathering places, public and private recreational spaces, educational facilities, and government buildings.

(b) *Permitted uses.*

(1) Government buildings and facilities.

(2) Public recreational facilities.

(3) Private recreational facilities including golf courses.

(4) Schools, public and private.

(5) Private utility substations.

(6) Municipal utility substations.

(c) *Conditional uses*.

1. Solar Energy Systems as a principal use

(d) *Site plan required.* Any construction of buildings in the Public/Quasi-Public District will be subject to the site plan review process, as outlined in section 117-54.

SECTION 3. SUMMARY

The following is the official summary of Ordinance #17-14, which has been approved by the City Council of the City of Ramsey as clearly informing the public of the intent and effect of the Ordinance.

It is the intent and effect of Ordinance #17-14 to amend Ramsey, Minnesota City Code Section 117-122 to identify Solar Energy Systems as a principal use with the issuance of a Conditional Use Permit.

SECTION 4. EFFECTIVE DATE

The effective date of this Ordinance is thirty (30) days after its passage and publication, subject to City Charter Section 5.07.

Adopted by the Ramsey City Council the _____ day of _____, 2017.

_____
Mayor

ATTEST:

_____
City Clerk

Introduction Date:
Posting Dates:
Adoption Date:
Publication Date:
Effective Date:

Councilmember _____ introduced the following resolution and moved for its adoption:

RESOLUTION #17-11-289

A RESOLUTION APPROVING THE ISSUANCE OF A CONDITIONAL USE PERMIT TO CONNEXUS ENERGY TO ALLOW THE INSTALLATION AND MAINTENANCE OF A SOLAR ENERGY SYSTEM ON AS A PRINCIPAL USE IN THE PUBLIC/QUASI-PUBLIC DISTRICT AND DECLARING TERMS OF SAME

RECITALS

1. Connexus Energy, hereinafter referred to as the "Permittee", has properly applied for a Conditional Use Permit to install and maintain a solar energy system as the principal use on the property legally described as follows:

   Lot 3, Block 1 River Crossing Addition

   (the "Subject Property")

2. The City of Ramsey received an application for a Zoning Amendment and Conditional Use Permit on June 30, 2017.

3. That on August 15, 2017, the City informed the Permittee that it was invoking a 60-day extension as permitted by State Statute.

4. That the Environmental Policy Board reviewed the request at their August 21, 2017 meeting and recommended approval of the request with contingencies including submittal of a final Site Plan for review and approval by the City, installation of a native landscape, submittal of a glare study, and submittal of a decommissioning plan.

5. That the Permittee appeared before the Planning Commission for a public hearing pursuant to Sections 117-4 (Official Map) and 117-51 (Conditional Use Permits) of the Ramsey City Code on September 7, 2017, and that said public hearing was properly advertised and that the minutes of said public hearing are hereby incorporated by reference.

6. That the Subject Property is zoned Public/Quasi Public District. Properties to the west and south of the Subject Property are R-1 Residential (MUSA); parcels to the north are zoned R-2 Residential; and parcels to the east are zoned B-2 Highway Business.

7. That in the Public/Quasi-Public District, solar energy systems as a principal use are permitted with the issuance of a Conditional Use Permit.

8. That the Subject Property is approximately 18.6 acres in size.

9. That the Subject Property is owned by Anoka County.

10. That the Subject Property is part of an Official Map.

11. That due to changes in the road system in the area, the Subject Property will likely never be used for the purposes of a future bridge crossing.

12. That the Planning Commission, who serves as the Official Map Board of Appeals and Adjustments, conducted a public hearing to consider an appeal for the issuance of a development permit per City Code Section 117-4.

13. That the Permittee was initially considering the use of their existing campus for this project but that the City had requested they seek an alternative site so that the undeveloped portion of the Permittee's corporate campus could be reserved for future economic growth purposes.

14. That the solar energy system would include the installation of 3.5 Megawatts (MW) of ground-mounted photovoltaic panels and 6 MW of battery energy storage.

15. That the solar developer working with the Permittee has submitted a glare study at the request of the City.

16. That the glare study did identify one receptor that would experience some glare at certain times of the year for limited durations but that it has very low potential for hazardous glare.

17. That the project would include installation of native plants underneath the solar panels providing enhanced wildlife and pollinator habitat improved stormwater management.

18. That the solar panels will be at a fixed tilt facing south and will not include any moving parts and therefore, will not produce any discernible noise.

19. That the battery storage units will be air conditioned and the air condenser units will be outside, which will produce some noise but will be within allowable standards outlined in State Statute and City Code.

20. That the battery storage units will include fire suppression.

21. That the City's Comprehensive Plan addresses solar access protection and through stated policies, encourages cooperation with other agencies to develop programs that increase the usage of solar energy systems.

22. That the Planning Commission met on September 7, 2017, conducted a public hearing and recommended City Council approve/deny the request.

FINDINGS OF FACT

1. That the solar energy system will not be unduly dangerous or detrimental to persons residing or working in the vicinity of the use, or to the public welfar.

2. That the solar energy system will not substantially adversely impair the use, enjoyment or market value of any of the surrounding properties.

3. That the solar energy system will be maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and will not change the essential character of the area.

4. That the solar energy system will not be hazardous to existing or future neighboring uses.

5. That the solar energy system will not impact essential public facilities and services, such as highways, streets, police and fire protection.

6. That the solar energy system will not create excessive additinoal requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community.

7. That the solar energy system will not involve uses, activities and equipment that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors.

NOW THEREFORE, BE IT RESOLVED BY THIS CITY COUNCIL OF THE CITY OF RAMSEY, ANOKA COUNTY, STATE OF MINNESOTA, as follows:

That the Ramsey City Council hereby grants approval of a Conditional Use Permit (the "Permit") for the installation and maintenance of a solar energy system as the principal use on the Subject Property contingent upon the following conditions:

CONDITIONS

1. That this **Permit** allows for the installation and maintenance of a solar energy system as the principal use on the **Subject Property**.

2. That the **Permittee** shall submit the Final Site Plan and Landscape Plan for review and approval by the City Council.

3. That the **Permittee** shall obtain all necessary permits, including a Building Permit, prior to installation of the solar energy system on the **Subject Property**.

4. That the **Permittee** shall update the glare study to include receptors on all sides of the **Subject Property**.

5. That the solar energy system shall not create or cause unreasonable glare on properties or public roadways. Unreasonable glare shall mean a public safety hazard as determined by the City Council or the appropriate roadway authority.

6. That the **Permittee** shall provide the City with a decommissioning plan that addresses how the site will be deconstructed and restored when the solar energy system is removed.

7. That the final Site Plan shall include a landscaping plan that includes the native plants that will be established on the **Subject Property** and outline any necessary maintenance activities to ensure the landscape is properly established on the **Subject Property**.

8. That this **Permit** shall be perpetual in duration as long as the terms are herein complied with.

9. That the **Permittee** shall be responsible for all City costs incurred in administering and enforcing this **Permit**.

10. That the City Administrator, or his/her designee, shall have the right to inspect the premises for compliance and safety purposes annually or at any time, upon reasonable request.

11. That this **Permit** shall automatically expire if the use is not initiated by November 14, 2018 and issuance of a Building Permit for installation of the photovoltaic panels shall be considered as initiating the use.

The motion for the adoption of the foregoing resolution was duly seconded by Councilmember _____, and upon vote being taken thereon, the following voted in favor thereof:

and the following voted against the same:

and the following abstained:

and the following were absent:

whereupon said resolution was declared duly passed and adopted by the Ramsey City Council this the 14th day of November, 2017

PERMITTEE

Connexus Energy hereby acknowledges receipt of this Permit and that they have reviewed the conditions of this Permit and have agreed that they will comply with the terms of this Permit.

By:_____ Its:_____

STATE OF MINNESOTA)
) SS.
COUNTY OF _____)

On this _____ day of _____, ____, before me, a Notary Public, personally appeared _____, the _____ of Connexus Energy, a Domestic Cooperative under the laws of Minnesota, on behalf of the Cooperative, to me known to be the person described in and who executed the foregoing instrument and acknowledged that they executed the same as their free act and deed.

_____
Notary Public

PROPERTY OWNER

Anoka County hereby acknowledges receipt of this Permit and that they have reviewed the conditions of this Permit and have agreed that they will comply with the terms of this Permit.

By:_____ Its:_____

STATE OF MINNESOTA)
) SS.
COUNTY OF _____)

On this _____ day of _____, ____, before me, a Notary Public, personally appeared _____, the _____ of Anoka County, a Municipal Corporation under the laws of Minnesota, on behalf of the Corporation, to me known to be the person described in and who executed the foregoing instrument and acknowledged that they executed the same as their free act and deed.

_____
Notary Public

CITY OF RAMSEY:

By:_____ By:_____
Mayor City Clerk

STATE OF MINNESOTA)
) ss.
COUNTY OF ANOKA)

On this _____ day of _____, ____, before me a Notary Public personally appeared Sarah Strommen and Jo Ann M. Thieling, to me personally known, who, being each by me duly sworn, did say that they are respectively the Mayor and City Clerk of the City of Ramsey, the Municipal Corporation named in the foregoing instrument, and seal affixed to said instrument is the corporate seal of said Municipal corporation, and the said instrument was signed and sealed on behalf of said Municipal Corporation by authority of its City Council, and said Sarah Strommen and Jo Ann M. Thieling acknowledge said instrument to be the free act and deed of said Municipal Corporation.

_____
Notary Public

This document drafted by:
City of Ramsey
7550 Sunwood Dr NW
Ramsey, MN 55303

This document reviewed by:
Ratwik, Roszak & Maloney
730 Second Ave. S., Suite 300
Minneapolis, MN 55402

Connexus Energy Solar Farm Request

City Council

November 14, 2017

Overview of Zoning Approval Process

Sec. 117-114. - B-1 General Business District.

(a) *Intent.* The intent of the B-1 General Business District is to provide a commercial area for than the B-2 Highway Commercial District.

(b) *Permitted uses.* The following are permitted uses, subject to general requirements and pe

(1) Enclosed retail activities without outdoor activities.
(2) Restaurants and cafes.
(3) Offices and banks.
(4) Personal and professional services.
(5) Funeral homes.
(6) Medical clinics.

Councilmember _____ introduced the following resolution and moved for its adoption:

RESOLUTION #17-09-212

A RESOLUTION APPROVING THE ISSUANCE OF A CONDITIONAL USE PERMIT TO CONNEXUS ENERGY TO ALLOW THE INSTALLATION AND MAINTENANCE OF A SOLAR ENERGY SYSTEM ON AS A PRINCIPAL USE IN THE PUBLIC/QUASI-PUBLIC DISTRICT AND DECLARING TERMS OF SAME

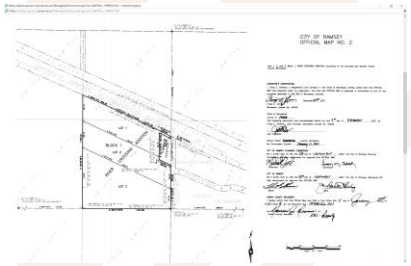
RECITALS

1. Connexus Energy, hereinafter referred to as the "Permittee", has properly applied for a Conditional Use Permit to install and maintain a solar energy system as the principal use on the property legally described as follows:

   Lot 3, Block 1 River Crossing Addition

   (the "Subject Property")

2. The City of Ramsey received an application for a Zoning Amendment and Conditional Use Permit on June 30, 2017.



Zoning Map
- Implement where future residential neighborhoods and business districts will be located.

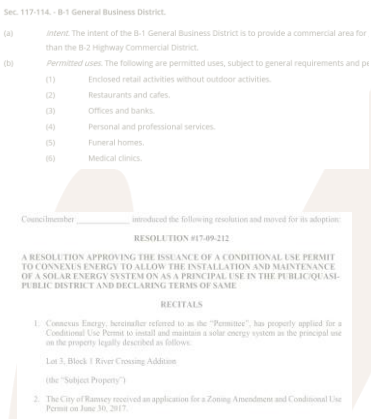
Zoning Code (text)
- Determine what uses will be allowed within individual zoning districts.

Conditional Use Permit
- An approval process that requires a Public Hearing and City Council approval.

Official Map
- A tool that limits the expansion of a property while providing reasonable economic use to protect areas needed for public purpose. Example: future roadway corridor.

City of RAMSEY

Overview of Zoning Approval Process


Sec. 117-114. - B-1 General Business District.

(a) *Intent.* The intent of the B-1 General Business District is to provide a commercial area for than the B-2 Highway Commercial District.

(b) *Permitted uses.* The following are permitted uses, subject to general requirements and pe

(1) Enclosed retail activities without outdoor activities.
(2) Restaurants and cafes.
(3) Offices and banks.
(4) Personal and professional services.
(5) Funeral homes.
(6) Medical clinics.

Councilmember _____ introduced the following resolution and moved for its adoption:

RESOLUTION #17-09-212

A RESOLUTION APPROVING THE ISSUANCE OF A CONDITIONAL USE PERMIT TO CONNEXUS ENERGY TO ALLOW THE INSTALLATION AND MAINTENANCE OF A SOLAR ENERGY SYSTEM ON AS A PRINCIPAL USE IN THE PUBLIC/QUASI-PUBLIC DISTRICT AND DECLARING TERMS OF SAME

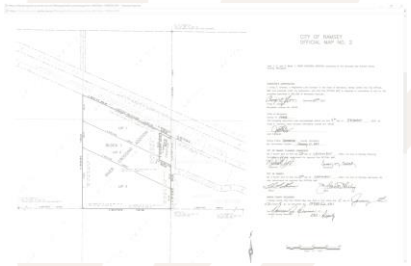
RECITALS

1. Connexus Energy, hereinafter referred to as the "Permittee", has properly applied for a Conditional Use Permit to install and maintain a solar energy system as the principal use on the property legally described as follows:

Lot 3, Block 1 River Crossing Addition

(the "Subject Property")

2. The City of Ramsey received an application for a Zoning Amendment and Conditional Use Permit on June 30, 2017.


CITY OF RAMSEY
OFFICIAL MAP NO. 3

Zoning Map
- Implement where future residential neighborhoods and business districts will be located.

Zoning Code (text)
- Determine what uses will be allowed within individual zoning districts.

Conditional Use Permit
- An approval process that requires a Public Hearing and City Council approval.

Official Map
- A tool that limits the expansion of a property while providing reasonable economic use to protect areas needed for public purpose. Example: future roadway corridor.

City of RAMSEY

Overview of Zoning Approval Process

Sec. 117-114. - B-1 General Business District.

(a) *Intent.* The intent of the B-1 General Business District is to provide a commercial area for than the B-2 Highway Commercial District.

(b) *Permitted uses.* The following are permitted uses, subject to general requirements and pe

(1) Enclosed retail activities without outdoor activities.
(2) Restaurants and cafes.
(3) Offices and banks.
(4) Personal and professional services.
(5) Funeral homes.
(6) Medical clinics.

Councilmember _____ introduced the following resolution and moved for its adoption:

RESOLUTION #17-09-212

A RESOLUTION APPROVING THE ISSUANCE OF A CONDITIONAL USE PERMIT TO CONNEXUS ENERGY TO ALLOW THE INSTALLATION AND MAINTENANCE OF A SOLAR ENERGY SYSTEM ON AS A PRINCIPAL USE IN THE PUBLIC/QUASI-PUBLIC DISTRICT AND DECLARING TERMS OF SAME

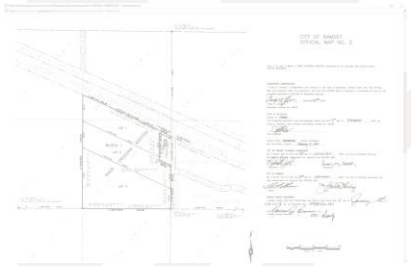
RECITALS

1. Connexus Energy, hereinafter referred to as the "Permittee", has properly applied for a Conditional Use Permit to install and maintain a solar energy system as the principal use on the property legally described as follows:

Lot 3, Block 1 River Crossing Addition

(the "Subject Property")

2. The City of Ramsey received an application for a Zoning Amendment and Conditional Use Permit on June 30, 2017.



Zoning Map
- Implement where future residential neighborhoods and business districts will be located.

Zoning Code (text)
- Determine what uses will be allowed within individual zoning districts.

Conditional Use Permit
- An approval process that requires a Public Hearing and City Council approval.

Official Map
- A tool that limits the expansion of a property while providing reasonable economic use to protect areas needed for public purpose. Example: future roadway corridor.

City of RAMSEY

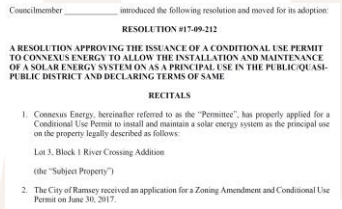
Overview of Zoning Approval Process

Sec. 117-114. - B-1 General Business District.

(a) *Intent.* The intent of the B-1 General Business District is to provide a commercial area for than the B-2 Highway Commercial District.

(b) *Permitted uses.* The following are permitted uses, subject to general requirements and pe

(1) Enclosed retail activities without outdoor activities.
(2) Restaurants and cafes.
(3) Offices and banks.
(4) Personal and professional services.
(5) Funeral homes.
(6) Medical clinics.


Councilmember _____ introduced the following resolution and moved for its adoption:

RESOLUTION #17-09-212

A RESOLUTION APPROVING THE ISSUANCE OF A CONDITIONAL USE PERMIT TO CONNEXUS ENERGY TO ALLOW THE INSTALLATION AND MAINTENANCE OF A SOLAR ENERGY SYSTEM ON AS A PRINCIPAL USE IN THE PUBLIC/QUASI-PUBLIC DISTRICT AND DECLARING TERMS OF SAME

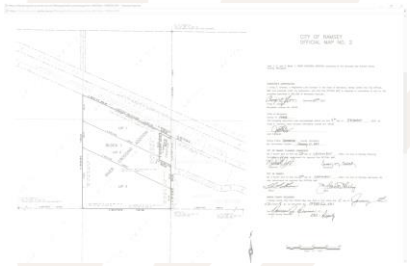
RECITALS

1. Connexus Energy, hereinafter referred to as the "Permittee", has properly applied for a Conditional Use Permit to install and maintain a solar energy system as the principal use on the property legally described as follows:

   Lot 3, Block 1 River Crossing Addition

   (the "Subject Property")

2. The City of Ramsey received an application for a Zoning Amendment and Conditional Use Permit on June 30, 2017.



Zoning Map
- Implement where future residential neighborhoods and business districts will be located.

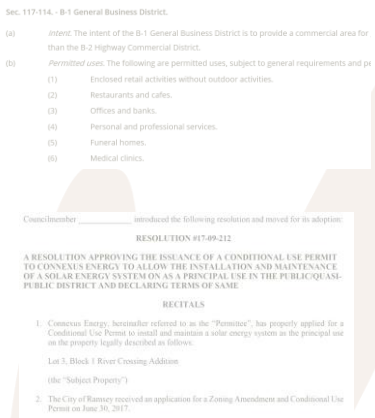
Zoning Code (text)
- Determine what uses will be allowed within individual zoning districts.

Conditional Use Permit
- An approval process that requires a Public Hearing and City Council approval.

Official Map
- A tool that limits the expansion of a property while providing reasonable economic use to protect areas needed for public purpose. Example: future roadway corridor.

City of RAMSEY

Overview of Zoning Approval Process



Sec. 117-114. - B-1 General Business District.

(a) *Intent.* The intent of the B-1 General Business District is to provide a commercial area for than the B-2 Highway Commercial District.

(b) *Permitted uses.* The following are permitted uses, subject to general requirements and pe

(1) Enclosed retail activities without outdoor activities.
(2) Restaurants and cafes.
(3) Offices and banks.
(4) Personal and professional services.
(5) Funeral homes.
(6) Medical clinics.

Councilmember _____ introduced the following resolution and moved for its adoption:

RESOLUTION #17-09-212

A RESOLUTION APPROVING THE ISSUANCE OF A CONDITIONAL USE PERMIT TO CONNEXUS ENERGY TO ALLOW THE INSTALLATION AND MAINTENANCE OF A SOLAR ENERGY SYSTEM ON AS A PRINCIPAL USE IN THE PUBLIC/QUASI-PUBLIC DISTRICT AND DECLARING TERMS OF SAME

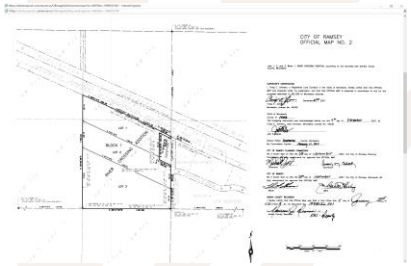
RECITALS

1. Connexus Energy, hereinafter referred to as the "Permittee", has properly applied for a Conditional Use Permit to install and maintain a solar energy system as the principal use on the property legally described as follows:

   Lot 3, Block 1 River Crossing Addition

   (the "Subject Property")

2. The City of Ramsey received an application for a Zoning Amendment and Conditional Use Permit on June 30, 2017.



Zoning Map
- Implement where future residential neighborhoods and business districts will be located.

Zoning Code (text)
- Determine what uses will be allowed within individual zoning districts.

Conditional Use Permit
- An approval process that requires a Public Hearing and City Council approval.

Official Map
- A tool that limits the expansion of a property while providing reasonable economic use to protect areas needed for public purpose. Example: future roadway corridor.

City of RAMSEY

Summary of Actions

Approval	Description
Zoning Amendment – Zoning Map	Amend Zoning Map to guide how the property will be used into the future.
Zoning Amendment – Zoning Code	Provide a legal basis for allowing this use as a Conditional Use.
Conditional Use Permit	Provide approval for the specific project/request in a public setting (not administrative approval).
Variance to Official Map	Ensure that project will not add additional costs to acquire an area needed for public purpose and officially mapped. [This has already been approved by the Planning Commission.]

City of RAMSEY

Summary of Actions

Approval	Description
Zoning Amendment – Zoning Map	Amend Zoning Map to guide how the property will be used into the future.
Zoning Amendment – Zoning Code	Provide a legal basis for allowing this use as a Conditional Use.
Conditional Use Permit	Provide approval for the specific project/request in a public setting (not administrative approval).
Variance to Official Map	Ensure that project will not add additional costs to acquire an area needed for public purpose and officially mapped. [This has already been approved by the Planning Commission.]

City of RAMSEY

Summary of Actions

Approval	Description
Zoning Amendment – Zoning Map	Amend Zoning Map to guide how the property will be used into the future.
Zoning Amendment – Zoning Code	Provide a legal basis for allowing this use as a Conditional Use.
Conditional Use Permit	Provide approval for the specific project/request in a public setting (not administrative approval).
Variance to Official Map	Ensure that project will not add additional costs to acquire an area needed for public purpose and officially mapped. [This has already been approved by the Planning Commission.]

City of RAMSEY

Summary of Actions

Approval	Description
Zoning Amendment – Zoning Map	Amend Zoning Map to guide how the property will be used into the future.
Zoning Amendment – Zoning Code	Provide a legal basis for allowing this use as a Conditional Use.
Conditional Use Permit	Provide approval for the specific project/request in a public setting (not administrative approval).
Variance to Official Map	Ensure that project will not add additional costs to acquire an area needed for public purpose and officially mapped. [This has already been approved by the Planning Commission.]

City of RAMSEY

Summary of Actions

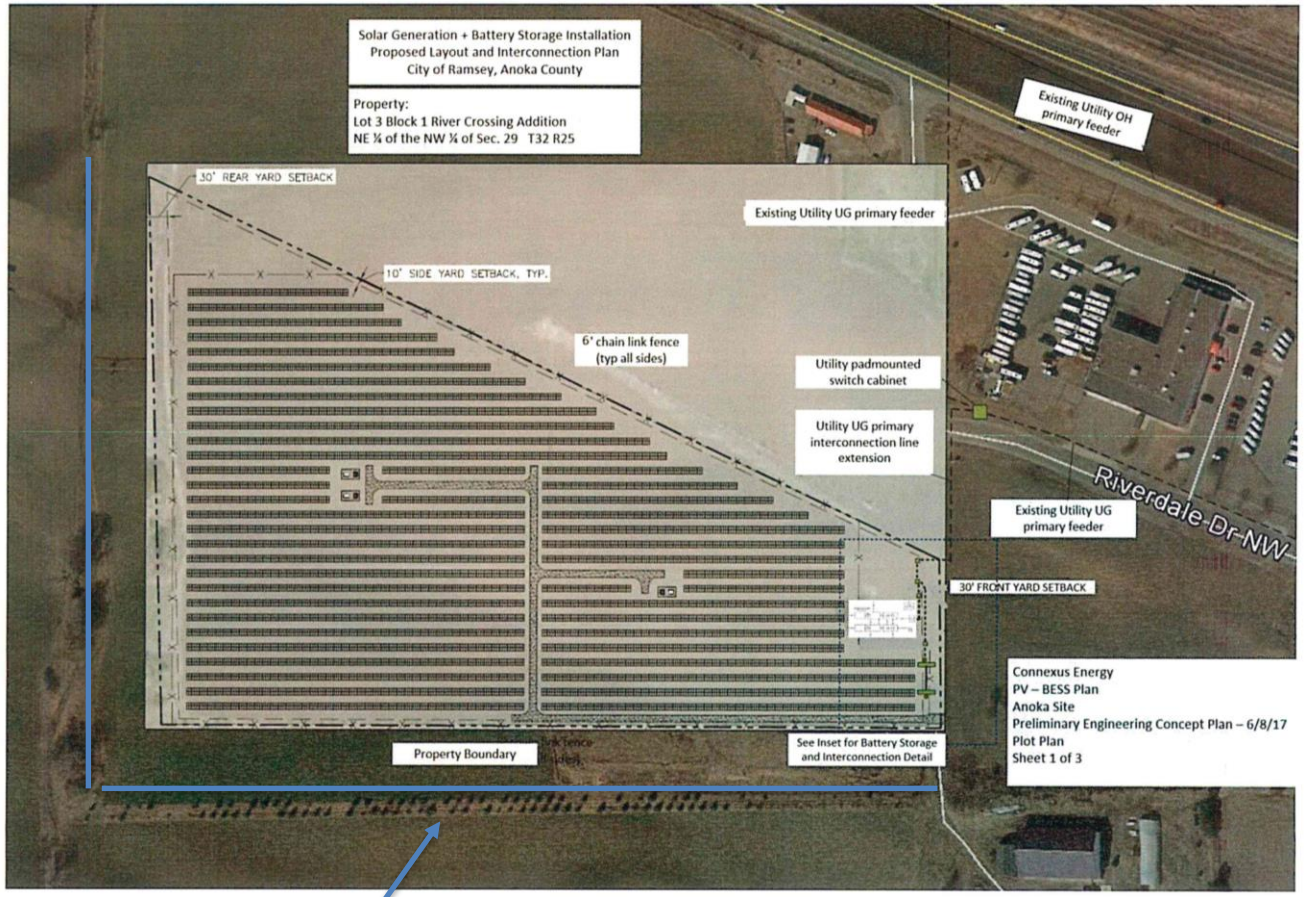
Approval	Description
Zoning Amendment – Zoning Map	Amend Zoning Map to guide how the property will be used into the future.
Zoning Amendment – Zoning Code	Provide a legal basis for allowing this use as a Conditional Use.
Conditional Use Permit	Provide approval for the specific project/request in a public setting (not administrative approval).
Variance to Official Map	Ensure that project will not add additional costs to acquire an area needed for public purpose and officially mapped. [This has already been approved by the Planning Commission.]

City of RAMSEY

The Site

City of RAMSEY

Site Plan



General location of property line (blue line)

City of RAMSEY

EXAMPLES

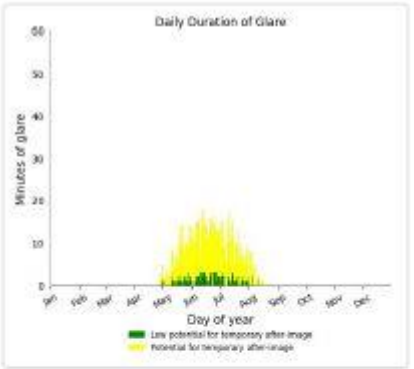
Solar Panels – typical view

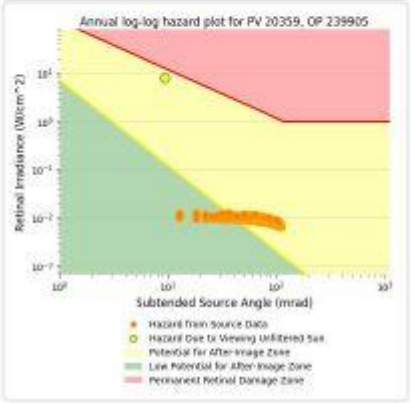
Battery containers – typical view

Connexus Energy
PV – BESS Plan
Anoka Site
Preliminary Engineering Concept Plan – 6/7/17
Major Equipment – Typical
Sheet 3 of 3

City of RAMSEY

Glare Mitigation





City of RAMSEY

Issues Raised at Public Hearing & After Hearing

- Aesthetics
- Property Values
- Financial Surety
- Landscape Buffer
- Deter Future Development
- Is this the best location for this use?
- Timing of Approval

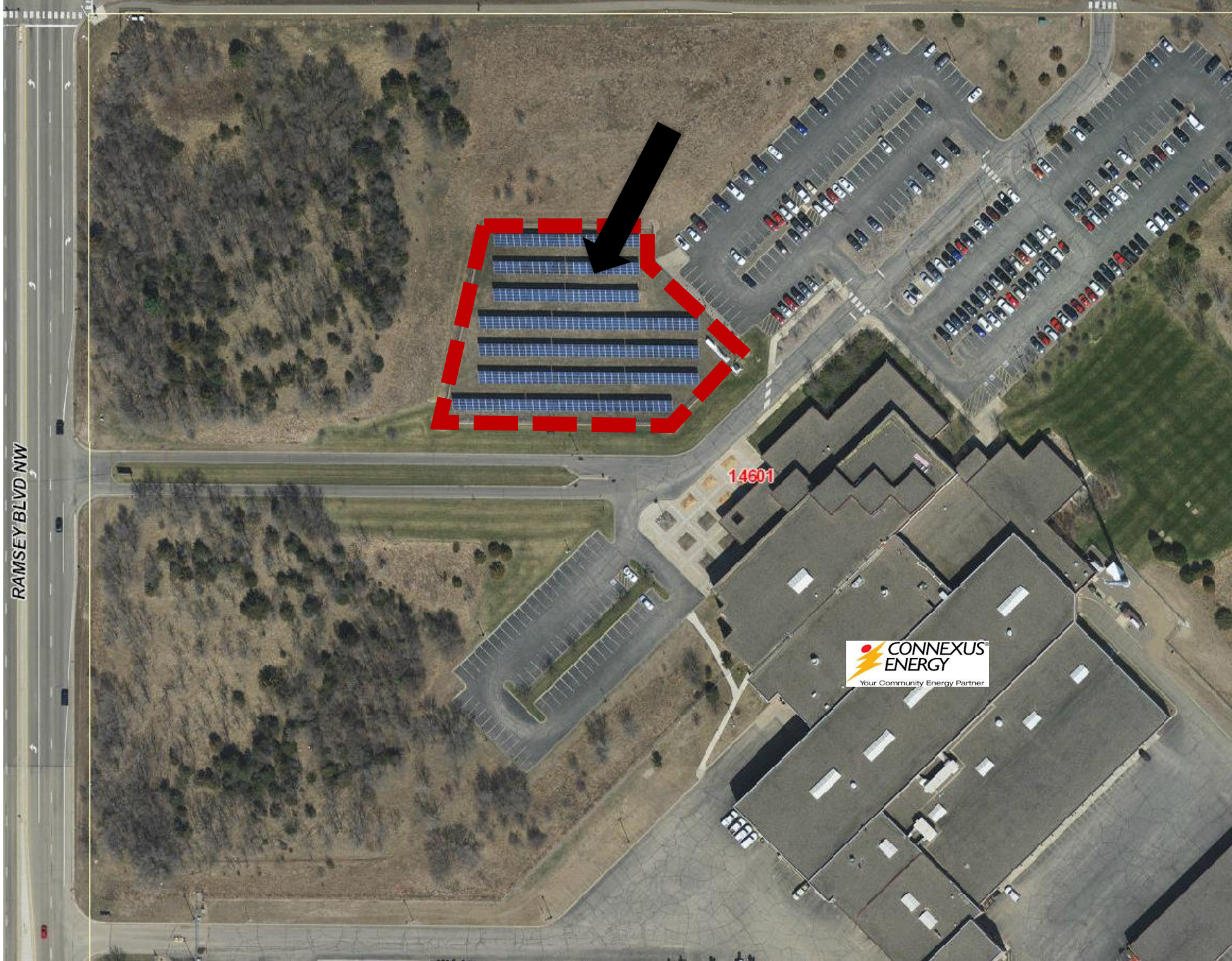
Contingency/Next Steps

- Final Site Plan
- Final Landscape Plan
- Both documents shall be approved by the City Council at a future date.

Economic Development Summary

2016: city staff attended meeting at Connexus Energy's headquarters.

Purpose: tour solar farm and pollinator habitat initiatives.

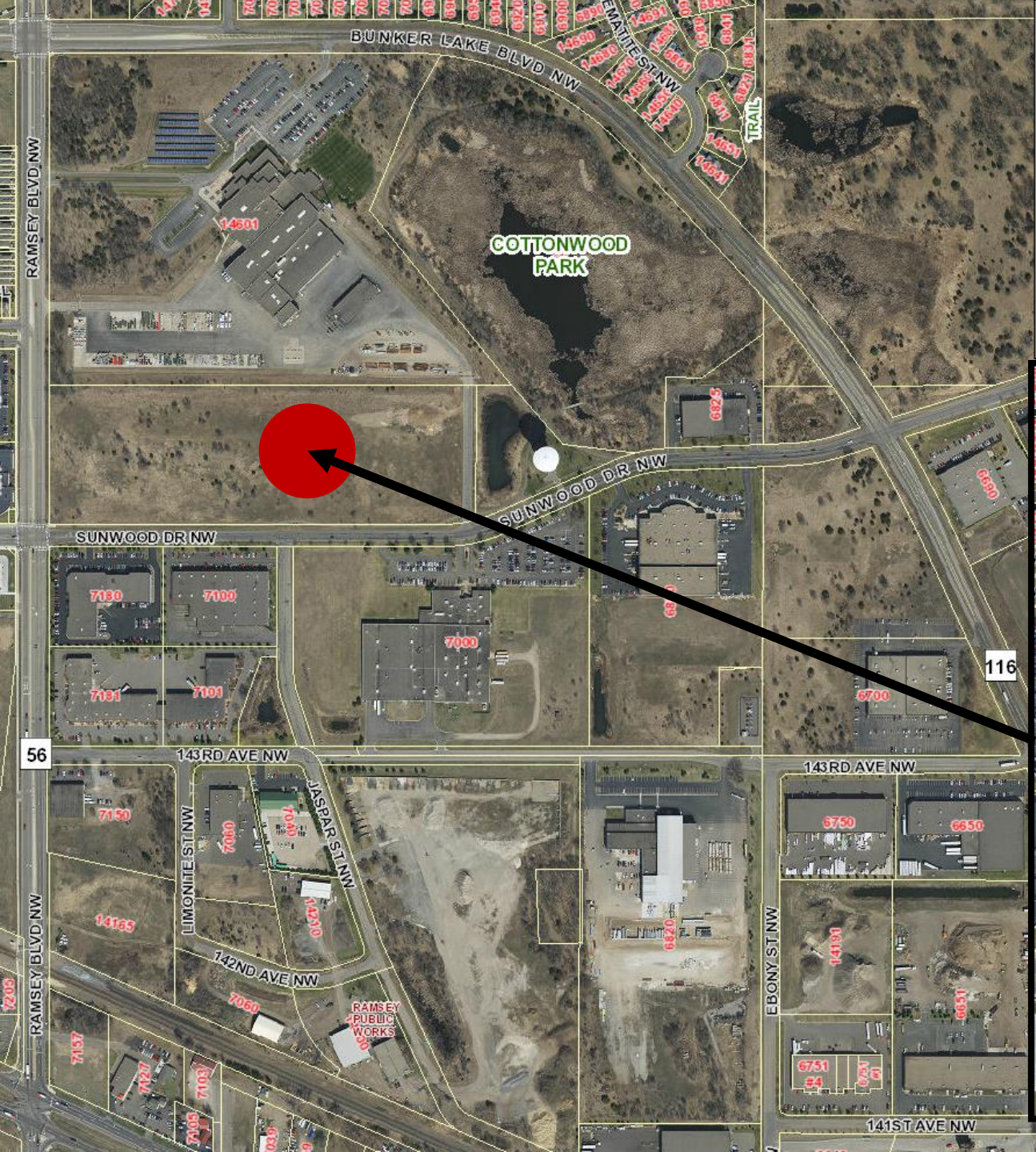


At that 2016 meeting, staff was notified:

Connexus was interested in using their remnant industrial property for another solar panel farm development.

Connexus Remnant Industrial Lot

- 16.5 acres, perfect rectangle
- Good depth (not too deep), flat, green-field, correct zoning
- Good visibility, location adjacent to The COR, walking trail, existing biz park, and access, near substation.
- Good (and expensive) infrastructure investments in place today, potentially no need for additional—nearly shovel ready!



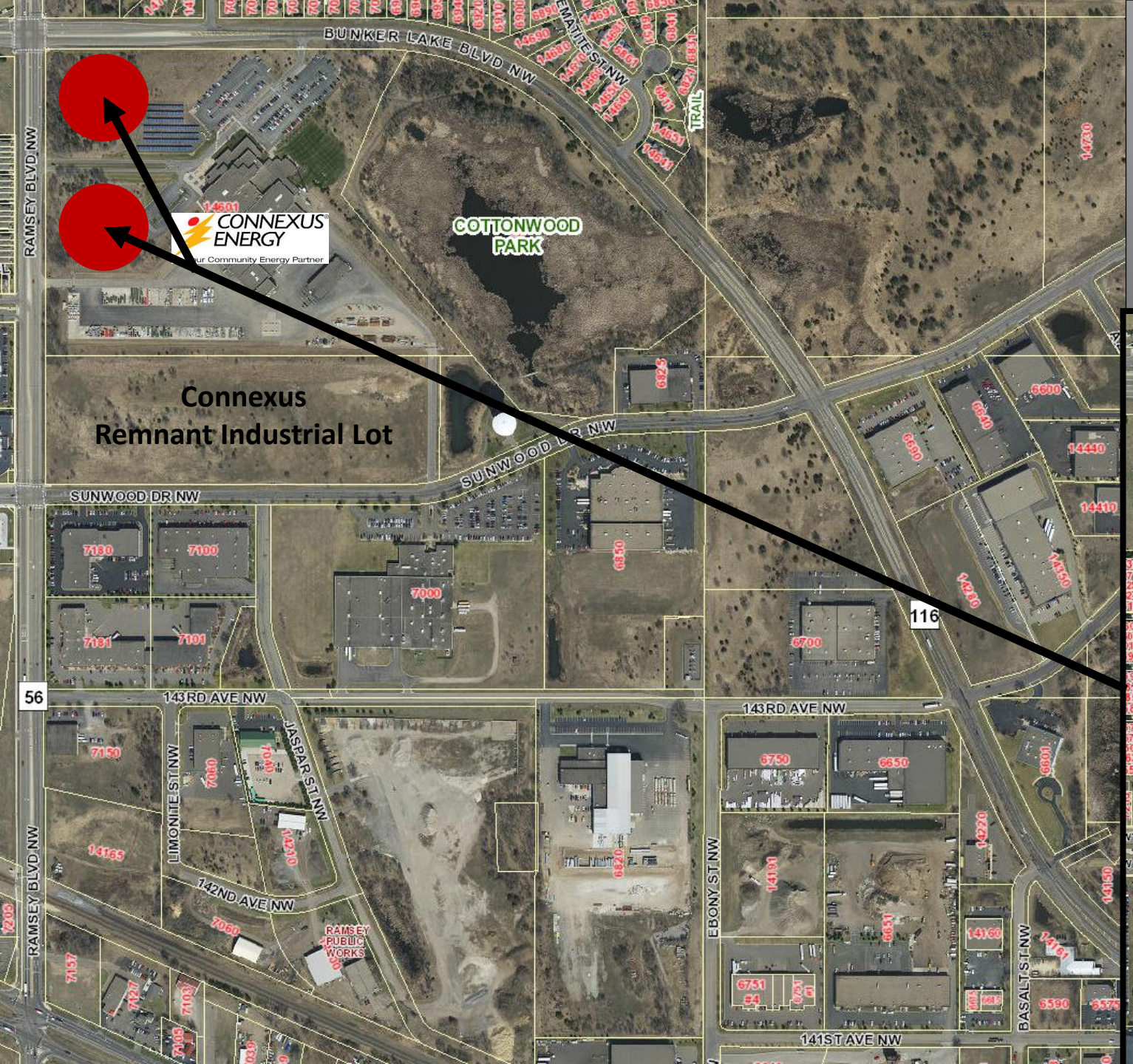
City staff (not the EDA) responded to Connexus, at the 2016 solar farm tour, with general overall support of the solar farm initiative.

However, city staff (not the EDA) suggested other sites be considered by Connexus—due to fact that:

- **Connexus Energy's remnant industrial site is uniquely suited as a highly-desirable and ready-to-go property for traditional ED.**
- **Staff (not the EDA) believed other suitable options may exist within the City's existing business park for a solar farm.**
- **Staff's 2016 suggestions (not EDA) shown on next three slides.**

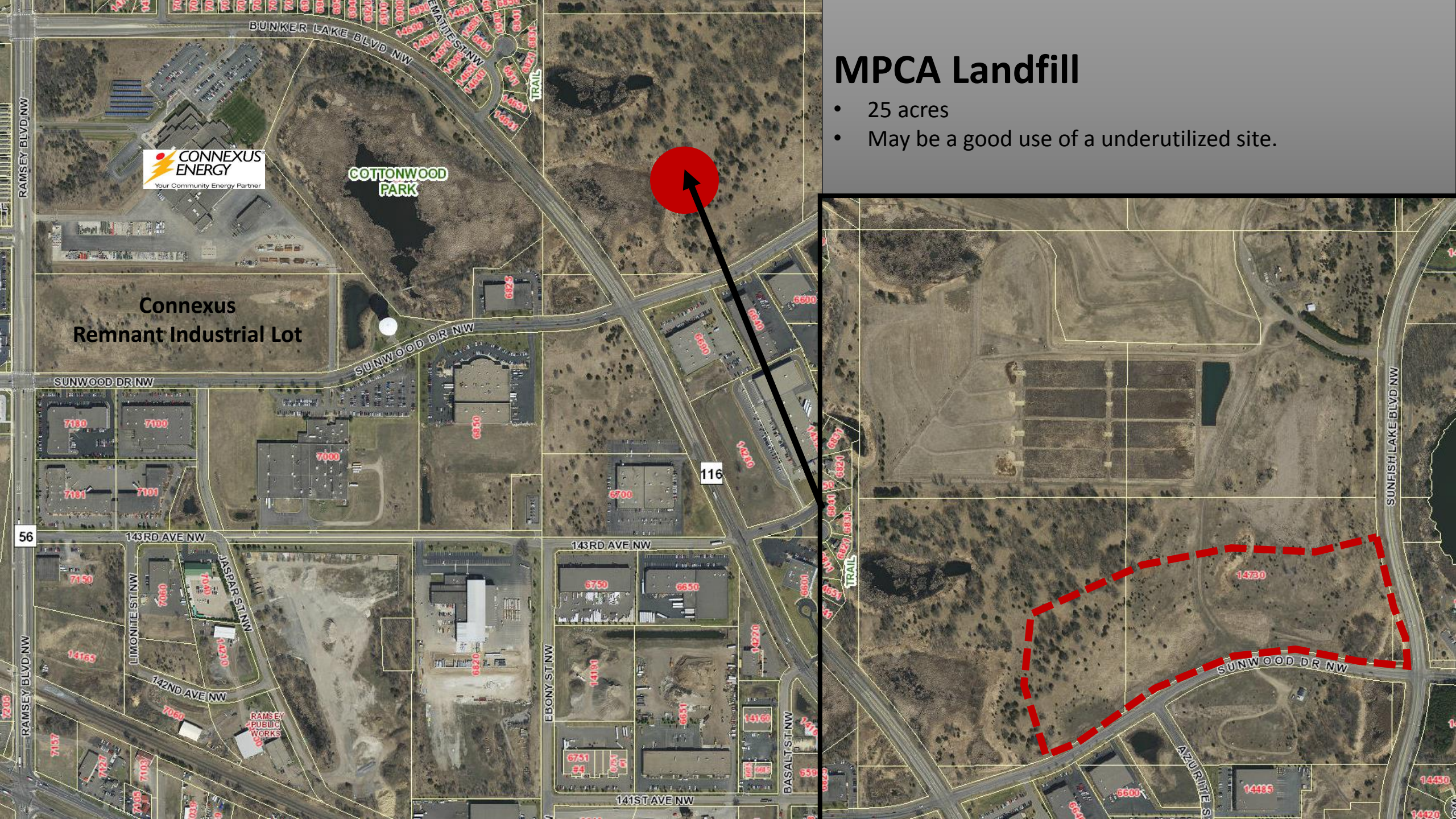
Connexus Lot (B)

- 8+ acres
- Existing Conexus campus has some available space.



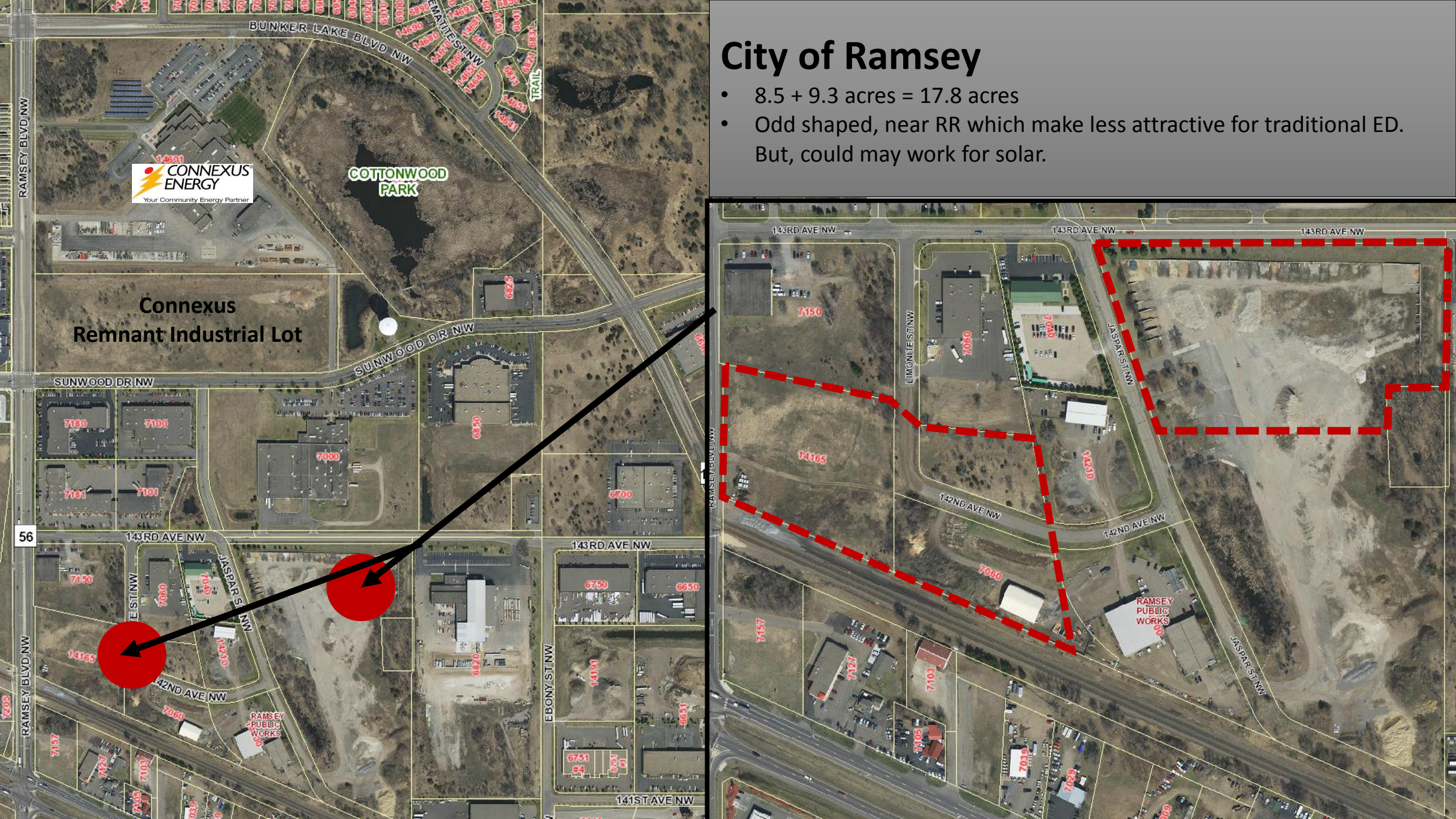
MPCA Landfill

- 25 acres
- May be a good use of a underutilized site.



City of Ramsey

- 8.5 + 9.3 acres = 17.8 acres
- Odd shaped, near RR which make less attractive for traditional ED. But, could may work for solar.



<u>In 2016, Connexus and city staff (not the EDA) both agreed:</u>
There was an ED benefit to consider, in relation to the Connexus Energy remnant industrial site — that using it for a solar farm may not be the best use.

- **Therefore, per city staff's original 2016 request (not the EDA), in good faith, Connexus did investigate other sites.**

- **Through Connexus's process (not the EDA or City Staff), Connexus identified the Anoka County owned site (2017).**

Anoka County Site

- 18.6 acres
- Proposed location

Planning Commission (PC) Review

PC reviewed Anoka County site proposal, for the first time, on 09/07.
At the 09/07 PC meeting, PC requested EDA to provide feedback.

- **This request was made because many PC members wondered why the Connexus remnant industrial site was not being utilized for this project.**
- **Connexus replied to the PC, that the City suggested they look at other sites.**
- **It should be noted, the EDA had not provided feedback on this project before the PC meeting on 09/07 (no prior direction given).**

Planning Commission Q to the EDA

(request made from PC on 09/07—EDA reviewed on 09/14)

What is the "Economic Development" opportunity cost for using the Connexus site rather than the Anoka County site? In other words, why not use the Connexus site for a solar farm?

Summary of EDA input (originated from 2016 staff recommendation):

- **Jobs/ tax base/ less demand on public services**
  (biz park v residential: traditional econ devel benefits)

- **Loss of unique, shovel-ready, highly-desirable, industrial site**
  (v Anoka County site: not highly desirable/ not shovel ready today)

- **Solar farm is a good opportunity for Ramsey**
  (highly visible project, good PR, good partnership, good community service)

Economic Development Manager Comments

- City staff never took a position, or told Connexus that—this project should not occur on industrial land. Staff pitched only industrial sites.

- Planning Commission (PC) formally reviewed the Anoka County site proposal/ had a discussion on this project before the EDA.

- As requested by the PC, EDA focus was narrow: only discuss opportunity costs for a solar farm on the Connexus remnant industrial site, and no other site; including: the proposed Anoka County site.

- It's staff understanding, if Connexus is unable to obtain approvals on the site they applied for (Anoka County site), they will not be looking at Ramsey for a solar project in the short term. They are ready-to-go with projects in other communities, and have timing constraints with funding.

Our Mission: To work together to resposibly grow our community, and to provide quality, cost-effective, and efficient government services.

CC Regular Session **7. 2.**

Meeting Date: 11/14/2017

By: Tim Gladhill, Community Development

Information

Title:

Adopt Ordinance #17-18 Amending Street Names in the Riverstone Subdivision; Case of Capstone Homes/Riverstone Development, LLC

Purpose/Background:

The purpose of this case is to introduce an ordinance officially amending street names in the Riverstone subdivision. On September 12, 2017, the City Council approved a framework of a deviation from the Anoka County street name grid. This step is the official process to change the names on the plat that was already recorded (first phase of Riverstone). Moving forward, the City will not need to do a follow up ordinance for street names; amended street names will simply be incorporated in future plats for subsequent phases.

For background, the original case from September 12, 2017 is attached.

Notification:

Notification is not required.

Observations/Alternatives:

The approved street name amendments are as follows (as it pertains to Riverstone only):

Grid Name	Approved Name
Quagga Street	Quintana Street
Rabbit Street	Rabbit Street
Sloth Street	Snowy Owl Street
Tiger Street	Tiger Street

Funding Source:

All costs associated with processing the application are the responsibility of the Applicant. There are no occupied dwellings on these streets at this time, so no impacts to existing residents or businesses will be experienced.

Recommendation:

Staff recommends approval of the ordinance.

Action:

Motion to waive the City Charter requirement to read the ordinance aloud -AND- adopt Ordinance #17-18 amending street names in the Riverstone subdivision.

Roll Call Vote:

Councilmember Riley
Councilmember Shryock
Councilmember Kuzma
?Councilmember Johns
Councilmember LeTourneau
Mayor Strommen

Attachments

Site Location Map
Riverstone Overall Development Plan
September 12, 2017 City Council Case
Public Works Committee Minutes dated July 18, 2017
City Council Minutes dated September 12, 2017
Ordinance #17-18

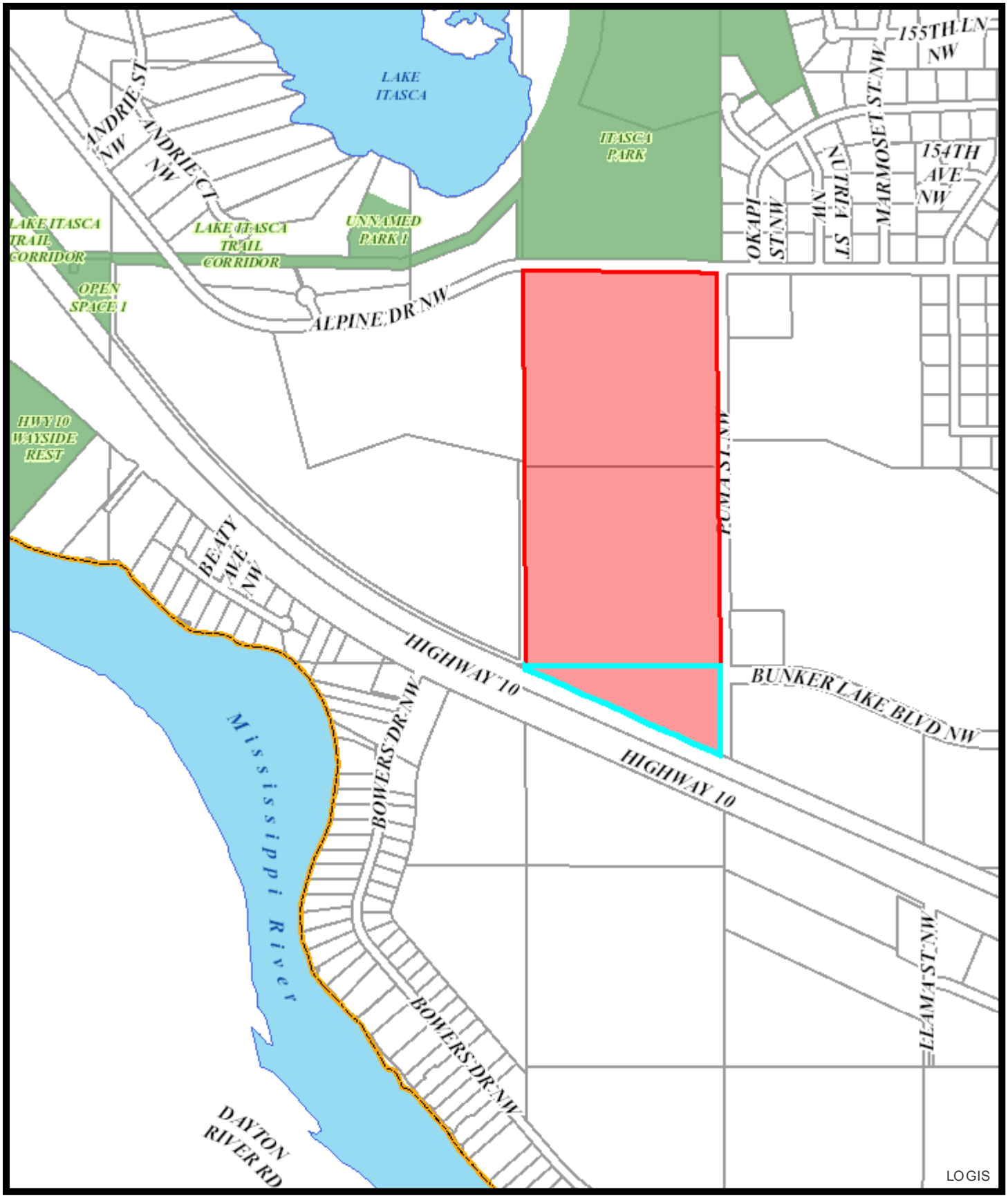
Form Review

Inbox	Reviewed By	Date
Kurt Ulrich	Kurt Ulrich	11/09/2017 02:35 PM
Form Started By: Tim Gladhill		Started On: 11/08/2017 08:46 AM
Final Approval Date: 11/09/2017		

29-32-25-22-0004

Site Location Map

Riverstone



Feet

0 215430 860 1,290 1,720

Print Date: March 10, 2017

CAPSTONE HOMES
TO LAKE ITASCA PARK
FUTURE "COR" ACCESS
PUMA STREET N.W.
ALPINE DRIVE N.W.
POND
POND
POND
POND
PARK
PLAY AREA
NEIGHBORHOOD GREEN AREA
U.S. HIGHWAY 10 / U.S. HIGHWAY 169
N
LINKS AT NORTHFORK GOLF COURSE
Carlson McCain
ENVIRONMENTAL • ENGINEERING • SURVEYING
Riverstone
ramsey, mn

Our Mission: To work together to resposibly grow our community, and to provide quality, cost-effective, and efficient government services.

CC Regular Session 7. 7.

Meeting Date: 09/12/2017

By: Tim Gladhill, Community Development

Information

Title:

Review Framework for Request to Deviate from Street Name Grid for Riverstone Addition; Case of Capstone Homes

Purpose/Background:

The purpose of this case is to consider a request from Capstone Homes to deviate from the existing street name grid for Riverstone Development. The street name grid is an important component of public safety response. Staff has been attempting to balance that need with that of quality street names, flexibility, etc.

Notification:

Notification is not required for this request at this time. This case is to set policy direction. Once policy direction is provided, the official Ordinance requirement to change street names (plat was already recorded).

Observations/Alternatives:

Staff was aware that this request was forthcoming. In the interest of time in getting the plat recorded, the Developer agreed to record the Plat with the existing street name grid, but desired to circle back on this topic before homes were sold or occupied. There are no existing homes that would be impacted by this change.

The existing grid would require the following names:

1. Quagga Street
2. Rabbit Street
3. Sloth Street
4. Tiger Street

The Public Works Committee has reviewed this request. Direction from that meeting was to allow for some flexibility with the following assumptions.

1. Must retain the animal theme
2. Must follow the existing sequence (Q, R, S, T)

Both Staff and Developer have struggled with a solution that follows this direction and balances the public safety need to stick close to the grid naming convention. Staff does recommend that Rabbit and Tiger Street should be used, as those streets exist in other areas of the community. Staff does not have an issue with change Quagga or Sloth Street, but is struggling to find a suitable replacement.

This case is to have an open dialogue on the issue and provide policy direction to Staff to bring forward a formal request at a future date.

Funding Source:

All costs associated with processing this request are the responsibility of the Applicant.

Recommendation:

Based on discussion.

Action:

No action requested. By consensus, provide direction on street naming conventions in the Riverstone development.

Attachments

DRAFT Public Works Committee Minutes dated July 18, 2017

Developer Request

Form Review

Inbox	Reviewed By	Date
Kurt Ulrich	Kurt Ulrich	09/07/2017 02:08 PM
Kurt Ulrich	Kurt Ulrich	09/07/2017 02:08 PM
Form Started By: Tim Gladhill		Started On: 09/06/2017 09:52 PM

Final Approval Date: 09/07/2017

5.01: Review Anoka County Street Name Grid

Community Development Director Manager Gladhill stated requests have been received from several northern border developments to deviate from the Anoka County street naming grid. He added all streets were laid out in a grid fashion, using an orderly naming convention in general, for ease of use within community, which determines house numbers and street numbers. He noted these requests are based on the perceived quality of the street names.

Mr. Gladhill stated several representatives of the Police Department were present to talk about how they use the grid, and how important it is to them to be able to use it wherever possible. He added the City has the authority to deviate from the street naming grid, but there is a benefit to keeping it. He noted Capstone has indicated they would prefer to deviate from street names like Rabbit, Sloth and Tiger, as well as Zeolite and Quagga.

Mr. Gladhill stated street name deviations were used in the COR on a few projects. He added, for instance, Center Street would have been Variolite Street, and Ramsey Parkway would have been 148th Avenue.

Mr. Gladhill stated changing the street names would impact safety team response, as Geographic Information Systems (GIS) systems technology is not always reliable. He added it is easier for mutual aid partners from other cities to use the grid and follow the street names. He asked the officers who were present if they had any comments or feedback on this issue. He noted more details on this issue will be available in the coming weeks, and this is a preliminary review for the Public Works Committee.

Chief of Police Jeff Katers thanked Mr. Gladhill for his accurate summary. He added the Police Department relies heavily on GIS systems, but they can potentially fail, and in times of disaster, they do fail. He noted outside agencies are often relied on for assistance, and if street names are changed, they would have to rely on a map, unless it is a place they know and have been to before.

Chief Katers stated he understands the names are not the best choice. He added maybe other animal names could be used, or a category within a specific zone, so first responders can find the streets. He noted a large wall map is used to train new officers as well as mapping systems, to ensure that they know major thoroughfares, and can respond without a map.

Councilmember Kuzma stated it would be difficult to look at a map at night in the dark.

Chief Katers agreed, adding there is more risk involved in terms of situational awareness, and the risk of officers giving way their position by turning on a light in their vehicle.

Another officer stated it is a consistency issue, and responders need to be able to rely on their past training. He added the grid map is consistent from north to south, and dispatchers can name any street to responders and they will know where the street is located. He noted he can understand

why the names were changed in the COR, but changing other developments will lead to confusion, and responders have enough to worry about without trying to figure out where they are going.

Captain Tim Frankfurth stated he agrees that names such as Quagga and Sloth are not desirable, and they have not been built yet. He added another animal name using the same letter could be used.

Captain Frankfurth stated Rabbit is a concern because it is a lengthy street, so the whole street would have to be changed.

Councilmember Kuzma asked if these animal street names are used in other parts of Anoka County, and whether changing the names would be a problem for them. He added Ramsey should not deviate from the street names grid if it is established elsewhere.

Chairperson Riley stated the same first letter could be still be used.

Councilmember Johns asked whether are there other names that are not currently being used that could be considered.

An officer confirmed this, adding he was referring to the current development.

Chairperson Riley stated these specific names are being mentioned because they were they likely to be used in the Riverstone addition.

Mr. Gladhill confirmed this, adding Capstone would like to replace those four names.

Councilmember Johns stated she would support changing the names that do not have addresses yet, such as Sloth, and only the grid within City limits.

Mr. Gladhill confirmed that the Public Works Commission has indicated they are not opposed to staying with alphabetical animal names.

Chairperson Riley agreed and stated changing Puma would only affect one address.

Mr. Gladhill confirmed this. He added all new parcels would be based off new internal roads. He added there is not a north/south road in the Riverstone addition.

Chairperson Riley asked whether the developer gets to pick the majority of street names.

Mr. Gladhill stated the City picks the street names. He added this issue will be discussed during the final plat review for Riverstone at next week's City Council meeting.

DRAFT

Chairperson Riley asked whether there is a Zeolite Street in the north that lines up with the COR's temporary road named Zeolite.

An officer confirmed this.

Chief Katers stated he just did an online search, and Nowthen changed Sloth to Sugarbush Road.

Chairperson Riley stated he still would like to see Zeolite changed. He asked whether there will there be any addresses on it.

Mr. Gladhill stated there will not be addresses on the current segment of Zeolite, and the development plan does not show a connection, but plans can change. He agreed to look into that.

Chairperson Riley asked whether Zeolite is a permanent street.

Mr. Westby stated it will eventually be permanent but it is not right now.

DRAFT

TABLE OF CONTENTS

1. CALL TO ORDER 2
2. PRESENTATION 2
2.01: Presentation Proclaiming September 17-23, 2017 as Constitution Week 2
3. CITIZEN INPUT 2
4. CONSENT AGENDA 2
5. APPROVE AGENDA 3
6. PUBLIC HEARING 3
6.01: Public Hearing to Consider Adopting Resolution #17-09-215 Approving Easement Vacation and Final Plat for Gobernatz 3rd Addition (Project No. 17-139); Case of Jolene and Scott DeJarlais 3
6.02: Public Hearing to Consider Adoption of Ordinance #17-12 Vacating Certain Drainage and Utility Easements Related to the Cole Addition; Case of Bryon and Lynn Cole (Project No. 17-132) 4
7. COUNCIL BUSINESS 6
7.01: Consider Adopting Resolution #17-08-207 Approving Contract with the University of Minnesota for the Resilient Communities Project 6
7.02: Consider Adopting Resolution #17-09-239 Approving Amendment to Development Agreement for COR Three North Commons (Project No. 16-63); Case of Purmort Homes 7
7.03: Consider Multiple Actions Related to a Subdivision known as Lavern Estates (Project No. 17-137); Case of Joshua Peterson 7
7.04: Consider Multiple Actions Related to a Proposed Subdivision Known as Estates of Silver Oaks 2nd Addition (Project 17-119); Case of Silver Oaks Realty 8
7.05: Consider Adopting Resolution #17-09-218 Granting a Conditional Use Permit for Motor Vehicle Sales at 7103 Highway 10 NW (Project 17-140); Case of Motors on 10 9
7.06: Consider Adopting Resolution #17-09-216 Granting Final Plat Approval to Bunker Lake Industrial Park (Project #17-127); Case of PSD, LLC 9
7.07: Review Framework for Request to Deviate from Street Name Grid for Riverstone Addition; Case of Capstone Homes 10
7.06: Consider Adopting Resolution #17-09-216 Granting Final Plat Approval to Bunker Lake Industrial Park (Project #17-127); Case of PSD, LLC (Continued) 11
7.08: Consider Adopting Resolution #17-09-214 Approving Plans and Specifications and Authorizing Advertisement for Bids for Improvement Project #17-10; Puma Street Utility Extensions 12
8. MAYOR, COUNCIL AND STAFF INPUT 12
9. ADJOURNMENT 13

CITY COUNCIL
CITY OF RAMSEY
ANOKA COUNTY
STATE OF MINNESOTA

The Ramsey City Council conducted a regular meeting on Tuesday, September 12, 2017, at the Ramsey Municipal Center, 7550 Sunwood Drive NW, Ramsey, Minnesota.

Members Present: Acting Mayor John LeTourneau
Councilmember Mark Kuzma
Councilmember Chris Riley
Councilmember Melody Shryock
Councilmember Kristine Williams

Members Absent: Mayor Sarah Strommen
Councilmember Jill Johns

Also Present: City Administrator Kurtis Ulrich
Police Chief Jeff Katers
Public Works Superintendent Grant Riemer
Human Resources Manager Colleen Lasher
Community Development Director Timothy Gladhill
City Engineer Bruce Westby
Asst. City Administrator/Economic Development Manager Patrick Brama
Community Development Intern Alec Henderson

1. CALL TO ORDER

Acting Mayor LeTourneau called the regular meeting of the Ramsey City Council to order at 7:00 p.m., followed by the Pledge of Allegiance led by Acting Mayor LeTourneau.

2. PRESENTATION

2.01: Presentation Proclaiming September 17-23, 2017 as Constitution Week

Acting Mayor LeTourneau read aloud the proclamation declaring September 17-23, 2017 as Constitution Week, noting that the item will appear on the consent agenda for Council adoption. He stated that he will present this proclamation to the Daughters of the American Revolution.

3. CITIZEN INPUT

None.

4. CONSENT AGENDA

Motion by Councilmember Kuzma, seconded by Councilmember Shryock, to approve the following items on the Consent Agenda:

4.01: Receive Cash and Investments for Period Ending August 31, 2017
4.02: Approve the following Meeting Minutes:
1) City Council Work Session dated August 22, 2017
2) City Council Regular dated August 22, 2017
4.03: Approve Rental Licenses
4.04: Approval of Tuition Reimbursement
4.05: Adopt Resolution #17-09-228 Approving Cash Disbursements Made and Authorizing Payment of Accounts Payable Invoicing Received During the Period of August 17, 2017 through September 6, 2017
4.06: Adopt Resolution #17-09-210 Declaring Costs to be Assessed and Calling for a Public Hearing on Proposed Assessment for Past Due Charges on Municipal Utility Bills (which may include water, sewer, street lighting, recycling, storm water charges and penalties incurred) and Current Services Rendered
4.07: Adopt Resolution #17-09-213 Ordering Assessment Roll and Calling Assessment Hearing for Improvement Project #17-00, Sunwood Drive Reconstruction
4.08: Adopt Resolution #17-09-209 Approving a Conditional Use Permit for a Two-Story Accessory Building (Project #17-107); Case of Raymond and Linda Bonifas
4.09: Adopt Resolution #17-09-229 Approving an Amended Development Agreement for Regency Commons Addition (Project No. 16-108); Case of National Self Storage
4.10: Adopt Resolution #17-09-226 to Promote the Lead Police Records Technician to the Police Department Office Supervisor
4.11: Adopt Resolution #17-09-227 to Hire an Engineering Intern
4.12: Adopt Resolution #17-09-231 Proclaiming September 17-23, 2017 as Constitution Week

Motion carried. Voting Yes: Acting Mayor LeTourneau, Councilmembers Kuzma, Shryock, Riley, and Williams. Voting No: None. Absent: Mayor Strommen and Councilmember Johns.

5. APPROVE AGENDA

Motion by Councilmember Shryock, seconded by Councilmember Williams, to approve the agenda as presented.

Motion carried. Voting Yes: Acting Mayor LeTourneau, Councilmembers Shryock, Williams, Kuzma, and Riley. Voting No: None. Absent: Mayor Strommen and Councilmember Johns.

6. PUBLIC HEARING

6.01: Public Hearing to Consider Adopting Resolution #17-09-215 Approving Easement Vacation and Final Plat for Gobernatz 3rd Addition (Project No. 17-139); Case of Jolene and Scott DeJarlais

Presentation

Community Development Director Gladhill reviewed the staff report and recommendation to adopt Resolution #17-09-215 granting approval of the Final Plat for Gobernatz 3rd Addition and vacating certain drainage and utility easements on the subject property.

Public Hearing

Motion by Councilmember Shryock, seconded by Councilmember Williams, to open the public hearing.

Motion carried. Voting Yes: Acting Mayor LeTourneau, Councilmembers Shryock, Williams, Kuzma, and Riley. Voting No: None. Absent: Mayor Strommen and Councilmember Johns.

The public hearing was opened at 7:07 p.m.

Citizen Input

There was none.

Motion by Councilmember Riley, seconded by Councilmember Williams, to close the public hearing.

Motion carried. Voting Yes: Acting Mayor LeTourneau, Councilmembers Riley, Williams, Kuzma, and Shryock. Voting No: None. Absent: Mayor Strommen and Councilmember Johns.

The public hearing was closed at 7:07 p.m.

Council Business

Motion by Councilmember Williams, seconded by Councilmember Kuzma, to Adopt Resolution #17-09-215 Granting Approval of an Easement Vacation and Final Plat for Gobernatz 3rd Addition.

Motion carried. Voting Yes: Acting Mayor LeTourneau, Councilmembers Williams, Kuzma, Riley, and Shryock. Voting No: None. Absent: Mayor Strommen and Councilmember Johns.

6.02: Public Hearing to Consider Adoption of Ordinance #17-12 Vacating Certain Drainage and Utility Easements Related to the Cole Addition; Case of Bryon and Lynn Cole (Project No. 17-132)

Presentation

Community Development Intern Henderson reviewed the staff report and recommendation to adopt Ordinance #17-12 vacating certain drainage and utility easements on the subject property. He noted that the approved Final Plat does dedicate to the public drainage and utility easements in accordance with the City Code.

Councilmember Kuzma stated that there was some discussion on a sidewalk at the last meeting and asked how that turned out.

Community Development Director Gladhill stated that the approval included the requirement of the sidewalk. He noted that if the sidewalk were to be removed, that would require the Final Plat to come back before the City Council.

Public Hearing

Motion by Councilmember Williams, seconded by Councilmember Kuzma, to open the public hearing.

Motion carried. Voting Yes: Acting Mayor LeTourneau, Councilmembers Williams, Kuzma, Riley, and Shryock. Voting No: None. Absent: Mayor Strommen and Councilmember Johns.

The public hearing was opened at 7:11 p.m.

Citizen Input

There was none.

Motion by Councilmember Riley, seconded by Councilmember Shryock, to close the public hearing.

Motion carried. Voting Yes: Mayor Strommen, Councilmembers Riley, Shryock, Johns, Kuzma, LeTourneau, and Williams. Voting No: None.

The public hearing was closed at 7:11 p.m.

Council Business

Motion by Councilmember Kuzma, seconded by Councilmember Shryock, to waive the City Charter requirement to read the ordinance aloud and Adopt Ordinance #17-12 Vacating Certain Drainage and Utility Easements in the City of Ramsey, Anoka County, Minnesota, contingent upon recording of the Plat.

A roll call vote was performed by the Recording Secretary:

Councilmember Riley	aye
Councilmember Shryock	aye
Councilmember Williams	aye
Councilmember Johns	absent
Councilmember Kuzma	aye
Mayor Strommen	absent
Acting Mayor LeTourneau	aye

Motion carried.

7. COUNCIL BUSINESS

7.01: Consider Adopting Resolution #17-08-207 Approving Contract with the University of Minnesota for the Resilient Communities Project

Community Development Director Gladhill reviewed the staff report and recommendation to adopt Resolution #17-08-207 approving the final contract with the University of Minnesota for participation in the Resilient Communities Project.

Councilmember Kuzma stated that he was not in favor of this last February and is still not in favor of the project as he believes that the funds could be used in better ways. He stated that a consultant was being used for the park planning and he suggested that the students be used for that process and was told that the students would not have the necessary knowledge.

Community Development Director Gladhill stated that this was never intended to take away project management from the City team but instead provide assistance with data collection. He noted that residents also may be more open to sharing different perspectives with students rather than the same City staff team. He noted that the parks project was intended to stay with the current team but the students will be used to supplement some elements of the project. He noted that this project would provide more "boots on the ground" work. He stated that in speaking with others that have participated in the program, there has been an amount of work equal to $100,000 to $300,000 worth of time for the cost the City will pay. He stated that the importance of the contract is to ensure that there are clear deliverables and if they do not perform on those, the element will be fixed or the City would receive funds back.

Councilmember Riley stated that it sounds like there is a good plan in place and wanted to ensure that there is a real world focus rather than an academic exercise as the project moves along.

Community Development Director Gladhill stated that staff has been pushing the program director on that piece and that is where the contract comes into play to ensure that the City receives the deliverables agreed upon.

Councilmember Shryock stated that she has been very excited with this opportunity as it is an opportunity for the City to capture some experience and fresh perspective while also assisting in providing real world experience for the students.

Motion by Councilmember Shryock, seconded by Councilmember Williams, to Adopt Resolution #17-08-207 Authorizing Contract with the University of Minnesota for the Resilient Communities Project.

Motion carried. Voting Yes: Acting Mayor LeTourneau, Councilmembers Shryock, Williams, and Riley. Voting No: Councilmember Kuzma. Absent: Mayor Strommen and Councilmember Johns.

7.02: Consider Adopting Resolution #17-09-239 Approving Amendment to Development Agreement for COR Three North Commons (Project No. 16-63); Case of Purmort Homes

Community Development Director Gladhill reviewed the staff report and recommendation to approve of the amendment to the Development Agreement for COR North Commons.

Councilmember Williams asked if the financial surety would remain in place to ensure the sidewalk is constructed.

Community Development Director Gladhill confirmed that although the surety has been reduced there is more than enough to cover the sidewalk and any remaining issues.

Councilmember Williams stated that nothing about this parcel is precedent setting as every element seems unique and therefore she is comfortable stating that these are unique circumstances.

Acting Mayor LeTourneau agreed with the comments of Councilmember Williams.

Motion by Councilmember Williams, seconded by Councilmember Kuzma, to Adopt Resolution #17-09-230 Granting an Amendment to the Development Agreement for COR Three North Commons.

Motion carried. Voting Yes: Acting Mayor LeTourneau, Councilmembers Williams, Kuzma, Riley, and Shryock. Voting No: None. Absent: Mayor Strommen and Councilmember Johns.

7.03: Consider Multiple Actions Related to a Subdivision known as Lavern Estates (Project No. 17-137); Case of Joshua Peterson

1. **Consider Resolution #17-09-220 Approving Final Plat; Comprehensive Plan Amendment and Authorizing Staff to Submit the Amendment to the Metropolitan Council**
2. **Introduce Ordinance #17-11 Zoning Amendment**

Community Development Intern Henderson reviewed the staff report and noted that the Planning Commission voiced general support of the Minor Plat at their August 3, 2017 meeting and recommended approval of the Comprehensive Plan and Zoning Amendments.

Councilmember Riley asked for information from the applicant as to the plan.

Josh Peterson, applicant, stated that his goal is to utilize the property for personal use, to build a home that he will live in.

Motion by Councilmember Riley, seconded by Councilmember Williams, to Adopt Resolution #17-09-220 Approving Final Plat, Development Agreement, Comprehensive Plan Amendment, authorize staff to submit Comprehensive Plan amendment to the Metropolitan Council, and

introduce Ordinance #17-11 rezoning subject area from R-1 Residential (MUSA) to R-1 Residential (Rural Developing).

Motion carried. Voting Yes: Acting Mayor LeTourneau, Councilmembers Riley, Williams, Kuzma, and Shryock. Voting No: None. Absent: Mayor Strommen and Councilmember Johns.

7.04: Consider Multiple Actions Related to a Proposed Subdivision Known as Estates of Silver Oaks 2nd Addition (Project 17-119); Case of Silver Oaks Realty

1. **Adopt Ordinance #17-09 for a Zoning Map Amendment**
2. **Adopt Resolution #17-09-219 Granting Approval of the Final Plat and Development Agreement**

Community Development Director Gladhill reviewed the staff report and recommendation to approve the Final Plat, Zoning Amendment, and Development Agreement contingent upon compliance with the Staff Review letters. He stated that while the project will result in the loss of some significant tree cover, it does comply with the Tree Preservation Ordinance. He stated that the Final Plat does show a relocated driveway access to Highway 47 for Lot 5, Block 2, further north on the property to address concerns previously noted by the Planning Commission. He stated that while this project would require a Zoning Amendment and a Comprehensive Plan Amendment, the area immediately south of the subject property is zoned R-1 Residential (MUSA) and was reguided to LDR with a previous Comprehensive Plan Amendment.

Councilmember Riley asked for more information on the Comprehensive Plan Amendment.

Community Development Intern Henderson stated that as proposed the applicant would like a higher density development which would require a rezoning to LDR. He noted that the property to the south is already zoned MUSA and therefore this rezoning would be compliant with the neighboring zoning.

Community Development Director Gladhill stated that the act of the rezoning and Comprehensive Plan Amendment would extend the MUSA area and result in quarter acre lots rather than two acres lots. He noted that mailings were sent to the surrounding neighborhoods and there were no negative comments received.

Councilmember Riley asked if this property would have access onto Highway 47.

Community Development Intern Henderson stated that there was safety concerns with the existing access and therefore the access would be relocated to a better position and no additional accesses would be added.

Councilmember Shryock asked if land is going to be reserved for trail easements in the future.

Community Development Director Gladhill stated that a trail easement is not requested but noted that there is space and that could be added as a separate recordable document.

Councilmember Shryock commented that would be important to her.

Motion by Councilmember Riley, seconded by Councilmember Williams, to waive the City Charter requirement to read the ordinance aloud and Adopt Ordinance #17-09 Approving a Zoning Amendment for the Subject Property to R-1 Residential (MUSA).

A roll call vote was performed by the Recording Secretary:

Councilmember Riley	aye
Councilmember Shryock	aye
Councilmember Williams	aye
Councilmember Johns	absent
Councilmember Kuzma	aye
Mayor Strommen	absent
Acting Mayor LeTourneau	aye

Motion carried.

Motion by Councilmember Shryock, seconded by Councilmember Williams, to Adopt Resolution #17-09-219 Granting Final Plat and Development Agreement Approval of Estates of Silver Oaks 2nd Addition, contingent upon staff review, Metropolitan Council approval, zoning amendment, and Development Agreement review of legal form by the City Attorney and requiring proper trail easement for the property along Highway 47.

Motion carried. Voting Yes: Acting Mayor LeTourneau, Councilmembers Shryock, Williams, Kuzma, and Riley. Voting No: None. Absent: Mayor Strommen and Councilmember Johns.

7.05: Consider Adopting Resolution #17-09-218 Granting a Conditional Use Permit for Motor Vehicle Sales at 7103 Highway 10 NW (Project 17-140); Case of Motors on 10

Community Development Director Gladhill reviewed the staff report and recommendation to approve the Conditional Use Permit to allow the expansion of the parking lot.

Motion by Councilmember Riley, seconded by Councilmember Shryock, to Adopt Resolution #17-09-218 Approving the Issuance of a Conditional Use Permit to Motors on Ten, LLC, to Expand a Lawful Nonconforming Use and to Allow Motor Vehicle Sales in the H-1 Highway 10 Business District and Declaring Terms of Same.

Motion carried. Voting Yes: Acting Mayor LeTourneau, Councilmembers Riley, Shryock, Kuzma, and Williams. Voting No: None. Absent: Mayor Strommen and Councilmember Johns.

7.06: Consider Adopting Resolution #17-09-216 Granting Final Plat Approval to Bunker Lake Industrial Park (Project #17-127); Case of PSD, LLC

Community Development Director Gladhill suggested moving this item to later in the agenda as the applicant is not present.

Acting Mayor LeTourneau agreed to move this item to later in the agenda.

7.07: Review Framework for Request to Deviate from Street Name Grid for Riverstone Addition; Case of Capstone Homes

Community Development Director Gladhill reviewed the staff report and stated that the purpose of the case is to consider a request from Capstone Homes to deviate from the existing street name grid for Riverstone Development. He asked for input from the Council.

Councilmember Kuzma stated that he would like to hear about the public safety element.

Police Chief Katers stated that the position remains the same to change the names. He stated that there is a public benefit to remain with the County grid system and they do not see that there is a public benefit for changing that which would exceed the benefit from remaining with the County grid system. He stated that the calls for service are dispatched from the County and the grid system allows the department to find the locations (in Ramsey and other neighboring communities) without the use of GPS or Google Maps, as those services could be unavailable. He provided the example of bird names being used in Coon Rapids and Andover and stated that if a bird name is used in Ramsey that could confuse other municipalities noting that because the dispatching is done by the County, other municipalities hear those calls.

Councilmember Shryock agreed that the names should not be changed and would be in favor of keeping the names in order to maintain continuity throughout the County.

Councilmember Riley stated that the Public Works Committee agreed that they should stay with the letter system and animal names. He stated that the Committee was in favor of changing the Q and S names.

Councilmember Shryock stated that she could agree to change those names as Councilmember Riley suggested.

Heather Lorch, Capstone Homes, stated that City staff and Capstone have reviewed lists five times with a mix of stones, elements, and animals. She recognized that public works is concerned with names that might be in other categories but have suggested fitting names. She stated that Riverstone is contained within the neighborhood and does not connect and therefore they believed that public works would recognize that Riverstone would remain with the Riverstone neighborhood. She appreciated the ability to deviate from the Q and S names as proposed. She stated that they are pretty far down the path and models are in for permits and therefore they really need the addresses and would like to get this resolved so that planning and design can be completed with the next phase of development. She noted that grading has been completed and street names have the potential to hold them up.

Councilmember Kuzma asked if Capstone would be willing to keep Rabbit over Riverstone.

Ms. Lorch stated that they would be willing to make that change but simply wanted the opportunity to bring the option of Riverstone to the Council.

Councilmember Kuzma stated that if Rabbit and Tiger could be agreed upon, it seems the Council would accept the alternate Q and S names.

Ms. Lorch confirmed that they would agree with that.

Acting Mayor LeTourneau asked Police Chief Katers how he would feel with using Riverstone in terms of the existing grid.

Police Chief Katers stated that staff would still be opposed to the use of Riverstone although he could appreciate the developer's point. He stated that for City staff and outside agencies, including the use of mutual aid, if there are deviations from the grid systems that would make it more difficult for public safety officers to reach the necessary destination.

Councilmember Williams stated that she would agree with the staff recommendation as presented.

It was the consensus of the Council to accept the proposed names as presented by staff in the report.

7.06: Consider Adopting Resolution #17-09-216 Granting Final Plat Approval to Bunker Lake Industrial Park (Project #17-127); Case of PSD, LLC (Continued)

Community Development Director Gladhill reviewed the staff report and recommendation to adopt Resolution #17-09-216 granting Final Plat approval of Bunker Lake Industrial Park. He stated that the proposed project appears to comply with the bulk standards of the City Code and the proposed use would be an asset to the community's growing employment base.

Councilmember Riley stated that this has been on a fast track, moving quickly, and asked if there is any reason this should not be approved as Final Plat tonight.

Community Development Director Gladhill stated that he does not see any reason this cannot be approved. He noted that the staff review letters include the necessary standard contingencies.

Councilmember Kuzma asked for an update from the applicant.

Matt Kuker, PSD LLC, stated that they are making a lot of progress on the site, moving about 110,000 yards of dirt and an additional 50,000 yards of dirt that Capstone requested. He stated that they do have a phased permit application which staff is reviewing. He stated that the conditions mentioned by Community Development Director Gladhill are standard items that they agree with. He stated that he has been fielding interest calls on the speculative building and noted that it continues to be a positive project.

Motion by Councilmember Kuzma, seconded by Councilmember Williams, to Adopt Resolution #17-09-216 Granting Final Plat Approval of Bunker Lake Industrial Park, contingent upon compliance with the staff review letter.

Motion carried. Voting Yes: Acting Mayor LeTourneau, Councilmembers Kuzma, Williams, Riley, and Shryock. Voting No: None. Absent: Mayor Strommen and Councilmember Johns.

Mr. Kuker thanked the Council for pushing his item back on the agenda so that he could attend his daughter's soccer game.

7.08: Consider Adopting Resolution #17-09-214 Approving Plans and Specifications and Authorizing Advertisement for Bids for Improvement Project #17-10; Puma Street Utility Extensions

City Engineer Westby reviewed the staff report and recommendation to adopt Resolution #17-09-214 approving Plans and Specifications and authorizing advertisement for bids for Improvement Project #17-10, Puma Street Utility Extensions.

Councilmember Riley asked for more information on manual pumping mentioned in the staff report.

City Engineer Westby noted that the controls and pumps may not be on line right away. He stated that if the lift station needs to be used, it has a large capacity wet well and can be manually pumped when necessary into a truck. He stated that perhaps that would happen two or three times. He noted that would be an expense the City would ask Capstone to pay.

Community Development Director Gladhill stated that while the Development Agreement would allow the developer to obtain permits for model homes, a different date is provided for certificate of occupancy.

Councilmember Williams stated that it is her understanding that this expense to make the lift station deeper is to offset future expenses and that it would be less costly to follow this process.

City Engineer Westby explained that the City would pay those costs upfront but then the future development community would reimburse those expenses. He confirmed that it would be less expensive to proceed in this manner than to attempt to do that expansion in the future.

Motion by Councilmember Williams, seconded by Councilmember Shryock, to Adopt Resolution #17-09-214 Approving Plans and Specifications and Authorizing Advertisement for Bids for Improvement Project #17-10, Puma Street Utility Extensions.

Motion carried. Voting Yes: Acting Mayor LeTourneau, Councilmembers Williams, Shryock, Kuzma, and Riley. Voting No: None. Absent: Mayor Strommen and Councilmember Johns.

8. MAYOR, COUNCIL AND STAFF INPUT

City Administrator Ulrich announced upcoming meetings and events.

Acting Mayor LeTourneau echoed the comments that the Happy Days Festival was a great event and thanked the City staff for their hard work.

Councilmember Shryock stated that the Youth First Community Promise is hosting its annual Taste of Community event at Greenhaven Golf Course and invited residents to attend. She stated that Friday is National POW/MIA Recognition Day.

9. ADJOURNMENT

Motion by Councilmember Williams, seconded by Councilmember Shryock, to adjourn the meeting.

Motion carried.

The regular meeting of the City Council adjourned at 8:32 p.m.

Respectfully submitted,

Kurtis G. Ulrich
City Administrator

ATTEST:

Jo Ann M. Thieling
City Clerk

Drafted by Amanda Staple
TimeSaver Off Site Secretarial, Inc.

ORDINANCE #17-18

CITY OF RAMSEY
ANOKA COUNTY
STATE OF MINNESOTA

AN ORDINANCE AMENDING STREET NAMES IN THE RIVERSTONE SUBDIVISION.

SECTION 1. AUTHORITY

This ordinance is adopted pursuant to and under the authority of the Home Rule Charter of the City of Ramsey, Section 12.06 and Minnesota Statutes 412.851.

SECTION 2. AMENDMENT

The following street names are amended as follows in the RIVERSTONE subdivision only:

Anoka County Grid Street Name	Approved Street Name for RIVERSTONE
Quagga Street NW	Quintana Street NW
Rabbit Street NW	Rabbit Street NW (no change)
Sloth Street NW	Snowy Owl Street NW
Tiger Street NW	Tiger Street NW (no change)

SECTION 3. EFFECTIVE DATE

This ordinance becomes effective 30 days after its passage and publication, subject to City Charter Section 5.04.

PASSED by the City Council of the City of Ramsey, Minnesota this the 24th day of October, 2017.

_____
Mayor Sarah Strommen

ATTEST:

_____
City Clerk Jo Ann M. Thieling

Introduction date:
Posting dates:
Adoption date:
Publication date:
Effective date:

Our Mission: To work together to resposibly grow our community, and to provide quality, cost-effective, and efficient government services.

CC Regular Session **7. 3.**

Meeting Date: 11/14/2017

By: Diana Lund, Finance

Information

Title:

Introduce Ordinance #17-19: 2018 Schedule of Rates, Fees and Charges

Purpose/Background:

Purpose:

The city annually adopts a schedule of rates, fees and charges which outlines the fees that the city charges for such items as building construction, business licenses, utility rates, and planning and zoning.

A listing of the schedule of rates, fees and charges is attached. Changes are noted on the far right column of the schedule. The majority of the changes from 2017 to 2018 are reflective in Building Construction, Facility/Park Usage, Planning and Zoning related to Park Dedication Fees and in the Utility Rates section.

In the Building Construction section, applicable permit fees have not seen an increase since 2015. The proposed increases are to offset increased staff-related administration costs to administer the building code.

Under the Facility/Park Usage fees have been amended to better reflect the true costs of staffing park related events.

Under the Planning and Zoning Section: Park Dedication Fees the fees for parks dedication and trails have been increased due to the demand for parks and trails as new development continues to occur. The City of Ramsey's current residential park dedication fee is $2,800 and $800.00 trail fee whereas commercial park dedication is $4,300 and trail fee of $1,300 acre. The 2018 proposal is a $200 increase for both residential park dedication and trail fees and a $100.00 increase for commercial park and trail fees. Several park projects, are listed in a Parks Supplemental Section to the City's Capital Improvement Plan as there is not enough funding to support these projects at this time or foreseeable future. The proposed increases are to be presented at the Park and Rec Commission meeting of November 9, 2017.

The utility section has been updated to reflect the following increases: water usage rates at 2.0% per quarter and Connection Charges (both sewer and water) at 2.5% which are per the 2012 Comprehensive Sewer and Water Studies (and being proposed in the September 2017

Comprehensive Water and Sewer Studies), water and sewer laterals at 3% increase for residential and commercial construction based on the construction cost index average since 2012, and an 8% increase in quarterly storm water utility rates, to establish funding for upcoming storm water projects in the next few years per the 2018-2027 Capital Improvement Plan (CIP). All of the proposed utility rates are lower than the average 2017 metro rates for like utilities. All sizes of water meters have been added to the fee schedule. The fee requested is equivalent to the city's cost plus sales tax.

The 2018 schedule will become effective January 1, 2018.

Notification:

The Schedule of Rates, Fees and Charges are adopted annually by ordinance. A public hearing on the ordinance is normally held in November to allow the thirty-day waiting period and have the rates become effective January 1, 2018.

Observations/Alternatives:

Options:
1. Accept the rates as proposed.

2. Hold all rates constant with 2017 rates.

3. Recommend changes that arise from input at public hearing.

Recommendation:

Staff's recommendation is to Introduce Ordinance #17-19: 2018 Schedule of Rates, Fees and Charges.

Action:

Introduce Ordinance #17-19: 2018 Schedule of Rates, Fees and Charges.

Attachments

Building Permit Valuation Fee Schedule & Spreadsheet
Ord 17-19 Rates & Fees
Proposed 2018 Schedule of Rates, Fees & Charges

Form Review

Inbox	Reviewed By	Date
Kurt Ulrich	Diana Lund	11/09/2017 10:44 AM
Diana Lund (Originator)	Diana Lund	11/09/2017 10:45 AM
Kurt Ulrich	Diana Lund	11/09/2017 11:00 AM
Diana Lund (Originator)	Diana Lund	11/09/2017 11:02 AM
Kurt Ulrich	Kurt Ulrich	11/09/2017 02:10 PM
Form Started By: Diana Lund		Started On: 10/24/2017 01:39 PM
Final Approval Date: 11/09/2017		

City of Ramsey
2018 Building Permit Valuation Fee Schedule

Valuation Range	Base Fee	Additional Amount	Basis (for each additional basis point)
$1.00 to $500.00	$26.00	$0.00	
$500.00 to $2,000.00	$26.00	$4.00	$100
$2,001.00 to $25,000.00	$75.00	$15.00	$1,000
$25,001.00 to $50,000.00	$420.00	$11.00	$1,000
$50,001.00 to $100,000.00	$690.00	$9.00	$1,000
$100,001.00 to $500,000.00	$1,080.00	$7.00	$1,000
$500,001.00 to $1,000,000.00	$3,500.00	$6.00	$1,000
$1,000,001.00 and above	$6,000.00	$5.00	$1,000

City of Ramsey
2016 Valuation Spreadsheet

Group Code	Description	I-A	I-B	II-A	II-B	III-A	III-B	IV	V-A	V-B
A-1	Assembly, theaters with stage	196.93	187.53	182.07	173.38	160.55	153.62	166.26	147.13	141.45
A-1	Assembly, theaters without stage	180.36	170.15	165.19	157.31	144.33	143.44	149.40	131.05	124.82
A-2	Assembly, nightclubs	138.69	134.63	130.73	126.91	122.02	114.04	118.78	105.11	101.06
A-2	Assembly, restaurants, bars, banquet halls	131.57	127.83	122.90	120.50	111.57	111.34	115.99	101.74	99.76
A-3	Assembly, churches	149.54	139.75	133.09	125.56	112.09	111.68	118.80	99.00	94.28
A-3	Assembly, general, community hall, library, museums	120.25	113.43	110.13	104.88	96.21	95.25	99.21	87.02	82.88
A-4	Assembly, arenas	144.87	140.66	135.23	131.29	121.55	121.25	126.30	109.83	106.62
B	Business	140.81	135.39	130.17	125.16	119.20	118.54	127.45	105.33	101.27
E	Educational	123.15	118.41	114.96	109.48	100.44	97.52	103.73	87.90	84.51
F-1	Factory and industrial, moderate hazard	77.33	73.65	68.83	66.18	57.05	57.62	62.62	47.79	45.09
F-2	Factory and industrial, low hazard	74.07	70.54	67.18	63.97	56.14	56.12	60.98	47.28	43.76
H-1	High hazard, explosives	70.75	66.73	62.95	59.38	51.62	51.61	56.10	43.15	N/P
H-2,3,&4	High hazard	70.75	66.73	62.95	59.38	51.62	51.61	56.10	43.15	39.58
H-5	HPM	139.62	134.25	129.08	122.94	109.76	109.10	117.31	96.94	93.20
I-1	Institutional, supervised environment	152.87	146.99	142.71	135.91	124.66	124.60	131.16	114.04	108.61
I-2	Institutional, hospitals	196.80	191.08	187.33	181.85	169.96	N/P	177.04	150.03	N/P
I-2	Institutional, nursing homes	178.26	171.58	166.72	159.01	145.33	N/P	152.34	131.02	N/P
I-3	Institutional, restrained	173.71	167.04	162.16	154.44	141.69	138.90	147.77	127.37	120.17
I-4	Institutional, day care facilities	152.87	146.99	142.71	135.90	124.66	124.60	131.16	114.04	108.61
M	Mercantile	85.39	82.09	78.19	74.46	67.07	66.39	69.89	57.75	55.54
R-1	Residential, hotels	121.33	116.57	113.16	107.77	98.86	98.81	104.00	90.42	86.95
R-2	Residential, multiple family (IRC-3)	129.38	123.23	118.48	111.78	100.69	100.62	107.05	89.93	84.84
R-3	Residential, one and two family (IRC-1 & IRC-2)	123.02	119.43	115.95	112.56	107.20	106.13	109.41	100.37	92.94
R-4	Residential, care/assisted facilities	120.19	115.56	112.20	106.84	98.01	97.93	103.09	89.65	85.38
S-1	Storage, moderate hazard	57.67	54.40	50.84	48.87	41.78	42.61	46.32	34.56	32.60
S-2	Storage, low hazard	65.54	61.83	58.33	55.02	47.84	47.83	52.55	40.11	36.79
U	Utility, miscellaneous (IRC-4)	70.32	66.33	62.00	58.47	40.40	50.40	54.78	41.19	39.23

N/P = Not Possible

Notes:

a. Private garages, use Utility, miscellaneous
b. Unfinished basements (all use group) = 16.50/s.f.
c. For shell only buildings, deduct 20 percent
d. Building Official may consider Applicant submitted valuation if supported by executed contract with line item quantities and unit costs.

ORDINANCE #17-19
CITY OF RAMSEY
ANOKA COUNTY
STATE OF MINNESOTA

AN ORDINANCE ESTABLISHING PERMIT FEES, SERVICE CHARGES, AND VARIOUS OTHER FEES TO BE COLLECTED BY THE CITY OF RAMSEY.

The City of Ramsey ordains:

SECTION 1. AUTHORITY

This ordinance is adopted pursuant to and under the authority of the Charter of the City of Ramsey.

SECTION 2. PURPOSE

Per S701.10 (Fees) the purpose of this Ordinance is to establish the Permit Fees, service Charges, and Other Fees that will be collected by the City in year 2018. This is known as the Schedule of Rates, Fees and Charges.

SECTION 3. SCHEDULE

The attached permit fees and service charges are hereby established for the year 2018.

SECTION 4. EFFECTIVE DATE

This Ordinance becomes effective 30 days after its passage and publication, subject to City Charter Section 5.04.

PASSED by the City Council of the City of Ramsey, Minnesota the day of November, 2016.

_____
Mayor

ATTEST:

_____
City Clerk

Introduction date: November 14, 2017
Posting dates:
Adoption date:
Publication date:
Effective date:

SERVICE OR LICENSE	SPECIAL NOTES	2017 Adopted	2018 Proposed
Administrative Hearings/Citations/Abatements			
Abatement: Administration Fee		25% of cost of abatement or 750, whichever is less	
Administrative Citation: Violations of 10 - Animals		25.00	
Administrative Citation: Violations of 26 - Rental Property		75.00	
	2nd offense w/in 12months	250.00	
	3rd offense w/in 12 months	500.00	
Administrative Citation: Violations of 30 - Public Nuisance	1st offense after failure to abate within 14 days	75.00	
	2nd offense w/in 12months	250.00	
	3rd offense w/in 12 months	500.00	
Administrative Citation: Violations of 42 - Dump Garbage/Refuse		75.00	
	2nd offense w/in 12months	250.00	
	3rd offense w/in 12 months	500.00	
Administrative Citation: Violations of 54 - Prohibited Parking		25.00	
Administrative Citation: Violations of 54 - Recreational Vehicles		75.00	
	2nd offense w/in 12months	250.00	
	3rd offense w/in 12 months	500.00	
Administrative Citation: Violations of 54 - Time Zone Parking		25.00	
Administrative Citation: Violations of 105 - Construction		75.00	
	2nd offense w/in 12months	250.00	
	3rd offense w/in 12 months	500.00	
Administrative Citation: Violations of 105 - Exterior Completion		75.00	
	2nd offense w/in 12months	250.00	
	3rd offense w/in 12 months	500.00	
Administrative Citation: Violations of 105 - No Permit		75.00	
	2nd offense w/in 12months	250.00	
	3rd offense w/in 12 months	500.00	
Administrative Citation: Violations of 105 - Property Identification		75.00	
	2nd offense w/in 12months	250.00	
	3rd offense w/in 12 months	500.00	
Administrative Citation: Violations of 113 - Sewage		75.00	
	2nd offense w/in 12months	250.00	
	3rd offense w/in 12 months	500.00	
Administrative Citation: Violations of 117 - Off Street Parking		25.00	
Administrative Citation: Violations of 117 - Signs		75.00	
	2nd offense w/in 12months	250.00	
	3rd offense w/in 12 months	500.00	
Administrative Citation: Violations of 117 - Landscaping		75.00	

SERVICE OR LICENSE	SPECIAL NOTES	2017 Adopted	2018 Proposed
	2nd offense w/in 12months	250.00	
	3rd offense w/in 12 months	500.00	
Administrative Hearing: Filing Fee		250.00	
Alcoholic Beverages			
3.2 beer off-sale		100.00	
3.2 beer on Sale		200.00	
Change of Name-Liquor Establishment		50.00	
Liquor license investigation fee	Corporate	500.00	
	Partnership	500.00	
	Sole-Proprietor	500.00	
Liquor off-sale		380.00	
	Tiered Payment System:		
	License Reduced by:		
	$100-Meet State Statutes Conditions		
	$100-Purchase/Utility ID Technology		
Liquor on-sale		5,000.00	
Liquor on-sale Sunday		200.00	
Wine license investigation fee	Corporate	500.00	
	Partnership	500.00	
	Sole-Proprietor	500.00	
Wine on-sale		1,000.00	
2 a.m. closing (optional)		300.00	
Amusement & Commercial Recreation			
Temporary Amusement Center (Carnivals, Circus)		250.00	
Lawful gambling investigation fee - New applicant only	Limit $100.00	100.00	
Lawful gambling investigation fee - Single Events		50.00	
Fire Works Sales-Business selling only fireworks	Ordinance Adopted 6/11/02	350.00	
Fire Works Sales-Retail Sellers		100.00	
Parade Permit		100.00	
Special Events - Ex: Music festival, performing arts, parades, carnivals, 5K Runs	Including Clean Up Fees, Electrical Inspection Fees etc.	50 Application fee +License Fee to be	
	determined per event by CC + Staff Time @ 2.30*wage/hour		
All Other Misc. Permit/Licenses	50/Admin fee + Staff time @ 2.30/hr. if needed		
Building Construction			
Administrative Fee-Process Returned Bldg. Permits		25.00	
Basement Finish	Cover 3 trips	153.00	158.00
Building permit		City of Ramsey Valuation Fee Schedule	
Electronic Plan Review-Application Fee	Building Permit only		20.00
Electronic Plan Review-Application Fee	All Other Permits: Fire, Mechanical, Plumbing, Septic, Zoning		25.00

SERVICE OR LICENSE	SPECIAL NOTES	2017 Adopted	2018 Proposed
Building plan check - Residential		65% of Bldg. Permit Fee	
Plan Review fee for Similar Plans		25% of Bldg. Permit Fee	
Plan Check Fee for Accessory Structures	Garages, Remodels, Additions, etc.	65% of Bldg. Permit Fee	
Plan Check Fee for changes, additions, or revisions to plans		51.00/hr./Minimum 1 hr.	53.00/hr./Minimum 1 hr. (Non-Refundable)
Plan Check Fee for Commercial, Industrial & Apartments		50% of Bldg. Permit Fee	52% of Bldg. Permit Fee (Non-Refundable)
Plan Check Fee (Outside Contracted)	All administrative and Overhead Costs	Actual Costs	Actual Costs (Non-Refundable)
Air Conditioner Replacement		51.00	53.00
Air Conditioner & Furnace Replacement (Combination)		51.00	53.00
Deck Permit		102.00	105.00
Demo Permit		102.00	105.00
Driveway Escrow		2,000.00	
Water Heater Replacement		51.00	53.00
Electrical Permit Fee	Per Tokle Contract	Electrical Permit Fee Schedule	
Erosion Control Escrow	Returned when complete - not part of building code	1,500.00	
Fence Permit	Over 7 feet in height	City of Ramsey Valuation Fee Schedule	
Fence Permit	Less than 7 feet in height	25.00 (Zoning Permit)	26.00
Fireplace Permit	Cover 2 trips	102.00	105.00
Furnace Replacement		51.00	53.00
Home Improvement Erosion Control Escrow			500.00
Inspections-After Hours/Weekend	1.5 times hourly rate	76.50/hr./minimum 2 hr.	79.00/hr./minimum 2 hr.
Investigation Fee	Work Started Without a Permit	Equal to Permit Fee	
Gas Line (Residential)		51.00	53.00
Landscape Escrow		5,000.00	
Lawn Irrigation-Residential	Cover 1 trip	51.00	53.00
Lawn Irrigation-Commercial (Multi)		60.00	62.00
Mechanical Permit-Residential	New Construction	150.00	155.00
	Remodel/Addition	102.00	105.00
Mechanical permit-Commercial	New Construction	1% of Job Value/Minimum 200.00	1% of Job Value/Minimum 206.00
	Remodel/Addition	1% of Job Value/Minimum 100.00	1% of Job Value/Minimum 103.00
Plan Check fee (65% of commercial mechanical permit)		65% of Comm Mech Permit fee	65% of Comm Mech Permit fee (None-Refundable)
Moving Structure Permit		102.00	105.00

SERVICE OR LICENSE	SPECIAL NOTES	2017 Adopted	2018 Proposed
Moving Structure Permit Site Inspection		102.00	105.00
Mobile Home Tie Down		51.00	53.00
Mobile Home Water Hookup	1.25 hours	63.75	66.00
Plumbing permit- Residential/Single Family	New Construction	200.00	206.00
	Remodel/Addition	102.00	105.00
Plumbing permit- Commercial	New Construction	1% of Job Value/Minimum 300.00	1% of Job Value/Minimum 309.00
	Remodel/Addition	1% of Job Value/Minimum 150.00	1% of Job Value/Minimum 155.00
Public Sidewalk Panels-Broken		Min $500/Max $1,500	
ReInspection Fees		51.00 per trip	53.00 per trip
Re-Roofing/Shingling Permit-Residential	Cover 2 trips	102.00	105.00
Re-Roofing/Shingling Permit-Commercial/Multi-Family		City of Ramsey Valuation Fee Schedule	
Re-Siding Permit	Cover 2 trips	102.00	105.00
Replacement Windows (Residential)	City Required pre-inspection	102.00	105.00
Septic system permit-residential		150.00	155.00
Septic system permit-commercial		250.00	258.00
Septic Tank Installation Permit-Residential		150.00	155.00
Service Availability Charge (SAC)	[current MCES rates]	2,485.00	
Septic Tank Pumping Permit		20.00	21.00
Sewer permit (Utility Connection)-Residential		75.00	77.00
Sewer permit (Utility Connection)-Commercial		2% of Job Value/Minimum 250.00	2% of Job Value/Minimum 258.00
Site Evaluation Fee		51.00	53.00
State Surcharge	Applies to all permit types	1.00	
	Per State of Minnesota Fee Schedule		
Swimming pool permit		125.00	129.00
Vacuum Breaker Verification for Irrigation System (RPZ)-Residential		51.00	53.00
Vacuum Breaker Verification for Irrigation System (RPZ)-Commercial	1.25 Hours	63.75	66.00
Water Availability Charge (WAC) - per address	Per 2012 & 2016 Comprehensive Water System Study	1,267.00	1,299.00
Water Softener Permit-Residential		51.00	53.00
Water permit (Utility Connection)-Residential		75.00	77.00
Water permit (Utility Connection)-Commercial		2% of Job Value/Minimum 250.00	2% of Job Value/Minimum 258.00
Business			
Administrative Fee - Process Returned Business Permits		25.00	
Business Registration Certificate (BRC)	Original Application	30.00	
Contractor License	All Contractors	50.00	
Garbage & refuse hauler		50.00	
License Late Fee		15% of license fee/month	
Massage Establishment		100.00/annual	

SERVICE OR LICENSE	SPECIAL NOTES	2017 Adopted	2018 Proposed
Massage Establishment Owner/Manager Background Check Fee		50.00	
Massage Therapist		50.00/annual	
Massage Therapist Background Check Fee		35.00	
Pawn broker/Precious Metals		4,000.00	
Transaction Fee-Pawnbroker enters		1.35/per transaction	
Transaction Fee-State Entered		2.10/per transaction	
Pawn broker investigation fee	in-state investigation	500.00	
	out-of-state investigation	1,500.00	
Residential Rental - Multifamily	3-Year License	400.00/building	
Residential Rental - Single Family/Townhome	3-Year License	25.00/unit	
Second Hand Dealer		2,000.00	
Second Hand Dealer investigation fee	in-state investigation	500.00	
	out-of-state investigation	1,500.00	
Transient merchant/peddler/solicitor		100 + 35 per person backgrounded	
City Financing			
Interest rate charge - non-bonded programs		US Treas. rate + 2 points	
[bonded projects will be dependent upon interest rates being paid]		Bond Int rate + 2 points	
Equipment Chargeback			Per FEMA Schedule + Staffing
~~Chipper (Staffing see PW Maintenance Worker below)~~	~~Per Fema Schedule of Equipment Rates + staffing~~	~~per FEMA Schedule + Staffing~~	
~~Water Truck (Staffing see PW Maintenance Worker below)~~	~~Per Fema Schedule of Equipment Rates + staffing~~	~~per FEMA Schedule + Staffing~~	
~~Loader (Staffing see PW Maintenance Worker below)~~	~~Per Fema Schedule of Equipment Rates + staffing~~	~~per FEMA Schedule + Staffing~~	
~~Motor grader (Staffing see PW Maintenance Worker below)~~	~~Per Fema Schedule of Equipment Rates + staffing~~	~~per FEMA Schedule + Staffing~~	
~~All Equipment Rental not listed above~~	~~Per Fema Schedule of Equipment Rates + staffing~~	~~per FEMA Schedule + Staffing~~	
Public Works Maintenance Worker		2.30 x wage/hr.	
Portable Toilet		Actual Cost	
Facility Use			
Antenna Lease - City Owned Property [PCS towers]	Per Individual Agreement	Per Individual Agreement	
Concession stand/pavilion/shelter- per day/event- residents	Includes 7.125% sales tax	55.00	
Concession stand pavilion/shelter- per day/event - non-res.	Includes 7.125% sales tax	65.00	
Key deposit - per building		55.00	
Softball/baseball field maintenance - youth teams	Includes 7.125% sales tax	10.00/game	11.00/game
Football field maintenance - youth teams			
Large Fields	Includes 7.125% sales tax	46.00/week	
Small Fields	Includes 7.125% sales tax	24.00/week	
Soccer & Lacrosse field maintenance - youth teams			
Full Size (Large Field)	Includes 7.125% sales tax	36.00/week	
1/2 Size (Medium Field)	Includes 7.125% sales tax	19.00/week	
Small Field	Includes 7.125% sales tax	11.00/week	
Field Layout Field-Soccer, Football, Lacrosse		100.00	

SERVICE OR LICENSE	SPECIAL NOTES	2017 Adopted	2018 Proposed
Tennis court - non-residents	Includes 7.125% sales tax	17.00	
Basketball court - non-residents	Includes 7.125% sales tax	17.00	
Volleyball court - non-residents	Includes 7.125% sales tax	17.00	
Horseshoe pit - non-residents	Includes 7.125% sales tax	17.00	
Lighted ballfield Deposit Fee		100/individual	
		500/athletic organization	
Lighted ballfield - residents	Includes 7.125% sales tax	14.00/hr.	45.00/Per 3 hours and then 15.00/Each Additional hour
Lighted ballfield - non-residents	Includes 7.125% sales tax	14.00/hr+25.00	45.00/Per 3 hours and then 15.00/Each Additional hour + 25.00 for lights
Light - Used By ARAA		Actual Cost	
General Field Use - Residents (football, soccer, softball,baseball)			40.00/Per 3 hours and then 15.00/Each Additional hour
General Field Use - Non-Residents (football, soccer, softball,baseball)			70.00/Per 3 hours and then 15.00/Each Additional hour
Athletic Field Marking Paint - ARAA		Actual Cost	
Minimum Maintenance Fee of Park Buildings:			
Non-Profit	Non-Profit	5.00	
Business Networking Groups	All Other Groups	20.00	
Municipal Center per day/event	Includes 7.125% sales tax		
Alexander Ramsey Room			
Standard Room Fees:			
For Profit Groups: Resident	For Profit Groups: Resident	105.00	
For-Profit Groups: Non-Resident	For-Profit Groups: Non-Resident	135.00	
General Public: Resident/Homeowner Associations	General Public: Resident/Homeowner Associations	60.00	
General Public: Non- Resident	General Public: Non- Resident	135.00	
Minimum Maintenance Fee of Municipal Center Rooms:			
Non-Profit	Non-Profit	5.00	
Business Networking Groups	Business Networking Groups	25.00	
Lake Itasca Room			
Standard Room Fees:			
For Profit Groups: Resident	For Profit Groups: Resident	65.00	
For-Profit Groups: Non-Resident	For-Profit Groups: Non-Resident	110.00	
General Public: Resident/Homeowner Associations	General Public: Resident/Homeowner Associations	40.00	
General Public: Non- Resident	General Public: Non- Resident	110.00	
Minimum Maintenance Fee:			
Non-Profit	Non-Profit	5.00	

SERVICE OR LICENSE	SPECIAL NOTES	2017 Adopted	2018 Proposed
Business Networking Groups	Business Networking Groups	20.00	
Trott Brook/Rum River/Mississippi Room/Council Chambers			
Standard Room Fees:			
For Profit Groups: Resident	For Profit Groups: Resident	35.00	
For-Profit Groups: Non-Resident	For-Profit Groups: Non-Resident	80.00	
General Public: Resident/Homeowner Associations	General Public: Resident/Homeowner Associations	20.00	
General Public: Non- Resident	General Public: Non- Resident	80.00	
Minimum Maintenance Fee:			
Non-Profit	Non-Profit	5.00	
Business Networking Groups	Business Networking Groups	15.00	
All Room Rentals: Additional Fees:			
After Hours/Weekend Hourly Rate	Non-Profit	61.00/Hr	
	For Profit Groups: Resident	61.00/Hr	
	For-Profit Groups: Non-Resident	61.00/Hr	
	Business Networking Groups	61.00/Hr	
	General Public: Resident/Homeowner Associations	61.00/Hr	
	General Public: Non- Resident	61.00/Hr	
Deposit (Every User/Every Room)	Non-Profit	100.00	
	For Profit Groups: Resident	100.00	
	For-Profit Groups: Non-Resident	100.00	
	Business Networking Groups	100.00	
	General Public: Resident/Homeowner Associations	100.00	
	General Public: Non- Resident	100.00	
	~~After Hours/Weekend Fee~~	~~125.00+61.00/hr.~~	
	~~Audio/visual equipment use~~	~~125.00+61.00/hr.~~	
Pact School Field Maintenance	5% Increase per year	579.00	
Central Park Fees:			
Park Center Building per day/event - Residents/HOA	Includes 7.125% sales tax	95.00	95.00/Per 4 hours and then 20.00/Each Additional hour
Park Center Building per day/event - Non-residents	Includes 7.125% sales tax	125.00	125.00/Per 4 hours and then 20.00/Each Additional hour
Park Center Building per day/event For Profit Groups: Ramsey Business	Includes 7.125% sales tax	95.00	95.00/Per 4 hours and then 20.00/Each Additional hour
Park Center Building per day/event For Profit Groups: Non-Ramsey Business	Includes 7.125% sales tax	125.00	125.00/Per 4 hours and then 20.00/Each Additional hour

SERVICE OR LICENSE	SPECIAL NOTES	2017 Adopted	2018 Proposed
Minimum Maintenance Fee:			
Non-Profit	Non-Profit	5.00	
Business Networking Groups	Business Networking Groups	20.00	
Central Park Concessions day/event - Residents/HOA		55.00	55.00/Per 4 hours and then 20.00/Each Additional hour
Central Park Concessions per day/event - Non-residents		65.00	75.00/Per 4 hours and then 20.00/Each Additional hour
Central Park Concessions per day/event For Profit Groups: Ramsey Business		55.00	55.00/Per 4 hours and then 20.00/Each Additional hour
Central Park Concessions per day/event For Profit Groups: Non-Ramsey Business		65.00	75.00/Per 4 hours and then 20.00/Each Additional hour
Minimum Maintenance Fee:			
Non-Profit	Non-Profit	5.00	
Business Networking Groups	Business Networking Groups	20.00	
Central Park Warming House day/event - Residents/HOA		85.00	
Central Park Warming House per day/event - Non-residents		95.00	
Central Park Warming House per day/event For Profit Groups: Ramsey Business		85.00	
Central Park Warming House per day/event For Profit Groups: Non-Ramsey Business		95.00	
Minimum Maintenance Fee:			
Non-Profit	Non-Profit	5.00	
Business Networking Groups	Business Networking Groups	20.00	
Lions Pavillion - Resident/HOA			35.00/Per 4 hours and then 20.00/Each Additional hour
Lions Pavillion - Non-Resident			55.00/Per 4 hours and then 20.00/Each Additional hour
Lions Pavillion - For Profit Groups: Ramsey Business			35.00/Per 4 hours and then 20.00/Each Additional hour
Lions Pavillion - For Profit Groups: Non-Ramsey Business			55.00/Per 4 hours and then 20.00/Each Additional hour
Picnic Table Moving		65.00/Table	
Draw Park - Ramsey Amphitheater Rental:			
Residents/HOA	3-Hour Minimum	50.00	
Non-Resident	3-Hour Minimum	75.00	
For Profit Groupts: Ramsey Business	3-Hour Minimum	50.00	
For Profit Groups: Non-Ramsey Business	3-Hour Minimum	75.00	
Softball tournament damage deposit	Per Field	150.00	

SERVICE OR LICENSE	SPECIAL NOTES	2017 Adopted	2018 Proposed
Softball tourn. rental per field/per event		240.00	
Warming house per day/event - residents		85.00	
Warming house per day/event - non-res.		95.00	
Elmcrest Park Building			
Meeting Room - Resident/HOA		95.00	75.00/Per 4 hours and then 20.00/Each Additional hour
Meeting Room - Non-Resident		125.00	95.00/Per 4 hours and then 20.00/Each Additional hour
Meeting Room - For Profit Groups: Ramsey Business		95.00	75.00/Per 4 hours and then 20.00/Each Additional hour
Meeting Room - For Profit Groups: Non-Ramsey Business		125.00	95.00/Per 4 hours and then 20.00/Each Additional hour
Minimum Maintenance Fee:			
Non-Profit	Non-Profit	5.00	
Business Networking Groups	Business Networking Groups	20.00	
Meeting Room + Concessions- Resident/HOA		105.00	95.00/Per 4 hours and then 20.00/Each Additional hour
Meeting Room + Concessions- Non-Resident		135.00	115.00/Per 4 hours and then 20.00/Each Additional hour
Meeting Room + Concessions- For Profit Groups: Ramsey Business		105.00	95.00/Per 4 hours and then 20.00/Each Additional hour
Meeting Room + Concessions- For Profit Groups: Non-Ramsey Business		135.00	115.00/Per 4 hours and then 20.00/Each Additional hour
Minimum Maintenance Fee:			
Non-Profit	Non-Profit	5.00	
Business Networking Groups	Business Networking Groups	20.00	
Pavilion Rental - Resident/HOA		35.00	55.00/Per 4 hours and then 20.00/Each Additional hour
Pavilion Rental - Non-Resident		45.00	75.00/Per 4 hours and then 20.00/Each Additional hour
Pavilion Rental - For Profit Groups: Ramsey Business		35.00	55.00/Per 4 hours and then 20.00/Each Additional hour
Pavilion Rental - For Profit Groups: Non-Ramsey Business		45.00	
~~Pavilion + Concessions Rental - Resident/HOA~~		~~55.00~~	
~~Pavilion + Concessions Rental - Non-Resident~~		~~75.00~~	
~~Pavilion + Concessions Rental - For Profit Groups: Ramsey Business~~		~~55.00~~	
~~Pavilion + Concessions Rental - For Profit Groups: Non-Ramsey Business~~		~~75.00~~	

SERVICE OR LICENSE	SPECIAL NOTES	2017 Adopted	2018 Proposed
Minimum Maintenance Fee:			
Non-Profit	Non-Profit	5.00	
Business Networking Groups	Business Networking Groups	20.00	
Meeting Room + Pavilion + Concessions Rental - Resident/HOA		115.00	125.00/Per 4 hours and then 20.00/Each Additional hour
Meeting Room + Pavilion + Concessions Rental - Non-Resident		145.00	155.00/Per 4 hours and then 20.00/Each Additional hour
Meeting Room +Pavilion + Concessions Rental - For Profit Groups: Ramsey Business		115.00	125.00/Per 4 hours and then 20.00/Each Additional hour
Meeting Room + Pavilion + Concessions Rental - For Profit Groups: Non-Ramsey Business		145.00	155.00/Per 4 hours and then 20.00/Each Additional hour
Minimum Maintenance Fee:			
Non-Profit	Non-Profit	5.00	
Business Networking Groups	Business Networking Groups	20.00	
Ramsey Elementary Warming House			
Warmsing House - Resident/HOA		85.00	
Warming House- Non-Resident		95.00	
Warming House - For Profit Groups: Ramsey Business		85.00	
Warming House - For Profit Groups: Non-Ramsey Business		95.00	
Minimum Maintenance Fee:			
Non-Profit	Non-Profit	5.00	
Business Networking Groups	Business Networking Groups	20.00	
Deposit (Every User/Every Room)	Non-Profit	100.00	
	For Profit Groups: Resident	100.00	
	Non-Profit Groups: Non-Resident	100.00	
	Business Networking Groups	100.00	
	General Public: Resident/Homeowner Associations	100.00	
	General Public: Non- Resident	100.00	
Miscellaneous			
Cemetery Plot (Trott Brook Cemetery)		700.00	900.00
Cemetery Plot Perpetual Care		200.00	400.00
Comp Plan CD		10.00	
City Information-CD Format		10.00/disc	
Kennel License (Administrative)	4th Dog on Property	30.00	
Maps - City (28X 24)		5.00	
Maps - Zoning (28 X 34)		15.00	
Maps - Zoning/Address (34 X 44)		25.00	

SERVICE OR LICENSE	SPECIAL NOTES	2017 Adopted	2018 Proposed
Maps-Zoning or Comp Plan (11 X 17)		6.00	
Maps - Plat		10.00	
Maps - Topo aerials per half section		20.00	
Maps- Parks & Trails 11 X 17)		6.00	
Maps - Parks & Trails (36 X 24)		15.00	
Maps-Large Ward/Precinct	With Addresses	25.00	
Notary Fee	State Statute	3.00	
Photo copies - one-sided/duplexed	Up to 100 pages; over 100 pages plus staff time	0.25	
Political office filing fee	State Statute	5.00	
Public hearing publications		At City Cost	
Returned check		35.00	
Reissued Check Fee		15.00	
Special assessment search		30.00	
Planning and Zoning			
Comp Plan Amendment Application		200.00	
Comp Plan Escrow		700.00	
Conditional use escrow minimum		800.00	
Conditional use permit application		200.00	
Conditional use escrow min-environ sens		2,000.00	
Conditional use permit app.-environ sens		200.00	
Conditional use permit annual inspection		75.00	
Dock permit		25.00	
Environmental Permit		200.00	
Environmental Escrow		400.00	
Grading Permit		200.00	
Industrial Revenue Bond - application		200.00	
Industrial Revenue Bond - escrow		1,000.00	
Interim Use Permit Escrow - Minimum		600.00	
Interim Use Permit Application		200.00	
Interim Use Annual Inspection Fee		75.00	
Park Dedication - Cash Contribution: Residential Unit	Including Townhomes & Apartment Units	2,800.00/dwelling unit	3000/dwelling unit
Park Dedication - Cash Contribution: Residential Unit	Exceed 12+ units per acre	7.5% Discount/2,405	7.5% Discount/$2,775
Park Dedication - Cash Contribution: Residential Unit	Exceed 20+ units per acre	15% Discount/2,210	15% Discount/$2,550
Park Dedication - Cash Contribution: Commercial/Assisted Living Facilities		5,000.00/acre	
Park Dedication - Cash Contribution: Industrial		4,200.00/acre	4,300/acre
Park Dedication - Land Contribution: Residential	0 - 3.0 dwelling units per acre	10% of land	
	3.1 - 5.0 dwelling units per acre	15% of land	
	5.1 + dwelling units per acre	Add .5% for each over 5	
Park Dedication - Land Contribution: Commercial/Industrial/Assisted Living Facilities		5% gross land area	

SERVICE OR LICENSE	SPECIAL NOTES	2017 Adopted	2018 Proposed
Park Dedication - Land Contribution: Planned Unit Developments	(public open space/rec. uses-not including wetlands)	10% gross land area	
		2,800.00/dwelling unit	
Sidewalk Panel Replacement Escrow		1500.00	
Trail Development Fee - Cash Contribution: Residential Unit		800.00/dwelling unit	1000/dwelling unit
Trail Development Fee - Commercial/Industrial/Assisted Living Facilities		1,200.00/acre	1,300/acre
Approval/Recording of Deeds:			
Abstract Property		County Fee+10.00/staff Time	
Torrens Property		County Fee+10.00/staff Time	
Rezoning application		200.00	
Rezoning escrow		400.00	
Sign permit application - permanent		25.00	
Sign permit - permanent		75.00	
Sign permit - temporary		25.00	
Site plan review application		200.00	
Site plan review escrow		800.00	
Special Council, HRA or Commission meeting fee		350.00	
Temporary Structure escrow		500.00	
TIF/Conduit Debt Application Fee		4000.00/+legal fee deposit	
Vacation of easement application		200.00	
Vacation of easement escrow		300.00	
Variance application		200.00	
Variance escrow		400.00	
Zoning Permit		25.00	
Platting or Subdividing			
Address Charge		175.00	
Administrative (interior lot lines) escrow		225.00	
Administrative (interior lot lines) app.		200.00	
Major Subdivision escrow		1,500.00	
Major Subdivision application		300.00	
Minor subdivision escrow		900.00	
Minor subdivision application		200.00	
Registered land survey escrow		300.00	
Registered land survey application		200.00	
Professional Services			
Administrative Fee (Project Related Activity-Staff admin)	Consultants hired for project: Ex: Hakanson Anderson	3% of contractor bill	
Attorney - municipal		At City cost	
Attorney - non-municipal		At City cost	
City Staff Services		2.30 x wage/hr.	
Police Officer		81.00/hr	85.00/hr

SERVICE OR LICENSE	SPECIAL NOTES	2017 Adopted	2018 Proposed
Other professional /staff services		2.30 X wage/hr.	
Public Safety			
Alarms: False (3rd offense)	In a Calendar Year	75.00	
Alarms: False (4th offense)	In a Calendar Year	150.00	
Alarms: False (5th offense)	In a Calendar Year	225.00	
Alarms: False (6th offense)	In a Calendar Year	300.00	
ATV/Golf Cart Permit		10.00	
Car Seat Check -Non-Resident only		25.00	
Clandenstine Drug Labs Remediation	Recovery of Public Costs	125% of Recovery Costs (Recovery Cost + 25% admin Fee)	
Copies: Audio/Video CD/DVD		20.00	
Copies: Incident/Investigative Reports	Per statute Ch163 sec 8 adopted 8/1/05	.25/page	
Copies: Statistical Summary Reports		5.00	
Dangerous Dog License		500.00	
Dog Impoundment fee		125.00+board	
Dog Impoundment fee - If Non Licensed		145.00 +board	
Dog Impoundment fee (2nd offense)	w/in 12 months (+50.00 each addtl w/in 12 mo)	175.00 +board	
Dog license - duplicate		5.00	
Dog license - male/female - 3 yr. license		20	
Dog license - male/female neutered/spayed - 3 yr. license		10	
Fire Prevention:			
Fire Suppression Fees:			
Permit		Valuation based/1997 UBC Fee Table 1-A	
		Minimum of 23.50	
Plan Review		65% of permit fee	
		5.00 Minimum State Surcharge	
Fire Alarm Fees:			
Permit		Valuation based/1997 UBC Fee Table 1-A	
		Minimum of 23.50	
Plan Review		65% of permit fee	
		5.00 Minimum State Surcharge	
Temporary Assembly/Tent Permit(Greater than 100 sq. ft.)		50.00/per tent	
Aboveground Tank Storage		100.00/per tank	
Underground Tank Storage		100.00/per tank	
Fuel Tank Storage Removal		100.00/per tank	
Daycare Inspection Fee		50.00	

SERVICE OR LICENSE	SPECIAL NOTES	2017 Adopted	2018 Proposed
Permit Re-Inspection Fee		50.00	
Fireworks/Pyrotechnic Display Permit		200.00	
Fireworks -Retail Sale Permit - Retailer only selling fireworks		350.00	
Fireworks-Retail Sale Permit-All other retailers		100.00	
Double Permit Fee		2 x normal permit fee	
Lock Box Fee:			
Surface Mount		~~215.00~~	Per Vendor Pricing
Recessed Box		~~255.00~~	Per Vendor Pricing
All Others		Actual cost + 10% Admin fee	
Fire Code Re-Inspection Fee		140.00	
Gas Line Hit By Contractors	Effective 4-1-10	300.00	
Open Burn Permits:			
Open burn permit application	Residential	25.00	
	~~Commercial~~	~~50.00~~	
Open burn permit fire suppression escrow		500.00	
Open burn permit fire suppression services		300.00/hr. - min 300.00	
Illegal Burning	Effective 4-1-10	200.00	
Subsequent Site Evaluations		45.00/visit	
Fire Service Fee:			
Disaster Assistance		300.00/hr. per truck	
Ordinance Violations		300.00/hr.	
Victim Service Fee		300.00/hr. per truck	
Hunting Permit (Bow) per person		5.00	
Hunting Permit (Shotgun) per person		5.00	
Hunting Permit (Target Shooting) per person		5.00	
Letter of Good Standing		10.00	
Photo CD		20.00/cd	
Photo Electronical Transfers		10.00/transmission	
Photo Reprints		5.00 min chg + 1.00/print	
Vehicle Lockout		20.00	
Vehicle Storage		10.00/day	
Reimbursements			
Mileage/personal vehicle (IRS allowable rate)	Always follow IRS adopted rate	.54/mile	
Right-of-Way			
Permit Fee - Boring/Open Trench		95+15/Driveway, 20/Road Closing	
		+ $10,000 Bond per mile	
Boulevard Tree Replacement		700.00/Tree	
Permit Fee - Overhead		95.00\+.05/linear foot	

SERVICE OR LICENSE	SPECIAL NOTES	2017 Adopted	2018 Proposed
Street and Traffic Charges			
Developer contribution:			
street and/or traffic signs		Developer Installed	
Bituminous Paving/Patching		25.00/sq yard	
Culverts		Price + Tax	
Road Improvement Assessment	Per Special Assessment Policy	Per Policy	
Street Sweeping: Equipment Only:	Per FEMA Schedule of Equipment Rates	74.00/Hr	
Traffic Sign Replacement		200.00	
Tobacco			
Cigarette Sales (vending and over-the counter)		250.00	
Cigarette Sales with age verification technology		150.00	
E-Cigarette Sales		250.00	
E-Cigarette Sales with age verification technology		150.00	
UTILITY RATES			
Assessment Charge for Unpaid Items Assessed	Administration fee	30.00/account	
Interest Rate on Unpaid Items Assessed		5.50%	
Penalty/late payment	Past due on current billing	10%	
Recycling Rates			
Residential Curb-side Program fee/qtr	Per Ace Contract	8.85/qtr	
Sewer Rates			
Residential/Single dwelling usage fee/qtr	Per 2016 Comprehensive Sewer Study	72.23	
Multi-family(apt) & commercial usage fee/qtr		72.23+3.13/1000 gal.	
		in excess of 20,000 gal.	
Connection charge/res. equivalent	Per 2016 Comprehensive Sewer Study	1,154.00	1,183.00
Connection charge/acre comm./ind.	Per 2016 Comprehensive Sewer Study	3,476.00	3,563.00
Lateral Benefit Charges: Residential	Increased by construction cost index-Avg 3% since 2012	4,547.00	4,683.00
Lateral Benefit Charges: Commercial	Increased by construction cost index-Avg 3% since 2012	7,486.00	7,710.00
Street Lights			
Developer contribution:			
installation of Cobra street light		Per Connexus Energy Fee Schedule	
traditionaire subdivision street light (w/100 ft of wire)		Developer Installed	
New ROW COR Lights		Per Connexus Energy Fee Schedule	
street light O & M 3 year @ $98/year		294/light	
Residential billing:			
urban subdivision street light rate per lot (>7/92)		9.01/qtr	
rural subdivision street light rate per lot		14.85/qtr	
priority street light rate per residential/apartment/ lot		1.37/qtr	
Storm Water Management Rates			

SERVICE OR LICENSE	SPECIAL NOTES	2017 Adopted	2018 Proposed
Residential		13.68/qtr	14.77/qtr
Commercial		54.74/REU/qtr	59.12/REU/qtr
Trunk charge/res. equivalent	Increased by construction cost index-Avg 3% since 2012	473.00	487.00
Trunk charge/acre comm./ind.	Increased by construction cost index-Avg 3% since 2012	4,714.00	4,855.00
Water Rates			
Minimum usage fee/qtr	Per 2012 & 2016 Comprehensive Water System Study	38.55	39.32
Quarterly Rate Structure			
	Conservation Rates	38.55 Minimum	$39.32 Minimum
		2.66 per 1,000 for 15,001-25,000	$2.71 per 1,000 for 15,001-25,000
		2.74 per 1,000 for 25,001-40,000	$2.79 per 1,000 for 25,001-40,000
		2.92 per 1,000 for 40,001-60,000	$2.98 per 1,000 for 40,001-60,000
		3.14 per 1,000 for 60,001-99,000	$3.20 per 1,000 for 60,001-99,000
		3.47 per 1,000 for 99,001-201,000	$3.54 per 1,000 for 99,001-201,000
		4.15 per 1,000 for 201,001 and above	$4.23 per 1,000 for 201,001 and above
Odd/Even Sprinkling Violations:	Effective day after Memorial Day thru Day after Labor Day		
	No Sprinkling between 10 am-8:00 pm		
First Violation		Written Warning & Registered Letter	
Second Violation		50.00	
Third Violation		100.00	
Fourth Violation		Water Service turned off	
Meter Replacement Admin Fee for Non-Compliance		75.00/qtr	
Installation of meter w/remote (Res & Commercial)		140.00	
5/8" Meter - Radio Read System		275.00	
1" Meter - Radio Read System			439.00
1 1/2" Meter - Radio Read System			839.00
2" Meter - Readio Read System (Irrigation Only)			1,039.00
2" Compound Domestic Meter - Radio Read System			2,286.00
3" Compound Domestic Meter - Radio Read System			3,004.00
4" Compound Domestic Meter - Radio Read System			3,818.00

SERVICE OR LICENSE	SPECIAL NOTES	2017 Adopted	2018 Proposed
~~Replacement Meter Horn~~		~~45.00~~	
Other than Meters Noted Above		Cost plus 5%	
Water shut off at Curbstop		100.00	
Water shut off at Curbstop	Winter Period of November 1 - April 1	150.00	
Townhouse Irrigation Meter Winterization		150.00	
Broken Hydrant Replacement - Summer		500.00	
Broken Hydrant Replacement - Winter		750.00	
Connection charge/res. equivalent	Per 2012 & 2016 Comprehensive Water System Study	1,720.00	1,763.00
Connection charge/res. Within Reimbursement Area	PER $6M Agreement with 21st Century Bank		
Connection charge/acre comm./ind.	Per 2012 Comprehensive Water System Study	6,441.00	6,602.00
Lateral Benefit Charges: Residential	Increased by construction cost index-Avg 3% since 2012	5,808.00	5,982.00
Lateral Benefit Charges: Commercial	Increased by construction cost index-Avg 3% since 2012	6,497.00	6,692.00

Our Mission: To work together to resposibly grow our community, and to provide quality, cost-effective, and efficient government services.

CC Regular Session **7. 4.**

Meeting Date: 11/14/2017

By: Jo Thieling, Administrative Services

Information

Title:

Introduce Ordinance #17-20 Providing for a Special Closing Times License of On-Sale Intoxicating Liquor during the 2018 National Football League Super Bowl Game at U.S. Bank Stadium

Purpose/Background:

Purpose: To allow the current liquor establishments in the City to stay open and serve alcohol until 4:00 a.m. the weekend of Super Bowl 2018.

Background: In 2017, the Legislature passed a special law allowing establishments serving liquor, wine, and beer to remain open until 4:00 a.m. on February 2 through February 5, 2018, during Super Bowl LII, subject to approval by the local jurisdiction (with a fee up to, but not to exceed $250).

To date, no establishment located in the City has inquired about extended hours. However, if Council is in agreement with extending the hours, the action will be effective in time to be taken advantage of should an establishment desire to do so.

Staff contacted a few area cities to see what action they intend to take. They are as follows:

- Anoka has not discussed it nor do they plan to.
- Elk River has discussed it and is planning to bring forward an ordinance for adoption with a fee of $100 or $150.
- Blaine is currently discussing with their Police Department and intends to bring an ordinance forward for adoption with the maximum fee suggested of $250.
- Andover has not been contacted by any of their establishments so they plan to leave their hours as is - no extension.
- St. Francis has not been approached by any establishments and are uncertain what they plan to do at this time.
- Maple Grove adopted an ordinance extending the hours and decided upon a fee of $100 for the license.
- Ham Lake has not yet responded.

Attached is a draft ordinance which would provide for the extended hours for liquor sales. Before businesses can participate in the extended hours, they must be issued a special 4:00 a.m. license by the City of Ramsey. If Council adopts this ordinance, an application will be drafted for the special license.

Notification:

Upon approval of the attached Ordinance #17-20, staff will be mailing a letter and a 4:00 a.m. license application to the current on-sale liquor businesses located within the City. Staff is recommending a license fee of $100, which should cover additional costs and staff time involved to issue the 4:00 a.ml license.

Observations/Alternatives:

Observations: This ordinance will not change the City's Code with regard to licensing. This is action to allow a temporary license for current liquor establishments to sell liquor for extended hours only during the weekend of the Super Bowl 2018.

Alternatives: Council may introduce, and finally adopt the attached Ordinance allowing the extended liquor sales hours OR Council may opt to not introduce nor adopt the ordinance. By not adopting the ordinance to allow for a process of extending the liquor sales hours, the hours will remain as they are - allowing sales until 2:00 a.m. on Friday and Saturday.

Funding Source:

N/A

Recommendation:

Staff is recommending Council introduce Ordinance #17-20 allowing additional hours of liquor sales during the Super Bowl 2018 weekend.

Action:

Motion to introduce Ordinance #17-20 Providing for a Special Closing Times License of On-Sale Intoxicating Liquor during the 2018 National Football League Super Bowl Game at U.S. Bank Stadium

---

Attachments

Ordinance Extending Liquor Sales Hours during Super Bowl

Form Review

Inbox	Reviewed By	Date
Kurt Ulrich	Kurt Ulrich	11/09/2017 11:37 AM
Form Started By: Jo Thieling		Started On: 11/07/2017 04:17 PM
Final Approval Date: 11/09/2017		

ORDINANCE #17-20

CITY OF RAMSEY
ANOKA COUNTY
STATE OF MINNESOTA

AN ORDINANCE PROVIDING FOR SPECIAL CLOSING TIMES LICENSE OF ON-SALE INTOXICATING LIQUOR DURING THE 2018 NATIONAL FOOTBALL LEAGUE SUPER BOWL GAME AT U.S. BANK STADIUM

SECTION 1. AUTHORITY

This ordinance is adopted pursuant to and under the authority of the Home Rule Charter of the City of Ramsey, Section 12.06 and Minnesota Statutes 412.851.

2017 MN H.F. 1, Art. 11, §19, provides the authority for the City to issue special on-sale intoxicating liquor licenses during the 2018 National Football League Super Bowl at U.S. Bank Stadium to allow for the service of alcohol through extended hours lasting until 4:00 a.m.

SECTION 2. CONDITIONS

The following conditions shall apply to the on-sale intoxicating liquor license to allow extended hours of service of alcohol until 4:00 a.m.

a. Only holders of an existing on-sale intoxicating liquor license or 3.2 malt liquor license issued by the City are eligible and shall only be issued upon approval of the City.

b. The license shall only be effective during the period from 8:00 a.m., February 2, 2018 through 4:00 a.m., Monday, February 5, 2018.

c. At 4:01 a.m., February 5, 2018, the license shall expire and terminate with no further action required by the City.

d. The license shall be subject to the conditions, prohibited acts and penalties set forth in Minn. Stat. Chapter 340A and City Code Chapter 6.

e. Application shall be in a form prescribed by the City with a license fee of $100.

SECTION 3. EFFECTIVE DATE

This ordinance becomes effective 30 days after its passage and publication, subject to City Charter Section 5.04.

PASSED by the City Council of the City of Ramsey, Minnesota the _____ day of _____, 2017.

Mayor Sarah Strommen

ATTEST:

City Clerk Jo Ann M. Thieling

Introduction date: November 14, 2017
Posting dates:
Adoption date:
Publication date:
Effective date:

Exhibit A
Easement Sketch

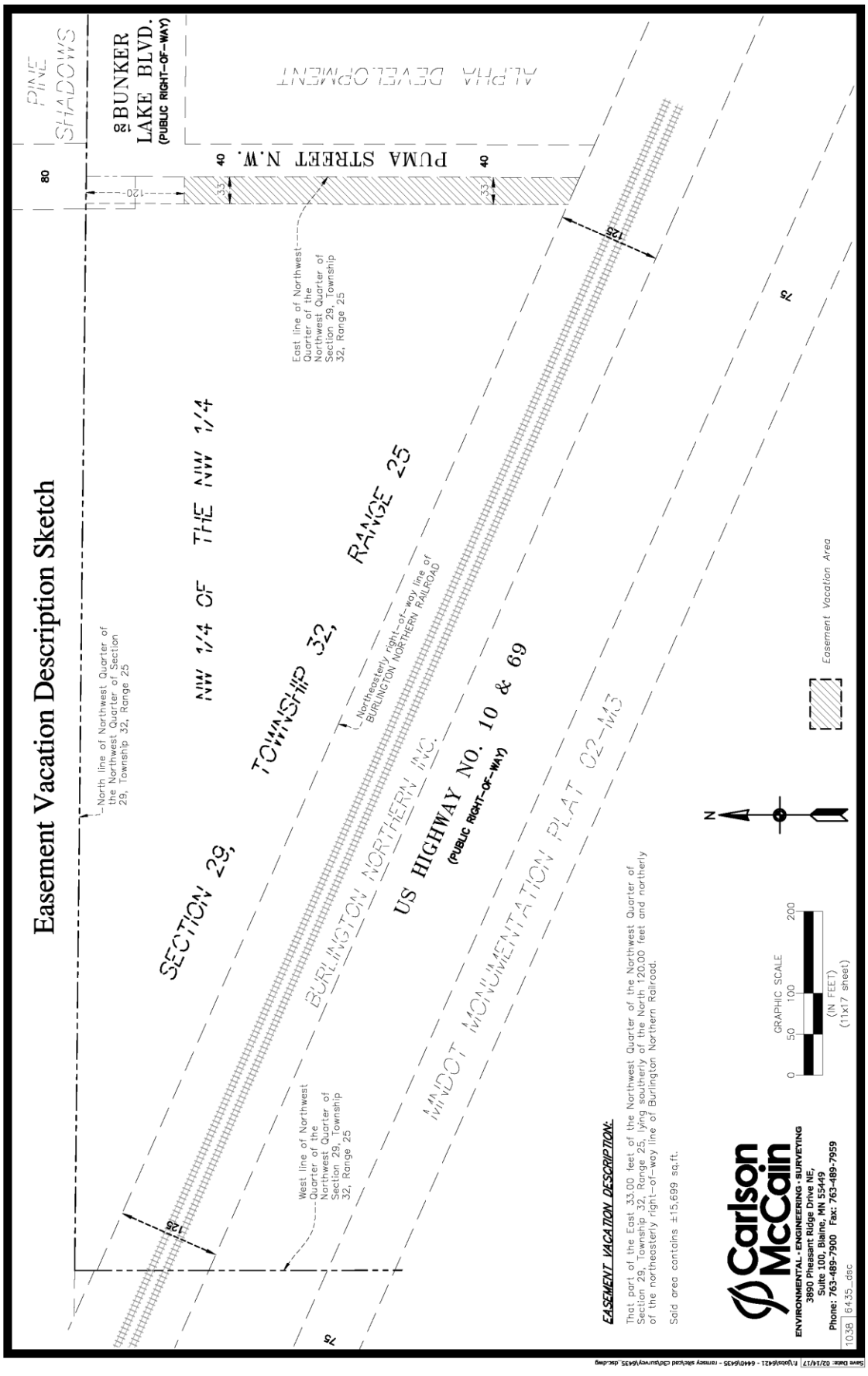
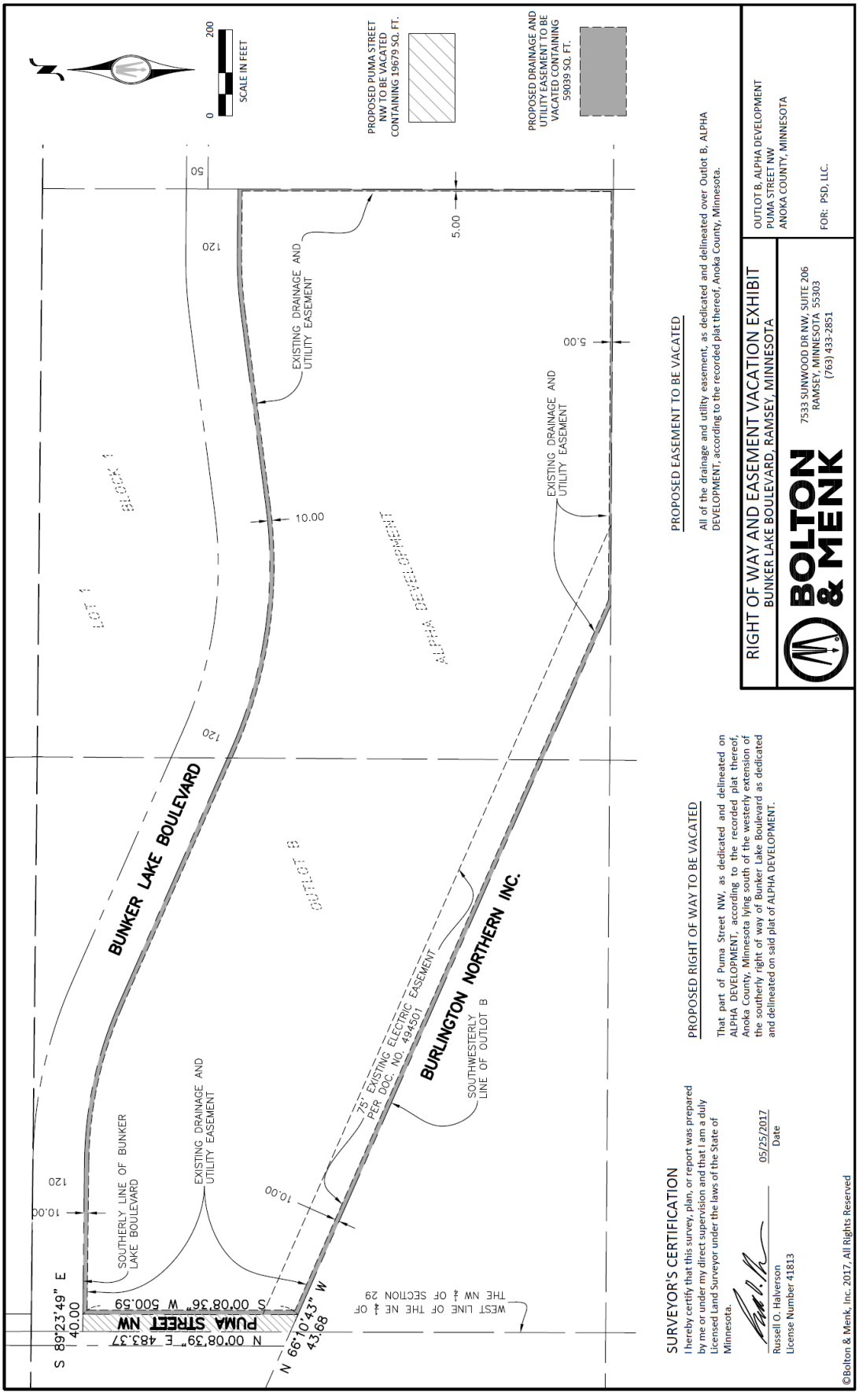


Exhibit B
Easement Sketch



PROPOSED EASEMENT TO BE VACATED

All of the drainage and utility easement, as dedicated and delineated over Outlot B, ALPHA DEVELOPMENT, according to the recorded plat thereof, Anoka County, Minnesota.

PROPOSED RIGHT OF WAY TO BE VACATED

That part of Puma Street NW, as dedicated and delineated on ALPHA DEVELOPMENT, according to the recorded plat thereof, Anoka County, Minnesota lying south of the westerly extension of the southerly right of way of Bunker Lake Boulevard as dedicated and delineated on said plat of ALPHA DEVELOPMENT.

SURVEYOR'S CERTIFICATION

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

05/25/2017
Date

Russell O. Halverson
License Number 41813

RIGHT OF WAY AND EASEMENT VACATION EXHIBIT
BUNKER LAKE BOULEVARD, RAMSEY, MINNESOTA

BOLTON & MENK

7533 SUNWOOD DR NW, SUITE 206
RAMSEY, MINNESOTA 55303
(763) 433-2851

OUTLOT B, ALPHA DEVELOPMENT
PUMA STREET NW
ANOKA COUNTY, MINNESOTA

FOR: PSD, LLC.

JOB NUMBER: R16.113129 FIELD BOOK: DRAWN BY: ALH

©Bolton & Menk, Inc. 2017. All Rights Reserved

H:\PSDLLC_PR\R16113129\CAD\C3D\FIGR-113129-EA02.dwg 5/25/2017 11:02 AM

Our Mission: To work together to resposibly grow our community, and to provide quality, cost-effective, and efficient government services.

CC Regular Session **7. 5.**

Meeting Date: 11/14/2017

By: Chris Anderson, Community Development

Information

Title:

Consider Landscape Plan Amendment and Accept Sidewalk Easements for Vistas at North Commons (Project No. 16-90); Case of Morning Sun Homes, Inc.

Purpose/Background:

Vistas at North Commons is a twelve (12) lot residential subdivision located on the north side of Bunker Lake Blvd, between Center Street and Zeolite Street (the "Subject Property"). The subdivision received all the necessary approvals earlier this year and is now under construction. Subsequent to plan development and the entitlement process, ownership of the project was transferred to Morning Sun Homes (the "Developer"). They are nearing completion of the first home and were attempting to complete the landscaping on site when they approached the City to inquire about the possibility of eliminating the use of a seed mix and finishing the entire site with sod.

Additionally, the sidewalks that were installed as part of this project slightly encroach onto some of the individual parcels. The Developer has submitted Sidewalk Easement Exhibits and has agreed to grant the necessary easements to the City. This affects four (4) of the twelve (12) lots in the subdivision.

Notification:

Notification is not required.

Observations/Alternatives:

The original developer had proposed use of a general roadside seed mix to establish vegetation on the back side of a slope in the rear yards that leads down to the trail along Bunker Lake Blvd. As part of the initial review, Staff had suggested that if a seed mix was going to be used, it should be one that includes native species, such as a dry or mesic prairie mix. In December of 2016, the EPB did recommend approval of the Landscape Plan contingent upon compliance with the Staff Review Letter (which included language about a preferred seed mix).

Although it is not known specifically why the original developer had proposed a seed mix in the rear yards initially, it is assumed it was an attempt to reduce project costs. The approved Landscape Plan would require the first ten (10) feet adjacent to the trail along Bunker Lake Blvd to be seeded. The Developer has requested to amend the Landscape Plan to utilize sod across all portions of the development (excluding the ditch area adjacent to Bunker Lake Blvd). It is his opinion that it will provide more of a finished appearance.

Staff really has no objection to the requested amendment. Had the original plan not proposed use of a seed mix initially, Staff would not have recommended use of a native mix along this narrow corridor. Use of sod rather than seed should also help reduce/eliminate erosion concerns along this slope (getting seed established there in the past proved rather challenging). No other changes to the Landscape Plan have been requested.

The EPB will be reviewing the request to amend the Landscape Plan at their November 13 meeting.

Lots 1, 10, 11, and 12, Block 1 all have areas where the public sidewalk slightly encroaches into private property. This can be addressed with the acceptance of a Sidewalk Easement by the City Council. Similar scenarios have occurred with other developments within The COR. The easements simply specify that the sidewalk is a public sidewalk and that the City is responsibility for the ongoing maintenance of these sidewalks.

Recommendation:

Staff recommends approving the requested amendment to the Landscape Plan and accepting the sidewalk easements.

Action:

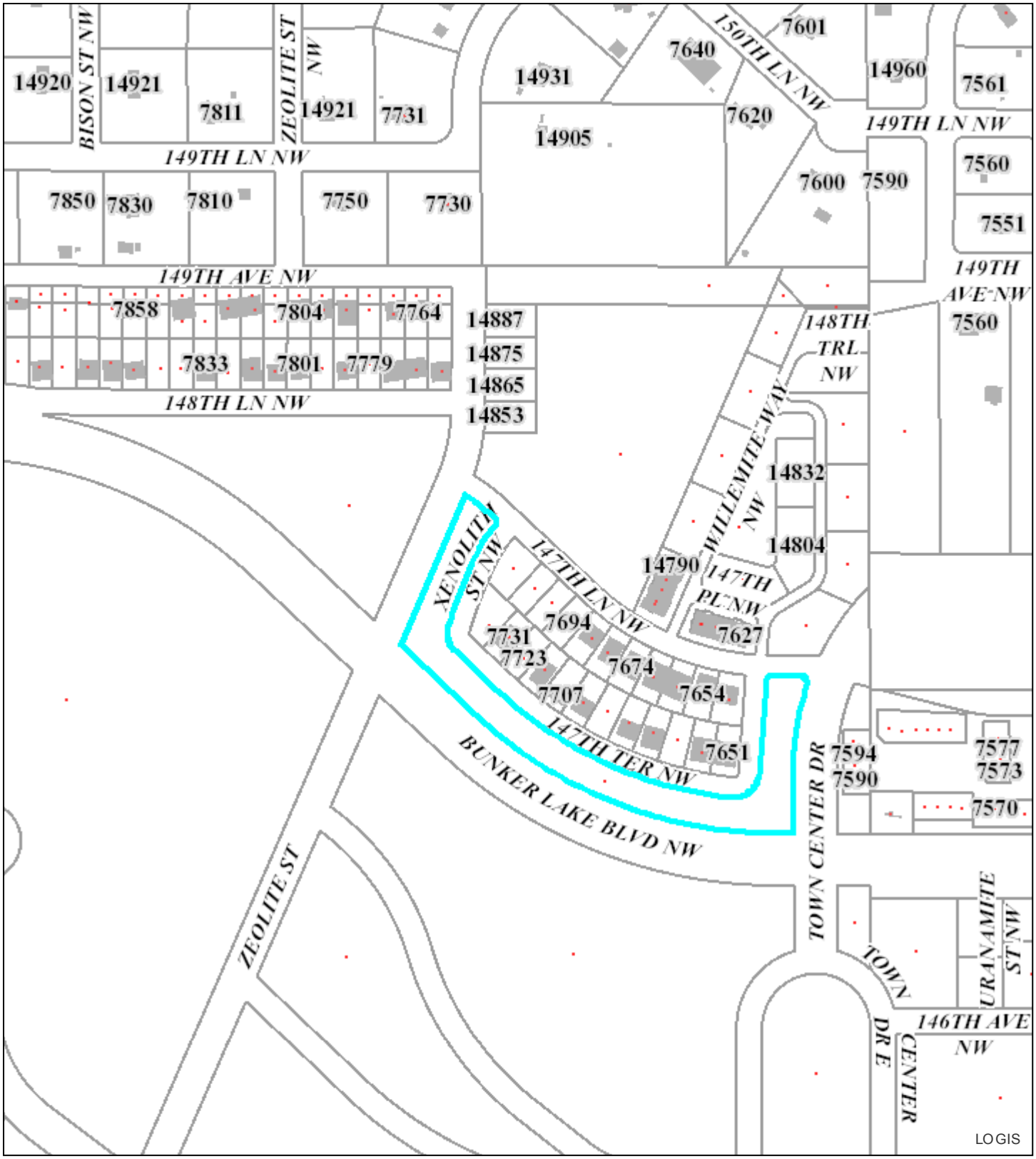
Motion to adopt Resolution #17-11-290 approving an amendment to the Landscape Plan for Vistas at North Commons and accepting sidewalk easements for four (4) lots in Vistas at North Commons, subject to review and approval as to legal form by the City Attorney.

Attachments

Site Location Map
Landscape Plan with Amendment Area Highlighted
Draft Sidewalk Easement
Resolution #17-11-290

Form Review

Inbox	Reviewed By	Date
Tim Gladhill	Tim Gladhill	11/09/2017 11:52 AM
Kurt Ulrich	Kurt Ulrich	11/09/2017 02:37 PM
Form Started By: Chris Anderson		Started On: 11/08/2017 02:25 PM
Final Approval Date: 11/09/2017		



City of RAMSEY

Site Location Map

Vistas of North Commons

28-32-25-21-0030

Legend

Site

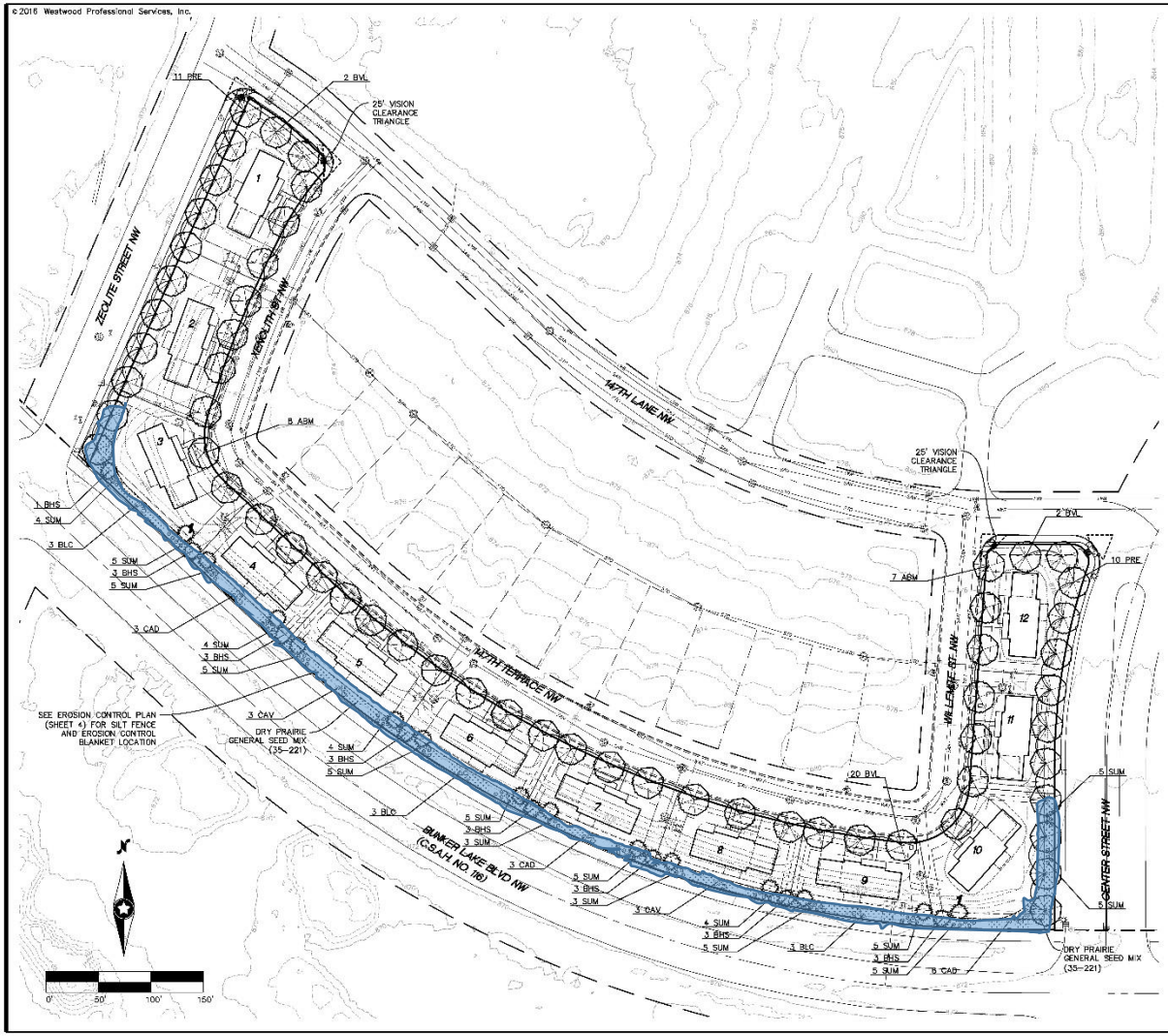
Parcels

N

Print Date: December 21, 2016

0 550 1,100 Feet

© 2016 Westwood Professional Services, Inc.



Final Plant Schedule

CODE	QTY.	COMMON/BOTANICAL NAME	SIZE	SPACING O.C.
ABM	15	Autumn Blaze Maple / Acer x freemanii 'Jeffersred'	2"/#25 Cont.	AS SHOWN
BVL	24	Boulevard Linden / Tilia americana 'Boulevard'	2"/#25 Cont.	AS SHOWN
PRE	21	Princeton Elm / Ulmus americana 'Princeton'	2"/#25 Cont.	AS SHOWN
BHS	22	Black Hills Spruce / Picea glauca densata	5' HT., B&B	AS SHOWN
BLC	9	Black Chokeberry / Aronia melanocarpa elata	#2 Cont.	5' O.C.
CAD	14	Cardinal Dogwood / Cornus sericea 'Cardinal'	#2 Cont.	5' O.C.
CAV	6	Compact American Viburnum / Viburnum trilobum 'Bailey Compact'	#2 Cont.	5' O.C.
SUM	77	Staghorn Sumac / Rhus typhina	#2 Cont.	5' O.C.

NOTE: QUANTITIES ON PLAN SUPERSEDE LIST QUANTITIES IN THE EVENT OF A DISCREPANCY.

Landscape Provisions

TOTAL LANDSCAPING PROVIDED:	82 TREES
▸ STREET TREES:	60 TREES
▸ EVERGREEN TREES:	22 TREES
▸ SITE SHRUBS:	106 SHRUBS

Dry Prairie General Seed Mix - 35-221

35-221	Dry Prairie General				
Common Name	Scientific Name	Rate (kg/ha)	Rate (lbs/ac)	% of Mix (% by wt)	Seeds/ sq ft
big bluestem	*Andropogon gerardii*	0.75	0.70	1.92%	2.57
side-oats grama	*Bouteloua curtipendula*	3.38	3.00	8.22%	6.61
blue grama	*Bouteloua gracilis*	0.56	0.50	1.37%	7.33
Lake's prairie	*Bromus kalmii*	0.84	0.75	2.06%	4.72
rosette mountain rye	*Elymus canadensis*	1.12	1.00	2.74%	1.61
junegrass	*Koeleria macrantha*	0.28	0.25	0.69%	18.37
little bluestem	*Schizachyrium scoparium*	3.38	3.00	8.22%	16.53
indian grass	*Sorghastrum nutans*	0.76	0.70	1.92%	5.09
prairie dropseed	*Sporobolus heterolepis*	0.13	0.12	0.34%	0.73
	Total Grasses	**11.21**	**10.00**	**27.42%**	**59.30**
blue giant hyssop	*Agastache foeniculum*	0.01	0.01	0.12%	2.67
lead plant	*Amorpha canescens*	0.10	0.09	0.26%	0.42
butterfly milkweed	*Asclepias tuberosa*	0.07	0.06	0.17%	0.50
Canada milk vetch	*Astragalus canadensis*	0.07	0.06	0.18%	0.90
bush's flax	*Cenrapsis panuea*	0.07	0.06	0.18%	0.21
white prairie clover	*Dalea candida*	0.01	0.01	0.12%	0.39
purple prairie clover	*Dalea purpurea*	0.2	0.19	0.51%	1.02
Canada tick trefoil	*Desmodium canadense*	0.01	0.01	0.18%	0.13
ashy sunflower	*Helianthus mollis*	0.07	0.06	0.17%	0.59
rough blazing star	*Liatris aspera*	0.04	0.04	0.12%	0.23
wild bergamot	*Monarda fistulosa*	0.07	0.06	0.19%	1.42
silky goldenrod	*Oligoneuron rigidum*	0.07	0.06	0.18%	0.63
large-flowered beard tongue	*Penstemon grandiflorus*	0.07	0.06	0.17%	0.32
black-eyed susan	*Rudbeckia hirta*	0.28	0.25	0.69%	10.37
gray goldenrod	*Solidago nemoralis*	0.01	0.01	0.18%	3.58
heath aster	*Symphyotrichum ericoides*	0.04	0.04	0.10%	2.58
smooth aster	*Symphyotrichum laeve*	0.07	0.06	0.17%	1.28
hoary vervain	*Verbena stricta*	0.15	0.13	0.34%	1.28
	Total Forbs	**1.68**	**1.50**	**4.09%**	**26.96**
Oats or winter wheat (see note at beginning of list for recommended rates)		26.05	25.00	68.49%	11.13
	Total Cover Crop	**26.05**	**25.00**	**68.49%**	**11.13**
	Totals:	**40.91**	**36.50**	**100.00%**	**97.39**
Purpose:	General dry prairie mix for roller roadsides, ecological restoration or conservation program plantings.				
Planting Area:	Tallgrass Aspen Parklands, Prairie Parkland, and Eastern Broadleaf Forest Provinces. MnDOT Districts 3(west), 3B, 4, Metro, 6, 7 & 8.				

DENOTES DRY PRAIRIE GENERAL SEED MIX (35-221)

NOTES:

- ALL DISTURBED AREAS TO BE SODDED UNLESS NOTED OTHERWISE.
- STREET TREES SHALL BE PLANTED PER PLAN AT THIRTY-FIVE (35) FEET ON CENTER WITH SPACING DEVIATIONS WHERE CONFLICTS SUCH AS DRIVEWAYS, SIDEWALKS, UTILITIES, AND/OR STREET LIGHTS EXIST.
- DRY PRAIRIE GENERAL NATIVE SEED MIX TO BE BROADCAST SEEDED AT A RATE OF 36.5 LBS/AC (SEE TABLE ABOVE). SEE EROSION CONTROL PLAN (SHEET 4) FOR SILT FENCE AND EROSION CONTROL BLANKET LOCATIONS. EROSION CONTROL BLANKET TO BE PROVIDED ON AREA TO BE SEEDED WITH NATIVE SEED MIX. AREAS TO BE SEEDED WITH NATIVE SEED MIX WILL NOT BE IRRIGATED.
- ANY DEVIATION FROM THE APPROVED FINAL PLANT SCHEDULE SHALL REQUIRE APPROVAL OF THE CITY PRIOR TO INSTALLATION.
- BRANCHING OF STREET TREES SHALL BEGIN NO LOWER THAN SIX (6) FEET ABOVE GRADE.
- ALL AREAS, INCLUDING BOULEVARDS, NOT OTHERWISE IMPROVED WITH IMPERVIOUS SURFACES SHALL RECEIVE FOUR (4) INCHES TOPSOIL MEETING THE CITY'S TOPSOIL SPECIFICATION. COPIES OF THE LOAD TICKETS SHALL BE PROVIDED TO THE CITY AND A TOPSOIL INSPECTION SHALL BE COMPLETED PRIOR TO INSTALLATION OF ANY LANDSCAPING.
- THE CITY REQUIRES A PRE-PLANTING MEETING TO REVIEW EXPECTATIONS FOR ALL STREET TREE INSTALLATIONS.
- ALL LOTS REQUIRE TOPSOIL PER DETAIL ERO-6 GRADATION.

Call 48 Hours before digging:
811 or call811.com
Common Ground Alliance

Date: 12/02/2016 Sheet: 10 OF 11

Westwood
Phone (952) 937-5150 7699 Anagram Drive
Fax (952) 937-5822 Eden Prairie, MN 55344
Toll Free (800) 337-5150 westwoodps.com
Westwood Professional Services, Inc.

I hereby certify that this plan was prepared by me or under my direct supervision and that I am a duly licensed PROFESSIONAL LANDSCAPE ARCHITECT under the laws of the State of Minnesota.
Nicholas Meyer
Date 05/17/17 License No. 53774

Revisions:
11/29/16 CITY COMMENTS
02/22/17 CITY COMMENTS
04/28/17 CITY COMMENTS
05/17/17 CITY COMMENTS

Designed: NTM
Checked: NTM
Drawn: NTM
Record Drawing by/date:

Prepared for:
Morning Sun Homes
8862 Zealand Avenue North Bay B
Brooklyn Park, Minnesota 55445

Vistas at North Commons
Ramsey, Minnesota

Final Landscape Plan

GRANT OF SIDEWALK EASEMENT

This grant of a sidewalk easement ("Grant") is made this _____ day of _____, 2017, by **Morning Sun Homes, Inc.**, a domestic business corporation (hereinafter referred to as "Grantor") to the **City of Ramsey**, a municipal corporation under the laws of the State of Minnesota (hereinafter referred to as "Grantee").

WITNESSETH:

WHEREAS, Grantor is the owner of real property situated in the County of Anoka, State of Minnesota, legally described as Lots 1, 10, 11, and 12, Block 1, VISTAS AT NORTH COMMONS, according to the recorded plat thereof, Anoka County, Minnesota (the "Property"); and

WHEREAS, Grantor wishes to grant and dedicate an easement for sidewalk purposes for the benefit of the public, over, under, across and upon the Property in those areas legally described in **Exhibit A**, attached hereto (hereinafter referred to as the "Easement Area").

NOW, THEREFORE, for One Dollar and other good and valuable consideration, the parties agree as follows:

1. Easement Grant and Dedication. Grantor hereby grants, dedicates, conveys and quit claims to Grantee, its successors and assigns, a perpetual easement for sidewalk purposes for the benefit of the public, over, under, across and upon the Easement Area.

2. Construction and Maintenance. Grantee is responsible for all costs to construct and repair the surface of the sidewalk and to provide for snow removal. Grantor shall maintain the grass and vegetation within the Easement Area in accordance with City ordinances.

3. Successors and Assigns. All of the provisions of this instrument, including the benefits and burdens, run with the land and are binding on and inure to the benefit of

the heirs, assigns, successors, tenants and personal representatives of the Grantor and Grantee herein.

4. Headings. Paragraph headings used in this instrument are for convenience only, and shall not affect the construction of this Grant.

5. Entire Agreement. This instrument, and the Exhibits attached hereto, constitute the entire understanding of the parties hereto with respect to the transaction contemplated thereby, and supersede all prior agreements and understandings between the parties with respect to the subject matter. No representations, warranties, undertakings or promises, whether oral, implied, written or otherwise, have been made by either party hereto to the other unless expressly stated in the above-referenced documents, or unless mutually agreed to in writing between the parties hereto after the date hereof, and neither party has relied on any verbal representations, agreements, or understandings not expressly set forth herein.

IN WITNESS WHEREOF, the parties hereto have set their hands the day and year first above written.

GRANTOR: Morning Sun Homes, Inc.

By: _____
Mark A Meuleners
Its Chief Executive Officer

STATE OF MINNESOTA)
) ss.
COUNTY OF DAKOTA)

The foregoing instrument was acknowledged before this _____ day of _____, 2017, by Mark A Meuleners, the Chief Executive Officer of Morning Sun Homes, Inc., a Business Corporation (Domestic), on behalf of the corporation.

_____
Notary Public

(Additional signatures on next page.)

GRANTEE: City of Ramsey, a Minnesota municipal corporation

By: _____

Its: Mayor

AND

By: _____

Its: City Administrator

STATE OF MINNESOTA)
) ss.
COUNTY OF ANOKA)

The foregoing instrument was acknowledged before this _____ day of _____, 2017, by _____, the Mayor and _____, the Administrator of the City of Ramsey, a Minnesota municipal corporation, on behalf of the corporation.

_____
Notary Public

THIS INSTRUMENT WAS DRAFTED BY:

City of Ramsey
7550 Sunwood Drive NW
Ramsey, MN 55303

EXHIBIT A

An easement for sidewalk purposes over and across that part of the following described property:

The Northeasterly7.00 feet of Lot 1, Block 1, VISTAS AT NORTH COMMONS, according to the recorded plat thereof, Anoka County, Minnesota

-AND-

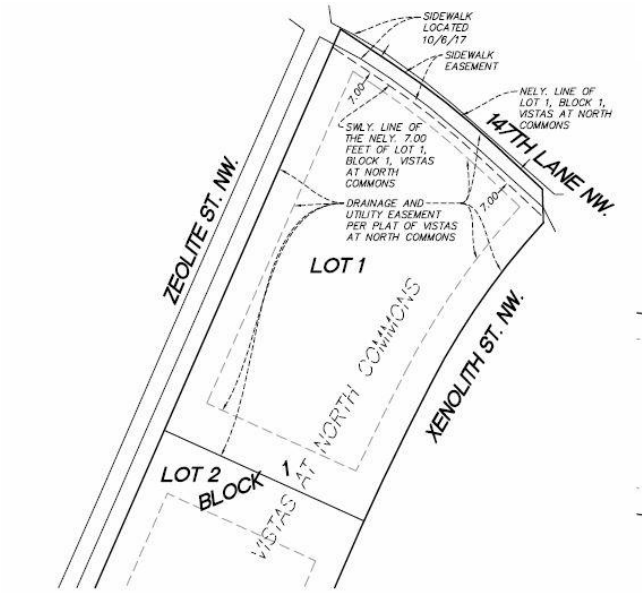
The Easterly 5.00 feet of Lot 10, Block 1, VISTAS AT NORTH COMMONS, according to the recorded plat thereof, Anoka County, Minnesota

-AND-

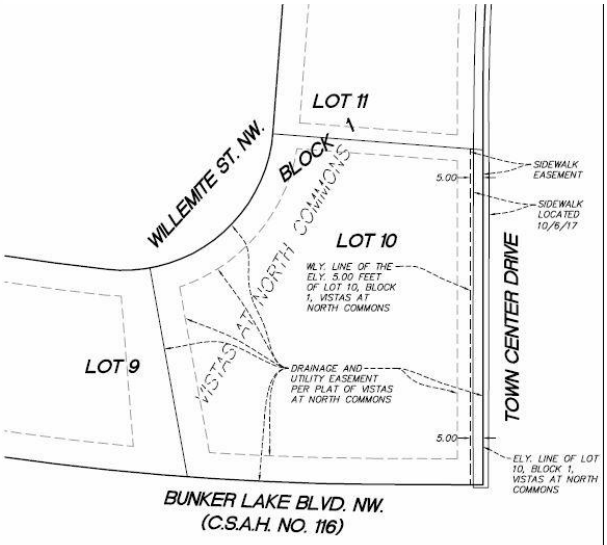
The Easterly 5.00 feet of Lot 11, Block 1, VISTAS AT NORTH COMMONS, according to the recorded plat thereof, Anoka County, Minnesota

-AND-

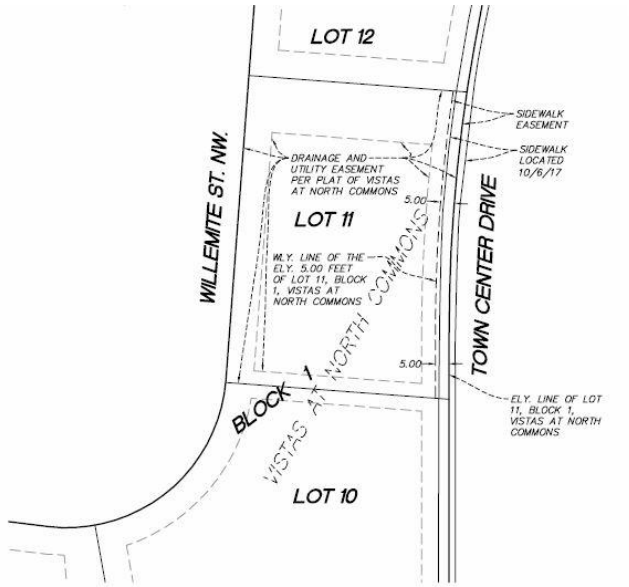
The Northerly and Northeasterly 6.00 feet and the Easterly 5.00 feet of Lot 12, Block 1, VISTAS AT NORTH COMMONS, according to the recorded plat thereof, Anoka County, Minnesota



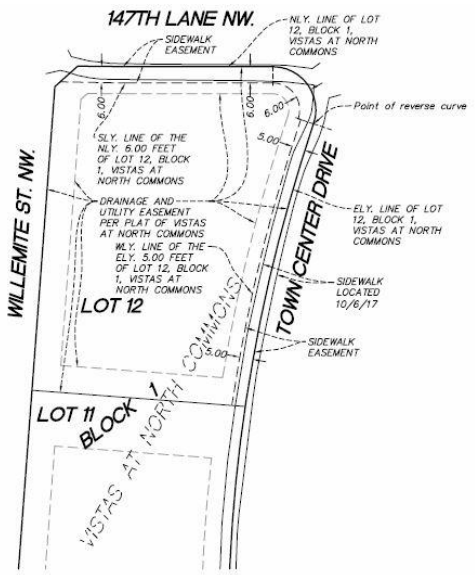
An easement for sidewalk purposes over the Northeasterly 7.00 feet of Lot 1, Block 1 VISTAS AT NORTH COMMONS according to the recorded plat thereof, Anoka County, Minnesota.



An easement for sidewalk purposes over the Easterly 5.00 feet of Lot 10, Block 1 VISTAS AT NORTH COMMONS according to the recorded plat thereof, Anoka County, Minnesota.



An easement for sidewalk purposes over the Easterly 5.00 feet of Lot 11, Block 1 VISTAS AT NORTH COMMONS according to the recorded plat thereof, Anoka County, Minnesota.



An easement for sidewalk purposes over the Northerly and Northeasterly 6.00 feet and the Easterly 5.00 feet of Lot 12, Block 1 VISTAS AT NORTH COMMONS according to the recorded plat thereof, Anoka County, Minnesota.

Councilmember _____ introduced the following resolution and moved for its adoption:

RESOLUTION #17-11-290

RESOLUTION APPROVING THE CONVEYANCE OF SIDEWALK EASEMENTS FROM MORNING SUN HOMES, INC. IN THE VISTAS AT NORTH COMMONS PLAT AND APPROVING AN AMENDMENT TO THE LANDSCAPE PLAN.

WHEREAS, four (4) lots within the plat known as Vistas at North Commons have portions of a public sidewalk encroaching on them and thus a sidewalk easement for each encroachment is needed; and

WHEREAS, D.R. Horton has submitted the required easement exhibits; and

WHEREAS, Morning Sun Homes, Inc. has requested an amendment to the approved Landscape Plan to allow the use of sod along the existing trail rather than a seed mix; and

WHEREAS, the Environmental Policy Board reviewed the requested Landscape Plan amendment at their November meeting.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RAMSEY, ANOKA COUNTY, STATE OF MINNESOTA, as follows:

1) That the Ramsey City Council hereby approves the conveyance of a Sidewalk Easement from Morning Sun Homes, Inc., over a portion portions of Lots 1, 10, 11, and 12, Block 1, Vistas at North Commons and authorizes the Mayor and City Administrator to execute the easement.
2) That the Ramsey City Council hereby approves of the requested amendment to the approved Landscape Plan to allow the use of sod rather than a seed mix along the existing trail corridor.

The motion for the adoption of the foregoing resolution was duly seconded by Councilmember _____, and upon vote being taken thereon, the following voted in favor thereof:

and the following voted against the same:

and the following abstained:

and the following were absent:

Whereupon said resolution was declared duly passed and adopted by the Ramsey City Council this the 14th day of November, 2017.

_____

Mayor

ATTEST:

_____

City Clerk