

1. CALL TO ORDER/PLEDGE OF ALLEGIANCE

2. APPROVAL OF AGENDA

3. PRESENTATIONS, PROCLAMATIONS AND ACKNOWLEDGMENTS

- a. Presentation from the Rosemount Area Arts Council
- b. Proclamation - National Public Works Week

4. PUBLIC COMMENT

Individuals will be allowed to address the Council on subjects that are not a part of the meeting agenda. Typically, replies to the concerns expressed will be made via letter or phone call within a week or at the following council meeting.

5. RESPONSE TO PUBLIC COMMENT

6. CONSENT AGENDA

- a. Bills Listing
- b. Minutes of the May 2, 2023 Regular Meeting
- c. Minutes of the May 2, 2023 Work Session Proceedings
- d. Approval of Council Travel
- e. Frattalone Small Scale Mineral Extraction
- f. Las Tortillas Conditional Use Permit for Outdoor D
- g. Akron/CSAH 42 Alternative Urban Areawide Review Up
- h. Holiday Stationstore Conditional Use Permit to Allow for an Expansion
- i. Fire Relief Discussion
- j. Authorize Creation of the HR Manager Position
- k. Authorizing the Rosemount Port Authority to issue
- l. Receive and Reject Bids - Life Time Project

7. PUBLIC HEARINGS

- a. 2023-2027 Street Reconstruction and Overlay Plan

8. UNFINISHED BUSINESS

9. NEW BUSINESS

- a. Wolfson Property Purchase Agreement
- b. Accept Bids, Award Contract, Declare Costs to be Assessed, and Set the Assessment Hearing for the 2023 Neighborhood Infrastructure Improvement Project
- c. Life Time Project Bids
- d. Request for an Amendment to the Existing Conditional Use Permit that was Approved in 2020 for North 20 Brewing to Extend the Hours of Operation and to Allow for Outdoor Live Music and Food Trucks Onsite
- e. Recieve Bids & Award Contract Package No. 2 - Public Works & Police Campus

10. ANNOUNCEMENTS

- a. City Staff Updates
- b. Upcoming Community Calendar

11. ADJOURNMENT

City Council Regular Meeting: May 16, 2023

AGENDA ITEM: Presentation from the Rosemount Area Arts Council	AGENDA SECTION: PRESENTATIONS, PROCLAMATIONS AND ACKNOWLEDGMENTS
PREPARED BY: Dan Schultz, Parks & Recreation Director	AGENDA NO. 3.a.
ATTACHMENTS:	APPROVED BY: LJM
RECOMMENDED ACTION: Receive presentation from the Rosemount Area Arts Council.	

BACKGROUND

The Rosemount Area Arts Council has requested an opportunity to provide the City Council an update on the past year's activities and what will be coming up in the future for Arts Council. The City of Rosemount continues to have a service agreement with the Arts Council which outlines the work that RAAC performs.

RECOMMENDATION

Receive presentation from the Rosemount Area Arts Council.

City Council Regular Meeting: May 16, 2023

AGENDA ITEM: Proclamation - National Public Works Week	AGENDA SECTION: PRESENTATIONS, PROCLAMATIONS AND ACKNOWLEDGMENTS
PREPARED BY: Nick Egger, Public Works Director	AGENDA NO. 3.b.
ATTACHMENTS: Proclamation of National Public Works Week and Recognition of Public Works Employees	APPROVED BY: LJM
RECOMMENDED ACTION: Proclaim May 21-27, 2023 as National Public Works Week	

BACKGROUND

For 63 years, the American Public Works Association (APWA) has sponsored National Public Works Week across North America in effort to energize and educate the public on the importance of public works to their daily lives. APWA is proud to announce "Connecting the World Through Public Works" as the theme for the 2023 National Public Works Week. Public works is the thread that connects us all, no matter where we live in the world. Every public works professional strives to improve the quality of life for the community they serve, leading to healthier, happier communities.

The "Connecting the World Through Public Works" theme highlights the way public works professionals connect us physically, through infrastructure, and inspirationally, through service to their communities, whether as first responders, or daily workers carrying out their duties with pride. As we approach National Public Works Week, we would like for the Council to take a moment to commend the following individuals for their tireless efforts on these fronts, and the indispensable influence their work has on our everyday lives.

Derick Anderson	John Cusack	Lucas Jenkins	Bill Murphy
Matthew Attiyeh	Eric Day	Brady Johnson	Steven Nielsen
Jane Byron	Jason Dowell	Riley Kaszynski	Ryan Rausch
Tor Berkeland	Nick Egger	AJ Korpela	Brady Schmitt
Bryan Bodsberg	Brian Erickson	Brent McGraw	Amy Simonson
Tony Braun	Doug Holzer	Aaron Menza	Joe Werden
Hunter Confair	Chuck Jacobus	Kyle Morris	

Whether it is striving to complete important and transformational infrastructure projects, responding to water system emergencies, keeping our parks groomed, inviting, and safe, fighting epic snowfall events, or preparing and recovering from natural disasters, there is no question that our high quality and professional staff demonstrate to the community the important role that public works plays in making our City vibrant and successful. The Rosemount Public Works Department is a team of 28 people dedicated to maintaining a safe, clean, and enjoyable environment for all residents and businesses. The department's mission is to enhance the quality of life through responsive, efficient, and cost-effective delivery of services consistent with community values. They are what make our communities great places to live and work. So please join us in celebrating this outstanding team of professionals!

RECOMMENDATION

In recognition of the commitment of our public works department staff and their efforts, the City Council is asked to join in the designation of May 21-27 as National Public Works Week in the City of Rosemount.



PROCLAMATION

NATIONAL PUBLIC WORKS WEEK: MAY 21-27, 2023

“Connecting the World Through Public Works”

WHEREAS, public works professionals focus on infrastructure, facilities, emergency management, and services that are of vital importance to sustainable and resilient communities and the public health, high quality of life, and well-being of the people of Rosemount; and

WHEREAS, public works infrastructure, facilities, and services provided in our community of over 27,000 residents and hundreds of businesses are an integral part of everyday life; and

WHEREAS, these infrastructures, facilities, and services could not be provided without the dedicated efforts of public works professionals, who are federally mandated first responders, and the engineers, managers, and employees at all levels of government and the private sector, who are responsible for rebuilding, improving, and protecting our City’s transportation, water supply, water treatment and solid waste systems, public buildings, and other structures and facilities essential for our citizens; and

WHEREAS, the twenty-eight staff of our Public Works Department show each day their dedication to sustaining and improving the health, safety, well-being, and high quality of life of the people of Rosemount; and

WHEREAS, it is in the public interest for the citizens, civic leaders, and children in Rosemount to gain knowledge and maintain ongoing interest and understanding of the importance of public works first responders and public works programs in their respective communities; and

WHEREAS, the year 2023 marks the 63rd annual National Public Works Week sponsored by the American Public Works Association.

NOW, THEREFORE BE IT RESOLVED, I, Jeffery D. Weisensel, Mayor of Rosemount, do hereby designate the week May 21-27, 2023, as National Public Works Week; I urge all citizens to join with representatives of the American Public Works Association and government agencies in activities, events, and ceremonies designed to pay tribute to our public works professionals, engineers, managers, and employees and to recognize the substantial contributions they make to protecting our national health, safety, and quality of life.

DATED THIS 16th day of May, 2023.

Mayor _____
Jeffery D. Weisensel



City Council Regular Meeting: May 16, 2023

AGENDA ITEM: Bills Listing	AGENDA SECTION: CONSENT AGENDA
PREPARED BY: Teah Malecha, Finance Director	AGENDA NO. 6.a.
ATTACHMENTS: April 28-May 11 Bills Listing	APPROVED BY: LJM
RECOMMENDED ACTION: Approve the payments.	

BACKGROUND

Attached is the April 18 - May 11, 2023 City Council check register and recently processed automatic payments for your review.

RECOMMENDATION

Approve the payments.

VENDOR SEQUENCE

VENDOR	ITEM NO#	DESCRIPTION	BANK	CHECK	STAT	DUE DT DISC DT	GROSS BALANCE	PAYMENT DISCOUNT	OUTSTANDING

01-040435 DAKOTA ELECTRIC ASSOCIATION									
I	200002005379	4/23 JAYCEE PARK CONTROL BLDG G/L ACCOUNT 101 45202-01-381.00	APBNK	5/08/2023	R	4/26/2023	12.20 12.20 12.20	12.20CR	
I	200003157294	4/23 WENSMANN POND MONITORING ST G/L ACCOUNT 603 49513-01-381.00	APBNK	5/08/2023	R	4/26/2023	21.23 21.23 21.23	21.23CR	
I	200003776226	4/23 SIREN #13 G/L ACCOUNT 101 43121-01-381.00	APBNK	5/08/2023	R	4/26/2023	23.36 23.36 23.36	23.36CR	
I	200005601588	4/23 STORM DRAIN LIFT STATION #7 G/L ACCOUNT 603 49517-01-381.00	APBNK	5/08/2023	R	4/26/2023	32.07 32.07 32.07	32.07CR	
I	200010007317	4/23 WELL #16 G/L ACCOUNT 601 49426-01-381.00	APBNK	5/08/2023	R	4/26/2023	1,558.39 1,558.39 1,558.39	1,558.39CR	
I	200010050261	4/23 WELCOME SIGN - NORTH G/L ACCOUNT 608 49508-01-381.00	APBNK	5/08/2023	R	4/26/2023	17.44 17.44 17.44	17.44CR	
				REG. CHECK		1	1,664.69 1,664.69	1,664.69CR 0.00	0.00

01-081575 HOME DEPOT CREDIT SERVICE									
I	9973273	LUMBER AND HARDWARE G/L ACCOUNT 205 49005-01-530.00	APBNK	5/08/2023	R	4/13/2023	15,763.35 15,763.35 15,763.35	15,763.35CR	
				REG. CHECK		1	15,763.35 15,763.35	15,763.35CR 0.00	0.00

01-190095 SAM'S CLUB									
I	10061471928	SUPPLIES FOR ERICKSON PARK G/L ACCOUNT 101 45202-01-219.00	APBNK	5/08/2023	R	4/28/2023	143.00 143.00 143.00	143.00CR	
I	6419 4736 2023	CITY HALL SUPPLIES/VENDING G/L ACCOUNT 101 41940-01-208.00	APBNK	5/08/2023	R	4/27/2023	340.76 340.76 222.46	340.76CR	

PACKET: 06672 05/08/2023 AP CHECK RUN

VENDOR SET: 01

VENDOR SEQUENCE

VENDOR	ITEM NO#	DESCRIPTION	BANK	CHECK	STAT	DUE DT DISC DT	GROSS BALANCE	PAYMENT DISCOUNT	OUTSTANDING
	101	41810-01-260.00	FOOD FOR RESALE			118.30	CITY HALL SUPPLIES/VENDING		
			REG. CHECK			1	483.76	483.76CR	0.00
							483.76	0.00	
01-240010 XCEL ENERGY									
I	0010071743-0	4/23 FH REC COMPLEX IRRIGATION	APBNK	5/08/2023	R	4/25/2023	328.65	328.65CR	
		G/L ACCOUNT		CK: 152257			328.65		
	101	45202-01-381.00	ELECTRIC UTILITIES			328.65	FH REC COMPLEX IRRIGATION		
I	0010575696-0	4/23 ERICKSON PARK TENNIS COURTS	APBNK	5/08/2023	R	4/26/2023	167.29	167.29CR	
		G/L ACCOUNT		CK: 152257			167.29		
	101	45202-01-381.00	ELECTRIC UTILITIES			167.29	ERICKSON PARK TENNIS COURTS		
I	0011108910-3	4/23 RSMT SC-ACTIVITY CENTER	APBNK	5/08/2023	R	4/25/2023	1,551.66	1,551.66CR	
		G/L ACCOUNT		CK: 152257			1,551.66		
	101	45100-30-381.00	ELECTRIC UTILITIES			1,551.66	RSMT SC-ACTIVITY CENTER		
I	0013089608-6	4/23 WELCOME SIGN - SOUTH	APBNK	5/08/2023	R	4/25/2023	14.99	14.99CR	
		G/L ACCOUNT		CK: 152257			14.99		
	608	49508-01-381.00	ELECTRIC UTILITIES			14.99	WELCOME SIGN - SOUTH		
I	0013530257-8	4/23 FLASHING PEDESTRIAN LIGHT	APBNK	5/08/2023	R	4/25/2023	13.23	13.23CR	
		G/L ACCOUNT		CK: 152257			13.23		
	608	49508-01-381.00	ELECTRIC UTILITIES			13.23	FLASHING PEDESTRIAN LIGHT		
I	0519839-2	4/23 UMORE LIGHTS & IRRIGATION	APBNK	5/08/2023	R	4/25/2023	369.82	369.82CR	
		G/L ACCOUNT		CK: 152257			369.82		
	101	45202-01-381.00	ELECTRIC UTILITIES			369.82	UMORE LIGHTS & IRRIGATION		
I	8053588-8	4/23 SIGNAL & STREET LIGHTS	APBNK	5/08/2023	R	4/25/2023	119.32	119.32CR	
		G/L ACCOUNT		CK: 152257			119.32		
	101	43121-01-381.00	ELECTRIC UTILITIES			50.92	SIGNAL & STREET LIGHTS		
	608	49508-01-381.00	ELECTRIC UTILITIES			68.40	SIGNAL & STREET LIGHTS		
I	8807010-0	4/23 WELL #15	APBNK	5/08/2023	R	4/25/2023	1,978.30	1,978.30CR	
		G/L ACCOUNT		CK: 152257			1,978.30		
	601	49425-01-381.00	ELECTRIC UTILITIES			1,978.30	WELL #15		
			REG. CHECK			1	4,543.26	4,543.26CR	0.00
							4,543.26	0.00	

PACKET: 06672 05/08/2023 AP CHECK RUN

VENDOR SET: 01

===== R E P O R T T O T A L S =====

F U N D D I S T R I B U T I O N

FUND NO#	FUND NAME	AMOUNT
101	GENERAL FUND	2,987.66CR
205	PARK IMPROVEMENT FUND	15,763.35CR
601	WATER UTILITY FUND	3,536.69CR
603	STORM WATER UTILITY FUND	53.30CR
608	STREET LIGHT UTILITY FUND	114.06CR
** TOTALS **		22,455.06CR

----- TYPE OF CHECK TOTALS -----

	NUMBER	GROSS BALANCE	PAYMENT DISCOUNT	OUTSTANDING
HAND CHECKS		0.00	0.00	0.00
		0.00	0.00	
DRAFTS		0.00	0.00	0.00
		0.00	0.00	
REG-CHECKS	4	22,455.06	22,455.06CR	0.00
		22,455.06	0.00	
EFT		0.00	0.00	0.00
		0.00	0.00	
NON-CHECKS		0.00	0.00	0.00
		0.00	0.00	
ALL CHECKS	4	22,455.06	22,455.06CR	0.00
		22,455.06	0.00	

ERRORS: 0

WARNINGS: 0



05/11/2023

PACKET: 06675 05/11/2023 AP CHECK RUN

VENDOR SET: 01

VENDOR SEQUENCE

VENDOR	ITEM NO#	DESCRIPTION	BANK	CHECK	STAT	DUE DT DISC DT	GROSS BALANCE	PAYMENT DISCOUNT	OUTSTANDING

01-004186 ADVANCE AUTO PARTS									
I 1596-ID-367913		ADHESIVE,LUBRICANTS,FILTERS	APBNK	5/11/2023	R	4/07/2023	153.26	153.26CR	
		G/L ACCOUNT		CK: 152258			153.26		
	101 43100-01-221.00	EQUIPMENT PARTS				60.26	ADHESIVE,LUBRICANTS,FILTERS		
	101 43100-01-213.00	LUBRICANTS & ADDITIVES				93.00	ADHESIVE,LUBRICANTS,FILTERS		
I 1596-ID-367915		EQUIPMENT PARTS	APBNK	5/11/2023	R	4/07/2023	203.02	203.02CR	
		G/L ACCOUNT		CK: 152258			203.02		
	101 43100-01-221.00	EQUIPMENT PARTS				203.02	EQUIPMENT PARTS		
I 1596-ID-368277		PARTS	APBNK	5/11/2023	R	4/13/2023	873.98	873.98CR	
		G/L ACCOUNT		CK: 152258			873.98		
	101 43100-01-221.00	EQUIPMENT PARTS				873.98	PARTS		
I 1596-ID-368287		LUBRICANT,FILTERS,BEARINGS,	APBNK	5/11/2023	R	4/14/2023	516.11	516.11CR	
		G/L ACCOUNT		CK: 152258			516.11		
	101 43100-01-221.00	EQUIPMENT PARTS				496.80	LUBRICANT,FILTERS,BEARINGS,ETC		
	101 43100-01-213.00	LUBRICANTS & ADDITIVES				19.31	LUBRICANT,FILTERS,BEARINGS,ETC		
I 1596-ID-368723		FILTERS,TIRE CHAINS,ETC	APBNK	5/11/2023	R	4/21/2023	1,570.45	1,570.45CR	
		G/L ACCOUNT		CK: 152258			1,570.45		
	101 43100-01-221.00	EQUIPMENT PARTS				1,570.45	FILTERS,TIRE CHAINS,ETC		
I 1596-ID-368945		BATTERY	APBNK	5/11/2023	R	4/26/2023	184.13	184.13CR	
		G/L ACCOUNT		CK: 152258			184.13		
	101 43100-01-221.00	EQUIPMENT PARTS				184.13	BATTERY		
I 1596-ID-369091		PARTS, GLOVES, DEF	APBNK	5/11/2023	R	4/28/2023	1,045.23	1,045.23CR	
		G/L ACCOUNT		CK: 152258			1,045.23		
	101 43100-01-213.00	LUBRICANTS & ADDITIVES				93.78	PARTS, GLOVES, DEF		
	101 43100-01-215.00	SHOP MATERIALS				669.01	PARTS, GLOVES, DEF		
	101 43100-01-221.00	EQUIPMENT PARTS				282.44	PARTS, GLOVES, DEF		
				REG. CHECK		1	4,546.18	4,546.18CR	0.00
							4,546.18	0.00	

01-010440 AERO MATERIAL HANDLING									
I 2230208A		CRANE INSPECTIONS	APBNK	5/11/2023	R	4/20/2023	1,165.00	1,165.00CR	
		G/L ACCOUNT		CK: 152259			1,165.00		
	101 43100-01-404.00	CONTRACTED MACH & EQUIP SERV				1,165.00	CRANE INSPECTIONS		
				REG. CHECK		1	1,165.00	1,165.00CR	0.00
							1,165.00	0.00	

VENDOR SEQUENCE

VENDOR	ITEM NO#	DESCRIPTION	BANK	CHECK	STAT	DUE DT DISC DT	GROSS BALANCE	PAYMENT DISCOUNT	OUTSTANDING

01-005879 ALLIANT ENGINEERING INC									
I 73547		AKRON AVE SOUTH EXT	APBNK	5/11/2023	R	3/16/2023	14,701.25	14,701.25CR	
		G/L ACCOUNT		CK: 152260			14,701.25		
	483 48000-01-303.00	ENGINEERING FEES				14,701.25	AKRON AVE SOUTH EXT		
I 73802		AKRON AVE SOUTH EXTENSION	APBNK	5/11/2023	R	4/19/2023	28,682.50	28,682.50CR	
		G/L ACCOUNT		CK: 152260			28,682.50		
	483 48000-01-303.00	ENGINEERING FEES				28,682.50	AKRON AVE SOUTH EXTENSION		
				REG. CHECK		1	43,383.75	43,383.75CR	0.00
							43,383.75	0.00	

01-011365 ANCOM TECHNICAL CENTER									
I 113628		RADIO REPAIR	APBNK	5/11/2023	R	3/03/2023	267.50	267.50CR	
		G/L ACCOUNT		CK: 152261			267.50		
	101 42210-01-329.00	OTHER COMMUNICATION COSTS				267.50	RADIO REPAIR		
				REG. CHECK		1	267.50	267.50CR	0.00
							267.50	0.00	

01-005403 APEX OUTDOOR INC									
I 37580		RCC SNOW REMOVAL - APRIL	APBNK	5/11/2023	R	5/04/2023	2,311.50	2,311.50CR	
		G/L ACCOUNT		CK: 152262			2,311.50		
	101 45100-01-411.00	CONTRACTED SNOW REMOVAL				2,311.50	RCC SNOW REMOVAL - APRIL		
I 37581		SC SNOW REMOVAL - APRIL	APBNK	5/11/2023	R	5/04/2023	1,329.25	1,329.25CR	
		G/L ACCOUNT		CK: 152262			1,329.25		
	101 45100-30-411.00	CONTRACTED SNOW REMOVAL				664.63	SC SNOW REMOVAL - APRIL		
	101 11500	ACCOUNTS RECEIVABLE				664.62	SC SNOW REMOVAL - APRIL		
				REG. CHECK		1	3,640.75	3,640.75CR	0.00
							3,640.75	0.00	

01-003924 APPLE COLLISION & GLASS									
I A1CP278489		BODY SHOP PARTS & LABOR	APBNK	5/11/2023	R	4/26/2023	7,040.42	7,040.42CR	
		G/L ACCOUNT		CK: 152263			7,040.42		
	206 49006-01-409.00	OTHER CONTRACTED REPAIR & MAIN				7,040.42	BODY SHOP PARTS & LABOR		
				REG. CHECK		1	7,040.42	7,040.42CR	0.00
							7,040.42	0.00	

VENDOR SEQUENCE										
VENDOR	ITEM NO#	DESCRIPTION	BANK	CHECK	STAT	DUE DT	DISC DT	GROSS BALANCE	PAYMENT DISCOUNT	OUTSTANDING
01-003976 ASSURED SECURITY										
I 226922		DOOR/LOCK REPAIRS-COMM CTR	APBNK	5/11/2023	R	4/12/2023		838.15	838.15CR	
		G/L ACCOUNT		CK: 152264				838.15		
	650 45130-01-404.00	CONTRACTED MACH & EQUIP R & M					838.15	DOOR/LOCK REPAIRS-COMM CTR		
I 227294		KITCHEN DOOR REPAIR-SC	APBNK	5/11/2023	R	4/12/2023		144.00	144.00CR	
		G/L ACCOUNT		CK: 152264				144.00		
	101 45100-30-404.00	CONTRACTED MACH & EQUIP R & M					144.00	KITCHEN DOOR REPAIR-SC		
		REG. CHECK					1	982.15	982.15CR	0.00
								982.15	0.00	
01-003889 BERRY COFFEE COMPANY										
I 953020		COFFEE SUPPLIES FOR SC	APBNK	5/11/2023	R	5/04/2023		128.40	128.40CR	
		G/L ACCOUNT		CK: 152265				128.40		
	101 45100-30-219.00	OTHER OPERATING SUPPLIES					128.40	COFFEE SUPPLIES FOR SC		
		REG. CHECK					1	128.40	128.40CR	0.00
								128.40	0.00	
01-004321 BHE COMMUNITY SOLAR LLC										
I 11778759		MARCH SOLAR SUBSCRIPTIONS	APBNK	5/11/2023	R	4/27/2023		2,554.21	2,554.21CR	
		G/L ACCOUNT		CK: 152266				2,554.21		
	601 49409-01-381.00	ELECTRIC UTILITIES					2,141.29	MARCH SOLAR SUBSCRIPTIONS		
	601 49425-01-381.00	ELECTRIC UTILITIES					412.92	MARCH SOLAR SUBSCRIPTIONS		
		REG. CHECK					1	2,554.21	2,554.21CR	0.00
								2,554.21	0.00	
01-005485 BLUE WATER SCIENCE										
I 2023-0138		WENNSMAN POND CLP SURVEY	APBNK	5/11/2023	R	4/24/2023		850.00	850.00CR	
		G/L ACCOUNT		CK: 152267				850.00		
	603 49500-01-403.00	CONTRACTED R & M-OTHER IMPROV					850.00	WENNSMAN POND CLP SURVEY		
		REG. CHECK					1	850.00	850.00CR	0.00
								850.00	0.00	

VENDOR SEQUENCE

VENDOR	ITEM NO#	DESCRIPTION	BANK	CHECK	STAT	DUE DT DISC DT	GROSS BALANCE	PAYMENT DISCOUNT	OUTSTANDING

01-005738 BOARMAN KROOS VOGEL GROUP I									
I	61507	POLICE AND PW CAMPUS	APBNK	5/11/2023	R	4/10/2023	125,856.93	125,856.93CR	
		G/L ACCOUNT		CK: 152268			125,856.93		
	421	48000-01-302.00	ARCHITECTS' FEES			125,856.93	POLICE AND PW CAMPUS		
			REG. CHECK			1	125,856.93	125,856.93CR	0.00
							125,856.93	0.00	

01-004012 BOLTON & MENK INC									
I	0311136	145TH ST BUMP OUT REPLACEME	APBNK	5/11/2023	R	4/28/2023	1,444.50	1,444.50CR	
		G/L ACCOUNT		CK: 152269			1,444.50		
	203	49003-01-532.00	IMPROVEMENTS OTHER THAN BLDGS			1,444.50	145TH ST BUMP OUT REPLACEMENT		
I	0311137	2021 TRUNK SANITARY SEWER	APBNK	5/11/2023	R	4/28/2023	7,507.00	7,507.00CR	
		G/L ACCOUNT		CK: 152269			7,507.00		
	628	48000-01-303.00	ENGINEERING FEES			7,507.00	2021 TRUNK SANITARY SEWER		
			REG. CHECK			1	8,951.50	8,951.50CR	0.00
							8,951.50	0.00	

01-021815 BRAUN INTERTEC CORP									
I	B340897	GEO TECH - PICKLE BALL	APBNK	5/11/2023	R	5/05/2023	8,223.50	8,223.50CR	
		G/L ACCOUNT		CK: 152270			8,223.50		
	205	49005-01-540.00	IMPROVEMENTS OTHER THAN BLDGS			8,223.50	GEO TECH - PICKLE BALL		
			REG. CHECK			1	8,223.50	8,223.50CR	0.00
							8,223.50	0.00	

01-021890 BRYAN ROCK PRODUCTS INC									
I	58020	RED ROCK FOR BALLFIELDS	APBNK	5/11/2023	R	4/15/2023	8,145.75	8,145.75CR	
		G/L ACCOUNT		CK: 152271			8,145.75		
	101	45202-01-219.00	OTHER OPERATING SUPPLIES			8,145.75	RED ROCK FOR BALLFIELDS		
			REG. CHECK			1	8,145.75	8,145.75CR	0.00
							8,145.75	0.00	

VENDOR SEQUENCE										
VENDOR	ITEM NO#	DESCRIPTION	BANK	CHECK	STAT	DUE DT	DISC DT	GROSS BALANCE	PAYMENT DISCOUNT	OUTSTANDING

01-004103 BUSINESS ESSENTIALS										
I IN-49047		MISC OFFICE SUPPLIES	APBNK	5/11/2023	R	5/01/2023		26.70	26.70CR	
		G/L ACCOUNT		CK: 152272				26.70		
	101	41810-01-209.00	OTHER	OFFICE SUPPLIES			26.70	MISC OFFICE SUPPLIES		
I WO-1240052-1		OFFICE SUPPLIES	APBNK	5/11/2023	R	4/21/2023		49.18	49.18CR	
		G/L ACCOUNT		CK: 152272				49.18		
	101	41810-01-209.00	OTHER	OFFICE SUPPLIES			49.18	OFFICE SUPPLIES		
I WO-1241988-1		COPIER PAPER	APBNK	5/11/2023	R	5/04/2023		63.51	63.51CR	
		G/L ACCOUNT		CK: 152272				63.51		
	101	41810-01-203.00	PRINTED	FORMS & PAPER			63.51	COPIER PAPER		
I WO-1241990-1		OFFICE SUPPLIES	APBNK	5/11/2023	R	5/04/2023		264.15	264.15CR	
		G/L ACCOUNT		CK: 152272				264.15		
	101	41810-01-209.00	OTHER	OFFICE SUPPLIES			264.15	OFFICE SUPPLIES		
				REG. CHECK			1	403.54	403.54CR	0.00
								403.54	0.00	

01-000424 CERTIFIED RECYCLING LLC										
I 73025		ROADSIDE GARBAGE DISPOSAL	APBNK	5/11/2023	R	4/28/2023		420.00	420.00CR	
		G/L ACCOUNT		CK: 152273				420.00		
	101	43121-01-384.00	REFUSE	DISPOSAL			420.00	ROADSIDE GARBAGE DISPOSAL		
				REG. CHECK			1	420.00	420.00CR	0.00
								420.00	0.00	

01-001576 CG MARKETING GROUP										
I 101391		FIRE DEPT BUSINESS CARDS	APBNK	5/11/2023	R	5/02/2032		96.66	96.66CR	
		G/L ACCOUNT		CK: 152274				96.66		
	101	41810-01-203.00	PRINTED	FORMS & PAPER			96.66	FIRE DEPT BUSINESS CARDS		
				REG. CHECK			1	96.66	96.66CR	0.00
								96.66	0.00	

01-005542 CHARTER COMMUNICATIONS										
I 113140301041423		FIRE STATION 2 CABLE	APBNK	5/11/2023	R	4/14/2023		139.67	139.67CR	
		G/L ACCOUNT		CK: 152275				139.67		
	101	42210-01-439.00	OTHER	MISCELLANEOUS CHARGES			139.67	FIRE STATION 2 CABLE		

PACKET: 06675 05/11/2023 AP CHECK RUN

VENDOR SET: 01

VENDOR SEQUENCE

VENDOR	ITEM NO#	DESCRIPTION	BANK	CHECK	STAT	DUE DT	DISC DT	GROSS BALANCE	PAYMENT DISCOUNT	OUTSTANDING
			REG. CHECK			1		139.67	139.67CR	0.00
								139.67	0.00	
01-030784 CINTAS CORPORATION										
I 4154109559		MATS @ FS #2	APBNK	5/11/2023	R	5/01/2023		20.00	20.00CR	
		G/L ACCOUNT		CK: 152276				20.00		
	101 41940-01-319.00	OTHER PROFESSIONAL SERVICES					20.00	MATS @ FS #2		
I 4154109640		MATS @ PW OFFICE BLDG	APBNK	5/11/2023	R	5/01/2023		68.25	68.25CR	
		G/L ACCOUNT		CK: 152276				68.25		
	101 41940-01-319.00	OTHER PROFESSIONAL SERVICES					68.25	MATS @ PW OFFICE BLDG		
I 4154109649		MATS & TOWELS @ MAINT BLDG	APBNK	5/11/2023	R	5/01/2023		42.75	42.75CR	
		G/L ACCOUNT		CK: 152276				42.75		
	101 41940-01-319.00	OTHER PROFESSIONAL SERVICES					9.00	MATS & TOWELS @ MAINT BLDG		
	101 43100-01-211.00	CLEANING SUPPLIES					33.75	MATS & TOWELS @ MAINT BLDG		
I 4154109655		MATS @ CARPENTER SHOP	APBNK	5/11/2023	R	5/01/2023		22.75	22.75CR	
		G/L ACCOUNT		CK: 152276				22.75		
	101 41940-01-319.00	OTHER PROFESSIONAL SERVICES					22.75	MATS @ CARPENTER SHOP		
I 4154109738		MATS @ CITY HALL	APBNK	5/11/2023	R	5/01/2023		86.25	86.25CR	
		G/L ACCOUNT		CK: 152276				86.25		
	101 41940-01-319.00	OTHER PROFESSIONAL SERVICES					86.25	MATS @ CITY HALL		
I 4154109763		MATS @ POLICE	APBNK	5/11/2023	R	5/01/2023		48.75	48.75CR	
		G/L ACCOUNT		CK: 152276				48.75		
	101 41940-01-319.00	OTHER PROFESSIONAL SERVICES					48.75	MATS @ POLICE		
I 4154109879		SC FLOOR MATS	APBNK	5/11/2023	R	5/01/2023		52.95	52.95CR	
		G/L ACCOUNT		CK: 152276				52.95		
	101 45100-30-401.00	CONTRACTED BUILDING REPAIRS					52.95	SC FLOOR MATS		
I 4154109908		RCC FLOOR MATS	APBNK	5/11/2023	R	5/01/2023		63.75	63.75CR	
		G/L ACCOUNT		CK: 152276				63.75		
	650 45130-01-401.00	CONTRACTED BUILDING REPAIRS					42.40	RCC FLOOR MATS		
	101 45100-01-401.00	CONTRACTED BUILDING REPAIRS					21.35	RCC FLOOR MATS		
I 4154109990		MATS @ FS #1	APBNK	5/11/2023	R	5/01/2023		20.00	20.00CR	
		G/L ACCOUNT		CK: 152276				20.00		
	101 41940-01-319.00	OTHER PROFESSIONAL SERVICES					20.00	MATS @ FS #1		
			REG. CHECK			1		425.45	425.45CR	0.00
								425.45	0.00	

PACKET: 06675 05/11/2023 AP CHECK RUN

VENDOR SET: 01

VENDOR SEQUENCE

VENDOR	ITEM NO#	DESCRIPTION	BANK	CHECK	STAT	DUE DT DISC DT	GROSS BALANCE	PAYMENT DISCOUNT	OUTSTANDING

01-030908 CITY OF APPLE VALLEY									
I 7742		DISPLAY & MOUNT FOR CHAMBER APBNK	5/11/2023	R		4/27/2023	604.39	604.39CR	
		G/L ACCOUNT		CK: 152277			604.39		
	220 49020-01-580.00	OTHER EQUIPMENT PURCHASES				604.39	DISPLAY & MOUNT FOR CHAMBERS		
			REG. CHECK			1	604.39	604.39CR	0.00
							604.39	0.00	

01-030956 CITY OF ROSEMOUNT									
I 2023-0134		APRIL 2023 STATE SURCHARGE APBNK	5/11/2023	R		5/04/2023	93.30	93.30CR	
		G/L ACCOUNT		CK: 152278			93.30		
	101 20810	BUILDING PERMIT SURCHARGE				82.20	APRIL 2023 STATE SURCHARGE		
	101 20811	BUILDING PMT SURCHARGE-SET FEE				1.06	APRIL 2023 STATE SURCHARGE		
	101 20820	ELECTRICAL PERMIT SURCHARGE				7.30	APRIL 2023 STATE SURCHARGE		
	101 20860	HEATING/AIR COND PERMIT SURCHG				0.96	APRIL 2023 STATE SURCHARGE		
	101 20830	PLUMBING PERMIT SURCHARGE				1.20	APRIL 2023 STATE SURCHARGE		
	101 20850	SEWER PERMIT SURCHARGE				0.58	APRIL 2023 STATE SURCHARGE		
			REG. CHECK			1	93.30	93.30CR	0.00
							93.30	0.00	

01-030957 CITY OF ROSEMOUNT									
I 2023-0132		APR 2023 CITY SHARE SAC FEE APBNK	5/11/2023	R		5/03/2023	447.30	447.30CR	
		G/L ACCOUNT		CK: 152279			447.30		
	101 20815	METRO SAC FOR MWCC				447.30	APR 2023 CITY SHARE SAC FEES		
			REG. CHECK			1	447.30	447.30CR	0.00
							447.30	0.00	

01-004599 CLEAN CHOICE ENERGY									
I INV200691879		MARCH SOLAR SUBSCRIPTIONS APBNK	5/11/2023	R		5/02/2023	1,220.57	1,220.57CR	
		G/L ACCOUNT		CK: 152280			1,220.57		
	601 49407-01-381.00	ELECTRIC UTILITIES				343.50	MARCH SOLAR SUBSCRIPTIONS		
	101 41940-01-381.00	ELECTRIC UTILITIES				87.15	MARCH SOLAR SUBSCRIPTIONS		
	601 49410-01-381.00	ELECTRIC UTILITIES				789.92	MARCH SOLAR SUBSCRIPTIONS		
			REG. CHECK			1	1,220.57	1,220.57CR	0.00
							1,220.57	0.00	

VENDOR SEQUENCE

VENDOR	ITEM NO#	DESCRIPTION	BANK	CHECK	STAT	DUE DT DISC DT	GROSS BALANCE	PAYMENT DISCOUNT	OUTSTANDING

01-004639 CLEARWAY COMMUNITY SOLAR LL									
I ROSEMNT-12304		FEBRUARY SOLAR SUBSCRIPTION	APBNK	5/11/2023	R	4/18/2023	9,029.92	9,029.92CR	
		G/L ACCOUNT		CK: 152281			9,029.92		
	101 11510	NATIONAL GUARD A/R				5,506.87	FEBRUARY SOLAR SUBSCRIPTIONS		
	101 41940-01-381.00	ELECTRIC UTILITIES				156.56	FEBRUARY SOLAR SUBSCRIPTIONS		
	101 43121-01-381.00	ELECTRIC UTILITIES				25.51	FEBRUARY SOLAR SUBSCRIPTIONS		
	101 45100-01-381.00	ELECTRIC UTILITIES				2,360.08	FEBRUARY SOLAR SUBSCRIPTIONS		
	101 45202-01-381.00	ELECTRIC UTILITIES				104.99	FEBRUARY SOLAR SUBSCRIPTIONS		
	201 46300-01-381.00	ELECTRIC UTILITIES				3.50	FEBRUARY SOLAR SUBSCRIPTIONS		
	601 49406-01-381.00	ELECTRIC UTILITIES				134.76	FEBRUARY SOLAR SUBSCRIPTIONS		
	601 49417-01-381.00	ELECTRIC UTILITIES				261.77	FEBRUARY SOLAR SUBSCRIPTIONS		
	601 49418-01-381.00	ELECTRIC UTILITIES				233.63	FEBRUARY SOLAR SUBSCRIPTIONS		
	602 49452-01-381.00	ELECTRIC UTILITIES				36.55	FEBRUARY SOLAR SUBSCRIPTIONS		
	602 49458-01-381.00	ELECTRIC UTILITIES				21.82	FEBRUARY SOLAR SUBSCRIPTIONS		
	602 49460-01-381.00	ELECTRIC UTILITIES				13.20	FEBRUARY SOLAR SUBSCRIPTIONS		
	603 49511-01-381.00	ELECTRIC UTILITIES				7.65	FEBRUARY SOLAR SUBSCRIPTIONS		
	608 49508-01-381.00	ELECTRIC UTILITIES				163.03	FEBRUARY SOLAR SUBSCRIPTIONS		
				REG. CHECK		1	9,029.92	9,029.92CR	0.00
							9,029.92	0.00	

01-031370 COLLINS ELECTRICAL CONSTR C									
I 2331429.01		TENNIS COURT LIGHTS REPAIR	APBNK	5/11/2023	R	5/02/2023	231.02	231.02CR	
		G/L ACCOUNT		CK: 152283			231.02		
	101 45202-01-403.00	CONTRACTED R & M-OTHER IMPROV				231.02	TENNIS COURT LIGHTS REPAIR		
				REG. CHECK		1	231.02	231.02CR	0.00
							231.02	0.00	

01-004277 CORE & MAIN LP									
I S627415		AUTOREAD FLEXNET M2 SUPPORT	APBNK	5/11/2023	R	5/04/2023	2,550.00	2,550.00CR	
		G/L ACCOUNT		CK: 152284			2,550.00		
	601 49400-01-391.00	P.C. MAINTENANCE				850.00	AUTOREAD FLEXNET M2 SUPPORT		
	602 49450-01-391.00	P.C. MAINTENANCE				850.00	AUTOREAD FLEXNET M2 SUPPORT		
	603 49500-01-391.00	P.C. MAINTENANCE				850.00	AUTOREAD FLEXNET M2 SUPPORT		
I S693937		IRRIGATION PARTS	APBNK	5/11/2023	R	4/20/2023	79.76	79.76CR	
		G/L ACCOUNT		CK: 152284			79.76		
	101 45202-01-221.00	EQUIPMENT PARTS				79.76	IRRIGATION PARTS		
I S753325		OMNI 1.5" METERS	APBNK	5/11/2023	R	4/27/2023	4,500.63	4,500.63CR	
		G/L ACCOUNT		CK: 152284			4,500.63		
	601 49400-01-220.00	METER PURCHASES				4,500.63	OMNI 1.5" METERS		

VENDOR SEQUENCE										
VENDOR	ITEM NO#	DESCRIPTION	BANK	CHECK	STAT	DUE DT	DISC DT	GROSS BALANCE	PAYMENT DISCOUNT	OUTSTANDING
				REG. CHECK		1		7,130.39	7,130.39CR	0.00
								7,130.39	0.00	
01-031577 CORPORATE MECHANICAL INC										
I W66141		SC APRIL BOILER CHECKS	APBNK	5/11/2023	R	5/04/2023		771.00	771.00CR	
		G/L ACCOUNT		CK: 152285				771.00		
	101	45100-30-401.00	CONTRACTED	BUILDING REPAIRS			771.00	SC APRIL BOILER CHECKS		
				REG. CHECK		1		771.00	771.00CR	0.00
								771.00	0.00	
01-031850 CROSS NURSERIES INC										
I 049987		ARBOR DAY TREES	APBNK	5/11/2023	R	4/28/2023		5,692.50	5,692.50CR	
		G/L ACCOUNT		CK: 152286				5,692.50		
	101	41110-01-225.00	LANDSCAPING	MATERIALS			5,692.50	ARBOR DAY TREES		
				REG. CHECK		1		5,692.50	5,692.50CR	0.00
								5,692.50	0.00	
01-031880 CROWN RENTAL										
I 381086-1		RENTALS FOR EXPO	APBNK	5/11/2023	R	3/19/2023		1,073.04	1,073.04CR	
		G/L ACCOUNT		CK: 152287				1,073.04		
	201	46300-01-219.00	OTHER OPERATING	SUPPLIES			1,073.04	RENTALS FOR EXPO		
				REG. CHECK		1		1,073.04	1,073.04CR	0.00
								1,073.04	0.00	
01-003537 DAK CNTY PROP TAXATION/RECO										
I SA34-2023		2023 SPECIAL ASSESSMENTS FE	APBNK	5/11/2023	R	4/24/2023		8,371.00	8,371.00CR	
		G/L ACCOUNT		CK: 152288				8,371.00		
	101	41810-01-301.00	AUDITING &	ACCOUNTING SERVICES			8,371.00	2023 SPECIAL ASSESSMENTS FEE		
				REG. CHECK		1		8,371.00	8,371.00CR	0.00
								8,371.00	0.00	

VENDOR SEQUENCE

VENDOR	ITEM NO#	DESCRIPTION	BANK	CHECK	STAT	DUE DT DISC DT	GROSS BALANCE	PAYMENT DISCOUNT	OUTSTANDING

01-040040 DAKOTA AWARDS & ENGRAVING									
I 26073		NAME TAG & PLATE-J. PHELPS	APBNK	5/11/2023	R	4/21/2023	22.88	22.88CR	
		G/L ACCOUNT		CK: 152289			22.88		
	101	41910-01-209.00 OTHER OFFICE SUPPLIES					22.88	NAME TAG & PLATE-J. PHELPS	
I 26075		NAME PLATE - JEFF PEARSON	APBNK	5/11/2023	R	4/21/2023	15.00	15.00CR	
		G/L ACCOUNT		CK: 152289			15.00		
	101	41810-01-209.00 OTHER OFFICE SUPPLIES					15.00	NAME PLATE - JEFF PEARSON	
I 26088		BRASS PLATES	APBNK	5/11/2023	R	4/26/2023	24.00	24.00CR	
		G/L ACCOUNT		CK: 152289			24.00		
	101	42210-01-439.00 OTHER MISCELLANEOUS CHARGES					24.00	BRASS PLATES	
		REG. CHECK				1	61.88	61.88CR	0.00
							61.88	0.00	

01-005446 DAKS STUMP-N-SNOW LLC									
I 1133		STUMP REGRINDS	APBNK	5/11/2023	R	5/04/2023	300.00	300.00CR	
		G/L ACCOUNT		CK: 152290			300.00		
	101	43121-01-409.00 TREE TRIMMING					300.00	STUMP REGRINDS	
I 1134		STUMP GRIND W/CLEAN-UP	APBNK	5/11/2023	R	5/04/2023	200.00	200.00CR	
		G/L ACCOUNT		CK: 152290			200.00		
	101	43121-01-409.00 TREE TRIMMING					200.00	STUMP GRIND W/CLEAN-UP	
		REG. CHECK				1	500.00	500.00CR	0.00
							500.00	0.00	

01-002735 DIVE RESCUE INTERNATIONAL I									
I INV190839		ICE RESCUE ITEMS	APBNK	5/11/2023	R	1/04/2023	304.35	304.35CR	
		G/L ACCOUNT		CK: 152291			304.35		
	101	42210-01-219.00 OTHER OPERATING SUPPLIES					304.35	ICE RESCUE ITEMS	
		REG. CHECK				1	304.35	304.35CR	0.00
							304.35	0.00	

01-005890 DJAA ENTERTAINMENT									
I 2023-0137		DJ MEMORIAL DAY EVENT	APBNK	5/11/2023	R	5/03/2023	400.00	400.00CR	
		G/L ACCOUNT		CK: 152292			400.00		
	101	45100-01-315.00 SPECIAL PROGRAMS					400.00	DJ MEMORIAL DAY EVENT	

PACKET: 06675 05/11/2023 AP CHECK RUN

VENDOR SET: 01

VENDOR SEQUENCE

VENDOR	ITEM NO#	DESCRIPTION	BANK	CHECK	STAT	DUE DT DISC DT	GROSS BALANCE	PAYMENT DISCOUNT	OUTSTANDING
			REG. CHECK			1	400.00 400.00	400.00CR 0.00	0.00
01-004400 DUNDAS SOLAR HOLDINGS LLC									
I 2304-6951A		MARCH SOLAR SUBSCRIPTION	APBNK	5/11/2023	R	4/24/2023	12,497.49	12,497.49CR	
		G/L ACCOUNT		CK: 152293			12,497.49		
	650 45130-01-381.00	ELECTRIC UTILITIES				12,497.49	MARCH SOLAR SUBSCRIPTION		
			REG. CHECK			1	12,497.49 12,497.49	12,497.49CR 0.00	0.00
01-050329 ECM PUBLISHERS INC									
I 942690		PHN HOLIDAY STATIONSTORES L	APBNK	5/11/2023	R	4/14/2023	79.20	79.20CR	
		G/L ACCOUNT		CK: 152294			79.20		
	101 41810-01-351.00	LEGAL NOTICES PUBLISHING				79.20	PHN HOLIDAY STATIONSTORES LLC		
I 942691		PHN:MINERAL EXTRACTION	APBNK	5/11/2023	R	4/14/2023	46.80	46.80CR	
		G/L ACCOUNT		CK: 152294			46.80		
	101 41810-01-351.00	LEGAL NOTICES PUBLISHING				46.80	PHN:MINERAL EXTRACTION		
I 942692		PHN:LAS TORTILLAS CUP	APBNK	5/11/2023	R	4/14/2023	43.20	43.20CR	
		G/L ACCOUNT		CK: 152294			43.20		
	101 41810-01-351.00	LEGAL NOTICES PUBLISHING				43.20	PHN:LAS TORTILLAS CUP		
I 942693		PHN:NORTH 10 BREWERY	APBNK	5/11/2023	R	4/14/2023	43.20	43.20CR	
		G/L ACCOUNT		CK: 152294			43.20		
	101 41810-01-351.00	LEGAL NOTICES PUBLISHING				43.20	PHN:NORTH 10 BREWERY		
I 943648		AKRON AVE EXT AD FOR BID	APBNK	5/11/2023	R	4/21/2023	104.40	104.40CR	
		G/L ACCOUNT		CK: 152294			104.40		
	483 48000-01-351.00	LEGAL NOTICES PUBLISHING				104.40	AKRON AVE EXT AD FOR BID		
I 944840		PH:5-YEAR STREET RECONS	APBNK	5/11/2023	R	4/28/2023	43.20	43.20CR	
		G/L ACCOUNT		CK: 152294			43.20		
	101 41810-01-351.00	LEGAL NOTICES PUBLISHING				43.20	PH:5-YEAR STREET RECONS		
			REG. CHECK			1	360.00 360.00	360.00CR 0.00	0.00

VENDOR SEQUENCE

VENDOR	ITEM NO#	DESCRIPTION	BANK	CHECK	STAT	DUE DT DISC DT	GROSS BALANCE	PAYMENT DISCOUNT	OUTSTANDING

01-050340 ECOLAB PEST									
I	9305022	PEST CONTROL-MN DOT G/L ACCOUNT	APBNK	5/11/2023	R	4/24/2023	42.74 42.74	42.74CR	
	101	41940-01-319.00 OTHER PROFESSIONAL SERVICES				42.74	PEST CONTROL-MN DOT		
I	9305023	PEST CONTROL-CH,SHOP,PW G/L ACCOUNT	APBNK	5/11/2023	R	4/24/2023	122.90 122.90	122.90CR	
	101	41940-01-319.00 OTHER PROFESSIONAL SERVICES				122.90	PEST CONTROL-CH,SHOP,PW		
		REG. CHECK				1	165.64 165.64	165.64CR 0.00	0.00

01-050812 EHLERS									
I	93873	NON PROJECT SPECIFIC WORK G/L ACCOUNT	APBNK	5/11/2023	R	4/10/2023	560.00 560.00	560.00CR	
	201	46300-01-319.00 OTHER PROFESSIONAL SERVICES				560.00	NON PROJECT SPECIFIC WORK		
		REG. CHECK				1	560.00 560.00	560.00CR 0.00	0.00

01-001139 ELECTRIC PUMP									
I	0075657-IN	SERVICE CALL ON PUMP G/L ACCOUNT	APBNK	5/11/2023	R	4/14/2023	889.38 889.38	889.38CR	
	603	49512-01-403.00 CONTRACTED R & M-OTHER IMPROVM				889.38	SERVICE CALL ON PUMP		
		REG. CHECK				1	889.38 889.38	889.38CR 0.00	0.00

01-005556 ENCOMPASS									
I	48318	FIRE STATION NO.1 FACADE G/L ACCOUNT	APBNK	5/11/2023	R	4/25/2023	5,092.74 5,092.74	5,092.74CR	
	484	48000-01-303.00 ENGINEERING FEES				5,092.74	FIRE STATION NO.1 FACADE		
		REG. CHECK				1	5,092.74 5,092.74	5,092.74CR 0.00	0.00

VENDOR SEQUENCE

VENDOR	ITEM NO#	DESCRIPTION	BANK	CHECK	STAT	DUE DT DISC DT	GROSS BALANCE	PAYMENT DISCOUNT	OUTSTANDING

01-002591 FERGUSON ENTERPRISES LLC #3									
I	0235619	8" DEBRIS CATCHER	APBNK	5/11/2023	R	4/24/2023	284.12	284.12CR	
		G/L ACCOUNT		CK: 152299			284.12		
	602	49450-01-242.00	MINOR EQUIPMENT			284.12	8" DEBRIS CATCHER		
			REG. CHECK			1	284.12	284.12CR	0.00
							284.12	0.00	

01-005722 FIRST AMERICAN TITLE									
I	2023-0139	EARNEST MONEY	APBNK	5/05/2023	D	5/03/2023	50,000.00	50,000.00CR	
		G/L ACCOUNT		CK: 001486			50,000.00		
	202	24444	F/B ASSIGNED FOR INDOOR REC			50,000.00	EARNEST MONEY		
			DRAFTS			1	50,000.00	50,000.00CR	0.00
							50,000.00	0.00	

01-005314 FLEET SERVICES									
I	2023100020	LEASE VEHICLES-PD/PW	APBNK	5/11/2023	R	5/02/2023	17,067.56	17,067.56CR	
		G/L ACCOUNT		CK: 152300			17,067.56		
	207	49007-01-548.00	LEASE PROGRAM-P.W. VEHICLES			8,709.10	LEASE VEHICLES-PD/PW		
	207	49007-01-549.00	LEASE PROGRAM-POLICE VEHICLES			7,055.75	LEASE VEHICLES-PD/PW		
	601	49400-01-548.00	LEASE PROGRAM-P.W. VEHICLES			434.23	LEASE VEHICLES-PD/PW		
	602	49450-01-548.00	LEASE PROGRAM-P.W. VEHICLES			434.24	LEASE VEHICLES-PD/PW		
	603	49500-01-548.00	LEASE PROGRAM-P.W. VEHICLES			434.24	LEASE VEHICLES-PD/PW		
			REG. CHECK			1	17,067.56	17,067.56CR	0.00
							17,067.56	0.00	

01-061865 FRONTIER									
I	651-188-0017	05/23 PHONE,INTERNET & CITY WIFI	APBNK	5/11/2023	R	4/25/2023	4,502.57	4,502.57CR	
		G/L ACCOUNT		CK: 152301			4,502.57		
	101	41810-01-321.00	TELEPHONE COSTS			4,131.36	PHONE,INTERNET & CITY WIFI SRV		
	601	49407-01-321.00	TELEPHONE COSTS			17.57	PHONE,INTERNET & CITY WIFI SRV		
	601	49410-01-321.00	TELEPHONE COSTS			63.73	PHONE,INTERNET & CITY WIFI SRV		
	601	49400-01-321.00	TELEPHONE COSTS			68.85	PHONE,INTERNET & CITY WIFI SRV		
	602	49450-01-321.00	TELEPHONE COSTS			68.85	PHONE,INTERNET & CITY WIFI SRV		
	603	49500-01-321.00	TELEPHONE COSTS			68.88	PHONE,INTERNET & CITY WIFI SRV		
	650	45130-01-321.00	TELEPHONE COSTS			83.33	PHONE,INTERNET & CITY WIFI SRV		
			REG. CHECK			1	4,502.57	4,502.57CR	0.00
							4,502.57	0.00	

VENDOR SEQUENCE

VENDOR	ITEM NO#	DESCRIPTION	BANK	CHECK	STAT	DUE DT DISC DT	GROSS BALANCE	PAYMENT DISCOUNT	OUTSTANDING

01-000677 GERTENS									
I	198840/12	INFIELD CHALK	APBNK	5/11/2023	R	5/05/2023	570.00	570.00CR	
		G/L ACCOUNT		CK: 152302			570.00		
	101	45100-01-229.00	OTHER MAINTENANCE	SUPPLIES		570.00	INFIELD CHALK		
			REG. CHECK			1	570.00	570.00CR	0.00
							570.00	0.00	

01-003610 GIGABIT MINNESOTA									
I	13921107	BUSINESS INTERNET PACK-MAY	APBNK	5/01/2023	D	5/01/2023	234.90	234.90CR	
		G/L ACCOUNT		CK: 001487			234.90		
	101	41810-01-321.00	TELEPHONE COSTS			234.90	BUSINESS INTERNET PACK-MAY		
			DRAFTS			1	234.90	234.90CR	0.00
							234.90	0.00	

01-070880 GOPHER STATE ONE-CALL									
I	3040720	APRIL TICKET LOCATES	APBNK	5/11/2023	R	4/30/2023	548.10	548.10CR	
		G/L ACCOUNT		CK: 152303			548.10		
	601	49400-01-312.00	GOPHER STATE ONE-CALL	FEES		182.70	APRIL TICKET LOCATES		
	602	49450-01-312.00	GOPHER STATE ONE-CALL	FEES		182.70	APRIL TICKET LOCATES		
	603	49500-01-312.00	GOPHER STATE ONE-CALL	FEES		182.70	APRIL TICKET LOCATES		
			REG. CHECK			1	548.10	548.10CR	0.00
							548.10	0.00	

01-071220 GRAINGER									
I	9679081100	CAUTION TAPE	APBNK	5/11/2023	R	4/19/2023	27.58	27.58CR	
		G/L ACCOUNT		CK: 152304			27.58		
	101	45202-01-240.00	SAFETY EQUIPMENT & PPE			27.58	CAUTION TAPE		
I	9679297797	CHEMICAL GLOVES	APBNK	5/11/2023	R	4/19/2023	17.64	17.64CR	
		G/L ACCOUNT		CK: 152304			17.64		
	101	45202-01-240.00	SAFETY EQUIPMENT & PPE			17.64	CHEMICAL GLOVES		
I	9684252902	FAN FOR MENS ROOM-CITY HALL	APBNK	5/11/2023	R	4/24/2023	179.72	179.72CR	
		G/L ACCOUNT		CK: 152304			179.72		
	101	41940-01-223.00	BUILDING REPAIR	SUPPLIES		179.72	FAN FOR MENS ROOM-CITY HALL		
I	9685489511	ARBOR DAY TREE BAGS	APBNK	5/11/2023	R	4/25/2023	257.76	257.76CR	
		G/L ACCOUNT		CK: 152304			257.76		
	101	45100-01-315.00	SPECIAL PROGRAMS			257.76	ARBOR DAY TREE BAGS		

VENDOR SEQUENCE

VENDOR	ITEM NO#	DESCRIPTION	BANK	CHECK	STAT	DUE DT DISC DT	GROSS BALANCE	PAYMENT DISCOUNT	OUTSTANDING
I 9685865033		FOB READER	APBNK	5/11/2023	R	4/25/2023	392.63	392.63CR	
		G/L ACCOUNT		CK: 152304			392.63		
	101 41940-01-223.00	BUILDING REPAIR SUPPLIES				392.63	FOB READER		
I 9691750187		BELTS FOR HVAC CITY HALL	APBNK	5/11/2023	R	5/01/2023	36.36	36.36CR	
		G/L ACCOUNT		CK: 152304			36.36		
	101 41940-01-223.00	BUILDING REPAIR SUPPLIES				36.36	BELTS FOR HVAC CITY HALL		
		REG. CHECK				1	911.69	911.69CR	0.00
							911.69	0.00	
01-001956 GRAPHIC DESIGN INC									
I QB47823		DISPLAY BOARDS-LIFETIME	APBNK	5/11/2023	R	3/27/2023	105.00	105.00CR	
		G/L ACCOUNT		CK: 152305			105.00		
	201 46300-01-219.00	OTHER OPERATING SUPPLIES				105.00	DISPLAY BOARDS-LIFETIME		
I QB48268		SUMMER 2023 NEWSLETTER/POST	APBNK	5/11/2023	R	4/26/2023	5,347.73	5,347.73CR	
		G/L ACCOUNT		CK: 152305			5,347.73		
	101 41320-41-359.00	OTHER PRINTING & BINDING COSTS				3,179.00	SUMMER 2023 NEWSLETTER/POSTAGE		
	101 41320-41-322.00	POSTAGE COSTS				2,168.73	SUMMER 2023 NEWSLETTER/POSTAGE		
		REG. CHECK				1	5,452.73	5,452.73CR	0.00
							5,452.73	0.00	
01-080905 HIGHLAND SANITATION									
I 0001092957		APRIL TRASH SERVICE	APBNK	5/11/2023	R	4/23/2023	3,985.42	3,985.42CR	
		G/L ACCOUNT		CK: 152306			3,985.42		
	101 45100-01-384.00	REFUSAL DISPOSAL				231.15	APRIL TRASH SERVICE		
	650 45130-01-384.00	REFUSE DISPOSAL				217.95	APRIL TRASH SERVICE		
	101 45100-01-315.00	SPECIAL PROGRAMS				89.50	APRIL TRASH SERVICE		
	101 45100-30-384.00	REFUSE DISPOSAL				64.59	APRIL TRASH SERVICE		
	101 41940-01-384.00	REFUSE DISPOSAL				3,382.23	APRIL TRASH SERVICE		
		REG. CHECK				1	3,985.42	3,985.42CR	0.00
							3,985.42	0.00	
01-005278 HLS OUTDOOR									
I 0008968535-001		PUMP STATION & RPZ	APBNK	5/11/2023	R	4/19/2023	42,965.00	42,965.00CR	
		G/L ACCOUNT		CK: 152307			42,965.00		
	205 49005-01-538.00	IMPROV OTHER THAN BLDGS				42,965.00	PUMP STATION & RPZ		
		REG. CHECK				1	42,965.00	42,965.00CR	0.00
							42,965.00	0.00	

VENDOR SEQUENCE

VENDOR	ITEM NO#	DESCRIPTION	BANK	CHECK	STAT	DUE DT DISC DT	GROSS BALANCE	PAYMENT DISCOUNT	OUTSTANDING

01-004339 I & S GROUP INC									
I 92028		BONAIRE PATH WEST TRAIL	APBNK	5/11/2023	R	4/30/2023	8,030.03	8,030.03CR	
		G/L ACCOUNT		CK: 152308			8,030.03		
	205 49005-01-537.00	IMPROVEMENTS OTHER THAN BLDGS				8,030.03	BONAIRE PATH WEST TRAIL		
				REG. CHECK		1	8,030.03	8,030.03CR	0.00
							8,030.03	0.00	

01-003122 I STATE TRUCK CENTER									
I C242821660:01		TANK	APBNK	5/11/2023	R	4/21/2023	242.32	242.32CR	
		G/L ACCOUNT		CK: 152309			242.32		
	101 43100-01-221.00	EQUIPMENT PARTS				242.32	TANK		
I C242822652:01		SEAL OIL	APBNK	5/11/2023	R	4/28/2023	8.84	8.84CR	
		G/L ACCOUNT		CK: 152309			8.84		
	101 43100-01-221.00	EQUIPMENT PARTS				8.84	SEAL OIL		
				REG. CHECK		1	251.16	251.16CR	0.00
							251.16	0.00	

01-001690 IN CONTROL INC									
I S-INV00552		ENGINEERING SERVICES	APBNK	5/11/2023	R	4/30/2023	4,509.00	4,509.00CR	
		G/L ACCOUNT		CK: 152310			4,509.00		
	601 49400-01-319.00	OTHER PROFESSIONAL SERVICES				1,503.00	ENGINEERING SERVICES		
	603 49500-01-319.00	OTHER PROFESSIONAL SERVICES				1,503.00	ENGINEERING SERVICES		
	602 49450-01-319.00	OTHER PROFESSIONAL SERVICES				1,503.00	ENGINEERING SERVICES		
				REG. CHECK		1	4,509.00	4,509.00CR	0.00
							4,509.00	0.00	

01-110314 KENNEDY & GRAVEN CHARTERED									
I 173854		MARCH NON-RETAINER FEES	APBNK	5/11/2023	R	4/18/2023	23,001.44	23,001.44CR	
		G/L ACCOUNT		CK: 152311			23,001.44		
	101 41810-01-304.00	LEGAL FEES				1,307.94	MARCH NON-RETAINER FEES		
	403 48000-01-304.00	LEGAL FEES				888.00	MARCH NON-RETAINER FEES		
	476 48000-01-304.00	LEGAL FEES				10,757.75	MARCH NON-RETAINER FEES		
	243 49043-01-304.00	LEGAL FEES				277.50	MARCH NON-RETAINER FEES		
	488 48000-01-304.00	LEGAL FEES				18.50	MARCH NON-RETAINER FEES		
	489 48000-01-304.00	LEGAL FEES				18.50	MARCH NON-RETAINER FEES		
	421 48000-01-304.00	LEGAL FEES				2,318.00	MARCH NON-RETAINER FEES		

PACKET: 06675 05/11/2023 AP CHECK RUN

VENDOR SET: 01

VENDOR SEQUENCE

VENDOR	ITEM NO#	DESCRIPTION	BANK	CHECK	STAT	DUE DT DISC DT	GROSS BALANCE	PAYMENT DISCOUNT	OUTSTANDING
	101	41910-01-304.00	LEGAL FEES			3,327.00	MARCH NON-RETAINER FEES		
	474	48000-01-304.00	LEGAL FEES			3,496.25	MARCH NON-RETAINER FEES		
	101	43121-01-304.00	LEGAL FEES			592.00	MARCH NON-RETAINER FEES		
I 174327		LIFETIME LEGAL FEES	APBNK	5/11/2023	R	5/01/2023	18,005.00	18,005.00CR	
		G/L ACCOUNT		CK: 152311			18,005.00		
	202	49002-01-521.00	BUILDING & STRUCTURE PURCHASES			18,005.00	LIFETIME LEGAL FEES		
			REG. CHECK			1	41,006.44	41,006.44CR	0.00
							41,006.44	0.00	
01-110526 KIMBALL MIDWEST									
I 100995873		SHOP SUPPLIES	APBNK	5/11/2023	R	4/26/2023	866.26	866.26CR	
		G/L ACCOUNT		CK: 152312			866.26		
	101	43100-01-215.00	SHOP MATERIALS			866.26	SHOP SUPPLIES		
I 101007603		DOT FITS	APBNK	5/11/2023	R	5/01/2023	128.46	128.46CR	
		G/L ACCOUNT		CK: 152312			128.46		
	101	43100-01-221.00	EQUIPMENT PARTS			128.46	DOT FITS		
			REG. CHECK			1	994.72	994.72CR	0.00
							994.72	0.00	
01-005927 CORTNEY KRESSIN									
I 2023-0136		PERMIT 4009-DAMAGE DEPOSIT	APBNK	5/11/2023	R	5/01/2023	300.00	300.00CR	
		G/L ACCOUNT		CK: 152313			300.00		
	101	22005	REFUNDS PAYABLE - P&R			300.00	PERMIT 4009-DAMAGE DEPOSIT		
			REG. CHECK			1	300.00	300.00CR	0.00
							300.00	0.00	
01-004303 MACQUEEN EMERGENCY									
I P14737		SUSPENDERS	APBNK	5/11/2023	R	4/28/2023	310.01	310.01CR	
		G/L ACCOUNT		CK: 152314			310.01		
	101	42210-01-439.00	OTHER MISCELLANEOUS CHARGES			310.01	SUSPENDERS		
I P14742		STAT X CARRYING CASE	APBNK	5/11/2023	R	4/28/2023	161.35	161.35CR	
		G/L ACCOUNT		CK: 152314			161.35		
	101	42210-01-439.00	OTHER MISCELLANEOUS CHARGES			161.35	STAT X CARRYING CASE		
			REG. CHECK			1	471.36	471.36CR	0.00
							471.36	0.00	

PACKET: 06675 05/11/2023 AP CHECK RUN

VENDOR SET: 01

VENDOR SEQUENCE

VENDOR	ITEM NO#	DESCRIPTION	BANK	CHECK	STAT	DUE DT	DISC DT	GROSS BALANCE	PAYMENT DISCOUNT	OUTSTANDING
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01-002533 MARCO TECHNOLOGIES LLC

I INV11152969		ACTUAL MTHLY COPY/PRINT COS APBNK	5/11/2023 R	4/27/2023		2,011.54		2,011.54CR		
		G/L ACCOUNT	CK: 152315			2,011.54				
	101 41810-01-202.00	DUPLICATING & COPYING COSTS				2,011.54		ACTUAL MTHLY COPY/PRINT COST		
		REG. CHECK			1	2,011.54		2,011.54CR		0.00
						2,011.54		0.00		

01-005066 MARCO TECHNOLOGIES LLC

I 499952273		LEASE PYMT SHARP MX 5071 APBNK	5/11/2023 R	4/22/2023		244.23		244.23CR		
		G/L ACCOUNT	CK: 152316			244.23				
	101 41810-01-580.00	OTHER EQUIPMENT				244.23		LEASE PYMT SHARP MX 5071		
		REG. CHECK			1	244.23		244.23CR		0.00
						244.23		0.00		

01-003592 MCMULLEN INSPECTIONS INC

I 2023-0141		APR-ELECTRICAL INSPECTIONS APBNK	5/11/2023 R	5/01/2023		6,982.80		6,982.80CR		
		G/L ACCOUNT	CK: 152317			6,982.80				
	101 20825	ELEC INSPCTR SHARE OF PMT FEES				6,982.80		APR-ELECTRICAL INSPECTIONS		
		REG. CHECK			1	6,982.80		6,982.80CR		0.00
						6,982.80		0.00		

01-001863 MEDICINE LAKE TOURS

I 2023-0142		GUTHRIE THEATER SENIOR TRIP APBNK	5/11/2023 R	4/28/2023		1,445.00		1,445.00CR		
		G/L ACCOUNT	CK: 152318			1,445.00				
	101 45100-87-219.00	OTHER OPERATING SUPPLIES				1,445.00		GUTHRIE THEATER SENIOR TRIP		
I 2023-0143		NORTHFIELD SENIOR TRIP APBNK	5/11/2023 R	5/05/2023		1,771.00		1,771.00CR		
		G/L ACCOUNT	CK: 152318			1,771.00				
	101 45100-87-219.00	OTHER OPERATING SUPPLIES				1,771.00		NORTHFIELD SENIOR TRIP		
		REG. CHECK			1	3,216.00		3,216.00CR		0.00
						3,216.00		0.00		

VENDOR SEQUENCE

VENDOR	ITEM NO#	DESCRIPTION	BANK	CHECK	STAT	DUE DT DISC DT	GROSS BALANCE	PAYMENT DISCOUNT	OUTSTANDING

01-136955 MEI TOTAL ELEVATOR SOLUTION									
I	1015802	ELEVATOR REPAIRS	APBNK	5/11/2023	R	4/28/2023	1,047.00	1,047.00CR	
		G/L ACCOUNT		CK: 152319			1,047.00		
	101	41940-01-401.00	CONTRACTED	BUILDING REPAIRS		1,047.00	ELEVATOR REPAIRS		
I	1018436	MAY ELEVATOR SERVICE	APBNK	5/11/2023	R	5/01/2023	182.58	182.58CR	
		G/L ACCOUNT		CK: 152319			182.58		
	101	41940-01-319.00	OTHER PROFESSIONAL SERVICES			182.58	MAY ELEVATOR SERVICE		
			REG. CHECK			1	1,229.58	1,229.58CR	0.00
							1,229.58	0.00	

01-130725 MENARDS-APPLE VALLEY									
I	54028	IRRIGATION PARTS	APBNK	5/11/2023	R	4/24/2023	31.96	31.96CR	
		G/L ACCOUNT		CK: 152320			31.96		
	101	45202-01-221.00	EQUIPMENT PARTS			31.96	IRRIGATION PARTS		
I	54467	BUILDING REPAIR SUPPLIES	APBNK	5/11/2023	R	5/03/2023	153.41	153.41CR	
		G/L ACCOUNT		CK: 152320			153.41		
	101	41940-01-223.00	BUILDING REPAIR SUPPLIES			153.41	BUILDING REPAIR SUPPLIES		
I	54490	BOARD FOR HWY 3 PARK & RIDE	APBNK	5/11/2023	R	5/03/2023	16.72	16.72CR	
		G/L ACCOUNT		CK: 152320			16.72		
	101	45202-01-229.00	OTHER MAINTENANCE SUPPLIES			16.72	BOARD FOR HWY 3 PARK & RIDE		
			REG. CHECK			1	202.09	202.09CR	0.00
							202.09	0.00	

01-130975 METRO COUNCIL ENV SERV									
I	1156809	WASTEWATER SERVICE-JUNE	APBNK	5/11/2023	R	5/04/2023	137,777.63	137,777.63CR	
		G/L ACCOUNT		CK: 152321			137,777.63		
	602	49450-01-602.00	METRO SEWER SERVICE CHARGES			137,777.63	WASTEWATER SERVICE-JUNE		
			REG. CHECK			1	137,777.63	137,777.63CR	0.00
							137,777.63	0.00	

01-131025 METRO COUNCIL ENV SERV									
I	2023-0133	APRIL 2023 SAC FEES	APBNK	5/11/2023	R	5/01/2023	44,282.70	44,282.70CR	
		G/L ACCOUNT		CK: 152322			44,282.70		
	101	20815	METRO SAC FOR MWCC			44,282.70	APRIL 2023 SAC FEES		

VENDOR SEQUENCE

VENDOR	ITEM NO#	DESCRIPTION	BANK	CHECK	STAT	DUE DT DISC DT	GROSS BALANCE	PAYMENT DISCOUNT	OUTSTANDING
				REG. CHECK		1	44,282.70 44,282.70	44,282.70CR 0.00	0.00
01-004079 METRO SALES INC									
I	INV2272147	ACTUAL QTRLY COST - PD SQUA	APBNK	5/11/2023	R	4/24/2023	342.97	342.97CR	
		G/L ACCOUNT		CK: 152323			342.97		
	101	41810-01-202.00	DUPLICATING & COPYING COSTS			342.97	ACTUAL QTRLY COST - PD SQUAD		
				REG. CHECK		1	342.97 342.97	342.97CR 0.00	0.00
01-002233 MHSRC/DDP									
I	51477	SENIOR DRIVER DISCOUNT CLAS	APBNK	5/11/2023	R	4/25/2023	190.00	190.00CR	
		G/L ACCOUNT		CK: 152324			190.00		
	101	45100-87-219.00	OTHER OPERATING SUPPLIES			190.00	SENIOR DRIVER DISCOUNT CLASS		
				REG. CHECK		1	190.00 190.00	190.00CR 0.00	0.00
01-005706 MIDWEST MACHINERY CO									
I	9572309	MULCH BLADES	APBNK	5/11/2023	R	5/01/2023	190.26	190.26CR	
		G/L ACCOUNT		CK: 152325			190.26		
	101	43100-01-221.00	EQUIPMENT PARTS			190.26	MULCH BLADES		
				REG. CHECK		1	190.26 190.26	190.26CR 0.00	0.00
01-004744 MINDFUL HEALTH									
I	2023-0144	APRIL SENIOR YOGA CLASSES	APBNK	5/11/2023	R	4/27/2023	240.00	240.00CR	
		G/L ACCOUNT		CK: 152326			240.00		
	101	45100-87-219.00	OTHER OPERATING SUPPLIES			240.00	APRIL SENIOR YOGA CLASSES		
				REG. CHECK		1	240.00 240.00	240.00CR 0.00	0.00

VENDOR SEQUENCE

VENDOR	ITEM NO#	DESCRIPTION	BANK	CHECK	STAT	DUE DT DISC DT	GROSS BALANCE	PAYMENT DISCOUNT	OUTSTANDING

01-040600 MN DEPT OF LABOR & INDUSTRY									
I 2023-0135		APRIL 2023 STATE SURCHARGE	APBNK	5/11/2023	R	5/04/2023	4,571.72	4,571.72CR	
		G/L ACCOUNT		CK: 152327			4,571.72		
	101 20810	BUILDING PERMIT SURCHARGE				4,027.82	APRIL 2023 STATE SURCHARGE		
	101 20811	BUILDING PMT SURCHARGE-SET FEE				51.94	APRIL 2023 STATE SURCHARGE		
	101 20820	ELECTRICAL PERMIT SURCHARGE				357.70	APRIL 2023 STATE SURCHARGE		
	101 20860	HEATING/AIR COND PERMIT SURCHG				47.04	APRIL 2023 STATE SURCHARGE		
	101 20830	PLUMBING PERMIT SURCHARGE				58.80	APRIL 2023 STATE SURCHARGE		
	101 20850	SEWER PERMIT SURCHARGE				28.42	APRIL 2023 STATE SURCHARGE		
				REG. CHECK		1	4,571.72	4,571.72CR	0.00
							4,571.72	0.00	

01-003522 MULTI-SERVICES INC									
I 50423		MAY CLEANING SERVICE	APBNK	5/11/2023	R	5/01/2023	5,550.00	5,550.00CR	
		G/L ACCOUNT		CK: 152328			5,550.00		
	101 41940-01-319.00	OTHER PROFESSIONAL SERVICES				5,550.00	MAY CLEANING SERVICE		
				REG. CHECK		1	5,550.00	5,550.00CR	0.00
							5,550.00	0.00	

01-141542 NORTHERN SAFETY TECH									
I 55653		CHIEF 1 LIGHTS & RADIO INST	APBNK	5/11/2023	R	4/13/2023	17,166.66	17,166.66CR	
		G/L ACCOUNT		CK: 152329			17,166.66		
	207 49007-01-550.00	MOTOR VEHICLE PURCHASES				17,166.66	CHIEF 1 LIGHTS & RADIO INSTALL		
I 55719		LIGHTBAR-UNIT 445	APBNK	5/11/2023	R	4/24/2023	1,040.98	1,040.98CR	
		G/L ACCOUNT		CK: 152329			1,040.98		
	101 43100-01-221.00	EQUIPMENT PARTS				1,040.98	LIGHTBAR-UNIT 445		
				REG. CHECK		1	18,207.64	18,207.64CR	0.00
							18,207.64	0.00	

01-004740 PELLICCI ACE ROSEMOUNT									
I 9937/R		HOSE & HOSE HANGER	APBNK	5/11/2023	R	4/27/2023	35.98	35.98CR	
		G/L ACCOUNT		CK: 152330			35.98		
	602 49450-01-219.00	OTHER OPERATING SUPPLIES				35.98	HOSE & HOSE HANGER		
I 9973/R		SHELTER SUPPLIES	APBNK	5/11/2023	R	5/04/2023	38.92	38.92CR	
		G/L ACCOUNT		CK: 152330			38.92		
	101 45202-01-223.00	SHELTER REPAIR SUPPLIES				38.92	SHELTER SUPPLIES		

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VENDOR SET: 01

VENDOR SEQUENCE

VENDOR	ITEM NO#	DESCRIPTION	BANK	CHECK	STAT	DUE DT DISC DT	GROSS BALANCE	PAYMENT DISCOUNT	OUTSTANDING
I 9979/R		HOSE CONNECTORS	APBNK	5/11/2023	R	5/05/2023	33.98	33.98CR	
		G/L ACCOUNT		CK: 152330			33.98		
	101	43100-01-221.00	EQUIPMENT PARTS			33.98	HOSE CONNECTORS		
I 9980/R		PAINT MIXER VALVE & PIPING	APBNK	5/11/2023	R	5/05/2023	116.90	116.90CR	
		G/L ACCOUNT		CK: 152330			116.90		
	101	45202-01-221.00	EQUIPMENT PARTS			116.90	PAINT MIXER VALVE & PIPING		
		REG. CHECK				1	225.78	225.78CR	0.00
							225.78	0.00	
01-160837 PHIL'S BODY SHOP INC									
I 21027		SQUAD 35130 REPAIR	APBNK	5/11/2023	R	4/21/2023	19,672.65	19,672.65CR	
		G/L ACCOUNT		CK: 152331			19,672.65		
	206	49006-01-409.00	OTHER CONTRACTED REPAIR & MAIN			19,672.65	SQUAD 35130 REPAIR		
		REG. CHECK				1	19,672.65	19,672.65CR	0.00
							19,672.65	0.00	
01-004766 STACEY POPP									
I 2023-0145		APR SENIOR YOGA CLASSES	APBNK	5/11/2023	R	4/25/2023	384.00	384.00CR	
		G/L ACCOUNT		CK: 152332			384.00		
	101	45100-87-219.00	OTHER OPERATING SUPPLIES			384.00	APR SENIOR YOGA CLASSES		
		REG. CHECK				1	384.00	384.00CR	0.00
							384.00	0.00	
01-180060 R & R SPECIALTIES OF WI									
I 0078802-IN		HYDRAULIC HOSE LEAK REPAIR	APBNK	5/11/2023	R	4/25/2023	536.65	536.65CR	
		G/L ACCOUNT		CK: 152333			536.65		
	650	45130-01-404.00	CONTRACTED MACH & EQUIP R & M			536.65	HYDRAULIC HOSE LEAK REPAIR		
I 0078830-IN		BLADE SHARPENING	APBNK	5/11/2023	R	5/01/2023	37.50	37.50CR	
		G/L ACCOUNT		CK: 152333			37.50		
	650	45130-01-221.00	EQUIPMENT PARTS			37.50	BLADE SHARPENING		
		REG. CHECK				1	574.15	574.15CR	0.00
							574.15	0.00	

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VENDOR SET: 01

VENDOR SEQUENCE

VENDOR	ITEM NO#	DESCRIPTION	BANK	CHECK	STAT	DUE DT DISC DT	GROSS BALANCE	PAYMENT DISCOUNT	OUTSTANDING

01-180675 RENT 'N' SAVE									
I 72622		MAR PORTABLE TOILET RENTAL	APBNK	5/11/2023	R	3/31/2023	385.00	385.00CR	
		G/L ACCOUNT		CK: 152334			385.00		
	101 45100-01-415.00	OTHER EQUIPMENT RENTAL				385.00	MAR PORTABLE TOILET RENTAL		
				REG. CHECK		1	385.00	385.00CR	0.00
							385.00	0.00	

01-005813 REPUBLIC SERVICES #923									
I 0923-005317973		MAY ORGANICS HAUL	APBNK	5/11/2023	R	4/25/2023	195.85	195.85CR	
		G/L ACCOUNT		CK: 152335			195.85		
	101 41940-01-530.00	IMPROVEMENTS OTHER THAN BLDGS				195.85	MAY ORGANICS HAUL		
				REG. CHECK		1	195.85	195.85CR	0.00
							195.85	0.00	

01-004444 RIECHMANN PEDERSON DESIGN I									
I 42393-1		GRAPHIC DESIGN FOR NEWSLETT	APBNK	5/11/2023	R	4/24/2023	1,235.00	1,235.00CR	
		G/L ACCOUNT		CK: 152336			1,235.00		
	101 41110-01-307.00	CITY PROMOTIONAL FEES				1,235.00	GRAPHIC DESIGN FOR NEWSLETTER		
				REG. CHECK		1	1,235.00	1,235.00CR	0.00
							1,235.00	0.00	

01-005451 SAFE-FAST INC									
I INV274790		HAND WIPES	APBNK	5/11/2023	R	4/21/2023	119.70	119.70CR	
		G/L ACCOUNT		CK: 152337			119.70		
	101 41940-01-208.00	MISCELLANEOUS SUPPLIES				119.70	HAND WIPES		
I INV275056		SAFTEY VESTS	APBNK	5/11/2023	R	4/28/2023	971.75	971.75CR	
		G/L ACCOUNT		CK: 152337			971.75		
	601 49400-01-240.00	SAFETY EQUIPMENT & PPE				194.35	SAFTEY VESTS		
	602 49450-01-240.00	SAFETY EQUIPMENT & PPE				194.35	SAFTEY VESTS		
	603 49500-01-240.00	SAFETY EQUIPMENT & PPE				194.35	SAFTEY VESTS		
	101 43121-01-240.00	SAFETY EQUIPMENT & PPE				194.35	SAFTEY VESTS		
	101 45202-01-240.00	SAFETY EQUIPMENT & PPE				194.35	SAFTEY VESTS		
I INV275057		T-SHIRTS FOR PART TIMERS	APBNK	5/11/2023	R	4/28/2023	964.00	964.00CR	
		G/L ACCOUNT		CK: 152337			964.00		
	101 43121-01-240.00	SAFETY EQUIPMENT & PPE				192.80	T-SHIRTS FOR PART TIMERS		

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VENDOR SET: 01

VENDOR SEQUENCE

VENDOR	ITEM NO#	DESCRIPTION	BANK	CHECK	STAT	DUE DT	DISC DT	GROSS BALANCE	PAYMENT DISCOUNT	OUTSTANDING
	603	49500-01-240.00	SAFETY EQUIPMENT & PPE			192.80		T-SHIRTS FOR PART TIMERS		
	602	49450-01-240.00	SAFETY EQUIPMENT & PPE			192.80		T-SHIRTS FOR PART TIMERS		
	601	49400-01-240.00	SAFETY EQUIPMENT & PPE			192.80		T-SHIRTS FOR PART TIMERS		
	101	45202-01-240.00	SAFETY EQUIPMENT & PPE			192.80		T-SHIRTS FOR PART TIMERS		
			REG. CHECK			1		2,055.45	2,055.45CR	0.00
								2,055.45	0.00	
01-190555 SHORT ELLIOT HENDRICKSON										
I 444129		CSAH 42 WATER MAIN EXT	APBNK	5/11/2023	R	4/10/2023		32,560.87	32,560.87CR	
		G/L ACCOUNT		CK: 152338				32,560.87		
	474	48000-01-303.00	ENGINEERING FEES			32,560.87		CSAH 42 WATER MAIN EXT		
			REG. CHECK			1		32,560.87	32,560.87CR	0.00
								32,560.87	0.00	
01-004240 SOUTH CEDAR GREENHOUSES										
I 82373		PERENNIALS	APBNK	5/11/2023	R	5/01/2023		30.00	30.00CR	
		G/L ACCOUNT		CK: 152339				30.00		
	101	45202-01-225.00	LANDSCAPING MATERIALS			30.00		PERENNIALS		
			REG. CHECK			1		30.00	30.00CR	0.00
								30.00	0.00	
01-005929 SOUTH ST PAUL STEEL SUPPLY										
I 01168032		STEEL FOR ENCLOSURES	APBNK	5/11/2023	R	4/21/2023		7,403.40	7,403.40CR	
		G/L ACCOUNT		CK: 152340				7,403.40		
	205	49005-01-530.00	IMPROVEMENTS OTHER THAN BLDGS			7,403.40		STEEL FOR ENCLOSURES		
			REG. CHECK			1		7,403.40	7,403.40CR	0.00
								7,403.40	0.00	
01-004908 STATE OF MN MILITARY AFFAIR										
I 2023-0146		2022 SOLAR CREDIT REFUND	APBNK	5/11/2023	R	4/26/2023		4,706.30	4,706.30CR	
		G/L ACCOUNT		CK: 152341				4,706.30		
	101	11510	NATIONAL GUARD A/R			4,706.30		2022 SOLAR CREDIT REFUND		
			REG. CHECK			1		4,706.30	4,706.30CR	0.00
								4,706.30	0.00	

VENDOR SEQUENCE

VENDOR	ITEM NO#	DESCRIPTION	BANK	CHECK	STAT	DUE DT DISC DT	GROSS BALANCE	PAYMENT DISCOUNT	OUTSTANDING

01-005740 THE HUNTINGTON NAT'L BANK									
I 8293670		(2) TORO GROUNDSMASTER LEAS	APBNK	5/11/2023	R	4/28/2023	47,048.03	47,048.03CR	
		G/L ACCOUNT		CK: 152342			47,048.03		
	207 49007-01-540.00	HEAVY MACHINERY PURCHASES				47,048.03	(2) TORO GROUNDSMASTER LEASE		
		REG. CHECK				1	47,048.03	47,048.03CR	0.00
							47,048.03	0.00	

01-005928 KARTHIKEYAM THILAGAR									
I 2023-0140		PERMIT 4722-DAMAGE DEPOSIT	APBNK	5/11/2023	R	4/25/2023	300.00	300.00CR	
		G/L ACCOUNT		CK: 152343			300.00		
	101 22005	REFUNDS PAYABLE - P&R				300.00	PERMIT 4722-DAMAGE DEPOSIT		
		REG. CHECK				1	300.00	300.00CR	0.00
							300.00	0.00	

01-201538 TOTAL SOURCE INC									
I 19529		600 2-PART DEPOSIT SLIPS	APBNK	5/11/2023	R	4/27/2023	158.70	158.70CR	
		G/L ACCOUNT		CK: 152344			158.70		
	101 41810-01-203.00	PRINTED FORMS & PAPER				158.70	600 2-PART DEPOSIT SLIPS		
		REG. CHECK				1	158.70	158.70CR	0.00
							158.70	0.00	

01-202315 TWIN CITY HARDWARE									
I PSI2188059		HOLDING CELL LOCK ISSUES-PD	APBNK	5/11/2023	R	4/27/2023	233.75	233.75CR	
		G/L ACCOUNT		CK: 152345			233.75		
	101 41940-01-401.00	CONTRACTED BUILDING REPAIRS				233.75	HOLDING CELL LOCK ISSUES-PD		
		REG. CHECK				1	233.75	233.75CR	0.00
							233.75	0.00	

01-000104 UNION PACIFIC RAILROAD CO									
I 90124720		BONAIRE PATH RR XING	APBNK	5/11/2023	R	4/18/2023	11,123.51	11,123.51CR	
		G/L ACCOUNT		CK: 152346			11,123.51		
	446 48000-01-303.00	ENGINEERING FEES				11,123.51	BONAIRE PATH RR XING		
		REG. CHECK				1	11,123.51	11,123.51CR	0.00
							11,123.51	0.00	

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VENDOR SET: 01

VENDOR SEQUENCE

VENDOR	ITEM NO#	DESCRIPTION	BANK	CHECK	STAT	DUE DT DISC DT	GROSS BALANCE	PAYMENT DISCOUNT	OUTSTANDING

01-003048 US BANK EQUIPMENT FINANCE									
I	500510219	MAY 23' C3500 COPIER LEASE	APBNK	5/11/2023	R	5/01/2023	173.00	173.00CR	
		G/L ACCOUNT		CK: 152347			173.00		
	101	41810-01-202.00		DUPLICATING & COPYING COSTS		173.00	MAY 23' C3500 COPIER LEASE		
				REG. CHECK		1	173.00	173.00CR	0.00
							173.00	0.00	

01-220480 VERIZON WIRELESS									
I	9933239280	CELLULAR SERVICE 04/23/2023	APBNK	5/11/2023	R	4/23/2023	4,267.63	4,267.63CR	
		G/L ACCOUNT		CK: 152348			4,267.63		
	101	41110-01-321.00		TELEPHONE COSTS		41.32	CELLULAR SERVICE 04/23/2023		
	101	41320-01-321.00		TELEPHONE COSTS		82.64	CELLULAR SERVICE 04/23/2023		
	101	41910-01-329.00		OTHER COMMUNICATION COSTS		1,728.13	CELLULAR SERVICE 04/23/2023		
	101	41940-01-321.00		TELEPHONE COSTS		82.78	CELLULAR SERVICE 04/23/2023		
	101	43121-01-321.00		TELEPHONE COSTS		208.31	CELLULAR SERVICE 04/23/2023		
	101	45100-01-321.00		TELEPHONE COSTS		536.28	CELLULAR SERVICE 04/23/2023		
	101	45100-30-321.00		TELEPHONE COSTS		41.32	CELLULAR SERVICE 04/23/2023		
	101	45202-01-321.00		TELEPHONE COSTS		435.85	CELLULAR SERVICE 04/23/2023		
	601	49400-01-321.00		TELEPHONE COSTS		258.83	CELLULAR SERVICE 04/23/2023		
	602	49450-01-321.00		TELEPHONE COSTS		258.83	CELLULAR SERVICE 04/23/2023		
	603	49500-01-321.00		TELEPHONE COSTS		459.38	CELLULAR SERVICE 04/23/2023		
	101	41520-01-321.00		TELEPHONE COSTS		46.32	CELLULAR SERVICE 04/23/2023		
	101	43100-01-321.00		TELEPHONE COSTS		87.64	CELLULAR SERVICE 04/23/2023		
I	9933239281	BACK UP DIALER FOR SCADA	APBNK	5/11/2023	R	4/23/2023	50.65	50.65CR	
		G/L ACCOUNT		CK: 152348			50.65		
	601	49400-01-321.00		TELEPHONE COSTS		16.88	BACK UP DIALER FOR SCADA		
	602	49450-01-321.00		TELEPHONE COSTS		16.88	BACK UP DIALER FOR SCADA		
	603	49500-01-321.00		TELEPHONE COSTS		16.89	BACK UP DIALER FOR SCADA		
				REG. CHECK		1	4,318.28	4,318.28CR	0.00
							4,318.28	0.00	

01-230110 WAKOTA MUTUAL AID FF ASSO									
I	2023-0147	2022 MEMBERSHIP DUES	APBNK	5/11/2023	R	4/24/2023	50.00	50.00CR	
		G/L ACCOUNT		CK: 152350			50.00		
	101	42210-01-433.00		DUES & SUBSCRIPTIONS		50.00	2022 MEMBERSHIP DUES		
				REG. CHECK		1	50.00	50.00CR	0.00
							50.00	0.00	

VENDOR SEQUENCE

VENDOR	ITEM NO#	DESCRIPTION	BANK	CHECK	STAT	DUE DT DISC DT	GROSS BALANCE	PAYMENT DISCOUNT	OUTSTANDING

01-005240 WARSAW SOLAR, LLC									
I	2304-6994F	MARCH SOLAR SUBSCRIPTIONS	APBNK	5/11/2023	R	4/24/2023	20,994.79	20,994.79CR	
		G/L ACCOUNT		CK: 152351			20,994.79		
	101	41940-01-381.00	ELECTRIC UTILITIES			6,588.81	MARCH SOLAR SUBSCRIPTIONS		
	601	49407-01-381.00	ELECTRIC UTILITIES			599.52	MARCH SOLAR SUBSCRIPTIONS		
	601	49410-01-381.00	ELECTRIC UTILITIES			675.03	MARCH SOLAR SUBSCRIPTIONS		
	601	49412-01-381.00	ELECTRIC UTILITIES			3,092.31	MARCH SOLAR SUBSCRIPTIONS		
	650	45130-01-381.00	ELECTRIC UTILITIES			10,039.12	MARCH SOLAR SUBSCRIPTIONS		
			REG. CHECK			1	20,994.79	20,994.79CR	0.00
							20,994.79	0.00	

01-231910 WSB AND ASSOCIATES INC									
I	11518-000-47	CONNEMARA TRL EXTENSION	APBNK	5/11/2023	R	4/25/2023	760.00	760.00CR	
		G/L ACCOUNT		CK: 152352			760.00		
	447	48000-01-303.00	ENGINEERING FEES			760.00	CONNEMARA TRL EXTENSION		
I	17930-000-21	DUNMORE 3RD ADDITION	APBNK	5/11/2023	R	4/25/2023	274.50	274.50CR	
		G/L ACCOUNT		CK: 152352			274.50		
	463	48000-01-303.00	ENGINEERING FEES			274.50	DUNMORE 3RD ADDITION		
I	18074-000-20	CONNEMARA TRL-EMERALD ISLE	APBNK	5/11/2023	R	4/25/2023	183.00	183.00CR	
		G/L ACCOUNT		CK: 152352			183.00		
	462	48000-01-303.00	ENGINEERING FEES			183.00	CONNEMARA TRL-EMERALD ISLE EXT		
I	18351-000-19	BOULDER AVE EXTENSION	APBNK	5/11/2023	R	4/25/2023	254.25	254.25CR	
		G/L ACCOUNT		CK: 152352			254.25		
	469	48000-01-303.00	ENGINEERING FEES			254.25	BOULDER AVE EXTENSION		
I	18751-000-20	2022 STREET IMPROVEMENT PRO	APBNK	5/11/2023	R	4/25/2023	7,968.00	7,968.00CR	
		G/L ACCOUNT		CK: 152352			7,968.00		
	466	48000-01-303.00	ENGINEERING FEES			7,968.00	2022 STREET IMPROVEMENT PROJ		
I	19220-000-13	RICH VALLEY 1ST ADDITION	APBNK	5/11/2023	R	4/25/2023	570.00	570.00CR	
		G/L ACCOUNT		CK: 152352			570.00		
	471	48000-01-303.00	ENGINEERING FEES			570.00	RICH VALLEY 1ST ADDITION		
I	19324-000-11	TALAMORE 2ND ADDITION	APBNK	5/11/2023	R	4/25/2023	4,731.00	4,731.00CR	
		G/L ACCOUNT		CK: 152352			4,731.00		
	472	48000-01-303.00	ENGINEERING FEES			4,731.00	TALAMORE 2ND ADDITION		
I	20570-000-11	AMBER FIELDS 4TH ADDITION	APBNK	5/11/2023	R	4/25/2023	392.25	392.25CR	
		G/L ACCOUNT		CK: 152352			392.25		
	425	48000-01-303.00	ENGINEERING FEES			392.25	AMBER FIELDS 4TH ADDITION		

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VENDOR SEQUENCE

VENDOR	ITEM NO#	DESCRIPTION	BANK	CHECK	STAT	DUE DT	DISC DT	GROSS BALANCE	PAYMENT DISCOUNT	OUTSTANDING
I 20605-000-9		AMBER FIELDS 5TH ADDITION	APBNK	5/11/2023	R	4/25/2023		146.25	146.25CR	
		G/L ACCOUNT		CK: 152352				146.25		
	441 48000-01-303.00	ENGINEERING FEES					146.25	AMBER FIELDS 5TH ADDITION		
I 20822-000-6		LIFE TIME FITNESS	APBNK	5/11/2023	R	4/25/2023		366.00	366.00CR	
		G/L ACCOUNT		CK: 152352				366.00		
	476 48000-01-303.00	ENGINEERING FEES					366.00	LIFE TIME FITNESS		
I 20847-000-7		ECHELON AT AMBER FIELDS	APBNK	5/11/2023	R	4/25/2023		167.50	167.50CR	
		G/L ACCOUNT		CK: 152352				167.50		
	475 48000-01-303.00	ENGINEERING FEES					167.50	ECHELON AT AMBER FIELDS		
I 21037-000-3		AUTUMN TERRACE	APBNK	5/11/2023	R	4/25/2023		91.50	91.50CR	
		G/L ACCOUNT		CK: 152352				91.50		
	485 48000-01-303.00	ENGINEERING FEES					91.50	AUTUMN TERRACE		
I 21068-000-1		2023 GENERAL SERVICES	APBNK	5/11/2023	R	4/11/2023		1,930.50	1,930.50CR	
		G/L ACCOUNT		CK: 152352				1,930.50		
	474 48000-01-303.00	ENGINEERING FEES					91.50	2023 GENERAL SERVICES		
	101 43121-01-303.00	ENGINEERING FEES					1,839.00	2023 GENERAL SERVICES		
I 21068-000-3		2023 GENERAL SERVICES	APBNK	5/11/2023	R	4/25/2023		1,300.50	1,300.50CR	
		G/L ACCOUNT		CK: 152352				1,300.50		
	101 43121-01-303.00	ENGINEERING FEES					1,300.50	2023 GENERAL SERVICES		
I 21112-000-2		2023 WCA SERVICES	APBNK	5/11/2023	R	4/25/2023		671.00	671.00CR	
		G/L ACCOUNT		CK: 152352				671.00		
	603 49500-01-303.00	ENGINEERING FEES					671.00	2023 WCA SERVICES		
I 21143-000-9		2022 MS4 POND MONITORING	APBNK	5/11/2023	R	4/25/2023		4,653.50	4,653.50CR	
		G/L ACCOUNT		CK: 152352				4,653.50		
	603 49500-01-405.00	MS4 PERMIT COMPLIANCE					4,653.50	2022 MS4 POND MONITORING		
I 21280-000-5		SCHAFER RICHARDSON APTS	APBNK	5/11/2023	R	4/25/2023		532.00	532.00CR	
		G/L ACCOUNT		CK: 152352				532.00		
	481 48000-01-303.00	ENGINEERING FEES					532.00	SCHAFER RICHARDSON APTS		
I 21290-000-7		ROERS COMPANIES	APBNK	5/11/2023	R	4/25/2023		871.50	871.50CR	
		G/L ACCOUNT		CK: 152352				871.50		
	480 48000-01-303.00	ENGINEERING FEES					871.50	ROERS COMPANIES		
I 21511-000-3		DOVESTONE-MCGOUGH DEV	APBNK	5/11/2023	R	4/25/2023		170.00	170.00CR	
		G/L ACCOUNT		CK: 152352				170.00		
	479 48000-01-303.00	ENGINEERING FEES					170.00	DOVESTONE-MCGOUGH DEV		
I 21700-000-3		2023 GENERAL STORMWATER	APBNK	5/11/2023	R	4/25/2023		887.00	887.00CR	
		G/L ACCOUNT		CK: 152352				887.00		
	603 49500-01-303.00	ENGINEERING FEES					369.50	2023 GENERAL STORMWATER		

PACKET: 06675 05/11/2023 AP CHECK RUN

VENDOR SET: 01

VENDOR SEQUENCE

VENDOR	ITEM NO#	DESCRIPTION	BANK	CHECK	STAT	DUE DT	DISC DT	GROSS BALANCE	PAYMENT DISCOUNT	OUTSTANDING
		201 46300-01-319.00	OTHER PROFESSIONAL SERVICES			207.00		2023 GENERAL STORMWATER		
		101 43121-01-303.00	ENGINEERING FEES			207.00		2023 GENERAL STORMWATER		
		205 49005-01-530.00	IMPROVEMENTS OTHER THAN BLDGS			103.50		2023 GENERAL STORMWATER		
I 21842-000-3		AKRON AUAR UPDATE 2022	APBNK	5/11/2023	R	2/23/2023		3,696.00	3,696.00CR	
		G/L ACCOUNT		CK: 152352				3,696.00		
		101 41910-01-319.00	OTHER PROFESIONAL SERVICES			3,696.00		AKRON AUAR UPDATE 2022		
I 21932-000-4		PW-PD CAMPUS PROJECT	APBNK	5/11/2023	R	4/25/2023		136.00	136.00CR	
		G/L ACCOUNT		CK: 152352				136.00		
		421 48000-01-303.00	ENGINEERING FEES			136.00		PW-PD CAMPUS PROJECT		
I 21997-000-3		2023 STREET IMPROVEMENT PRO	APBNK	5/11/2023	R	4/25/2023		43,350.75	43,350.75CR	
		G/L ACCOUNT		CK: 152352				43,350.75		
		486 48000-01-303.00	ENGINEERING FEES			43,350.75		2023 STREET IMPROVEMENT PROJ		
			REG. CHECK			1		74,103.00	74,103.00CR	0.00
								74,103.00	0.00	
01-003480 YALE MECHANICAL LLC										
I 241291		MID SEASON HVAC MAINT-CH/PW	APBNK	5/11/2023	R	4/30/2023		636.72	636.72CR	
		G/L ACCOUNT		CK: 152355				636.72		
		101 41940-01-319.00	OTHER PROFESSIONAL SERVICES			636.72		MID SEASON HVAC MAINT-CH/PW		
I 243281		REPAIR AIR DRYER FS #2	APBNK	5/11/2023	R	4/26/2023		805.13	805.13CR	
		G/L ACCOUNT		CK: 152355				805.13		
		101 41940-01-401.00	CONTRACTED BUILDING REPAIRS			805.13		REPAIR AIR DRYER FS #2		
			REG. CHECK			1		1,441.85	1,441.85CR	0.00
								1,441.85	0.00	

PACKET: 06675 05/11/2023 AP CHECK RUN

VENDOR SET: 01

===== R E P O R T T O T A L S =====

F U N D D I S T R I B U T I O N

FUND NO#	FUND NAME	AMOUNT
101	GENERAL FUND	164,896.36CR
201	PORT AUTHORITY FUND	1,948.54CR
202	BUILDING CIP FUND	68,005.00CR
203	STREET CIP FUND	1,444.50CR
205	PARK IMPROVEMENT FUND	66,725.43CR
206	INSURANCE FUND	26,713.07CR
207	EQUIPMENT CIP FUND	79,979.54CR
220	PEG FEES/CAPITAL	604.39CR
243	TIF-OSPREY DISTRICT	277.50CR
403	DUNMORE 2ND ADDITION	888.00CR
421	PD & PW BUILDINGS PROJECT	128,310.93CR
425	AMBER FIELDS 4TH ADDITION	392.25CR
441	AMBER FIELDS 5TH ADDITION	146.25CR
446	BONAIRE PATH	11,123.51CR
447	CONNEMARA (EAST)	760.00CR
462	CONNEMARA TR-EMERALD EXT	183.00CR
463	DUNMORE 3RD ADDITION	274.50CR
466	2022 PAVEMENT MANAGEMENT	7,968.00CR
469	BOUDLER AVENUE EXTENSION	254.25CR
471	RICH VALLEY 1ST ADDITION	570.00CR
472	BESTER PROPERTY	4,731.00CR
474	PROJECT BIGFOOT	36,148.62CR
475	AMBER FIELDS 7TH	167.50CR
476	LIFE TIME	11,123.75CR
479	DOVESTONE	170.00CR
480	ROERS APARTMENTS	871.50CR
481	SCHAFER RICHARDSON APART	532.00CR
483	AKRON AVE SOUTH EXT	43,488.15CR
484	FIRE STATION NO 1 FACADE	5,092.74CR
485	AUTUMN TERRACE	91.50CR
486	2023 PAVEMENT MANAGEMENT	43,350.75CR
488	AMBER FIELDS 9TH	18.50CR
489	AMBER FIELDS 10TH	18.50CR
601	WATER UTILITY FUND	16,968.22CR
602	SEWER UTILITY FUND	141,870.95CR
603	STORM WATER UTILITY FUND	11,343.27CR
608	STREET LIGHT UTILITY FUND	163.03CR
628	DRIVER AVE & TRK SWR EXT	7,507.00CR
650	ARENA FUND	24,292.59CR
** TOTALS **		909,414.59CR

PACKET: 06675 05/11/2023 AP CHECK RUN

VENDOR SET: 01

===== R E P O R T T O T A L S =====

----- TYPE OF CHECK TOTALS -----

	NUMBER	GROSS BALANCE	PAYMENT DISCOUNT	OUTSTANDING
HAND CHECKS		0.00	0.00	0.00
		0.00	0.00	
DRAFTS	2	50,234.90	50,234.90CR	0.00
		50,234.90	0.00	
REG-CHECKS	94	859,179.69	859,179.69CR	0.00
		859,179.69	0.00	
EFT		0.00	0.00	0.00
		0.00	0.00	
NON-CHECKS		0.00	0.00	0.00
		0.00	0.00	
ALL CHECKS	96	909,414.59	909,414.59CR	0.00
		909,414.59	0.00	

ERRORS: 0

WARNINGS: 0



05/11/2023

5/03/2023 1:30 PM

A / P CHECK REGISTER

PAGE: 1

PACKET: 06670 05/04/23 PY Regular Payments

VENDOR SET: 01

*** DRAFT/OTHER LISTING ***

BANK : PYBNK MERCHANTS BANK - PY

VENDOR	NAME / I.D.	DESC	ITEM TYPE	PAID DATE	DISCOUNT	AMOUNT	ITEM NO#	ITEM AMOUNT
011310	AFLAC							
	I-161202305039350	AFLAC INSURANCE PREMIUMS	D	5/04/2023		352.34CR	001478	
	I-162202305039350	AFLAC INSURANCE PREMIUMS	D	5/04/2023		267.84CR	001478	620.18
005806	BPAS-BENEFIT PLANS ADMIN SRVS							
	I-250202305039350	VEBA - EMPLOYEE CONTRIBUTIONS	D	5/04/2023		105.00CR	001479	105.00
000003	INTERNAL REVENUE SERVICE							
	I-T1 202305039350	FEDERAL WITHHOLDING	D	5/04/2023		30,962.18CR	001480	
	I-T3 202305039350	FICA W/H & CONTRIBUTIONS	D	5/04/2023		28,395.62CR	001480	
	I-T4 202305039350	MEDICARE W/H & CONTRIBUTIONS	D	5/04/2023		10,010.48CR	001480	69,368.28
000004	MN DEPT OF REVENUE							
	I-T2 202305039350	MN STATE WITHHOLDING	D	5/04/2023		14,824.86CR	001481	14,824.86
002238	MN STATE RETIREMENT SYSTEM							
	I-260202305039350	MSRS-EMPLOYEE CONTRIBUTION	D	5/04/2023		585.00CR	001482	
	I-262202305039350	MSRS-EMPLOYEE CONTRIBUTION	D	5/04/2023		898.60CR	001482	
	I-263202305039350	MSRS-EMPLOYEE CONTRIBUTION	D	5/04/2023		700.00CR	001482	
	I-264202305039350	MSRS-EMPLOYEE CONTRIBUTION	D	5/04/2023		510.00CR	001482	
	I-350202305039350	DEFERRED COMP WITHHOLDING	D	5/04/2023		3,507.00CR	001482	
	I-351202305039350	DEFERRED COMP WITHHOLDING	D	5/04/2023		319.29CR	001482	
	I-352202305039350	ROTH 457 CONTRIBUTIONS	D	5/04/2023		1,600.00CR	001482	
	I-353202305039350	ROTH 457 CONTRIBUTIONS	D	5/04/2023		1,005.77CR	001482	
	I-354202305039350	DEF COMP W/H INS. WAIVER	D	5/04/2023		3,640.00CR	001482	12,765.66
140290	NATIONWIDE RETIREMENT SOL							
	I-310202305039350	DEFERRED COMP WITHHOLDING	D	5/04/2023		4,506.39CR	001483	
	I-311202305039350	DEFERRED COMP WITHHOLDING	D	5/04/2023		803.35CR	001483	
	I-312202305039350	DEF COMP W/H INS. WAIVER	D	5/04/2023		2,073.92CR	001483	
	I-340202305039350	ROTH 457 CONTRIBUTIONS	D	5/04/2023		1,938.92CR	001483	
	I-341202305039350	ROTH 457 CONTRIBUTIONS	D	5/04/2023		160.30CR	001483	9,482.88
162110	PUBLIC EMPLOYEE							
	I-300202305039350	PERA W/H - COORDINATED	D	5/04/2023		32,065.71CR	001484	
	I-301202305039350	PERA W/H - POLICE DEPT	D	5/04/2023		36,016.31CR	001484	
	I-302202305039350	PERA W/H - ELECTED	D	5/04/2023		273.00CR	001484	68,355.02
005807	WEX HEALTH INC							
	I-230202305039350	HSA - EMPLOYEE CONTRIBUTION	D	5/04/2023		3,622.90CR	001485	3,622.90

* * T O T A L S * *	NO#	DISCOUNTS	CHECK AMT	TOTAL APPLIED
REGULAR CHECKS:	0	0.00	0.00	0.00
HANDWRITTEN CHECKS:	0	0.00	0.00	0.00
PRE-WRITE CHECKS:	0	0.00	0.00	0.00
DRAFTS:	8	0.00	179,144.78	179,144.78
VOID CHECKS:	0	0.00	0.00	0.00
NON CHECKS:	0	0.00	0.00	0.00
CORRECTIONS:	0	0.00	0.00	0.00
REGISTER TOTALS:	8	0.00	179,144.78	179,144.78

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PACKET: 06670 05/04/23 PY Regular Payments

VENDOR SET: 01 *** DRAFT/OTHER LISTING ***

BANK : PYBNK MERCHANTS BANK - PY

VENDOR	NAME / I.D.	DESC	ITEM TYPE	PAID DATE	DISCOUNT	AMOUNT	ITEM NO#	ITEM AMOUNT
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** POSTING PERIOD RECAP **

FUND	PERIOD	AMOUNT

101	5/2023	148,924.70CR
201	5/2023	1,490.12CR
601	5/2023	8,522.49CR
602	5/2023	8,522.52CR
603	5/2023	7,994.45CR
650	5/2023	3,690.50CR

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ALL	179,144.78CR
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05/04/2023

PACKET: 06669 05/04/23 PY EFT Payments

VENDOR SET: 01

VENDOR SEQUENCE

VENDOR	ITEM NO#	DESCRIPTION	BANK	EFT DATE/#	STAT	DUE DT DISC DT	GROSS BALANCE	PAYMENT DISCOUNT	OUTSTANDING

01-005836 ICMA RETIREMENT CORP									
I	330202305039350	ICMA CONTRIBUTIONS-PLAN#303	PYBNK	5/04/2023	E	5/04/2023	1,640.76	1,640.76CR	
		G/L ACCOUNT		CK: 000066			1,640.76		
	101 21724	DEFERRED COMP				1,041.31	ICMA CONTRIBUTIONS-PLAN#303970		
	601 21724	DEFERRED COMP				158.15	ICMA CONTRIBUTIONS-PLAN#303970		
	602 21724	DEFERRED COMP				158.15	ICMA CONTRIBUTIONS-PLAN#303970		
	603 21724	DEFERRED COMP				283.15	ICMA CONTRIBUTIONS-PLAN#303970		
I	331202305039350	ICMA CONTRIBUTIONS-PLAN#303	PYBNK	5/04/2023	E	5/04/2023	63.92	63.92CR	
		G/L ACCOUNT		CK: 000066			63.92		
	101 21724	DEFERRED COMP				52.87	ICMA CONTRIBUTIONS-PLAN#303970		
	650 21724	DEFERRED COMP				11.05	ICMA CONTRIBUTIONS-PLAN#303970		
I	333202305039350	ICMA INS. WAIVER-PLAN#30397	PYBNK	5/04/2023	E	5/04/2023	1,296.20	1,296.20CR	
		G/L ACCOUNT		CK: 000066			1,296.20		
	101 21724	DEFERRED COMP				1,011.03	ICMA INS. WAIVER-PLAN#303970		
	601 21724	DEFERRED COMP				103.70	ICMA INS. WAIVER-PLAN#303970		
	602 21724	DEFERRED COMP				103.70	ICMA INS. WAIVER-PLAN#303970		
	603 21724	DEFERRED COMP				77.77	ICMA INS. WAIVER-PLAN#303970		
I	334202305039350	ROTH 457 CONTRIBUTIONS	PYBNK	5/04/2023	E	5/04/2023	150.00	150.00CR	
		G/L ACCOUNT		CK: 000066			150.00		
	101 21720	ROTH 457 CONTRIBUTIONS				150.00	ROTH 457 CONTRIBUTIONS		
			EFT			1	3,150.88	3,150.88CR	0.00
							3,150.88	0.00	

PACKET: 06669 05/04/23 PY EFT Payments

VENDOR SET: 01

===== R E P O R T T O T A L S =====

F U N D D I S T R I B U T I O N

FUND NO#	FUND NAME	AMOUNT
101	GENERAL FUND	2,255.21CR
601	WATER UTILITY FUND	261.85CR
602	SEWER UTILITY FUND	261.85CR
603	STORM WATER UTILITY FUND	360.92CR
650	ARENA FUND	11.05CR
** TOTALS **		3,150.88CR

----- TYPE OF CHECK TOTALS -----

	NUMBER	GROSS BALANCE	PAYMENT DISCOUNT	OUTSTANDING
HAND CHECKS		0.00	0.00	0.00
		0.00	0.00	
DRAFTS		0.00	0.00	0.00
		0.00	0.00	
REG-CHECKS		0.00	0.00	0.00
		0.00	0.00	
EFT	1	3,150.88	3,150.88CR	0.00
		3,150.88	0.00	
NON-CHECKS		0.00	0.00	0.00
		0.00	0.00	
ALL CHECKS	1	3,150.88	3,150.88CR	0.00
		3,150.88	0.00	

TOTAL CHECKS TO PRINT: 0

ERRORS: 0

WARNINGS: 0



5/4/2023

**ROSEMOUNT CITY COUNCIL
REGULAR MEETING PROCEEDINGS
MAY 2, 2023**

CALL TO ORDER/PLEDGE OF ALLEGIANCE

Pursuant to due call and notice thereof a regular meeting of the Rosemount City Council was held on Tuesday, May 2, 2023, at 7:00 PM. in Rosemount Council Chambers 2875 145th Street West.

Mayor Weisensel called the meeting to order with Councilmember Freske, Essler, Theisen and Klimpel.

APPROVAL OF AGENDA

Motion by Weisensel **Second by** Essler

Motion to approve agenda

Ayes: 5.

Nays: None. Motion carried.

PRESENTATIONS, PROCLAMATIONS AND ACKNOWLEDGMENTS

a. Public Service Week Recognition

City Administrator Martin thanked all of the hardworking and dedicated public servants for serving our community and helping to shape a better future for Rosemount.

Mayor Weisensel read the proclamation.

b. National Police Week Recognition

Chief of Police Dahlstrom recognized National Police Week as a collaborative effort of many organizations dedicated to honoring America's law enforcement community. Chief Dahlstrom highlighted officers work over the past year and requested the need to make this a broader level of support for our officers.

Mayor Weisensel read the proclamation.

PUBLIC COMMENT

None.

RESPONSE TO PUBLIC COMMENT

None.

CONSENT AGENDA

Motion by Essler **Second by** Freske

Motion to approve consent agenda

Ayes: Klimpel, Weisensel, Theisen, Freske, Essler

Nays: None. Motion carried.

- a. Bills Listing
- b. Minutes of the April 18, 2023 Regular Meeting
- c. Minutes of the April 18, 2023 Closed Meeting Proceedings
- d. Donation Acceptance from Hosanna Church
- e. Donation Acceptance from Minnesota Energy Resource
- f. 2023 Service Agreement - RAAC
- g. Approve Subdivision Agreement for Rosewood Commons
- h. JJT Business Park 2nd Addition Accept Improvements
- i. Approve Contract Amendments - Public Works & Police Department Campus

PUBLIC HEARINGS

- a. 2023-2027 Capital Improvement Plan

Finance Director Malecha discussed how the city has been planning to construct a new Public Works and Police campus. The project requires the City to issue bonds and as part of the process outlined in state statutes, the City Council must adopt a Capital Improvement Plan (CIP) and hold a public hearing. Our municipal advisor, Doug Green, from Baker Tilly was present to provide information on the bond process, structuring and our proposed CIP.

The Council received bids and awarded contracts for Bid Package No. 1 at the March 21st City Council meeting. The second bid package will be received May 4th. If construction moves forward as planned, the City will need bond proceeds by July to begin paying contractor invoices. The proceeds will also be used to reimburse the city for current engineering expenditures. Mr. Green confirmed the amount of funds will be dependent upon several factors; i.e. current market, bid outcomes. Baker Tilly plans to bring forth the final amounts at the July 11, 2023 regular council meeting for council consideration.

Mayor Weisensel opened up the public hearing at 7:22 p.m.

No public comments.

Motion by Weisensel Second by Essler

Motion to close the public hearing

Ayes: 5.

Nays: None. Motion carried.

Motion by Klimpel Second by Freske

Motion to Adopt a Resolution Approving a Capital Improvement Plan and Giving Preliminary Approval for the Issuance of Capital Improvement Bonds.

Ayes: 5.

Nays: None. Motion Carried.

UNFINISHED BUSINESS

None

NEW BUSINESS

None

ANNOUNCEMENTS

a. City Staff Updates

City Administrator Martin noted Public Works will begin street sweeping and a second bid opening will take place this Thursday for the Police Department and Public Works Campus.

Councilmember Klimpel reported she attended the Coffee with Chamber along with Councilmember Theisen and the event was a great opportunity to connect with business owners.

b. Upcoming Community Calendar

Mayor Weisensel presented upcoming City calendar events.

ADJOURNMENT

There being no further business to come before the City Council at the regular council meeting and upon a motion by Weisensel and a second by Essler the meeting was adjourned at 7:29 p.m. to reconvene to the City Council work session.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Erin Fasbender', written in a cursive style.

Erin Fasbender
City Clerk

**ROSEMOUNT CITY COUNCIL
WORK SESSION PROCEEDINGS
MAY 2, 2023**

CALL TO ORDER

Pursuant to due call and notice thereof a work session of the Rosemount City Council was held on Tuesday, May 2, 2023, at 5:00 PM. in Rosemount Council Chambers 2875 145th Street West.

Mayor Weisensel called the meeting to order with Councilmember Freske, Essler, Theisen and Klimpel.

City Administrator requested to move the meeting Fire Relief discussion before the Electric Vehicle Charging Station.

DISCUSSION

b. Fire Relief Discussion

Representatives from the Relief Association provided staff with updated financial projections and recommended an \$800 increase in the retirement benefit from \$8,600 to \$9,400 per year of service. The updated financial projections indicate that the Relief Fund will be 146% percent funded after accounting for the proposed increase.

Staff provided councilmembers with surrounding cities' scales and the standings show Rosemount is competitive but not at the top. Staff noted increased tiers reflects an opportunity for the Relief Association to more directly apply the earnings from its market performance back to its membership. This is also a key component of the Fire Department's ability to recruit and retain our paid-per-call team of firefighters.

Councilmembers suggested staff review annual hourly rate increases and requested additional information on what are key components that retain firefighters to better understand the needs of the department.

Staff will bring forth a final proposal for council action as any changes would be effective July 1st.

a. Electric Vehicle Charging Station Updates

GIS Supervisor, Aaron Menza, brought forth recommendations from the Technology Task Force and the Environment and Sustainability Commission that the City pursues the installation of publicly-available electric vehicle (EV) charging stations at parks and facilities around the city.

Several vendors were explored and ultimately Zef Energy was the recommended company to pursue.

Council recommended choosing diverse locations and locations that regional users will be going to. Also discussed, Central Park & the Minnesota Valley Transit lots are too near one another for both locations to have a hook up. Council discussed that a year round park that is plowed during the winter would be a

great alternative, i.e. Bloomfield or Jaycee Park. Councilmembers agreed the Rosemount Community Center was a good location.

Councilmembers also questioned the payback on the stations and how frequently they would need to be replaced.

c. Police Department/Public Works Campus - Bond Scenarios

Baker Tilly was present to discuss the funding and bonding process for the Police Department/Public Works Campus project. Mr. Green of Baker Tilly further discussed and answered questions regarding the bonding structure. The 2023 Bond Sale Timeline is: Police Department and Public Works Facility, Akron Ave S and 2023 Street Projects and Life Time Facility.

Per statute, a municipality may adopt a capital improvement plan. The plan must cover at least a five-year period beginning with the date of its adoption. The plan must set forth the estimated schedule, timing, and details of specific capital improvements by year, together with the estimated cost, the need for the improvement, and sources of revenue to pay for the improvement.

The presentation noted bond sources and uses, estimated debt service and repayment plan, annual levy impact on the average home, and the bond issue timeline.

Per Mr. Green, the market is operating as it should and Baker Tilly will continue to monitor it and if the market adjusts to unfavorable, the City has the ability to reject any bids. Baker Tilly will continue to evaluate the structure of the sale to determine when interest payments are due. For the Public Works and Police Department Facility, the bond sale is set to take place on July 11, 2023 with a closing on July 27, 2023. Baker Tilly be present at the Council Meeting to further discuss the bond status.

UPDATES

a. Project Updates

Community Development Updates

Community Development Director Kienberger recapped the recent planning commission meeting. Council questioned whether North 20 Brewery would continue moving forward with their request to council. Staff indicated they have not heard back from the applicants to date. Council was in agreement on wanting the business to succeed and assumes with the current hours, the brewery would be unable to do so. Staff noted a traffic study for Bacardi Avenue is currently underway.

Motion by Weisensel

Motion to adjourn and reconvene after regular meeting.

Ayes: 5.

Nays: None. Motion carried.

CALL TO ORDER

Mayor Weisensel called the meeting back to order at 7:36 p.m.

Public Works Update

Public Works Director Egger discussed the status of the proposed ordinance update for septic systems inspections and utility connection timing as staff would like to have a policy established prior to the start of the project. Staff discussed the proposed benefits for the neighborhood; i.e. pay back period

spread over 15 years versus 10, capping the assessment costs, compliance inspections every 3 years until the property is connected to municipal services.

Staff connected with Dakota County for additional inspection records and was able to update the initial status map slightly. Staff will put together a letter and information further explaining the status and next steps. The final numbers have not been calculated yet as bids are not opened until May 3. Staff will present the information to be sent to the neighborhood to Council first before mailing it out to residents.

Administration Updates

City Administrator Martin discussed the plans for organizational change in response to the Assistant City Administrator retiring this August. The proposed plan will create a HR Manager Position with the shift of the Finance Director to an Administrative Services Director that will oversee administration along with finance. The change will also create a communication specialist position that will fall under the Communication Engagement Manager.

The job descriptions are currently being worked on and will be brought for council approval at an upcoming meeting.

Community Development Project Updates

Community Development Director Kienberger stated Project Bigfoot is planning to move forward with a closing in July.

Finance Department Updates

I.T. has started sending phishing emails as a training opportunity for employees.

Oracle is moving forward and plans to go live January 1, 2024.

b. Upcoming Council Events

Council member Essler recapped the recent Minnesota Valley Transit meeting; i.e. revenue pre/post covid.

Council member Freske informed all Dakota Broadband will end July 1st.

Mayor Weisensel questioned the status of Council Out & About in May, Arbor Day success and recapped his quarterly meeting with Flint Hills.

ADJOURNMENT

There being no further business to come before the City Council at the regular council meeting and upon a motion by Weisensel and a second by Klimpel the meeting was at 9:06 p.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Erin Fasbender".

Erin Fasbender City Clerk

City Council Regular Meeting: May 16, 2023

AGENDA ITEM: Approval of Council Travel	AGENDA SECTION: CONSENT AGENDA
PREPARED BY: Erin Fasbender, City Clerk	AGENDA NO. 6.d.
ATTACHMENTS:	APPROVED BY: LJM
RECOMMENDED ACTION: Approve travel for Mayor Weisensel to attend National League of Cities City Summit.	

BACKGROUND

Mayor Weisensel has expressed interest in attending the National League of Cities (NLC) City Summit in Atlanta, GA on November 16-18, 2023. According to the City's adopted policy, the conference must be approved in advance by a vote of the City Council at an open meeting and must include an estimate cost of the travel. In evaluating the out-of-state travel request, the Council will consider the following:

- Whether the elected official will be receiving training on issues relevant to City or his or her role as Mayor or Council Member.
- Whether the elected official will be meeting and networking with other elected officials from around the country to exchange ideas on topics of relevance to the city or on the official roles of local elected officials.
- Whether the elected official will be viewing a city facility or function that is similar to nature to one that is currently operating at, or under consideration by the City where the purpose for the trip is to study the facility or function to bring back ideas for the consideration of full Council.
- Whether the elected official has been specifically assigned by the Council to visit another city for the purpose of establishing a goodwill relationship such as a "sister-city" relationship.
- Whether the elected official has been specifically assigned by the Council to testify on behalf of the City at the United States Congress or to otherwise meet with federal officials on behalf of the City.
- Whether the City has sufficient funding available in the budget to pay for the cost of the trip.

The estimated cost for Mayor Weisensel to attend NLC Congressional City Conference is \$450 for airfare, \$555 for "early birdy" conference registration and \$249 plus tax for hotel fees per night. The applicable "meals and incidental expense" rate for Atlanta, GA is \$74 per day and \$55.50 for first and last day of travel.

RECOMMENDATION

Staff recommends the City Council approve the request of Mayor Weisensel to travel to and attend the conference.

City Council Regular Meeting: May 16, 2023

AGENDA ITEM:	Frattalone Companies, Inc., Small Scale Mineral Extraction Permit – New Mining Operation	AGENDA SECTION:	CONSENT AGENDA
PREPARED BY:	Anthony Nemcek , Senior Planner	AGENDA NO.	6.e.
ATTACHMENTS:	Resolution 2023-54, Excerpt from the April 25, 2023 Planning Commission Meeting Minutes, Location Map, Draft Mineral Extraction Permit, Narrative, Existing Conditions Map, Site Aerial, Mining Plan, Reclamation Plan	APPROVED BY:	LJM
RECOMMENDED ACTION: The Planning Commission and staff are recommending the Council adopt a resolution approving an Interim Use Permit for a Small-Scale Mineral Extraction Permit with conditions.			

BACKGROUND

The City Council is being asked to consider a request from Frattalone Companies, Inc. for a new small-scale mineral extraction permit that will be located on a portion of a larger 79-acre parcel immediately west of Emery Avenue and south of County Highway 42. Small scale mineral extraction is permitted in the City as an Interim Use within specified areas, and the proposed site is located within the City's mineral extraction overlay district. As an interim use, permits for mineral extraction are valid for one calendar year (January 1 – December 31); however, staff is recommending that the initial Frattalone permit be issued through 2024, with an administrative staff review at the end of 2023.

Applicant & Property Frattalone Companies, Inc., 3205 Spruce Street, Saint Paul, Minnesota
Owner(s):

Location: Immediately west of Emery Avenue and south of CSAH 42

Area: 73.39 Acres (overall site); 26.08 (active mining area)

Comp. Guide Plan Designation: CC-Community Commercial, MDR-Medium Density Residential, HDR-High Density Residential

Current Zoning: CC-Community Commercial, MDR-Medium Density Residential, HDR-High Density Residential

The Planning Commission and Staff recommend approval of the request based upon a review of the information submitted by the applicant, the mineral extraction standards in Section 11-10-4 of the City Code, and the attached permit.

PLANNING COMMISSION ACTION

The Planning Commission reviewed the proposed mineral extraction operation and held a public hearing to receive comments during its meeting on April 25, 2023. The Commission inquired about any additional permits and if the mining operation would be allowed to commence. Staff indicated that

any required permits would need to be submitted prior to commencement of any mining of the site. After the public hearing was opened by the Commission, the applicant provided a brief description of the applicant's company. The applicant also confirmed that permits from the state and County would be submitted with other required items such as the reclamation surety and liability insurance certificate.

The Commission received no other comments during the public hearing. It voted unanimously to recommend approval of the request, subject to conditions.

ISSUE

The applicant, Frattalone Companies, Inc., owns a construction and excavation business in Little Canada and is asking to establish a new mineral extraction site along Highway 42 in Rosemount. Because the mineral extraction use will be closely tied to the applicant's primary business, there will be limited sales of materials to outside projects from the mine. The applicant has provided a detailed application packet for the mining operation and has hired Carlson McCain to help prepare plans for the site and to provide information as required under the City's mineral extraction ordinance.

The site under consideration is located along the western frontage of Emery Avenue and south of County Highway 42 (145th Street East). Similar to other neighboring properties along Highway 42, there is a 45-50-foot rise in height between the northern and southerly property lines, with a steep ridge that provides a break/transition between the lower portions of the property along Highway 42 and the higher elevations to the south. Other than the ridge, most of the site is gently rolling, but relatively flat.

There are currently no structures on the site, which has been used for agricultural fields for many years, similar to much of the surrounding land. The other uses in the area include single-family residences southeast of the site, and the Danner and Bolander mineral extraction uses to the west. The applicant's mine will share a common border with Bolander, and as excavation occurs in both gravel pits along this boundary, the final grades for each mine will likely be adjusted to match each other. This shared lot line approach has been used on the other side of the Bolander operation (adjacent to Danner) and the final reclamation plans may be able to eliminate the western slope as currently shown. Because the boundary is within the latter phases of the Bolander mining permit, the reclamation plan should continue to show the slope as proposed until Bolander progresses to its later stages.

The proposed extraction activity will take place on 26.08 acres in the southern portion of the site in accordance with the "mine boundary" depicted in the mining plan. The applicant is proposing primary access to the active mining area via a new driveway from Highway 42 running along the western property border. This new access point will require a permit from Dakota County, and has been placed as far as possible from the intersection of CSAH 42 and Emery Avenue. A secondary access is shown on Emery Avenue near the northeast portion of the mining area. This access would be utilized in the event that the County denies an entrance permit for the access onto 42. Truck traffic would be limited during spring road restrictions. Staff and the Applicant continue working with the County on having access onto 42, as that is the preferred haul route. Should the applicant utilize an access onto CSAH 42, they would have to receive a permit for such from the County. This is a condition of approval, but if the applicant is unable to utilize that access, staff is supportive of them making use of

Emery Avenue as their primary access.

Mining is proposed to occur over two phases, generally moving from the east to the west on the southern portion of the property. Excavation will lower the active mining portions of the site to the 840-850 elevation range, which represents a cut of roughly 40 feet across the active mining part of the site. The proposed final grades as depicted on the reclamation plan will bring the southern portion of the property very close to the elevation of the northern part of the property. Essentially, the applicant is proposing to excavate into the ridgeline and maintain these grades (with a slight incline) throughout the mine. The phases have been developed to comply with the City's extraction requirements that each phase be no more than 15 acres in size. The applicant has stated that they anticipate removing 100,000 cubic yards of material per year, which corresponds to an operational life of the facility of 16 years.

The applicant's project narrative includes citations referencing all of the City's mineral extraction standards, and the document demonstrates compliance with each of these requirements. As part of its initial submission materials, the applicant did not specify a specific location or extent of any material stockpiles beyond a description of their use as screening berms along the perimeter of the mining area. The location of any stockpiling not used for that purpose shall be provided prior to Council action on the permit.

ISSUE ANALYSIS

Aggregate mining is reviewed through an interim use permit, which is a Quasi-Judicial action. As such, the City has a set of standards and requirements for review. Generally, if the applications meet the ordinance requirements, they must be approved. The standards and requirements for this mineral extraction are detailed in Section 11-10-4 of the Zoning Ordinance and the attached Mineral Extraction permit.

<i>Surrounding Land Use and Zoning Information</i>			
<i>Direction</i>	<i>Current Land Use</i>	<i>Zoning</i>	<i>Guided Land Use</i>
<i>North</i>	<i>Agriculture</i>	<i>Agricultural</i>	<i>CC-Community Commercial</i>
<i>South</i>	<i>Agriculture</i>	<i>Agricultural</i>	<i>LDR – Low Density Residential</i>
<i>East</i>	<i>Agriculture</i>	<i>Agricultural</i>	<i>CC-Community Commercial</i> <i>MDR – Medium Density Residential</i> <i>HDR-High Density Residential</i>
<i>West</i>	<i>Agriculture/Mining</i>	<i>Agricultural</i>	<i>CC-Community Commercial</i> <i>LDR-Low Density Residential</i> <i>MDR – Medium Density Residential</i>

The subject property is zoned AG – Agriculture and meets or exceeds the applicable performance standards for small scale mineral extraction. Small scale mineral extraction is listed as an interim use within the Agriculture district. The table below details the current land use, zoning, and future land use information for the surrounding properties. These properties are all currently zoned Agricultural and are located within the 2040 Metropolitan Urban Service Area (MUSA). The 2040 Future Land Use Map anticipates a mixture of residential and commercial uses in this area.

The 2040 Comprehensive Plan designates commercial development at the intersection of Emery Avenue and County Road 42, while medium- and high-density residential development is designated over the proposed mining and grading area. Future reclamation of the site will need to be performed before an impacted area may be developed for housing. Because of the site’s location further east of 52, the development staging of properties in the area should not create as much of an impact on the timing of mining operations in the future as it would on the mining operations to the west, such as the Steiniger pit.

The proposed reclamation plan provides for 3:1 slopes at the edge of the mining area that taper back to the adjacent properties. The City Engineer is recommending that no final, reclaimed slopes exceed 4:1, so staff has added a condition of approval that the reclamation plan be updated accordingly.

Although the slope between the Bolander and the proposed Frattalone mines may eventually go away as work progresses in the Bolander operation, the other slopes will need to be incorporated into future redevelopment projects.

The water table is located at an approximate elevation of 800 feet or lower based on information provided by Dakota County, and the lowest mining elevation is well above that number. Throughout the majority of the site, there will be approximately 40 feet between the bottom of the mine and groundwater, which is consistent with other mines in the vicinity.

Because the applicant will likely not begin excavation activity until at least halfway through the year, staff is recommending that the initial operating permit be extended until the end of 2024, at which point the site would require an annual review like all similar mining operations. Staff is recommending a condition of approval that the applicant provide the basic information needed as part of its annual review by the end of the year for review by staff. Staff also anticipates conducting an inspection before the end of the year that coincides with the other mineral extraction permit reviews. In addition to a site inspection, the annual mineral extraction permits include consultation with the Rosemount Police Department regarding any police activity at the site. Staff will request these records prior to the end of the year and as part of the 2024 permit review. This is consistent with the approval of the Steiniger mining operation that also received approval midyear.

Staff has drafted a proposed permit with conditions for review by the Planning Commission as part of its review.

RECOMMENDATION

The Planning Commission and staff recommend approval of this request based upon a review of the information submitted by the applicant, the mineral extraction standards in Section 11-10-4 of the City Code, and the attached permit with conditions of approval.

**CITY OF ROSEMOUNT
DAKOTA COUNTY, MINNESOTA**

RESOLUTION 2023-54

**A RESOLUTION APPROVING THE INTERIM USE PERMIT FOR
FRATTALONE COMPANIES INC. TO ALLOW A SMALL SCALE
MINERAL EXTRACTION OPERATION**

WHEREAS, the City of Rosemount received an application from Frattalone Companies, Inc. for approval of an Interim Use Permit to allow a small scale mineral extraction operation on a 73.39 acre parcel immediately west of Emery Avenue and immediately south of Dakota County Highway 42; and

WHEREAS, on April 25, 2023, the Planning Commission of the City of Rosemount held a public hearing to review the Interim Use Permit application; and

WHEREAS, on April 25, 2023, the Planning Commission adopted a motion recommending that the City Council approve the Interim Use Permit subject to general conditions and the operating conditions listed in the Frattalone Companies, Inc. 2023-2024 Conditions for Small Scale Mineral Extraction Permit; and

WHEREAS, on May 16, 2023, the City Council of the City of Rosemount reviewed the Planning Commission's recommendation and the 2023-2024 Conditions for Small Scale Mineral Extraction Permit.

NOW, THEREFORE, BE IT RESOLVED, the Council of the City of Rosemount hereby approves the 2023-2024 Interim Use Permit to allow a small scale mineral extraction operation on a 73.39 acre parcel approximately one mile east of State Highway 52 and immediately south of Dakota County Highway 42 subject to the conditions listed in the 2023-2024 Conditions for Small Scale Mineral Extraction Permit and the following general conditions listed below:

1. The reclamation plan shall be updated to provide a maximum slope of 4:1 at the edges of the mining area.
2. The applicant shall secure a permit from Dakota County for the proposed access to CSAH42.
3. The applicant shall provide the location of stockpiles not used for diversion/screening berms.
4. The initial mineral extraction permit shall be valid until the end of 2024. The applicant shall provide an operations update prior to December 30, 2023, for review by City staff. This update will include the amount of material excavated and removed from the site, the total quantity of material stockpiles on the site, and other relevant information as requested by the City.

ADOPTED this 16th day of May, 2023, by the City Council of the City of Rosemount.

Jeffery D. Weisensel, Mayor

ATTEST:

Erin Fasbender, City Clerk

EXCERPT FROM THE APRIL 25, 2023 PLANNING COMMISSION MEETING MINUTES

5b. Request by Frattalone-Berger for a Small-Scale Mineral Extraction Permit for 2023.

Senior Planner Nemcek provided a presentation and summary of the staff report. The project site sits at the intersection of County Road 42 and Emory Avenue.

Commissioner comments:

Commissioner Powell required clarification about the road the project site sits on. Corrected by Senior Planner Nemcek.

Commissioner Whitman asked if there were any other permits required by the city for the use.

Senior Planner Nemcek noted there were none. He also mentioned the City has not received any County or State permits yet at this time.

Commissioner Whitman clarified that the use could not commence until the City receives the permits from the County and State of Minnesota.

The public hearing opened at 7:01 pm.

Public Comments:

Scott Spizack (Frattalone Representative)

He gave a short speech regarding Frattalone Companies including its history, its services, and previous projects in Rosemount.

Commissioner Whitman asked about permits required.

Mr. Spizack noted there would be a county permit required.

MOTION by Kenninger to close the public hearing.

Second by Powell.

Ayes: 7. Nays: 0. Motion Passes.

The public hearing closed at 7:10 pm.

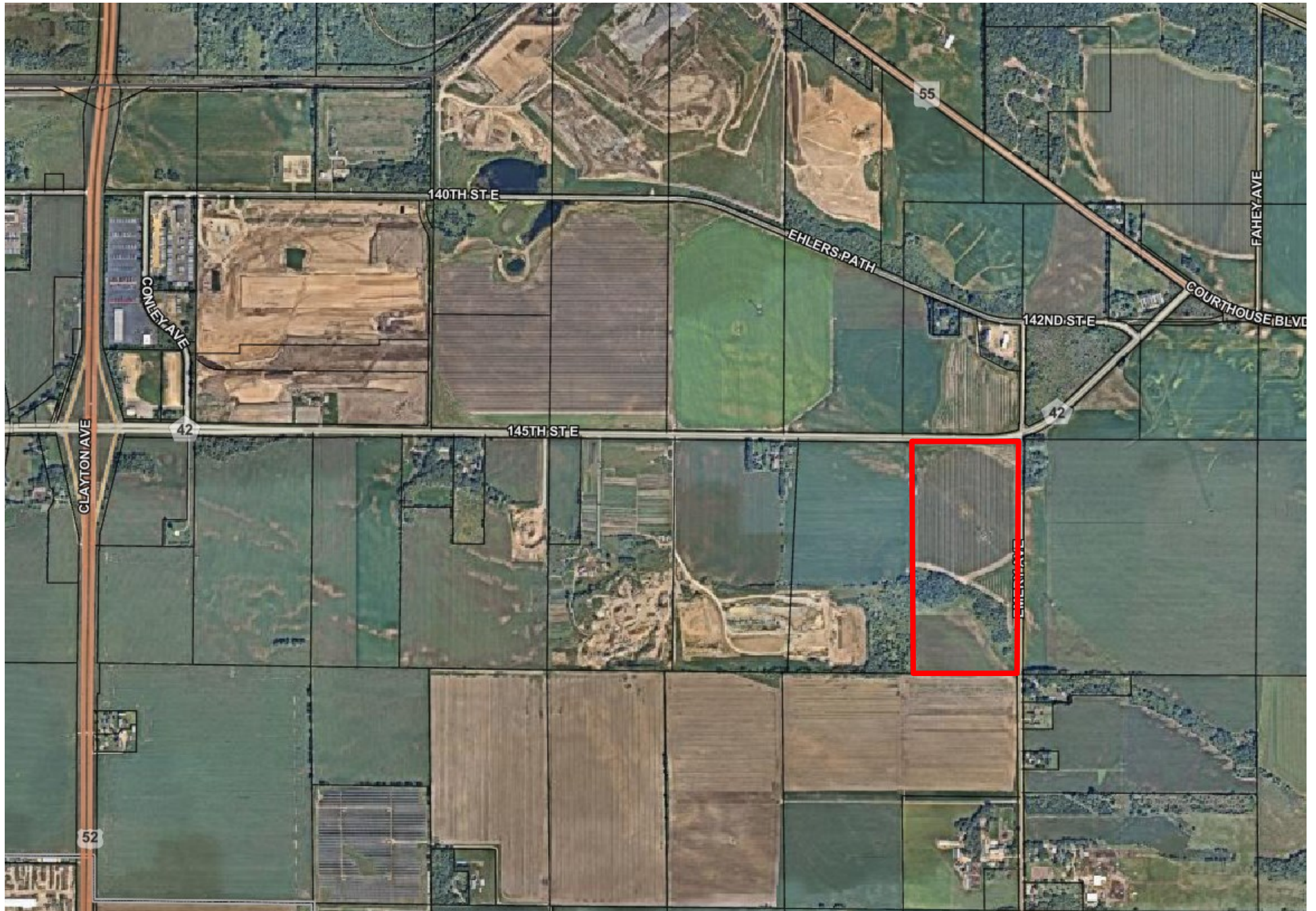
Additional Comments:

None.

MOTION by Powell to approve the request by Frattalone-Berger for a Small-Scale Mineral Extraction Permit for 2023 subject to the terms and conditions.

Second by Reed.

Ayes: 7. Nays: 0. Motion Passes.



Mineral Extraction Permit
2023-2024 Conditions for Small Scale Mineral Extraction Permit
FRATTALONE COMPANIES, INC.

- A Frattalone Companies Inc., hereinafter referred to as the “Property Owner”, shall sign a written consent to these conditions binding itself and its successors or assigns to the conditions of said permit.
- B The property Owner shall comply with all terms of this permit as well as the standards for mineral extraction listed in Section 11-10-04 of the City Code.
- C This permit is granted for the area designated as Phase 1 (approximately 15 acres) on Exhibit A, Mineral Extraction Permit Mine Plan, which is attached hereto as an exhibit. Regrading and reclamation shall occur in the area designated Phase 1 on Exhibit A in accordance with the requirement of Section 11-10-4.4 of the City Code. Reclamation is not expected to occur in the 2023 or 2024 calendar year,
- D The term of the permit shall extend from the date approved by the City Council until December 31, 2024 unless revoked prior to that for failure to comply with the permit requirements. An Annual Mining Permit fee shall be paid to the City of Rosemount.
- E All required permits from the State of Minnesota, County of Dakota and City of Rosemount (hereinafter "City") or any of their agencies shall be obtained and submitted to the City prior to the issuance of the permit. Failure by the Property Owner to comply with the terms and conditions of any of the permits required under this paragraph shall be grounds for the City to terminate said mining permit.
- F The final grading for the permit area shall be completed in accordance with the Final Reclamation Plan, attached as Exhibit B, or as approved by the City Engineer, and any other conditions that may be imposed by the City from time to time.
- G Primary access to the site by all gravel trucks and other mining related traffic shall be from County State Aid Highway 42, pending approval by Dakota County of an access permit. It shall be the Property Owner's responsibility to obtain any access permits or easements necessary for ingress and egress. The location of the accesses and/or easements for ingress and egress shall be subject to approval by the City, as well as the County Highway Department if any changes occur relative to the mining process. If an access permit is not granted by the County, access shall be from Emery Avenue, subject to seasonal restrictions.
- H A plan for dust control shall be implemented and subject to approval by the City. The Property Owner shall clean dirt and debris from extraction or hauling operations related to the Mineral Extraction Permit from streets. After the Property Owner has received 24-hour verbal notice, the City may complete or contract to complete the clean-up at the Property Owner's expense. In the event of a traffic hazard as determined by the Public Works Director or Rosemount Police Department, the City may proceed immediately to complete or contract cleanup at Property Owner's expense without prior notification.
- I The surface water drainage of the mining area shall not be altered so as to interfere, contaminate, or otherwise affect the natural drainage of adjacent property.
- J No topsoil shall be removed from the site and the Property Owner shall take necessary measures to prevent erosion of the stockpiled topsoil. The location of the stockpiled topsoil shall be as indicated on Exhibit A.

- K Any costs incurred now or in the future in changing the location of existing public or private utilities including but not limited to pipelines, transmission structures and sewer infrastructure located within the permit area shall be the sole obligation and expense of the Property Owner.
- L All costs of processing the permit, including but not limited to planning fees, engineering fees and legal fees, shall be paid by the Property Owner prior to the issuance of the permit. The Property Owner shall reimburse the City for the cost of periodic inspections by the City Engineer or any other City employee for the purpose of insuring that conditions of the permit are being satisfied. The Property Owner agrees to reimburse the City for any other costs incurred as a result of the granting or enforcing of the permit.
- M The daily hours of operation for the mining area shall be limited to 7:00 a.m. to 7:00 p.m. Monday through Saturday, subject, however, to being changed by the City Council.
- N The Property Owner shall deposit with the Planning Department a surety bond or cash escrow in the amount of Seven Thousand Five Hundred Dollars per acre (\$7,500.00/acre) of active phase in favor of the City for the cost of restoration, regrading and/or revegetating land disturbed by mining activities and to assure compliance with these conditions by the Property Owner. The required surety bonds must be:
 - (1) With good and sufficient surety by a surety company authorized to do business in the State of Minnesota with the right of the surety company to cancel the same only upon at least thirty (30) days written notice to the permit holder and the City.
 - (2) Satisfactory to the City Attorney in form and substance.
 - (3) Conditioned that the Property Owner will faithfully comply with all the terms, conditions and requirements of the permit; all rules, regulations and requirements pursuant to the permit and as required by the City and all reasonable requirements of the City Engineer, or any other City officials.
 - (4) Conditioned that the Property Owner will secure the City and its officers harmless against any and all claims, or for which the City, the Council or any City officer may be made liable by reason of any accident or injury to persons or property through the fault of the Property Owner.
 - (5) The surety bond or cash escrow shall remain in effect from June 1, 2023 to July 31, 2025.

Upon thirty (30) days' notice to the permit holder and surety company, the City may reduce or increase the amount of the bond or cash escrow during the term of this permit in order to insure that the City is adequately protected.

- O. The Property Owner shall furnish a certificate of comprehensive general liability insurance issued by insurers duly licensed within the State of Minnesota in an amount of at least Five Hundred Thousand and no/100 (\$500,000.00) Dollars for injury or death of any one person in any one occurrence, bodily injury liability in an amount of at least One Million Five Hundred Thousand and no/100 (\$1,500,000.00) Dollars and property damage liability in an amount of at least Two Hundred Fifty Thousand and no/100 (\$250,000.00) Dollars arising out of any one occurrence. The policy of insurance shall name the City as an additional insured and shall remain in effect from June 1, 2023 to July 31, 2025.
- P. The storage of equipment (unrelated to the sand and gravel mining and processing), manure, construction debris, or hazardous materials of any kind shall not be permitted on site. The placement of construction debris, manure, asphalt in any form or hazardous materials within the pit as fill shall be strictly prohibited.
- Q. No processing or mixing of materials shall occur on the site, except as approved by the Dakota County Environmental Management Department as incidental to a sand and gravel mining operation. Any such activities will be enclosed with snow or cyclone fencing or as approved by City staff. Construction of any ponding areas, wash plants or other processing or equipment brought to the site shall require additional site and grading plan information subject to review and approval of the City Engineer.

- R. The Property Owner shall hold the City harmless from all claims or causes of action that may result from the granting of the permit. The Property Owner shall indemnify the City for all costs, damages or expenses, including but not limited to attorney's fees that the City may pay or incur in consequence of such claims.
- S. The Property Owner shall comply with such other requirements of the City Council as it shall from time to time deem proper and necessary for the protection of the citizens and general welfare of the community.
- T. Complete mining and reclamation is required in all phases before any additional mining is authorized. Modifications or expansion of the mining areas must be approved in writing to the City. Property Owner shall submit to the City semiannually a written report indicating the amount of material extracted from the site for the prior six-month period.
- U. The Property Owner shall incorporate best management practices for controlling erosion and storm water runoff as specified by the Minnesota Pollution Control Agency and the United States Environmental Protection Agency.
- V. Reclamation shall include the replacement of the entire stockpile of topsoil on the mined area, reseeding and mulching necessary to re-establish vegetative cover for permanent slope stabilization and erosion control. The minimum depth of topsoil shall not be less than two inches after reclamation. No restored slopes may exceed a gradient of 25% or four to 1 (4:1).
- W. The Property Owner must show how materials stockpiled for recycling will be processed and inform the City of all stockpiled materials.
- X. The Property Owner may not assign this permit without written approval of the City. The Property Owner will be responsible for all requirements of this permit and all City ordinances on the licensed premises for the permit period unless the Property Owner gives sixty (60) days prior written notice to the City of termination and surrenders the permit to the City. The Property Owner shall identify all Operators prior to their commencement of mineral extraction-related activities in the pit area. The City shall have the authority to cause all mineral extraction activities to cease at any time there is an apparent breach of the terms of this Permit.
- Y. The Property Owner shall install and maintain a "stock" gate (or equivalent) at the entrance to the property where the mining operation is located. The gate must be secured at 7:00 p.m. and at any time the pit is not in use.
- Z. There shall be no "haul-back" of materials from any other property or job site that would be imported to the property for fill or other purposes other than incidental concrete recycling as referred to in paragraphs Q, W, and topsoil imported for the purpose of re-establishing turf as accepted by the City.
- AA. Mining to the elevation of 840 feet above mean sea level provided that the site is reclaimed to the elevation shown on Exhibit A with haul-back, clean-fill material. In no instance shall mining occur in the groundwater aquifer.
- CC. Blasting or the use of explosives is prohibited.
- DD. Truck operators within the pit area shall not engage in practices involving slamming tailgates, vibrating boxes, using of "jake" or engine brakes (except in emergency situations) or other such activities that result in excessive noise.
- EE. The City of Rosemount shall have the ability to collect independent soil and water samples.

1.0 INTRODUCTION

1.1 Application Request

Frattalone Companies, Inc. (Frattalone) is applying for a Small Scale Mineral Extraction Permit for a gravel mining pit to be located on a parcel located within Section 29, Township 115, Range 18, Dakota County, Minnesota. The proposed site will be used for soil borrow, staging/stockpiling, and backfill.

The following sections of this document describe information required under Rosemount, Minnesota City Code Chapter 10 Section 11-10-4 Small Scale Mineral Extraction.

1.2 Applicant Information

Name: Frattalone Companies, Inc.
Contact Person: Scott Spisak
Address: 3205 Spruce St, St Paul, MN 55117
Telephone (office): (651) 484-0448
Email: scotts@frattaloneco.com

1.3 Site Location and Ownership

The mining pit (Facility) will be located on the south half of the parcel listed below according to the corresponding Dakota County Parcel ID number:

Parcel ID 340290075010

Owner	Landspec Fund 4, LLC
Address	4558 Trading Post Trl S, Afton, MN 55001
Mapped Acres	73.39
Zoning	Agricultural
Tax Description	E 72 ½ A of SE ¼ Subj to Hwy Easmt Parcel 17 on CTY R/W Map 21A, Section 29, Township 115, Range 18, Dakota County, Minnesota.

The location of this parcel is shown on Sheet 1 in the Pollution Prevention Plan in Appendix A. Frattalone will operate the Facility under a lease agreement with the landowner(s). The property is currently farmed and will return to agricultural use following site reclamation.

2.0 PROJECT DESCRIPTION

2.1 Stormwater Pollution Prevention Plan

A Pollution Prevention Plan (P2 Plan) is attached in Appendix A and includes the location map, adjacent land owners, site plans, proposed excavation grades, proposed reclamation grades, stormwater management plan, and erosion and sediment control plan for the Facility. The P2 Plan consists of the following sheets:

- Sheet 1 - Index Sheet
- Sheet 2 - Existing Conditions and Adjacent Land Owners
- Sheet 3 - Site Plan
- Sheet 4 - Reclamation Plan
- Sheet 5 - Narrative
- Sheet 6 - Inspection Form
- Sheet 7 – Training Form

The P2 Plan shows existing features including: 2-foot existing Lidar contours provided by the Minnesota Department of Resources (DNR); wetland boundaries provided by the US Fish and Wildlife Service National Wetland Inventory (NWI); property boundaries and roadways provided by Dakota County GIS; and building locations and existing vegetation shown on aerial imagery obtained from Google Earth. The P2 Plan also illustrates pertinent site development information including site access, existing structures, existing vegetation, topsoil management, best management practices (BMP's) and site grading.

2.2 Site Preparation and Operations

Site preparation will primarily include installing erosion and sediment controls, stripping and stockpiling topsoil for later use in reclamation, grading access roadways on the site, and excavating an infiltration pond to contain stormwater from initial site development. Primary activities to be conducted at the Facility include soil and aggregates excavating, processing, loading, stockpiling, backfill, and grading. All mining activities will take place within the mining boundary illustrated on Sheets 2-4 of the P2 Plan.

The Phase 1 mining boundary encompasses a total area of 15-acres which will be stripped in segments as mining progresses. Mining would begin in the north portion of Phase 1 and work southward along the east mining boundary. Once reaching the southern limits, mining would progress in a westerly direction along the entire north-south pit face. Backfill with haul back material would follow in much the same method to restore the site to reclamation grades. Phase 2 shall not be mined until at least seventy percent (70%) of Phase 1 has been rehabilitated as per City Code and as described in subsequent sections of this application. Phase 2 encompasses 11.08-acres and would be mined in a westerly direction along the north-south pit face.

Sheet 3 of the P2 Plan shows anticipated excavation grades for the mine. The bottom elevation of 840 feet above mean sea level results in mining depths of approximately 2 to 54 feet below existing ground surface. Actual mining depth may vary from that shown on Sheet 3 based on market demand and subsurface conditions encountered. Mining will not extend below the groundwater table, which is anticipated to occur at an elevation of 800 feet MSL or lower, based on water table contours available on the Dakota County GIS website. A maximum excavation slope of 4H:1V will be maintained on the east edge of mining, which is adjacent to a gas utility easement. Other sideslopes of excavation around the site will be limited to a maximum of 1H:1V.

The overall soil excavation volume of the earthwork represented by the grading contours on Sheet 3 is approximately 1,588,500 cubic yards. An estimated 39,000 cubic yards of this volume will be topsoil, which will be stripped and stockpiled as diversion/screening berms graded around mining activities. All topsoil will remain onsite for use in reclamation. Existing topsoil is estimated to be 11-inches thick on average across the 26.08-acre mining area, based on data from the US Department of Agriculture Natural Resources Conservation Service (NRCS) Web Soil Survey. The NRCS soil survey data is included in Appendix B.

Mining will be phased to reduce open area by backfilling and restoring the site to the grades shown on Sheet 4 of the P2 Plan once respective segments of the pit have been fully excavated. Once all reclamation has been completed, the site will be returned to agricultural use. The overall backfill volume to establish reclamation grades is approximately 1,018,500 cubic yards, which includes re-spreading all 39,000 cubic yards of stripped topsoil. Additional details on site reclamation are presented in Section 4.

Excavation is estimated to occur at a rate of 100,000 cubic yards per year which corresponds to an estimated operational life of the Facility of 16 years. Backfill material is estimated to be backhauled at a rate of 65,000 cubic yards per year. Actual rates of excavation and backfill of the site will vary depending upon market demand for aggregate materials.

2.3 Adjacent Land Owners

Land owners within $\frac{1}{4}$ of a mile of the property are shown on Sheet 2 of the P2 Plan. Address labels for adjacent land owners are attached in Appendix D.

3.0 OPERATIONAL STANDARDS

3.1 Hours of Operation

Hours of operation for the Facility will be 7:00 a.m. to 7:00 p.m., Monday through Saturday.

3.2 Site Access

Access to the Facility will be via a constructed gravel driveway. Frattalone intends to make application to Dakota County for an entrance directly from County Highway 42 as shown on Sheet 3 of the P2 Plan. Similar to existing mining permitted properties immediately to the west, this would be the site access.

In the event that Dakota County denies an entrance permit or imposes conditions and requirements above and beyond similar adjacent properties and permitted operations, creating a competitive disadvantage, Frattalone would utilize the entrance off of Emery Avenue, also shown on Sheet 3 of the P2 Plan.

A rock construction exit will be installed at each driveway exit prior to topsoil stripping and material hauling to prevent offsite soil tracking. Frattalone will be responsible for maintaining the construction entrance and removing any soil tracked onto adjoining roadways. Sediment tracking BMP's and maintenance are further described in the P2 Plan.

3.3 Borrow Limits and Setbacks

Setbacks for mining activities from the south and west edge of the property are 30-feet from adjacent properties to the south and west. A gas line runs through the east side of the parcel and mining activities are setback 5' west from the utility easement. To the north, mining limits are bound by the lease boundary. Setbacks are shown on Sheet 3 in the P2 Plan. Documentation of utility easements on the property are attached as Appendix C.

3.4 Floodplains and Shorelands

The site is not located within floodplains or shorelands.

3.5 Wetlands

Wetlands mapped by the NWI in the vicinity of the Facility are shown on Sheet 1 of the P2 Plan. A formal wetland delineation has not been completed. No wetlands exist on the property and no wetlands will be drained, filled, excavated, or receive discharges from pit operations. The nearest wetland is approximately 3,200-feet east of the Facility. All stormwater contacting disturbed land during pit operations will be infiltrated.

3.6 Stockpile Slopes

Typical slopes of stockpiles may vary between 1H:1V and 2.5H:1V. Steep slopes will be monitored for erosion and slope stability. Any slopes that show signs of instability or excessive erosion shall be re-graded. Vegetation shall be established on diversion/screening berms graded from topsoil within 7 days of final grading.

3.7 Housekeeping and Site Safety

The Facility will employ good housekeeping practices. Examples of these good housekeeping practices include the following:

- Equipment will be inspected daily during normal operations and kept in good working order.
- Equipment washing will not occur onsite.
- Any fuel or chemical stored onsite will be stored in compliance with all applicable Minnesota Pollution Control Agency (MPCA) requirements. Secondary containment will be provided for all tanks.
- Leaks and spills will be promptly cleaned up and reported to the site manager and MPCA as appropriate. Spill cleanup material will be stored onsite in an accessible location.
- Appropriate waste receptacles will be available to employees and customers to prevent litter around the site.
- Sanitary facilities will be available onsite and will be serviced regularly.
- Routine employee training is conducted on good housekeeping practices and spill response.

Frattalone maintains a corporate safety manual which describes safety standards that will be employed at the Facility.

3.8 Environmental Review

The project size does not trigger preparation of a mandatory Environmental Assessment Worksheet. Operational practices used to prevent environmental impacts are presented in the following sections.

3.9 Dust

Facility activities generate dust through vehicle traffic on unpaved roads, processing operations, such as loading from stockpiles, and other material handling and transport operations. Fugitive dust will be controlled with best management practices to comply with MPCA standards. The following is a list of BMP's that will be employed to minimize fugitive dust emissions at the site.

- Applying water to unpaved roads
- Stabilizing unworked areas with topsoil and vegetation
- Maintaining unpaved roads in a well-graded condition

- Limiting unnecessary traffic through the Facility
- Limiting traffic speed within the Facility
- Performing prompt reclamation of disturbed areas following termination of Facility operations

3.10 Noise

Site activities will generate noise through operation of earthmoving and processing equipment. Levels of noise will be controlled to comply with standards established by the MPCA and US Environmental Protection Agency. Noise generated at the site will be mitigated using the following techniques, which have proven effective at other similar facilities:

- Truck traffic will be routed in a loop to the extent practical in order to minimize the use of back up alarms.
- White noise backup alarms will be utilized if existing controls do not sufficiently mitigate the noise generated by traditional beeping backup alarms.
- Equipment will be maintained in good working order and with standard noise reduction equipment such as mufflers.

3.11 Existing Vegetation

Existing trees and vegetation will be preserved to all extents feasible, however site preparation will require clearing and grubbing of approximately 7.5-acres of trees as shown in the P2 Plan. Wooded areas will be maintained until respective areas will be opened for mining. Following site reclamation, land will be returned to agricultural use with prairie grasses established on steeper slopes which will not be farmable.

3.12 Traffic

Traffic will access the site from County Highway 42 or Emery Avenue East, as discussed in Section 3.2.

3.13 Stormwater and Erosion Control

Stormwater management for the mining pit and reclamation operation will comply with regulations as specified by the MPCA as well as requirements of the National Pollutant Discharge Elimination System (NPDES), including obtaining a permit and adoption of the P2 Plan included as Appendix A.

Site subsoils predominantly consist of poorly graded sand, silty sand, and poorly graded gravel or USCS groups SP, SM, and GP soils, which correspond to hydrologic soil groups A and B soils. Soil data obtained from the NRCS Web Soil Survey is included in Appendix B. Hydrologic soil group A and B soils allow water to infiltrate well, so all water contacting mining activities will be contained at the Facility and infiltrated. An infiltration pond will be graded during initial site development

and will be sized as necessary to contain all stormwater contacting mining activities. As mining progresses, stormwater will be infiltrated across the floor of the mine pit. Run-on and run-off diversion/screening berms will be graded from stripped topsoil around the perimeter of the site. Silt fence shall be maintained downstream of the berms until vegetation is established (at least 70% coverage) on the berms. If erosion or sediment transfer off the property occurs, the issues shall be dealt with promptly by removing any deposited sediment, re-grading or repairing the area as necessary, seeding, and stabilizing the area with mulch, hydro-mulch, or erosion control blanket, as appropriate.

Additional details on stormwater control can be found in the P2 Plan.

3.14 Topsoil Management

Topsoil will be stripped to the full depth as a part of site preparation and segregated into dedicated diversion/screening berms or stockpiles. Diversion/screening berms will be graded on the north, east, and south sides of pit, as those respective portions of the Facility are excavated. Berms will be uniformly graded and vegetated so that pit operations will be screened. Berms and stockpiles will be stabilized within 7 days of final grading. Topsoil will not be exported from the site and import of topsoil is not expected to be necessary for reclamation.

As stated previously, the average depth of existing topsoil is approximately 11 inches. For site reclamation, stripped topsoil will be re-placed uniformly to approximately the same depth, but in no case less than 6-inches deep. Compaction of the soil layer will be limited to the equipment necessary to spread the layer.

4.0 SITE RECLAMATION

Site reclamation will include removal of all equipment, stockpiles, temporary haul roads, driveways, etc., re-grading and placing backfill materials, and establishing vegetation. Imported fill will be used to establish the reclamation grades and topsoil will be placed as described in Section 3.14 over imported fill to establish the approximate grades shown on Sheet 4 of the P2 Plan.

Once finished reclamation grades are established, vegetation will be established within 7 days of final grading by seeding with MnDOT seed mixture 32-241 at a seeding rate of 38-pounds per acre or MnDOT seed mixture 35-241 at a seeding rate of 36.5-pounds per acre and applying MnDOT Type 1 Mulch (2-tons per acre) and commercial fertilizer (application rate will be determined from soil testing prior to reclamation). As necessary, downstream silt fence shall remain in place and be maintained until vegetation is established (at least 70% coverage) on all seeded areas. Once vegetation is established, all temporary synthetic erosion and sediment control BMP's shall be removed. Upon establishment of end-use conditions, sediment carried by stormwater over reclaimed areas will be collected within surrounding surficial depressions and ponds, in a similar manner to the current surface drainage.

The following additional reclamation standards will be implemented:

- All materials used for reclamation backfill shall be free of contaminants and shall be non-noxious, non-flammable and non-combustible.
- The graded or backfilled area shall not collect or permit stagnant water to remain therein, unless there is an approved ponding area or wetland restoration or creation.
- Graded or backfilled areas shall be surfaced with at least six inches of soil of a quality at least equal to the topsoil of the surrounding area.
- Final stabilization will be achieved within 3 months after termination of Facility activities. This includes removal of all equipment, vehicles, machinery, materials, stockpiles, and other materials incidental to the Facility operation.
- Reclamation will not result in an increase in impervious area from existing conditions.
- Erosion and sediment control measures specified in the P2 Plan will be followed until the termination of applicable permits (e.g. NPDES).

5.0 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.



Brannon Peterson, P.E.

Project Engineer

Date: 3/22/2023 License # 58910

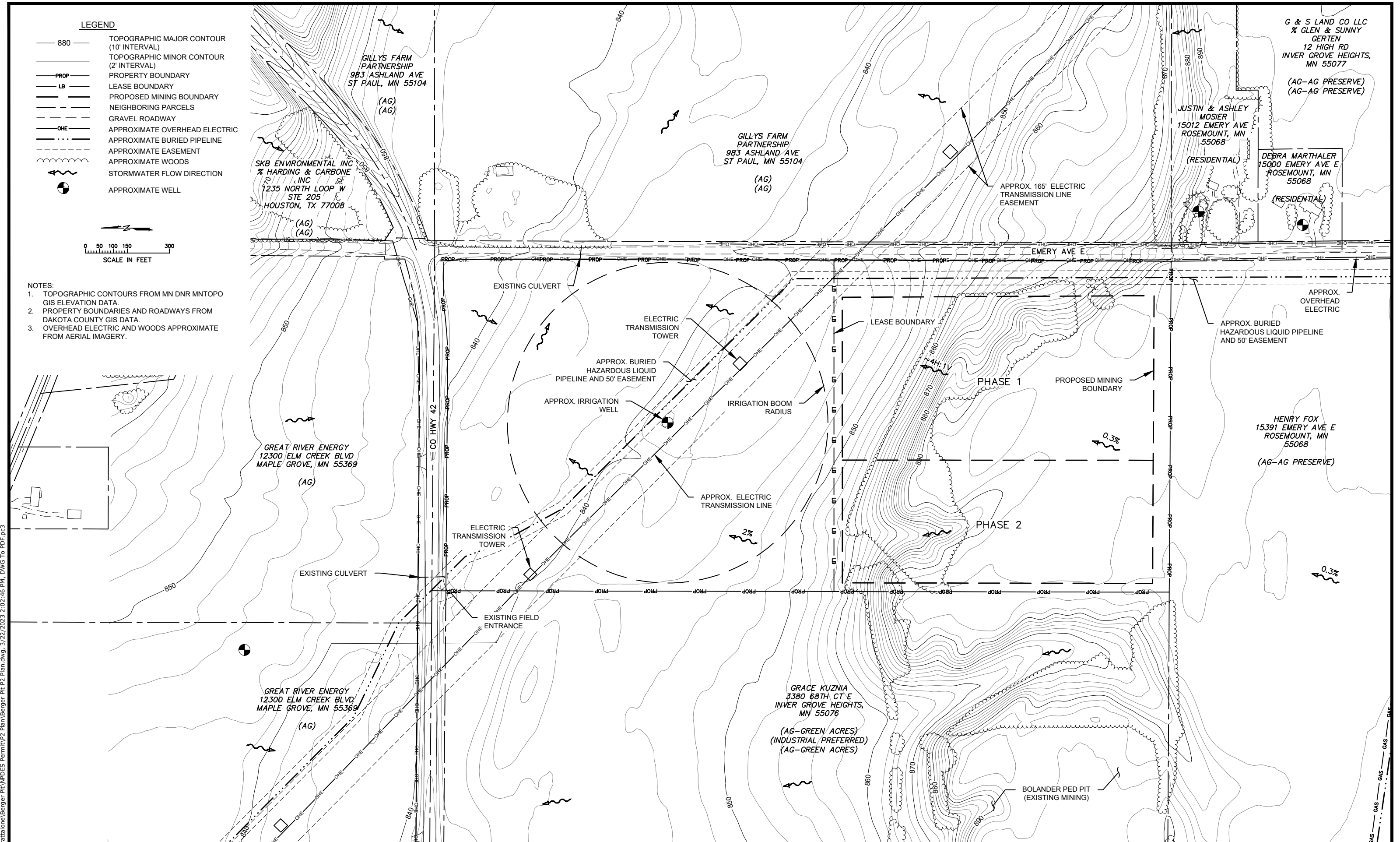


Nicholas Bonow, P.E., P.G.

Principal Engineer/Geologist

Date: 3/22/2023 License # 47510

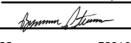
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SUITE 110
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I hereby certify that this plan, specification or report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota

Print Name: Brannon L. Peterson, PE
Signature: 
Date: 3/22/23 License #: 58910

Drawn: BLP
Designed: BLP
Date: 3/22/23

REV	DATE	BY	DESCRIPTION
1	3/22/23	BLP	ISSUED FOR PERMIT APPLICATION

FRATTALONE COMPANIES, INC.
3205 SPRUCE STREET, ST. PAUL, MN 55117

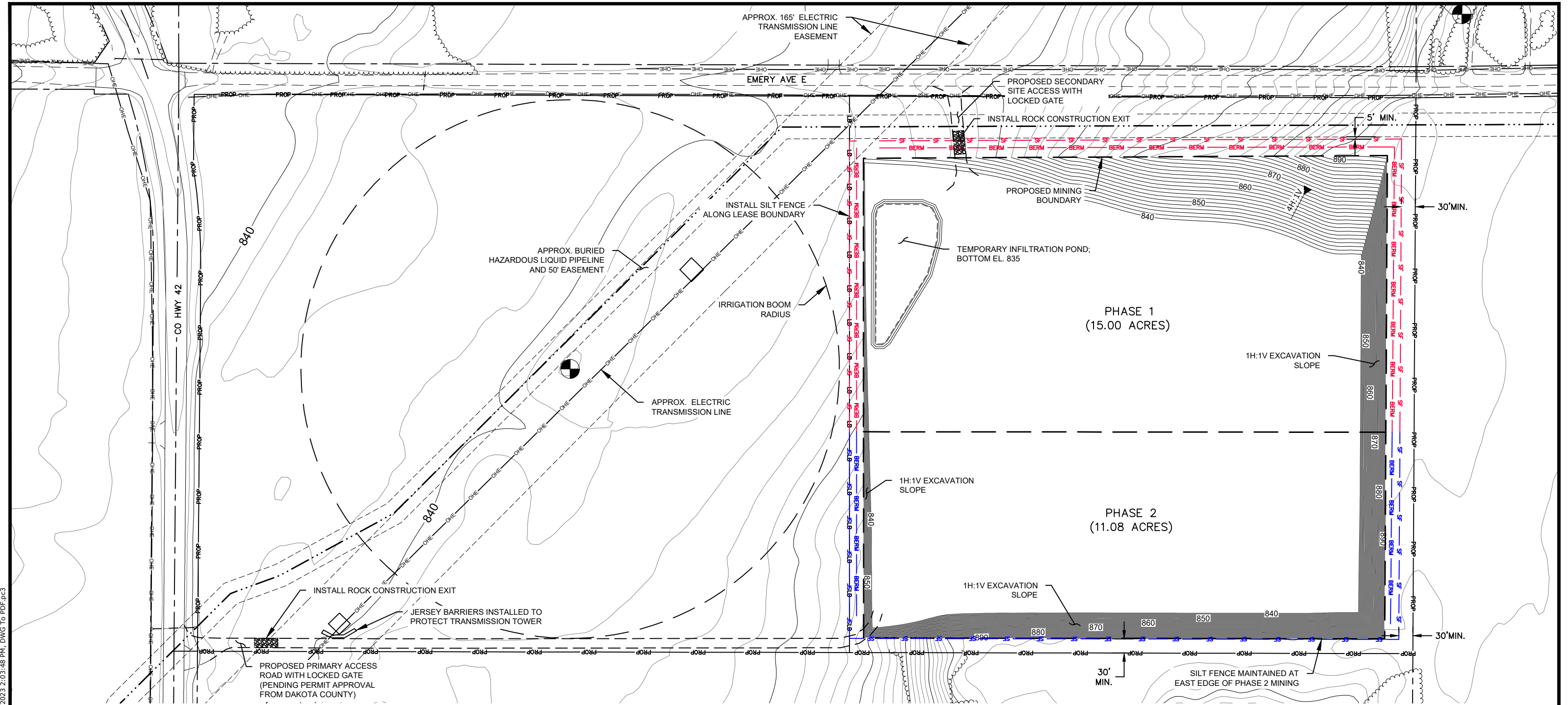
BERGER PIT
ROSEMOUNT, MN

EXISTING CONDITIONS & ADJACENT LAND OWNERS
POLLUTION PREVENTION PLAN

2 of 7



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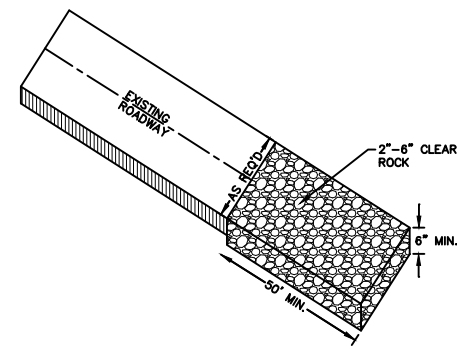


LEGEND

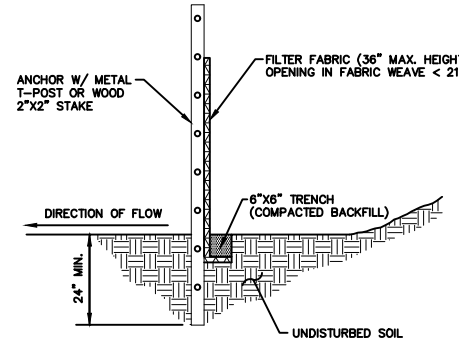
- 880 TOPOGRAPHIC MAJOR CONTOUR (10' INTERVAL)
- PROF TOPOGRAPHIC MINOR CONTOUR (2' INTERVAL)
- LB PROPERTY BOUNDARY
- MINING BOUNDARY
- NEIGHBORING PARCELS/SUBDIVISIONS
- GRAVEL ROADWAY
- OHE EXISTING OVERHEAD ELECTRIC
- APPROXIMATE BURIED PIPELINE
- APPROXIMATE EASEMENT
- APPROXIMATE WOODS
- 930 EXCAVATION MAJOR CONTOUR (10' INTERVAL)
- EXCAVATION MINOR CONTOUR (2' INTERVAL)
- SF PHASE 1 SILT FENCE
- BERM PHASE 1 DIVERSION/SCREENING BERM
- SF PHASE 2 SILT FENCE
- BERM PHASE 2 DIVERSION/SCREENING BERM
- APPROXIMATE WELL

NOTES:

1. PHASE 2 SHALL NOT BE EXCAVATED UNTIL AT LEAST 70% OF PHASE 1 HAS BEEN RECLAIMED AS SHOWN ON SHEET 4. MINERAL EXTRACTION IS NOT TO EXCEED 19.5 ACRES OF OPEN EXCAVATION AT ANY ONE TIME.
2. INSTALL DIVERSION BERMS AS NECESSARY TO CONTAIN ALL STORMWATER AS MINING PROGRESSES.
3. STABILIZE ALL DIVERSION AND SCREENING BERMS WITH VEGETATION ON THE UPSTREAM AND DOWNSTREAM SIDE OF THE BERMS. ENSURE BERMS ARE 70% COVERED WITH VEGETATION BEFORE REMOVING SILT FENCE. MAINTAIN VEGETATION ON THE BERMS AS NECESSARY.
4. MAINTAIN ROADWAYS IN WELL GRADED CONDITION, LIMIT HAUL TRAFFIC TO ROADWAYS, AND LIMIT TRAFFIC TO 15 MPH TO PREVENT OFFSITE SEDIMENT TRACKING, INCLUDING MUD AND OTHER DEBRIS.



1 ROCK CONSTRUCTION EXIT
3 NO SCALE



2 SILT FENCE
3 NO SCALE

NOTES:

1. DIG A 6"x6" TRENCH ALONG THE INTENDED SILT FENCE LINE.
2. DRIVE ALL ANCHOR POSTS INTO THE GROUND AT THE DOWNHILL SIDE OF THE TRENCH.
3. POSTS SHALL BE SPACED A MAXIMUM OF 6 FEET APART.
4. LAY OUT SILT FENCE ALONG THE UPHILL SIDE OF THE ANCHOR POSTS AND BACKFILL 6"x6" TRENCH.
5. SECURELY ATTACH SILT FENCE TO ANCHOR POSTS W/ MINIMUM OF THREE ATTACHMENTS PER POST.
6. SEE MNDOT SPECIFICATIONS 2573 & 3886.



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Signature: *Brannon L. Peterson*
Date: 3/22/23 License #: 58910

Drawn: BLP
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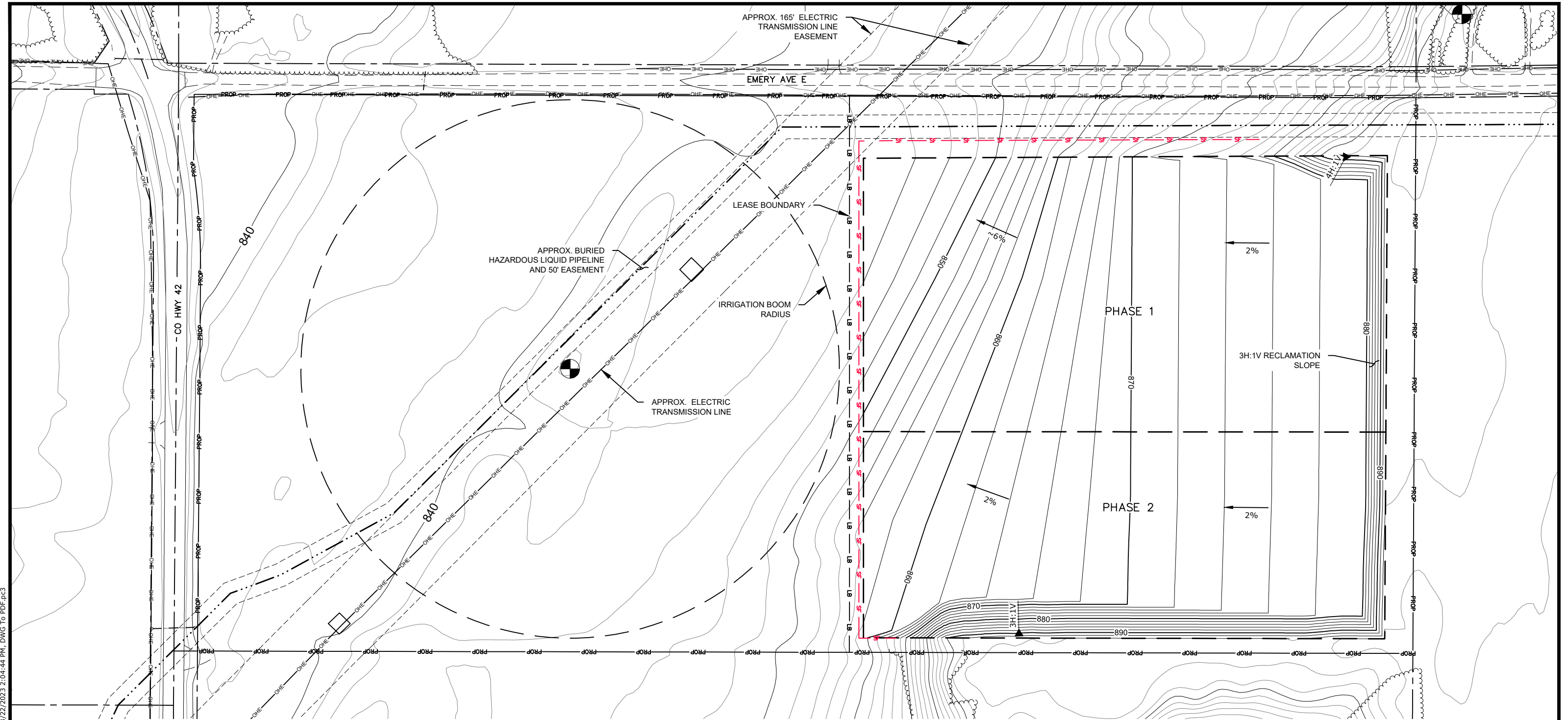
REV	DATE	BY	DESCRIPTION
1	3/22/23	BLP	ISSUED FOR PERMIT APPLICATION

FRATTALONE COMPANIES, INC.
3205 SPRUCE STREET, ST. PAUL, MN 55117

BERGER PIT
ROSEMOUNT, MN

SITE PLAN
POLLUTION PREVENTION PLAN

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LEGEND

- 880 TOPOGRAPHIC MAJOR CONTOUR (10' INTERVAL)
- PROPR TOPOGRAPHIC MINOR CONTOUR (2' INTERVAL)
- LB PROPERTY BOUNDARY
- LEASE BOUNDARY
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- NEIGHBORING PARCELS/SUBDIVISIONS
- GRAVEL ROADWAY
- OHE EXISTING OVERHEAD ELECTRIC
- APPROXIMATE BURIED PIPELINE
- APPROXIMATE EASEMENT
- APPROXIMATE WOODS
- 930 RECLAMATION MAJOR CONTOUR (10' INTERVAL)
- RECLAMATION MINOR CONTOUR (2' INTERVAL)
- SF PROPOSED SILT FENCE
- APPROXIMATE WELL

NOTES:

1. INSTALL SILT FENCE, AS NECESSARY, ALONG ALL DOWNSTREAM PERIMETERS OF RECLAMATION ACTIVITIES.
2. ALL TEMPORARY ACCESS ROADS SHALL BE SALVAGED AND REMOVED FROM THE SITE.
3. ALL RECLAIMED AREAS SHALL RECEIVE A MINIMUM OF 6" OF TOPSOIL.

1. TURF ESTABLISHMENT SHALL APPLY TO ALL DISTURBED AREAS AND SHALL BE ACCORDING TO MNDOT STANDARD SPECIFICATIONS FOR CONSTRUCTION (LATEST EDITION) EXCEPT AS MODIFIED BELOW.
2. TURF ESTABLISHMENT SHALL OCCUR AS SOON AS POSSIBLE BUT IN NO CASE NO MORE THAN 14 DAYS AFTER FINAL LAND GRADING ACTIVITIES.
3. SEED: MNDOT MIXTURE 32-241 AT 38 POUNDS PER ACRE OR 35-241 AT 36.5 POUNDS PER ACRE.
4. DORMANT SEED: SHALL BE APPLIED AT TWICE THE NORMAL RATE AFTER NOVEMBER 1ST.
5. MULCH: TYPE 1 AT 2 TONS PER ACRE (DISK ANCHORED).
6. FERTILIZER: TYPE AND RATE TO BE DETERMINED FROM TOPSOIL TESTING..

1 TURF ESTABLISHMENT
4 NO SCALE



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3205 SPRUCE STREET, ST. PAUL, MN 55117

BERGER PIT
ROSEMOUNT, MN

RECLAMATION PLAN
POLLUTION PREVENTION PLAN

4 of 7

City Council Regular Meeting: May 16, 2023

AGENDA ITEM:	Las Tortillas Conditional Use Permit for Outdoor Dining Area	AGENDA SECTION:	CONSENT AGENDA
PREPARED BY:	Anthony Nemcek , Senior Planner	AGENDA NO.	6.f.
ATTACHMENTS:	Resolution, Excerpt from the April 25, 2023 Planning Commission Meeting Minutes, Site Location, Site Aerial, Patio Overhead View, Angle View, Parking Lot View	APPROVED BY:	LJM
RECOMMENDED ACTION: Motion to adopt a resolution approving a conditional use permit for the Las Tortillas Restaurant allowing operation of an outdoor seating or dining area for eleven or more seats, subject to conditions.			

BACKGROUND

Applicant:	Las Tortillas Mexican Restaurant, Inc.
Property Owner:	Mark Nivala
Location:	15051 Crestone Avenue
Area in acres:	3.65 Acres
Comp. Guide Plan Designation	CC-Community Commercial
Current Zoning:	C4-General Commercial

The applicant, Ryan McGunnigle/Las Tortillas Mexican Restaurant, Inc., requests a conditional use permit to allow operation of an outdoor seating or dining area for eleven (11) or more seats. The subject property is located in the Celtic Crossing shopping center at 15051 Crestone Avenue. The Planning Commission and staff are recommending approval of this request.

PLANNING COMMISSION ACTION

The Commission held a public hearing to review the request and receive public comment during its meeting held on April 25, 2023. The Commission asked several questions about outdoor music and how enforcement would occur if there were issues. Staff described the complaint-based system for enforcing provisions of the City Code, and that repeated violations could result in revocation of the CUP, although that is a very last resort that gives the City “teeth” to enforce noise issues. Staff noted, after being asked, that there have been no complaints since the outdoor dining area was put in place in 2020.

The Commission also asked about the type of fencing that could be constructed. The type of fencing is not regulated by the code, rather the code regulates the placement of the fence. The Commission also asked about the loss of parking stalls, and staff confirmed that even with the reduction in stalls and increase in seats, the site would still be within the requirements of the City Code.

The Commission voted unanimously to recommend approval of the request, subject to the conditions in the attached resolution.

PROPOSAL

Near the beginning of the Covid-19 pandemic, the City adopted policies that allowed for an expedited process to permit temporary outdoor dining areas to help mitigate the impact of restrictions on indoor dining. These included a waiver of sewer access charges and conditional use permit requirements.

The applicant, since the summer of 2020 has been providing outdoor dining in six parking stalls near the entrance to the restaurant. The applicant is requesting to provide permanent outdoor seating in this area, subject to approval of a conditional use permit.

The applicant's plan includes a pergola that will shelter ten four-top tables or seating for 40. The temporary patio contained 12 tables, as shown in the attached aerial dated April 22nd, 2021, with seating for 48. The outdoor area will feature hanging baskets and concrete planters that will delineate the space and also provide a vehicle barrier. These barriers were recommended by the City's Building Official and engineering staff. The area in which the patio will be located is the same as what has been used for the past three summers.

In 2010, the Board of Appeals approved a variance that would allow a total of 261 restaurant seats across the entire Celtic Crossing, which was a 120% increase over what would be allowed based on the number of stalls provided on the site. The justification being that one of the other restaurants on the site, Suzie's Kitchen, sees most of its business in the morning, whereas Las Tortillas isn't open for breakfast and the majority of its business occurs in the evening hours. The total seats permitted will be reduced to 239 due to the reduction in parking stalls created by the construction of the dining area.

Currently, between Las Tortillas' current operation and the other restaurants in the shopping center, there are 173 seats on site. The addition of the proposed 40 patio seats will bring that total to 213 seats, well below the maximum of 239.

Conditional Use Permit

Legal Authority. Conditional use permits (CUP) are considered quasi-judicial actions. In such cases, the City is acting as a judge to determine if the regulations within the Comprehensive Plan, Zoning Ordinance and Subdivision Ordinance are being followed. Generally, if the application meets these requirements, it must be approved.

Purpose. The purpose of conditional use permits is to allow for those uses which are not generally suitable by right within a given zoning district but may be suitable under some circumstances. The burden of demonstrating the proposed use meets the criteria for granting a conditional use permit and meeting all applicable standards lies with the applicant.

As a conditional use, outdoor seating or dining areas for eleven (11) or more seats are subject to the general CUP standards outlined in Section 11-10-7 as well as the standards specific to this use in Section 11-4-14.D. These standards evaluate the City's land use and zoning performance standards and the potential impact of the proposed use on the surrounding neighborhood. These standards and staff findings for each are provided below. Many of the findings have already been proven due to the fact the applicant has been providing outdoor seating and dining for the past 3 patio seasons.

1. Will not be detrimental to or endanger the public health, safety, or general welfare of the neighborhood or the city.

Finding: The outdoor seating or dining area will not be detrimental to the public health, safety, or general welfare of the neighborhood or the City of Rosemount.

2. Will be harmonious with the objectives of the comprehensive plan and city code provisions.

Finding: The subject property is guided CC – Community Commercial by the comprehensive plan and zoned C-4 – General Commercial. Outdoor seating or dining areas for eleven or more people are a conditional use in this zoning district.

According to the comprehensive plan, the Community Commercial land use designation is intended to provide retail, professional offices, and personal services that serve the daily and weekly needs of the residents of Rosemount. Close proximity to arterial streets is needed for visibility while individual business accesses shall be provided predominantly from collector, local, or private streets. By comparison the purpose and intent of the C-4 – Community Commercial district is to provide a wide range of goods and services to the entire community. Due to their proximity to major arterial streets, businesses in this district are dependent on large volumes of traffic, thus need to be highly visible and accessible.

3. Will be designed, constructed, operated, and maintained so as to be compatible or similar in an architectural and landscape appearance with the existing or intended character of the general vicinity and will not change the essential character of that area, nor substantially diminish or impair property values within the neighborhood.

Finding: According to the applicant, the materials used for the design of the outdoor dining areas will be attractive and will result in an overall improvement to the site. This design also conforms to the site and building standards of the C-4 district.

4. Will be served adequately by existing (or those proposed in the project) essential public facilities and services, including streets, police and fire protection, drainage, structures, refuse disposal, water and sewer systems and schools.

Finding: The existing shopping center complex is served adequately by existing essential public facilities and services.

5. Will not involve uses, activities, processes, material equipment and conditions of operation that will be hazardous or detrimental to any persons, property, or the general welfare because of excessive production of traffic, noise, smoke, fumes, glare or odors.

Finding: While the outdoor dining area will likely create additional noise, this area is located more than 225' from the nearest residential area and screened by the existing building from the neighborhood to the south.

6. Will have vehicular ingress and egress to the property which does not create traffic congestion or interfere with traffic on surrounding public streets.

Finding: The proposed dining area will not interfere with existing drive aisle. The subject property has direct ingress and egress from Crestone Avenue and 151st Street West as well as access from Shannon Parkway via internal access drives.

7. Will not result in the destruction, loss or damage of a natural, scenic, or historic feature of major importance and will comply with all local, state, and federal environmental quality standards.

Finding: The proposed use will not result in the destruction, loss, or damage of a natural, scenic, or historic feature of major importance and will comply with all local, state, and federal environmental quality standards.

8. These standards apply in addition to specific conditions as may be applied throughout this code.

Finding: Outdoor dining areas for eleven or more seats are also subject to the specific conditional use permit standards in Section 11-4-11.D as outlined below.

In addition to the general conditional use permit standards reviewed above, the proposed use must comply with the specific performance standards for outdoor seating or dining areas for eleven (11) or more seats. These standards along with staff findings are detailed below.

1. The site and enclosure(s) shall be designed to limit the effects of outdoor seating or dining areas on contiguous properties and/or public rights of way.

Findings: According to the applicant, the materials used for the design of the outdoor dining area will be attractive and of high quality. The areas will be located approximately 485' from the 150th Street West (County Road 42) right-of-way and more than 225' from the closest residential area. The applicant's plan calls for the outdoor dining areas to include planters along its north side, but it does not include a detailed planting schedule. Staff recommends that a condition of approval require the applicant to revise the plan to include a detailed planting schedule consistent with the zoning requirement to provide a minimum of one planting every ten (10) linear feet, and staff acknowledges the renderings depict this requirement being met. This distance and design will limit the effects of the areas on contiguous properties and the public right-of-way.

2. The seating area shall be located on private property along the front, side or rear of the principal building but shall not be located within a required setback or on the side abutting any residential use or district.

Findings: The proposed outdoor seating area will be located along the front (north) side of the southern building within the shopping center and 435' beyond the required 30' minimum front yard setback standard.

3. The seating area shall not interfere with circulation in any required parking, loading, maneuvering or pedestrian area. A minimum four foot (4') passageway shall be maintained along the private

sidewalk for pedestrians.

Findings: The proposed outdoor seating area has been located within 6 parking stalls on the site over the past three patio seasons and no complaints or issues have been observed in that time. The existing sidewalk along the north side of the building will remain. While the construction of the permanent patio will result in a loss of six parking stalls, based on the number of seats within the restaurant and the site overall, the shopping center still meets the minimum required with the approved 2010 variance. Additionally, staff finds that because the restaurant is located at the end of the building, the intent of the second part of this condition is met.

4. The seating area shall be located in a controlled or cordoned area acceptable to the city with at least one opening to an acceptable pedestrian walk.

Findings: The applicant's plans only show a single fence along the north side of the dining area. Additional fencing is required on all sides, with access provided along the eastern side of the dining area for it to comply with the Americans with Disabilities Act. A condition is included that requires the plans include these barriers and access.

5. When a liquor license is granted, an uninterrupted enclosure is required and the enclosure shall only have access through the principal building.

Findings: A condition is included that requires the plans to be updated to include fencing up to the building and surrounding the patio.

6. The seating area shall not be permitted within two hundred feet (200') of any residential use or district as measured at the property line and shall be separated from residential use or district by the principal structure or other method of screening acceptable to the city. The minimum distance from a residential use or district may be reduced should the city determine the applicant has added sufficient elements to reduce the impact of this use.

Findings: The outdoor dining areas will be located approximately 189' from the nearest residential district and more than 225' from the closest dwelling. Staff finds the distance as well as the screening provided by the existing building provide sufficient elements to reduce the impact of the proposed use.

7. No public address system shall be audible from a noncommercial or nonindustrial use or district.

Finding: A condition of this approval will note that no public address system shall be audible from any residential use or district. Like other noise-related regulations in the City Code, enforcement action will be taken if City staff receives complaints about the property.

RECOMMENDATION

The Planning Commission and staff recommend approval of a conditional use permit to allow operation of an outdoor seating or dining area for eleven (11) or more seats at the Las Tortillas restaurant located at 15051 Crestone Avenue subject to the conditions of approval contained in the attached resolution. This recommendation is based on the plans submitted by the applicant and the findings made in this report.

**CITY OF ROSEMOUNT
DAKOTA COUNTY, MINNESOTA**

RESOLUTION 2023-XX

**A RESOLUTION GRANTING A CONDITIONAL USE PERMIT FOR LAS TORTILLAS,
INC. ALLOWING OPERATION OF AN OUTDOOR SEATING OR DINING AREA FOR
ELEVEN OR MORE SEATS, SUBJECT TO CONDITIONS**

WHEREAS, the City of Rosemount received an application from Las Tortillas, Inc. requesting a Conditional Use Permit (CUP) to allow operation of an outdoor seating or dining area for eleven or more seats at 15051 Crestone Avenue; and

WHEREAS, on April 25, 2023, the Planning Commission of the City of Rosemount held a public hearing to review the CUP application allowing operation of an outdoor seating or dining area for eleven or more seats and adopted a motion to recommend that the City Council approve this request, subject to conditions; and

WHEREAS, on May 16, 2023, the City Council of the City of Rosemount reviewed and agreed with the Planning Commission's recommendation to grant a conditional use permit allowing operation of an outdoor seating or dining area for eleven or more seats at Las Tortillas restaurant located at 15051 Crestone Avenue.

NOW, THEREFORE, BE IT RESOLVED, the City Council of the City of Rosemount hereby approves a Conditional Use Permit (CUP) allowing operation of an outdoor seating or dining area for eleven or more seats at Las Tortillas restaurant located at 15051 Crestone Avenue, subject to the following conditions:

1. The applicant shall apply for and receive a building permit.
2. Approval of an amendment to the applicant's existing liquor license to allow alcohol to be served on the outdoor dining area.
3. The applicant shall provide a letter with their building permit application from their insurance company indicating that vehicular barriers of a specific design are not a requirement of the applicant's insurance policy.
4. Provide additional detail regarding proposed plantings, including size.
5. Fencing shall be installed around all sides of the patio so that the only access is provided via the principal structure. An additional, occasional access shall be provided on the east side of the dining area to comply with ADA requirements.
6. No public address system, music, or TV located on the patio shall be audible from a noncommercial or nonindustrial use or district.

ADOPTED this 16th day of May 2023 by the City Council of the City of Rosemount.

Jeffery D. Weisensel, Mayor

ATTEST:

Erin Fasbender, City Clerk

EXCERPT FROM THE APRIL 25, 2023 PLANNING COMMISSION MEETING MINUTES

5a. Request by Las Tortillas for a conditional use permit for additional outdoor seating/dining area.

Senior Planner Nemcek provided a presentation and summary of the staff report for the Planning Commission. The approval of the request by Las Tortillas would provide a permanent patio with provided screening on the North side of the building. The temporary patio has been used since 2020 and the dining area would seat 40 people if approved.

Commissioner comments:

Chair Kenninger asked a question regarding the public address system and its audibility.

Senior Planner Nemcek noted the public address system could not be audible to residents in the noncommercial district.

Commissioner Reed asked about the public address system and how noise from the restaurant would be managed.

Senior Planner Nemcek noted that it is a complaint-based enforcement which would be overseen by the police department.

Commissioner Reed asked about the process and procedure if there is a consistent pattern of noise complaints.

CD Director Kienberger noted that steps can be taken to mitigate any noise complaints via the police department and, if needed, by the planning commission to revoke the CUP. It is the City's teeth to ensure the conditions in the CUP are followed.

Chair Kenninger asked if any complaints were received from Las Tortillas.

Senior Planner Nemcek noted there have been no complaints received by the Police Department.

Commissioner Whitman inquired about the standards for seating, clarifying they were not only a condition in the CUP, but also a restatement of the City Code. He also asked if the restaurant would be subject to other noise standards set by the city.

Senior Planner Nemcek said yes, that is correct.

Commissioner Thiagarajan asked about the fence on the patio and if there was a type required.

Senior Planner Nemcek noted that there was no requirement so long as it is continuous and non-interrupted.

Chair Kenninger asked if Senior Planner Nemcek knew what type of fence the applicant was going to construct.

Senior Planner Nemcek said in the site plan the applicant had a type of cable fence with shown, but he was not certain.

Chair Kenninger also asked if the fence would be permanent.

Senior Planner Nemcek noted that the patio would be permeant if the applicant would like to have a liquor license.

Commissioner Rivera asked about the parking stalls and requirements.

Senior Planner Nemcek noted the parking is currently within code requirements with the variance they previously received.

The public hearing opened at 6:50 pm.

Public Comments: None.

MOTION by Kenninger to close the public hearing.

Second by Powell.

Ayes: 7. Nays: 0. Motion Passes.

The public hearing closed at 6:51 pm.

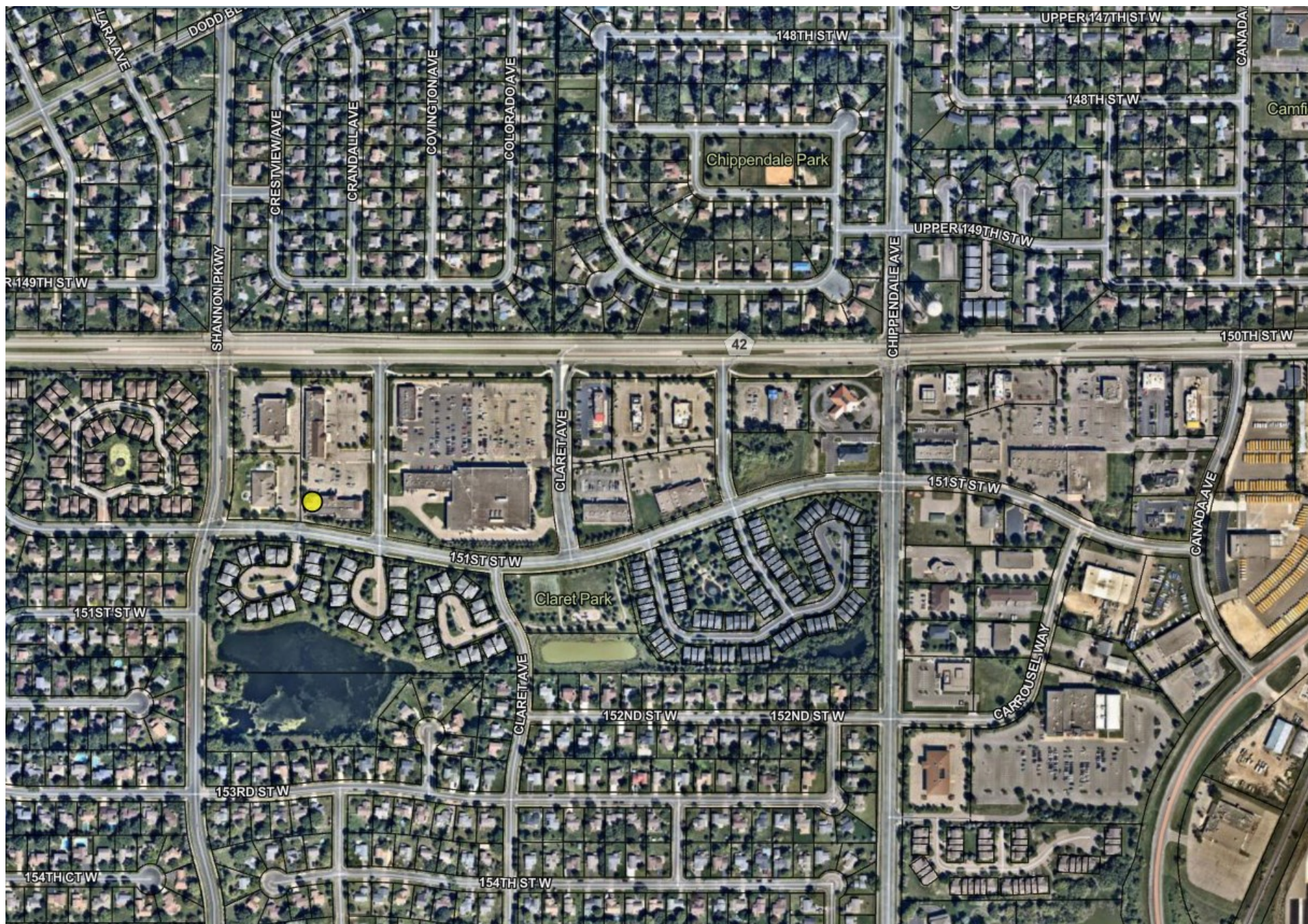
Additional Comments:

Commissioner Powell noted that the restaurant is well supported by the community and does not create any adverse concerns.

MOTION by Powell to approve the request by Las Tortillas for a conditional use permit for additional outdoor seating/dining area subject to the terms and conditions.

Second by Reed.

Ayes: 7. Nays: 0. Motion Passes.







NO.	Date	Issue Notes
NO.	Date	Revision Notes

Las Tortillas
Landscape Design
15051 Crestone Ave
Rosemount, MN 55068

Designer:
Ryan Slipka

Design Associate:
Chris Barber

Measure Team:

Measure Input:

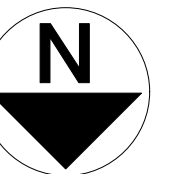
Print Date: 2023-04-20
File Name:
2023-04-14_McGunnigle.vwx

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Released By: _____
Date Released: ____/____/____

Sheet
1 of 5

Scale:
1/4" = 1'-0"





	Designer: Ryan Slipka		Measure Input:		LasTortillas 3D Views 15051 Crestone Ave Rosemount, MN 55068	NO	Date	Revision Notes	2383 Pilot Knob Rd Mendota Heights, MN 55120 Phone: 651-203-3000 Fax: 651-455-1734 SouthviewDesign.com	
	Design Associate: Chris Barber		Measure Team:							
	Sheet 5 of 5	Print Date: 2023-04-20 File Name: 2023-04-14_McGunnigle.vwx								
Scale: Not to Scale	This drawing contains proprietary information which belongs to Southview Design Inc. Any unauthorized duplication or use is strictly prohibited.					NO	Date	Issue Notes		
Released By: _____ Date Released: / /										



	Designer: Ryan Slipka		Measure Input:	
	Design Associate: Chris Barber		Measure Team:	
	Sheet 2 of 5	Print Date: 2023-04-20 File Name: 2023-04-14_McGunnigle.vwx		
Scale: Not to Scale	This drawing contains proprietary information which belongs to Southview Design Inc. Any unauthorized duplication or use is strictly prohibited.			
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LasTortillas 3D Views 15051 Crestone Ave Rosemount, MN 55068							
					NO	Date	Revision Notes
					NO	Date	Issue Notes

2383 Pilot Knob Rd Mendota Heights, MN 55120
Phone: 651-203-3000 Fax: 651-455-1734 SouthviewDesign.com



City Council Regular Meeting: May 16, 2023

AGENDA ITEM: Akron/CSAH 42 Alternative Urban Areawide Review Update	AGENDA SECTION: CONSENT AGENDA
PREPARED BY: Anthony Nemcek , Senior Planner	AGENDA NO. 6.g.
ATTACHMENTS: Resolution, Akron AUAR Update 2023, AUAR Study Area, Comment Response Memorandum Dated March 7, 2023	APPROVED BY: LJM
RECOMMENDED ACTION: Motion to Adopt a Resolution Authorizing the Adoption of the CSAH 42/Akron Study Area Alternative Urban Areawide Review (AUAR) Update 2023.	

BACKGROUND

The City Council adopted the CSAH 42/Akron AUAR (Alternative Urban Areawide Review) in 2007. State Statute requires that the City review and update the AUAR every five years and allow the required reviewing agencies to comment on the update. The agency comment period expired on February 22. All letters received and ensuing comments are attached. Maintaining a current AUAR allows developers to move forward without separate, project specific environmental reviews. This is a benefit to both the developer and landowners since costs and time are decreased in the entitlement process.

Staff prepared an update to the CSAH 42/Akron AUAR which was initially adopted in 2007. The AUAR covers about 1,500 acres of land generally located north of CSAH 42, along both sides of Akron Avenue south of Bonaire Path. The northern extent of the area is that land between Bacardi Avenue and Akron Avenue contained within the MUSA. The update to the AUAR includes the following areas that have received approval since 2018: Ardan Place, Meadow Ridge, Bray hill, Talamore, Emerald Isle, Lennar's townhomes east of Akron Avenue, and future developments at Akron Avenue on the north side of CSAH 42. All of the development that has taken place in the AUAR is within the limits of the initial AUAR analysis. Of the 1,500 acres within the study area, there are approximately 450 acres remaining that have not been approved for development.

The City's Comprehensive Sewer and Water plans can accommodate future development that is projected to take place over the next 5-10 years within the study area. The update is attached to this Executive Summary. To begin the agency review of the update, hard copies were mailed to eleven State agencies, five Federal agencies, and the Metropolitan Council. The availability of the update was published in the EQB Monitor and on the City's website. The comment period was for 10 business days and ended on February 22, 2023. Staff received MN Department of Natural Resources, MN Department of Transportation, Metropolitan Council, and Dakota County. The letters are included at the end of the AUAR update attached to this report. Additionally, a memorandum containing responses to each comment received is also attached. The Metropolitan Council comments were

technical in nature and highlighted the need for consistency with regional park and trail plans and other City infrastructure plans. The majority of the County's comments pertain to transportation and trail planning through the AUAR area. A memorandum containing responses to all comments received is included in the attachments.

RECOMMENDATION

Staff recommends that the City Council adopt the CSAH 42/Akron AUAR Update.

**CITY OF ROSEMOUNT
DAKOTA COUNTY, MINNESOTA**

RESOLUTION 2023-XX

**A RESOLUTION AUTHORIZING THE ADOPTION OF THE
CSAH 42/AKRON STUDY AREA
ALTERNATIVE URBAN AREAWIDE REVIEW (AUAR) UPDATE 2023**

WHEREAS, an AUAR Update has been completed for the project pursuant to Minnesota Rules 4410 which identifies and assesses the environmental impacts and mitigation measures associated with the CSAH 42/Akron Study Area;

WHEREAS, the AUAR was updated pursuant to Minnesota Rule 4410.3610;

WHEREAS, the AUAR Update was distributed for the required 10-day comment period;

WHEREAS, comments received on the AUAR Update have generated information adequate to determine mitigation measures associated with the potential development in this area;

WHEREAS, the comments received and the City's responses to these comments are included in the public record for the AUAR;

NOW THEREFORE BE IT RESOLVED, by the City Council of Rosemount, MN that the City of Rosemount adopts the CSAH 42/Akron Study Area AUAR Update dated February 2023 with revision April 2023.

ADOPTED this 16th day of May 2023, by the City Council of the City of Rosemount.

Jeffery D. Weisensel, Mayor

ATTEST:

Erin Fasbender, City Clerk

FINAL ALTERNATIVE URBAN AREAWIDE REVIEW UPDATE

ALTERNATIVE URBAN AREAWIDE REVIEW UPDATE CSAH 42/AKRON STUDY AREA

For:

City of Rosemount, Minnesota



Original AUAR: January 2007

Update 1: March 2012

Update 2: December 2017

Revision: February 6, 2018

Update 3: February 2023

Revision: April 2023

By:



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- Figure 2. Developed and Undeveloped Areas
- Figure 3. Trail and Sidewalk Plan
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Appendix A - Figures

Appendix B – DNR Natural Heritage Database Review

Appendix C – Comments and Responses to the AUAR Update

I. Introduction and Purpose

The CSAH 42/Akron study area has been reduced to approximately 1,420 acres from its original 1,500 acres. The modification of the study area is due to a new AUAR that includes the parcels furthest east within the study area (PID Nos. 34-02600-011, 34-02600-25-012 and 34-02600-40-010). The study area is located north of CSAH 42/145th Street. The Bloomfield development, Meadows of Bloomfield development, and Bacardi Avenue are west of the area. Bonaire Path bisects the study area. The study area is shown on **Figure 1**.

The City of Rosemount adopted the CSAH 42/Akron Final Alternative Urban Areawide Review (AUAR) in January 2007 and completed updates to the AUAR in 2012 and 2017. Pursuant to Minnesota Rules 4410.3610 Subp. 7, for the AUAR to remain valid as the environmental review document for the area, the document needs to be updated every five years until all development in the study area has received final approval. Since undeveloped areas still remain in the study area and the AUAR will expire in 2023, the purpose of this document is to update the AUAR pursuant to Minnesota Rules.

The 2007 AUAR evaluated three scenarios. The 2012 Update provided an update to the Comprehensive Plan scenario. The 2017 Update provided an update to the land use plan reflecting a change from Medium Density Residential to Low Density Residential.

The 2007 AUAR and subsequent updates are available for review on the [City's website](#) in the Planning section. This report is intended to serve as an update of the AUAR and includes a review of the areas that have and have not developed, an update to the environmental analysis as needed, and a review of the mitigation measures.

II. Approved Development/Current Conditions

Figure 2 shows the location of the approved developments within the study area. Of the 1,420 acres in the study area, approximately 966 acres have been approved for development. Since the 2017 AUAR update, additional development has been approved as follows:

- Bella Vista: The Bella Vista project is complete with future development opportunities to the north which would access portions of the existing road system. .
- Prestwick Place: Prestwick Place and Falmoor Glen are fully developed. Additional phases of Prestwick Place had been approved in the west of the previous development along with dedication of new road right-of-way as compared to 2017. The City also approved a residential development of Prestwick Place for 212 apartment units west of Akron. Grading and development are underway along with dedication of new road right-of-way.
- Greystone: Additional development has occurred along with some dedication of new road right-of-way. The Greystone neighborhood is fully built out.
- Meadow Ridge: The City has approved the development of Meadow Ridge in the northeast portion of the study area. The development of the single-family residential lots is underway along with the dedication of road right-of-way in the southern portion of the development.
- Caramore Crossing: The residential development has been approved west of Akron Avenue, in the northeast portion of the study area. The project includes traditional single family residential lots and small lot single family with HOA. Development is underway along with some dedication of new right-of-way.

- Ardan Place: The City approved the residential development, east of Autumn Path, and south of Bonaire Path. The project includes a combination of single family residential and multi-family townhomes with site grading, utility installation and building construction underway. .
- Emerald Isle: The residential development that includes apartments has been approved in the southcentral portion of the study area. Grading and development are underway along with dedication of new road right-of-way.
- Talamore: The development of townhomes has been approved north of CSAH 42 in the southcentral portion of the study area. Grading and development are underway.
- Commercial Development: The commercial development has been approved east of Akron Avenue, in the southern portion of the study area. The project includes several commercial properties including a Lifetime Gym with site grading and building construction underway.
- Bray Hill: The residential development of has been approved east of Akron Avenue , north of the railroad within the area. Construction has not yet begun for this development.

All of the developments that have been approved are within the thresholds of the AUAR and the City's current Comprehensive Plan.

III. Areas Remaining to be Developed

Of the 1,420 total acres, there are approximately 454 acres remaining in the study area that have not been approved for development. These areas are shown in **Figure 2** and are mainly planned for low density residential with high density and commercial along 145th Street and the southern portion of Akron Avenue.

Timeline: The timing of development is based on market conditions. The City anticipates the remaining areas to be developed in the in next five to ten years.

IV. Update to the Environmental Review

The DNR Natural Heritage Database information was updated for this AUAR Update. A formal Minnesota Department of Natural Resources (MNDNR) Natural Heritage Information System (NHIS) request was submitted on November 28, 2022 and a response was received on February 22, 2023 (**Appendix B**). The following records of special status species or rare habitats area within 1 mile of the project area:

- There is an area ranked as Below immediately adjacent to the northern boundary of the proposed project that the Minnesota Biological Survey considered Site of Biodiversity Significance but was determined to be below the minimum biodiversity threshold of statewide significance.
- The loggerhead shrike (*Lanius ludovicianus*), a state-listed endangered bird, and a lark sparrow (*Chondestes grammacus*), a state-listed bird species of special concern, have been documented in the vicinity of the project site. These bird species are typically found in open, grassland areas with scattered trees and shrubs.
- Blanding's turtles (*Emydoidea blandingii*), a state-listed threatened species, have been documented in the vicinity of the project site. Typically found in wetland complexes or other calm, shallow water near adjacent uplands.

- Trumpeter swans (*Cygnus buccinator*), a state-listed species of special concern, have been documented nesting in the vicinity of the proposed project site. Typically found in small open water wetlands and lakes with emergent vegetation.
- The project site overlaps with a Rusty Patch Bumble Bee High Potential Zone. The Rusty Patch Bumble Bee (*Bombus affinis*), a federally listed as endangered and is likely to be present in suitable habitat within High Potential Zones. Typically found in foraging habits that includes prairies, woodlands, marshes, agricultural landscapes and residential parks and gardens.

The development that has been approved to date, as well as the land use in the Comprehensive Plan, are within the limits of the AUAR analysis. The sewer and water systems were reviewed in relation to the existing conditions, past development, and the AUAR. The City's Comprehensive Sewer and Water plans can accommodate the study area. The study area is within a Wellhead Protection Area as noted in the City's Amendment to the Wellhead Protection Plan (2010).

Stormwater management regulations continue to change. The study area is subject to the City's current Comprehensive Stormwater Management Plan and NPDES rules as well as the mitigation measures in the AUAR and this Update.

Changes in traffic have been anticipated within the City's Comprehensive Plan, the AUAR, and with individual development review. Development will continue to abide by the mitigation plan in the AUAR.

Dakota County has approved master plans for the Vermillion Highlands Greenway and the Rosemount Greenway Regional Trails. These trails are proposed to travel through the study area. The planned Vermillion Highlands Greenway Trail will connect Lebanon Hills Regional Park in Eagan to Whitetail Woods Regional Park in Farmington. The planned Rosemount Greenway Regional Trail will connect Lebanon Hills Regional Park to Spring Lake Park Reserve in Rosemount. These regional trails are part of the Metropolitan Regional Parks System and are governed by the Council's 2040 Regional Parks Policy Plan. The City has continued to develop its trail network throughout the city. **Figure 3** shows the existing and proposed trail network.

Based on this analysis, the area has developed in conformance with the 2007 AUAR and subsequent updates. The areas that are anticipated to develop will be in conformance with the AUAR and updates, and the mitigation measures.

V. Mitigation Summary and Update

The mitigation measures developed in the AUAR process are outlined below, including a progress update or changes to the mitigation plan:

A. Geologic Hazards, Erosion Control, and Hazardous Material	
A1. Project proposers shall make environmental documents, such as Phase I reviews, available to the City and Dakota County Environmental Services.	Ongoing
A2. Development will be required to remediate any contaminated soils in conformance with MPCA regulations.	Ongoing
A3. Development will be required to remove and properly dispose of trash and debris located within the site.	Ongoing

A4. The NPDES/SDS Construction Stormwater Permit requires a site-specific Stormwater Pollution Prevention Plan (SWPPP) to be completed for construction projects. This SWPPP is required to include pollution prevention management measures for solid waste and hazardous material spills that occur during construction. The SWPPP, including temporary and permanent seeding and staging plans, will be required to be submitted by the developer and reviewed by the City as part of the platting process.	Ongoing
A5. Street sweeping will occur as needed to remove dirt that has been tracked on to adjacent roads during construction.	Ongoing
A6. A SWPPP and NPDES permit will be required for the construction of the trunk sanitary sewer west of Akron Avenue.	Ongoing. To date this project has not commenced.
A7. The City will conduct erosion control inspections during construction.	Ongoing
A8. Mitigation includes conformance with the City spill response plan. Spills will be reported to the fire chief and/or applicable City staff. The fire chief and/or applicable City staff will in turn notify any other appropriate officials depending on the nature of the spill, such as the State Duty Officer.	Ongoing
A9. If a gas station with an underground tank is proposed in the area, annual licensing from the MPCA would be needed.	Ongoing. To date, no development has included a gas station
A10. The municipal waste hauler company will make residential and commercial recycling programs available to the area. These waste hauler companies will remove general municipal waste.	Ongoing
B. Fish, Wildlife, and Ecologically Sensitive Resources	
B1. The project proposer is required to obtain any necessary environmental permits. A copy of the MCE-generated Final Project report is recommended to be included in any state or local license or permit application.	Ongoing. Updated based on DNR Recommendation
B2. Wetlands will need to be delineated in conformance with the Wetland Conservation Act and US Army Corps of Engineers (COE) guidance as part of the development process. The City and COE will review and verify the wetland delineation.	Ongoing
B3. Wetland impact is anticipated to be minimized to the maximum extent possible throughout the review area. Wetlands will be managed based on the City's Comprehensive Wetland Management Plan (CWMP) and the Wetland Conservation Act (WCA).	Ongoing
B4. During the wetland permitting process, it will be investigated if Exceptional Natural Resource Value (ENRV) credit can be obtained for preserving areas within the RSEA.	Ongoing. No ENRV credit has been identified to date.
B5. Wetland buffers and setbacks will be required as per the City's Wetland Management Plan.	Ongoing
B6. The most current version of MnRAM or other approved functional assessment will be completed to evaluate wetlands as part of the development process to determine buffer widths.	Ongoing

B7. Per the City's ordinances, tree removal should remove no more than 25% of the significant trees. Tree replacement and planting shall also be governed by the ordinance.	Ongoing
B8. The Greenway Corridor Plan has been adopted. The City will require the establishment of the greenway corridor, as identified in the Greenway Corridor Plan	Ongoing
B9. The City will actively pursue opportunities to preserve and create natural areas and high value public land through parkland dedication, density bonuses, and alternative stormwater management strategies.	Ongoing
B10. A detailed ecological review of the woodlands and wetlands in the Regionally Significant Ecological Area (RSEA) will be required as part of development. Additional mitigation measures depending on the results of the review may be necessary and will be reviewed by City staff and City Council.	Ongoing
B11. Any development is required to meet the standards in the City's Shoreland Zoning Ordinance and the Floodplain Management Ordinance	Ongoing
B12. Tree and shrub removal must be avoided during the loggerhead shrike breeding season, April through July when possible. Surveys for active nests must be conducted by a qualified surveyor if removal during breeding season cannot be avoided.	Updated based on DNR NHIS Review
B13. Avoid aquatic habitat impacts during Blanding's turtle hibernation season between October 15 and April 15, unless the area is unsuitable for hibernation.	Updated based on DNR NHIS Review
B14. Erosion control blankets shall be limited to 'bio-netting' or 'natural-netting' types, and specifically not products containing plastic mesh netting or other plastic components.	Updated based on DNR NHIS Review
B15. Areas where construction will occur will be checked for turtles before the use of heavy equipment or any ground disturbance. The DNR's Blanding's turtle flyer will be provided to the construction contractor.	Updated based on DNR NHIS Review
B16. The USFWS has changed the northern long-eared bat (NLEB) status to federally endangered. Mature tree removal will occur outside of the NLEB active season (April 1 to October 31) and peak nesting season for birds protected by the Migratory Bird Treaty Act (April 1 to June 15) when possible. Surveys for potentially suitable NLEB roost trees and active bird nests will be conducted if tree removal occurs during the NLEB active season or during the peak nesting period for birds. Potentially suitable NLEB roost trees should only be removed from November 1 to March 31. If an active bird nest is observed, the tree will be flagged, and an appropriate no disturbance buffer will be established surrounding the nest until the young have fledged or the nest is abandoned. Project proposers will coordinate with the USFWS regarding the required mitigation measures for the NLEB based on the most relevant guidance and mitigation requirements.	Updated based on DNR Comment
B17. Coordinate with the USFWS related to the Rusty-Patched Bumblebee to determine if avoidance windows or habitat assessment are needed due to the project being within a High Potential Zone.	Updated based on DNR Comment
C. Municipal Water Use and Service	

C1. Extend the trunk water main service from the west side of the study area from the existing water main stubs to the east as shown in Figure 13-2 of the 2007 AUAR. Future water mains to serve the development were sized in accordance with the Comprehensive Water System Plan.	Ongoing as development occurs.
C2. An additional two to three municipal wells will be needed as a result of this development. The wells do not necessarily need to be located within the study area but could be in a location to best serve the community, such as near a Water Treatment Plant (see Figure 13-2 in the 2007 AUAR). A well field has been planned in the northern portion of the study area close to the future water treatment plant, in accordance with the Comprehensive Water System Plan.	This mitigation measure is ongoing based on development needs.
C3. An additional 500,000 to 1,500,000 gallons of water system storage will be needed as a result of this development as planned in the City's Comprehensive Water Plan. The storage should be constructed in a location to best serve the entire City and overall water system. Future storage is planned in conjunction with the construction of the water treatment plant in accordance with the Comprehensive Water System Plan.	This mitigation measure is ongoing based on development needs.
C4. Any abandoned wells found within the study area will be sealed in accordance with Minnesota Department of Health guidelines.	Ongoing
C5. In conformance with City Code, existing property owners will be required to connect to the municipal water supply within ten years of water being provided to an area or when the private system fails, whichever comes first.	Ongoing. To date, one property has connected.
C6. In accordance with the City's Wellhead Protection Plan (WHPP), continue protection of the existing Drinking Water Supply Management Area (DWSMA) located in the study area. A DWSMA will be established for future wells as they are constructed and the WHPP is updated. WHPP Plan was updated in 2010 and 2012.	This mitigation measure is ongoing based on development needs
D. Water Quality and Quantity Mitigation Plan	
D1. Development will be required to meet the policies of the most current City Comprehensive Stormwater Management Plan.	Ongoing
D2. Post-discharge rates will be limited to 0.05 cfs/acre of the 100-year, 24-hour event.	Ongoing
D3. Storage of the runoff from a 100-year, 24-hour storm must be provided on-site.	Ongoing
D4. Stormwater will be treated prior to discharge to wetlands as required in the City's Wetland Management Plan through on-site or regional stormwater basins.	Ongoing
D5. The City completed its MS4 Non-degradation Plan. If additional mitigation measures are determined to be needed for development in this area, they will be incorporated into future development plans.	This mitigation measure is ongoing based on development needs.
D6. The main trunk storm sewer system will be constructed as development occurs in accordance with the most current Comprehensive Stormwater Management Plan. See Figure 4 for most current routing in the development area.	Updated to reflect changes in the city's trunk system plans.

D7. Skimmers shall be provided at all pond outlets to assist in retaining floatable pollutants in treatment ponds.	Ongoing
D8. The City will review and determine which Low Impact Development (LID) practices are feasible to be used within the City. Based on this review, developments will be encouraged to reduce the amount of impervious surface and use LID techniques to the greatest extent possible.	Ongoing
D9. Developments will be required to infiltrate 1/12 of an acre-foot/acre/day based on the total area of the development. Pretreatment of stormwater will be required prior to discharge to an infiltration basin.	Ongoing
D10. Sump structures are required at the last manhole prior to discharging to a pond or wetland.	Ongoing
D11. Stormwater management features should incorporate native plantings of grasses, trees, and shrubs.	Ongoing
D12. Silt fence will be removed after the disturbed area has been revegetated to minimize turtle impacts. Also, alternative sediment control measures i.e... 'bio-netting' that reduces impacts to Blanding's turtles and other wildlife should be considered with development plans.	Updated based on DNR recommendation
D13. When stormwater features will be dredged to remove excess sediment, draw down water levels by September 15 th to allow turtles to find overwhelming habitat elsewhere.	Updated based on DNR recommendation
D14. The City will consider options for reducing chloride use throughout the project area and will encourage developers to consider chloride-reduction measures	Updated based on DNR recommendation
E. Wastewater Mitigation Plan	
E1. Figure 18-1 of the 2007 AUAR shows a conceptual layout of gravity sewers, lift station and forcemain to serve the proposed study area. Figure 6-2 of the City's 2040 Comprehensive Plan (Comp Plan) shows a revised version of this sewer layout following a re-delineation of the North Central, Southwest Central, and Central sewersheds, now known as the MWCC08 sewershed. The majority of the wastewater generated from the western and northern portions of the study area would be collected in a proposed City trunk sewer that would extend north from the existing MCES interceptor sewer just west of Akron Avenue. In the City's Comp Plan this proposed trunk sewer is referred to as the West Akron Trunk Sewer and is estimated to range in size from 18-inches to 21-inches in diameter. Branch sewer lines collecting wastewater from the various portions of the western and northern portions of the study area will convey wastewater to this trunk sewer line. Wastewater generated from the northern most portion of the study area will need to be conveyed to a main lift station for pumping to this trunk sewer line. If rural residential areas in the west are to be served, three smaller lift stations may be required to pump wastewater to the proposed larger main lift station in the northern tier of the MWCC08 sewershed. The capacity of this lift station would be approximately 850 gpm depending on the development scenario.	This mitigation measure is ongoing based on development needs.
E2. The southwest quarter of the northern portion of the study area is proposed to be served by sewers that would direct the wastewater west	This has been implemented.

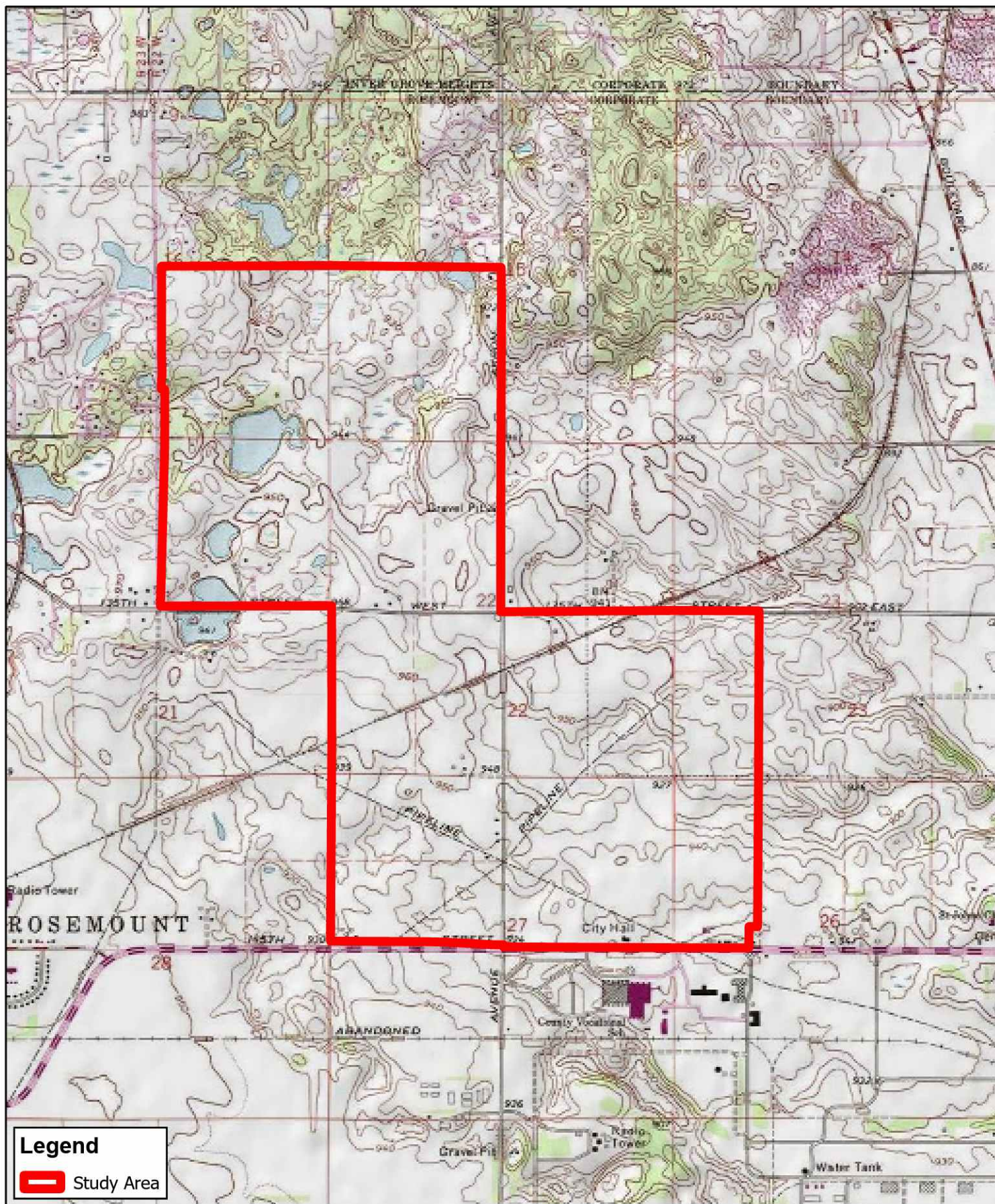
to a future trunk sewer line, which is referred to as the South Bacardi Trunk Sewer in the City's "North Central Sanitary Sewer Study."	
E3. The eastern portion of the study area would be provided with sewer service by gravity sewers that would discharge directly into the existing MCES interceptor sewer.	Ongoing
E4. An Encroachment Agreement will be required before any encroachment on Metropolitan Council's property and a Sewer Connection Permit will be required before direct connection to the Metro Council Interceptor. The Metropolitan Council Environmental Services are to be contacted for further information and application.	Updated based on MC comment
E5. If a future Comprehensive Plan amendment is needed, the City will evaluate the increase in households with the City's growth forecasts including proposed methods and means of providing wastewater service	Updated based on MC comment
F. Traffic and Transportation	
<u>Capacity Deficiency Mitigation</u> These improvements would be completed as traffic dictates. F1. Installation of a traffic signal system at TH 3 and Old CR 38 (132nd Street) F2. Installation of a traffic signal system at CSAH 42 and CR 71 F3. Installation of a traffic signal system at CSAH 42 and CR 73 F4. Coordinate with MnDOT improvement to TH 3 to ensure future capacity on the roadway.	F1 and F2. These items have not yet been implemented. Traffic volumes will continue to be monitored to determine when and what type of traffic control would be implemented. F3. This item has been completed. F4. The city completed a corridor access management plan for TH 3 from CR46 to CSAH 42. This item is ongoing.
F4. The City will revise its TAZ households and population forecast provided to the Metropolitan Council, when necessary. The City will contact the Metropolitan Council Research to discuss TAZ allocation adjustment if needed.	Updated based on MC comment
F5. The City will require all new proposed developments within the area to conduct a traffic study containing trip generations and expected traffic volumes as necessary to evaluate the effects each development will have on CSAH 42.	Updated based on Dakota County's comment.
<u>Development Mitigation</u> These improvements would be completed with development. F5. Construction of an east-west collector roadway between Bacardi Avenue and CR 73 within development area. CR 73 to CR 71 would be	F5. This item is ongoing, as development occurs. F6. With the completion of the

constructed with future development. This roadway should be a two-lane roadway with turn lanes at Bacardi Avenue, CR 73, and CR 71. F6. Construction of 120th Street from TH 3 to CR 71 if development and traffic volumes dictate. The exact location where 120th Street intersects with TH3, and CR 71 will be determined at the time of development. F7. Connemara Trail from the existing terminus to CR 71. This roadway should be a four-lane undivided collector roadway with turn lanes at all major intersections. F8. Construction of a Development Circulation Roadway. This would be a connection from Connemara Trail to the north crossing CR 73 then back to Connemara Trail. This roadway would be a buffer between the residential and commercial developments in Scenarios 1 and 2. This roadway should be a three-lane facility, including turn lanes at all major intersections.	2020 Comprehensive Plan this item is no longer a planned improvement. F7 and F8. These items are ongoing and have been/will occur with development.
G. Noise, Construction Dust, and Screening	
G1. Construction dust control shall be in compliance with the National Ambient Air Quality Standards (NAAQS) at the site boundaries.	Ongoing
G2. The City limits construction activities to 7:00 a.m. to 10:00 p.m. on weekdays, 7:00 a.m. to 7:00 p.m. on Saturdays, and 9:00 a.m. to 5:00 p.m. on Sundays.	Ongoing
G3. Screening between the neighborhoods, rail line, and the adjacent gravel mining operations will be required in accordance with the City zoning ordinance.	Ongoing
G4. All roadway improvements that cross an active railroad will need to meet Federal Quiet Zone Standards.	Ongoing
G5. The City will encourage developers to not utilize products containing chloride for dust control in areas that drain to public water.	Updated based on DNR recommendation
H. Trails, Parks, and Open Space	
H1. The establishment of a greenway corridor as indicated in the Rosemount Interpretive Corridor plan will need to be incorporated into development plans for the area.	Ongoing
H2. Per the City's ordinances, park dedication will be in conformance with City Code and the City's Park Plan.	Ongoing
H3. Trail connections that meet the intent of the City's Park, Trail, and Open Space Plan will be required.	Ongoing
H4. The City will complete a Comprehensive Park Plan for the eastern half of the study area.	Completed .
H5. Development plans will need to incorporate the Vermillion Highlands Greenway and the Rosemount Greenway Regional Trails. The City will facilitate implementation of these trail plans with the developer and Dakota County.	Ongoing and is being implemented with development.

VI. AUAR Update Review

Pursuant to Minnesota Rules 4410.3610 Subp. 7, this AUAR Update has been submitted for a ten-day comment period. The AUAR will be valid for five years after the adoption date of the AUAR Update.

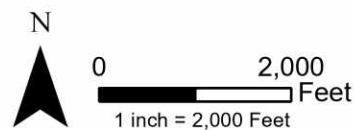
Appendix A – Figures



Legend
Study Area



**Figure 1 : Project Location
- USGS Topographic Map**
CSAH 42/Akron AUAR
Rosemount, Minnesota



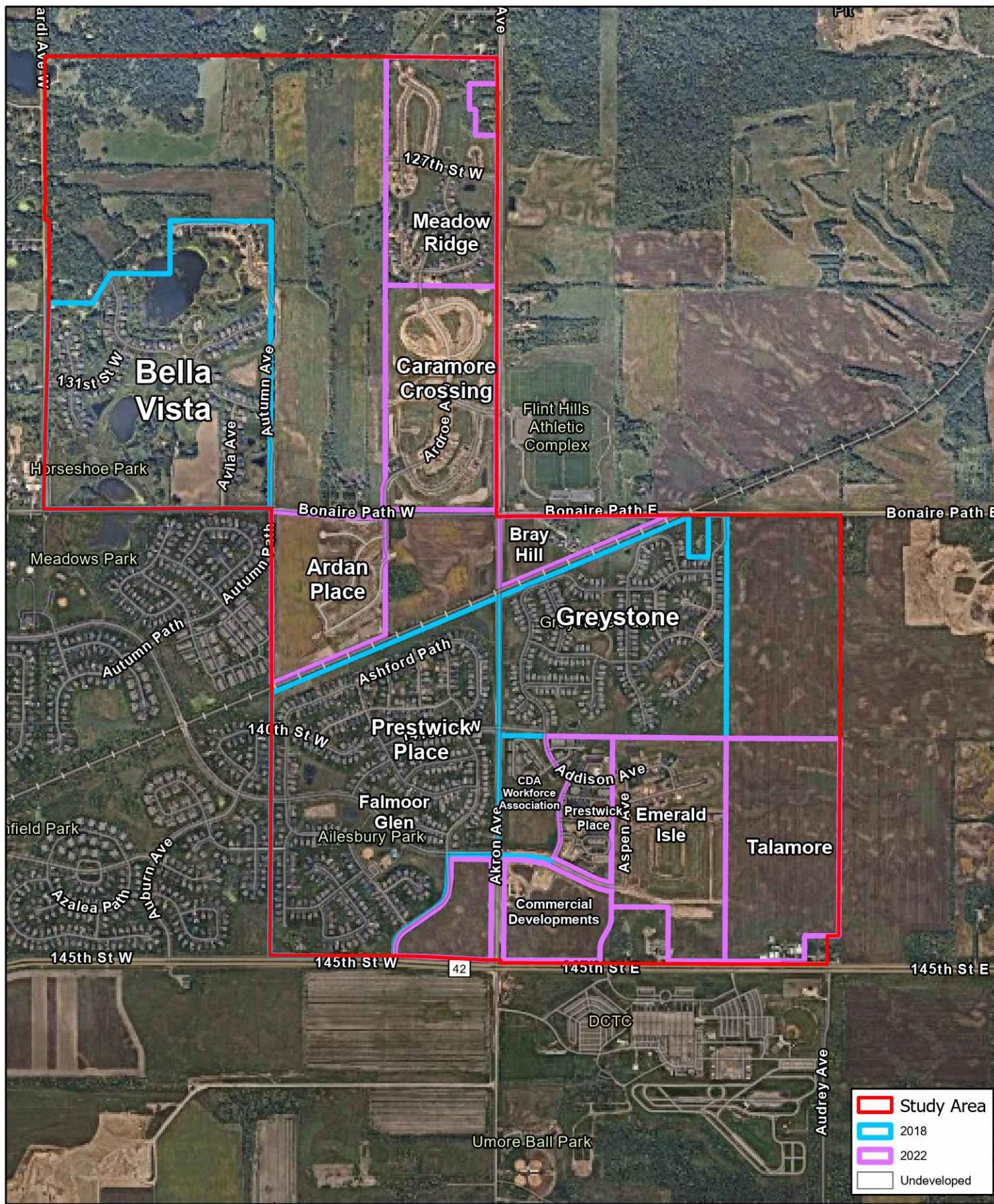
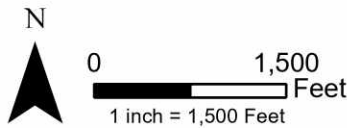
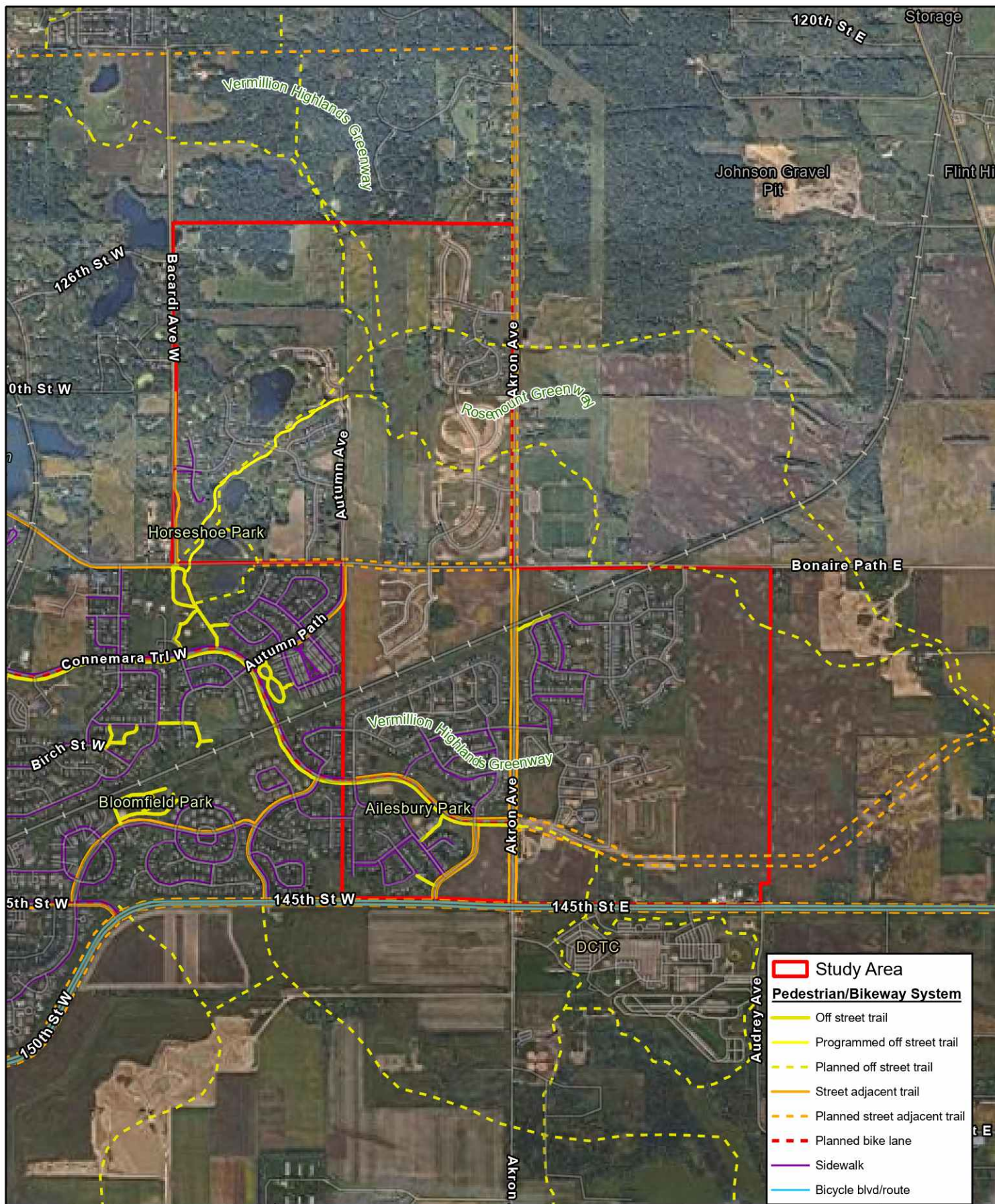


Figure 2: Developed & Undeveloped Areas
CSAH 42/Akron AUAR
Rosemount, Minnesota







N

0 2,000 Feet

1 inch = 2,000 feet

Appendix B – DNR Natural Heritage Database Review



Minnesota Department of Natural Resources
Division of Ecological & Water Resources
500 Lafayette Road, Box 25
St. Paul, MN 55155-4025

February 22, 2023
Correspondence # MCE 2023-00799

Chaldelia Brown
WSB & Associates, Inc.

RE: Natural Heritage Review of the proposed CSAH 42/Akron AUAR Update,
T115N R19W Sections 15-16, 21-23, 26-28; Dakota County

Dear Chaldelia Brown,

As requested, the [Minnesota Natural Heritage Information System](#) has been reviewed to determine if the proposed project has the potential to impact any rare species or other significant natural features. Based on the project details provided with the request, the following rare features may be impacted by the proposed project:

Ecologically Significant Areas

- There is an area ranked as *Below* immediately adjacent to the northern boundary of the proposed project that the Minnesota Biological Survey considered for Sites of Biodiversity Significance but was determined to be below the minimum biodiversity threshold for statewide significance. These areas, however, have conservation value at the local level as habitat for native plants and animals, corridors for animal movements, buffers surrounding higher quality natural areas, or as areas with high potential for restoration of native habitat. We encourage you to consider project alternatives that would avoid or minimize disturbance to this ecologically significant area. Actions to minimize disturbance may include, but are not limited to, the following recommendations:
 - Retain a buffer between proposed activities and the MBS Site;
 - If possible, conduct the work under frozen ground conditions;
 - Use effective erosion prevention and sediment control measures;
 - Inspect and clean all equipment prior to bringing it to the Site to prevent the introduction and spread of invasive species;
 - As much as possible, operate within already-disturbed areas;

- Revegetate disturbed soil with native species suitable to the local habitat as soon after construction as possible; and
- Use only weed-free mulches, topsoils, and seed mixes. Of particular concern are birdsfoot trefoil (*Lotus corniculatus*) and crown vetch (*Coronilla varia*), two invasive species that are sold commercially and are problematic in prairies and disturbed open areas.

MBS Sites of Biodiversity Significance and DNR Native Plant Communities can be viewed using the [Minnesota Conservation Explorer](#) or their GIS shapefiles can be downloaded from the [MN Geospatial Commons](#). Please contact the [NH Review Team](#) if you need assistance accessing the data. Reference the [MBS Site Biodiversity Significance](#) and [Native Plant Community](#) websites for information on interpreting the data.

State-listed Species

- The loggerhead shrike (*Lanius ludovicianus*), a state-listed endangered bird, and lark sparrow (*Chondestes grammacus*), a state-listed bird species of special concern, have been documented in the vicinity of the project site. These bird species are found in open, grassland areas with scattered trees and shrubs. Loggerhead shrikes nest in small trees or shrubs, while the lark sparrow typically nests on the ground. Minnesota's Endangered Species Statute (*Minnesota Statutes*, section 84.0895) and associated Rules (*Minnesota Rules*, part 6212.1800 to 6212.2300 and 6134) prohibit the take of threatened or endangered species without a permit. **Given the potential for shrikes to be found in the vicinity of the project, tree and shrub removal must be avoided during the breeding season, April through July.** If you cannot avoid tree removal during loggerhead shrike breeding period, a qualified surveyor needs to conduct a survey for active nests before any trees or shrubs will be removed. Surveys must follow the standards contained in the [Rare Species Survey Process](#). Please consult with the NH Review Team at Reports.NHIS@state.mn.us regarding this process. The list of approved DNR Animal Surveyors is attached to this MCE project. Project planning should take into account that the survey needs to be conducted during the appropriate time of the year, which may be limited.
- Blanding's turtles (*Emydoidea blandingii*), a state-listed threatened species, have been documented in the vicinity of the proposed project. Blanding's turtles use upland areas up to and over a mile distant from wetlands, waterbodies, and watercourses. Uplands are used for nesting, basking, periods of dormancy, and traveling between wetlands. Factors believed to contribute to the decline of this species include collisions with vehicles, wetland drainage and degradation, and the development of upland habitat. Any added mortality can be detrimental to populations of Blanding's turtles, as these turtles have a low reproduction rate that depends upon a high survival rate to maintain population levels.

This project has the potential to impact this rare turtle through direct fatalities and habitat disturbance/destruction due to excavation, fill, and other construction activities associated with the project. As such, **the following avoidance measures are required:**

- Avoid aquatic impacts during hibernation season, between October 15th and April 15th, unless the area is unsuitable for hibernation.
- The use of [erosion control](#) blanket shall be limited to 'bio-netting' or 'natural-netting' types, and specifically not products containing plastic mesh netting or other plastic components.
 - Also, be aware that hydro-mulch products may contain small synthetic (plastic) fibers to aid in their matrix strength. These loose fibers could potentially re-suspend and make their way into Public Waters. As such, please review mulch products and do not allow any materials with synthetic (plastic) fiber additives in areas that drain into Public Waters.
- Areas where there will be construction, especially aquatic areas, should be thoroughly checked for turtles before the use of heavy equipment or any ground disturbance.
 - The [Blanding's turtle flyer](#) must be given to all contractors working in the area.
 - Monitor for turtles during construction and report any sightings to the [DNR Nongame Specialist](#), Bridgette Timm (Bridgette.Timm@state.mn.us).
 - If turtles are in imminent danger they must be moved by hand out of harm's way, otherwise, they are to be left undisturbed.

If following the above avoidance measures are not possible, please contact NHIS.Review@state.mn.us as further action may be needed.

For additional information, see the [Blanding's turtle fact sheet](#), which describes the habitat use and life history of this species. The fact sheet also provides two lists of recommendations for avoiding and minimizing impacts to this rare turtle. **Please refer to both lists of recommendations and apply those that are relevant to your project.** For further assistance regarding the Blanding's turtle, please contact the DNR Regional Nongame Specialist, Bridgette Timm.

- Trumpeter swans (*Cygnus buccinator*), a state-listed species of special concern, have been documented nesting in the vicinity of the proposed project. During the breeding season, trumpeter swans select small ponds and lakes with extensive beds of cattails, bulrush, sedges, and/or horsetail. Ideal habitat includes about 100 m of open water for take-off, stable levels of unpolluted water, emergent vegetation, low levels of human disturbance, and the presence of muskrat (*Ondatra zibethicus*) houses and American beaver (*Castor canadensis*) lodges for use as nesting platforms. If any of the wetlands on site provide suitable habitat, swans may choose to nest in these wetlands. Construction activities that occur during the nesting season, late April through early June, could disrupt nesting swans, if present.

- Please visit the [DNR Rare Species Guide](#) for more information on the habitat use of these species and recommended measures to avoid or minimize impacts. For further assistance with these species, please contact the appropriate [DNR Regional Nongame Specialist](#) or [Regional Ecologist](#).

Federally Protected Species

- The area of interest overlaps with a Rusty Patched Bumble Bee *High Potential Zone*. The rusty patched bumble bee (*Bombus affinis*) is federally listed as endangered and is likely to be present in suitable habitat within *High Potential Zones*. From April through October this species uses underground nests in upland grasslands, shrublands, and forest edges, and forages where nectar and pollen are available. From October through April the species overwinters under tree litter in upland forests and woodlands. The rusty patched bumble bee may be impacted by a variety of land management activities including, but not limited to, prescribed fire, tree-removal, haying, grazing, herbicide use, pesticide use, land-clearing, soil disturbance or compaction, or use of non-native bees. The [USFWS rusty patched bumble bee guidance](#) provides guidance on avoiding impacts to rusty patched bumble bee and a key for determining if actions are likely to affect the species; the determination key can be found in the appendix. If applicable, the DNR also recommends reseeding disturbed soils with native species of grasses and forbs using [BWSR Seed Mixes](#) or [MnDOT Seed Mixes](#). Please visit the [USFWS Rusty Patched Bumble Bee Map](#) for the most current locations of *High Potential Zones*.
- To ensure compliance with federal law, conduct a federal regulatory review using the U.S. Fish and Wildlife Service's (USFWS) online [Information for Planning and Consultation \(IPaC\) tool](#).

Environmental Review and Permitting

- Please include a copy of this letter and the MCE-generated Final Project Report in any state or local license or permit application. Please note that measures to avoid or minimize disturbance to the above rare features may be included as restrictions or conditions in any required permits or licenses.

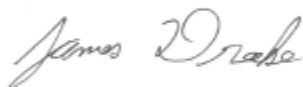
The Natural Heritage Information System (NHIS), a collection of databases that contains information about Minnesota's rare natural features, is maintained by the Division of Ecological and Water Resources, Department of Natural Resources. The NHIS is continually updated as new information becomes available, and is the most complete source of data on Minnesota's rare or otherwise significant species, native plant communities, and other natural features. However, the NHIS is not an exhaustive inventory and thus does not represent all of the occurrences of rare features within the state. Therefore, ecologically significant features for which we have no records may exist within the project area. If additional information becomes available regarding rare features in the vicinity of the project, further review may be necessary.

For environmental review purposes, the results of this Natural Heritage Review are valid for one year; the results are only valid for the project location and project description provided with the request. If project details change or the project has not occurred within one year, please resubmit the project for review within one year of initiating project activities.

The Natural Heritage Review does not constitute project approval by the Department of Natural Resources. Instead, it identifies issues regarding known occurrences of rare features and potential impacts to these rare features. Visit the [Natural Heritage Review website](#) for additional information regarding this process, survey guidance, and other related information. For information on the environmental review process or other natural resource concerns, you may contact your [DNR Regional Environmental Assessment Ecologist](#).

Thank you for consulting us on this matter and for your interest in preserving Minnesota's rare natural resources.

Sincerely,

A handwritten signature in cursive script that reads "James Drake".

James Drake
Natural Heritage Review Specialist
James.F.Drake@state.mn.us

Cc: Melissa Collins, Bridgette Timm

DNR List of Surveyors Endangered and Threatened Animals

Surveyor	Phone Number	Email Address	Mammals	Birds	Herpetofauna	Fishes	Mussels**	Insects	Prairie Skippers
Aquatic Engineering, Inc.									
PO Box 3634 La Crosse, WI 54602									
Thomas Doolittle	#866-781-8770	info@aquaticengineering.org	☐	☐	☐	☐	☒	☐	☐
Glenn Miller	#866-781-8770	info@aquaticengineering.org	☐	☐	☐	☐	☒	☐	☐
Becca Winterringer									
521 Sycamore Drive Euclid, OH 44132									
Becca Winterringer	#636-544-4754	beccawint6@gmail.com	☐	☐	☐	☐	☒	☐	☐
Carver County Water Management Organization									
600 E 4th Street Chaska, MN 55318									
Andrew Edgcumbe	#952-361-1037	aedgcumbe@co.carver.mn.us	☐	☐	☐	☐	☒	☐	☐
Daguna Consulting, LLC									
617 20th Street NE Rochester, MN 55906									
Brett Ostby	#540-230-1042	dagunaconsulting@gmail.com	☐	☐	☐	☐	☒	☐	☐
David Heath									
109 Hillside Street Westby, WI 54667									
David Heath	#608-634-4183	davidjheath@hotmail.com	☐	☐	☐	☐	☒	☐	☐
Dean Hansen									
402 S 6th Street Stillwater, MN 55082									
Dean Hansen	#612-439-8770	hanse112@umn.edu	☐	☐	☐	☐	☐	☒	☒
Dennis Schlicht									
1108 First Avenue Center Point, IA 52213									
Dennis Schlicht	#319-849-1489	dws1108@aol.com	☐	☐	☐	☐	☐	☒	☒
Dennis Skadsen									
RR1 Box 113 Grenville, SD 57239									
Dennis Skadsen	#605-345-4661	dlskadsen@sullybuttes.net	☐	☐	☐	☐	☐	☒	☒

DNR List of Surveyors Endangered and Threatened Animals

Surveyor	Phone Number	Email Address	Mammals	Birds	Herpetofauna	Fishes	Mussels**	Insects	Prairie Skippers
EcoAnalysts, Inc.									
1417 Hoff Industrial Drive O'Fallon, MO 63366									
Eric Belt	#636-281-1982	contactmo@ecoanalysts.com	☐	☐	☐	☐	☒	☐	☐
Heidi Dunn	#636-281-1982	contactmo@ecoanalysts.com	☐	☐	☐	☐	☒	☐	☐
David Ford	#636-281-1982	contactmo@ecoanalysts.com	☐	☐	☐	☐	☒	☐	☐
Rachel Fox	#636-281-1982	rfox@ecoanalysts.com	☐	☐	☐	☐	☒	☐	☐
Lesley Sneed	#636-281-1982	contactmo@ecoanalysts.com	☐	☐	☐	☐	☒	☐	☐
Kristin Stockton	#636-281-1982	kstockton@ecoanalysts.com	☐	☐	☐	☐	☒	☐	☐
Ecological & GIS Services									
1410 W Euclid Avenue Indianola, IA 50125									
Jerry Selby	#515-961-0718	jselby@mchsi.com	☐	☐	☐	☐	☐	☒	☒
Emmons & Olivier Resources, Inc.									
1919 University Avenue West, Suite 300 St. Paul, MN 55104									
Mike Majeski	#651-770-8448	mmajeski@eorinc.com	☐	☒	☒	☐	☐	☐	☐
Jason Naber	#651-770-8448	.	☐	☐	☒	☐	☐	☐	☐
Endangered Resource Services, LLC									
572 North Day Road St. Croix Falls, WI 54024									
Matthew Berg	#715-338-7502	saintcroixdfly@gmail.com	☐	☐	☐	☐	☒	☐	☐
EnviroScience, Inc.									
5070 Stow Road Stow, OH 44224									
Emily Grossman	#847-269-4159	egrossman@enviroscienceinc.com	☐	☐	☐	☐	☒	☐	☐
Greg Zimmerman	#614-738-6175	gzimmerman@enviroscienceinc.com	☐	☐	☐	☐	☒	☐	☐
Frederick Jannett									
12 Sunset Lane St. Paul, MN 55127									
Frederick Jannett	#651-484-9238	.	☒	☐	☐	☐	☐	☐	☐
GEI Consultants, Inc.									
3159 Voyager Drive Green Bay, WI 54311									
Demetri Lafkas	#920-455-8200	dlafkas@geiconsultants.com	☐	☒	☐	☐	☐	☐	☐

DNR List of Surveyors Endangered and Threatened Animals

Surveyor	Phone Number	Email Address	Mammals	Birds	Herpetofauna	Fishes	Mussels**	Insects	Prairie Skippers
HDR Engineering, Inc.									
1601 Utica Avenue South, Suite 600 St. Louis Park, MN 55416									
Scott Krych	#763-591-5420	scott.krych@hdrinc.com	☐	☒	☐	☐	☐	☐	☒
Helms and Associates									
814 North 7th Street Bellevue, IA 52031-9321									
Don Helms	#563-872-4563	helmsdon@cistelecom.net	☐	☐	☐	☐	☒	☐	☐
HRM									
1101 South Main Street, Suite 110 Chelsea, MI 48118									
David Mifsud	#517-522-3524	dmifsud@herprman.com	☐	☐	☒	☐	☐	☐	☐
Huff & Huff, Inc.									
915 Harger Road, Suite 330 Oak Brook, IL 60523									
Roger Klocek	#630-684-9100	conserve@sbcglobal.net	☐	☐	☐	☐	☒	☐	☐
Jim Russell									
4887 Wilderness Ridge Road Nisswa, MN 56468-2863									
Jim Russell	#218-568-4413	.	☐	☐	☐	☒	☐	☐	☐
Macalaster College									
1600 Grand Avenue St. Paul, MN 55105									
Daniel Hornbach	#651-696-6160	hornbach@macalester.edu	☐	☐	☐	☐	☒	☐	☐
Merjent, Inc.									
1 Main Street SE, Suite 300 Minneapolis, MN 55414									
Zachary Wensch	#217-474-5031	zach.wensch@merjent.com	☐	☐	☒	☐	☐	☐	☐
Midwest Natural Resources (main contact: Scott Milburn)									
1032 West 7th Street, Suite 150 St. Paul, MN 55102									
John Bourne	#330-601-6241	john.bourne@mnrinc.us	☐	☒	☒	☐	☐	☐	☐
Otto Gockman	#612-310-6260	otto.gockman@mnrinc.us	☐	☒	☐	☐	☐	☒	☒
Dylan Lueth	#612-310-6260	dylan.lueth@mnrinc.us	☐	☒	☐	☐	☐	☐	☐
Sarah Rosche	#434-222-7832	sarah.rosche@mnrinc.us	☐	☒	☐	☐	☐	☐	☐
Jake Walden	#612-310-6260	jacob.walden@mnrinc.us	☐	☐	☐	☐	☐	☐	☒

DNR List of Surveyors Endangered and Threatened Animals

Surveyor	Phone Number	Email Address	Mammals	Birds	Herpetofauna	Fishes	Mussels**	Insects	Prairie Skippers
Minnesota Department of Transportation (MnDOT)									
395 John Ireland Boulevard St. Paul, MN 55155			☐	☐	☐	☐	☒	☐	☐
Ryan Foley	#651-366-3597	ryan.foley@state.mn.us							
Moorhead State University, Department of Biology									
Building KH, Room 206 Moorhead, MN 56560			☒	☐	☐	☐	☐	☐	☐
Donna Stockrahm	#218-236-2576	.							
Normandeau Associates, Inc.									
400 Old Reading Pike, Building A, Suite 101 Stowe, PA 19464			☐	☐	☐	☐	☒	☐	☐
Joseph Snavelly	#484-945-2631	jsnavelly@normandeau.com							
Science Museum of MN									
120 W Kellogg Boulevard St. Paul, MN 55102			☒	☐	☐	☐	☐	☐	☐
Dick Oehlenschlager	#651-221-9450	.							
Southwest State University, Department of Biology									
. Marshall, MN 56258			☒	☐	☐	☐	☐	☐	☐
Betsy Desy	#507-537-7315	.							
St. Croix Watershed Research Station									
16910 152nd Street North Marine on St. Croix, MN 55047			☐	☐	☐	☐	☒	☐	☐
Toben Lafrancois	#651-433-5953	toben@smm.org							
Stantec Consulting Services Inc.									
209 Commerce Parkway Cottage Grove, WI 53527			☐	☒	☐	☐	☐	☐	☐
Brian Bub	#608-839-2037	brian.bub@stantec.com							
Stantec Consulting Services, Inc.									
11687 Lebanon Road Cincinnati, OH 45241			☐	☐	☐	☐	☒	☐	☐
Cody Fleece	#513-262-3994	cody.fleece@stantec.com							
2300 Swan Lake Boulevard, Suite 202 Independence, IA 50644-9708			☐	☐	☒	☐	☐	☐	☐
Terry VanDeWalle	#319-334-3755	terry.vandewalle@stantec.com							
SWCA Environmental Consultants									
1892 Sheridan Avenue Sheridan, WY 82801			☐	☐	☐	☐	☐	☐	☒
Jake Powell	#307-673-4303	jpowell@swca.com							

DNR List of Surveyors Endangered and Threatened Animals

Surveyor	Phone Number	Email Address	Mammals	Birds	Herpetofauna	Fishes	Mussels**	Insects	Prairie Skippers
Tetra Tech, Inc.									
2001 Killebrew Drive, Suite 141 Bloomington, MN 55425									
Kate Schindler	#612-643-2240	kate.schindler@ttemi.com	☒	☒	☐	☐	☐	☐	☐
University of Minnesota, Department of Fisheries, Wildlife & Conservation Biology									
143 Hodson Hall, 1980 Folwell Avenue St. Paul, MN 55108									
Mark Hove	#612-472-3182	mark_hove@umn.edu	☐	☐	☐	☐	☒	☐	☐
Western EcoSystems Technology (WEST), Inc.									
415 West 17th Street, Suite 200 Cheyenne, WY 82001									
Greg Johnson	#307-632-2972	gjohnson@west-inc.com	☐	☒	☐	☐	☐	☐	☐
7575 Golden Valley Road, Suite 300 Golden Valley, MN 55427									
Alaini Schneider Cossette	#612-839-5280	acossette@west-inc.com	☐	☐	☒	☐	☐	☐	☐
Kirsten Frahm	#612-750-5295	kfracm@west-inc.com	☐	☐	☒	☐	☐	☐	☐
Westwood Professional Services, Inc.									
12701 Whitewater Drive, Suite 300 Minnetonka, MN 55343									
David Kuhlmann	#952-697-5780	david.kuhlmann@westwoodps.com	☐	☒	☐	☐	☐	☐	☐
Wildlife Research & Consulting Services, LLC									
PO Box 803 Lakeland, MN 55043									
Christopher Smith	#612-275-9737	christopher.smith@fieldecology.com	☐	☐	☒	☐	☐	☒	☐
Winona State University									
175 Mark Street Winona, MN 55987									
Neal Mundahl	#507-457-5695	nmundahl@vax2.winona.edu	☐	☐	☐	☒	☐	☐	☐

DNR List of Surveyors Endangered and Threatened Animals

Prairie Skippers
Insects
Mussels**
Fishes
Herpetofauna
Birds
Mammals

Surveyor Phone Number Email Address

**The identification of mussel species can be difficult; qualified surveyors must pass a mussel identification exam. A permit is required to handle live mussels. Please contact Bridget Henning-Randa, at bridget.henning-randa@state.mn.us, prior to any mussel survey work.

The above is a list of individuals who are considered qualified by the Minnesota Department of Natural Resources (DNR) to conduct surveys for endangered and threatened plants within the state of Minnesota. Please note that the DNR qualifies individuals, not firms. The DNR maintains this list to ensure reliable survey results, which ensures the DNR's ability to uphold the Minnesota Endangered Species Statute (Minnesota Statutes, section 84.0895) and associated rules (Minnesota Rules, part 6212.1800 to 6212.2300 and 6134), and avoids any potential delays due to misidentified or overlooked threatened or endangered species.

This list is not intended as an endorsement of any one individual over another. There may be other individuals who are qualified to do rare species surveys. Individuals who would like to be placed on the list should contact Bruce Carlson at bruce.carlson.state.mn.us.

Version January 2023 (will be updated when USFWS guidance received, anticipated Feb.-March)

Northern Long-eared Bat (NLEB) Frequently Asked Questions

1. What action was taken and by whom?

On November 30, 2022, the U.S. Fish and Wildlife Service (FWS) published a final rule in the federal register that reclassifies the NLEB from threatened to endangered.

2. When does the endangered listing go into effect?

On January 25, 2023, USFWS provided notice that the effective date for the rule reclassifying the NLEB to endangered will be delayed until March 31, 2023. The special “4(d) rule” that exempted many activities from the Section 9 take prohibition will be void as of this date.

3. When is the bat’s active season in Minnesota?

Generally, the bat active season occurs April 1 to October 31, inclusive in Minnesota. Note FWS may modify these dates when it releases its updated guidance.

4. Does the listing only impact federally funded or permitted projects?

No, Section 9 of the federal Endangered Species Act prohibits *any person* from “taking” an endangered species of fish or wildlife. The Section 9 take prohibition applies to federal and non-federal activities, including activities on private property.

“Take” is broadly defined under the Act. To take a species is to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect. Harm includes activities that destroy or significantly modify habitat to an extent that it actually kills or injures the endangered species. Harassment includes intentional or negligent act or omission which creates the likelihood of injury by annoying it in a way that disrupts normal behavioral patterns.

5. What are common stressors to the NLEB associated with transportation projects?

Stressors to NLEB include direct and indirect effects to individual bats and their suitable bat habitat. Common stressors include habitat removal (e.g., tree clearing), lighting, and noise and vibrations. Bridge and culvert work may also have effects when bat use is known or assumed. Caves, mines, sinkholes, and similar rocky habitats may be used by NLEB, and impact may result in stressors to NLEB.

6. What if my project was already reviewed for bats prior to November 30, 2022?

If a project already received Section 7 clearance from MnDOT OES for FHWA actions, or from another federal agency, and it was determined that the project will have “**No Effect**” or the project “**May Affect, but is Not Likely to Adversely Affect**” the NLEB, those determinations

remain valid and no further action is expected. This includes projects reviewed under the 4(d) rule.

Projects reviewed under the FHWA/FTA/FRA Programmatic Biological Opinion (PBO) that received a **“May Affect, Likely to Adversely Affect”** or that were reviewed under the **4(d) rule** and received **“May Affect, Not Prohibited Incidental Take”** may need to reinstate consultation. [Details will be added once guidance is received from USFWS].

7. What’s the best way to avoid impacts to NLEB?

Plan to conduct tree clearing during the winter months, approximately Nov. 1 to March 31, inclusive. Bats are underground hibernating in caves and mines during this time and will not be susceptible to injury or death because of tree clearing. Also check bridge inspection reports to ensure bridges and large box culverts do not have a history of bat use ahead of projects and/or maintenance activities. Note Element #900, Condition State (CS) 4 tracks whether bats or bat signs are present. If CS4 = 1 bats or bat signs are present and additional investigation may be needed.

8. What do I need to do differently, if anything, for projects receiving FHWA funds?

Projects receiving FHWA funds will continue to follow existing processes. Projects must submit an Early Notification Memo or a Cultural, Noise, and Threatened and Endangered Review Request form.

Note that projects resulting in a determination of **“may affect, likely to adversely affect”** may be subject to new mitigation requirements. Mitigation may include habitat creation, habitat enhancement or restoration, and/or compensatory mitigation via a USFWS approved in-lieu fee program or conservation banking system. [Details will be added once guidance is received from FHWA/USFWS].

9. How do I know if I need to consult with FWS for a non-federal project or maintenance activity?

FWS will be releasing a new “Northern Long-eared Bat Rangewide Determination Key” in its [Information for Planning and Consultation](#) tool (IPaC). Once available, a project proponent may use the determination key to assist the user in evaluating the effects of their actions on northern long-eared bat. We expect the tool will be available on or before the effect date of the listing (i.e., March 31, 2023).

Note, a version of the determination key is available **in draft form**, on the “Beta” IPaC site located at: <https://ipacb.ecosphere.fws.gov/>

10. Do the rule changes only apply to projects that are pre-environmental review or pre-letting?

No. The rule changes apply to any activities that may “take” NLEB regardless of whether the project is starting soon or is already underway. To reduce regulatory risk, projects that have not already completed tree clearing are encouraged to complete clear trees during the bat inactive season (i.e., Nov. 1 to March 31).

11. What about non-federal projects and activities?

Non-federal projects and activities that cannot avoid impacts to NLEB should contact the [USFWS Minnesota-Wisconsin Ecological Services Field Office](#) to discuss compliance options. Projects with FHWA or MnDOT funding may contact the MnDOT Protected Species Program Coordinator: Christopher.E.Smith@state.mn.us or 612-741-7678.

12. Isn't white-nose syndrome (WNS) the main threat to bats? Why regulate transportation agencies for something they have no control over?

It's true, WNS is the primary threat to Minnesota's bats. However, because populations of the bat are depressed by this disease, human activities that were not significant before may be so now. Transportation agencies conduct activities, such as tree clearing and bridge/culvert work, that could kill or injure bats when done during the time of year when bats are present.

For additional NLEB information, please visit: <https://www.fws.gov/species/northern-long-eared-bat-myotis-septentrionalis>

Appendix C - Comments and Responses to the AUAR Update

Memorandum

To: EQB Agency Distribution List

Copy: Anthony Nemcek, City of Rosemount

From: Chaldelia Browne, WSB

Date: April 5, 2023

Re: CSAH 42/ Akron Study Area AUAR Update – Responses to Comments
WSB Project No. 021842-000

The City of Rosemount issued the Draft CSAH 42/ Akron Study Area AUAR Update for review to the EQB's distribution list on February 8th 2023. The comment period ended on February 22, 2023 and the city received comments from the MN Department of Natural Resources, MN Department of Transportation, Metropolitan Council, and Dakota County regarding the CSAH 42/ Akron Study Area AUAR Update. Each comment, and the city's responses are provided below. Agency comment letters are attached.

Department of Natural Resources

Comment 1: Page 4, Fish Wildlife and, Ecological Sensitive Resources:
Please see the attached DNR Natural Heritage letter dated, February 22, 2023. Please note that due to the presence of protected state-listed threatened and endangered species, this letter includes requirements for all developments within the project area and should be referenced by all proposers and contractors as developments proceeds.

Response: The City reviewed the DNR's Natural Heritage letter and updated the AUAR to reflect the protected species present in the vicinity of the project area. Mitigation measures were added to reflect the need for a habitat assessment of trumpeter swans prior to construction near suitable habitats during nesting season. Mitigation measures were also updated to reflect the requirements for avoidance of loggerhead shrike and Blanding's turtles.

Comment 2: The U.S. Fish and Wildlife Service (USFWS) recently made the decision to up list the northern long-eared bat (NLEB) to the status of federally endangered. This follows precipitous declines of more than 90% since the species federal listing as threatened in 2015. NLEB are known to occur in Dakota County and efforts are underway to learn more about this species distribution and occurrence statewide. This new status is scheduled to go into effect on March 31, 2023. Please see the attached factsheet from the Minnesota Department of Transportation that summarizes what we know at this time regarding this new status. Tree removal activities in particular are known to impact this species, therefore, we recommend incorporating NLEB avoidance into the City's tree removal ordinance

Response: Comment noted. Mitigation measure B16 was added to reflect avoidance of NLEB.

Comment 3: Please note that a portion of the project area is within a High Potential Zone for the federally endangered Rusty Patched Bumble Bee. Please refer to the attached Natural Heritage letter for instructions for coordinating with USFWS, and for further recommendations

Response: Comment noted. Mitigation measure B17 addresses the rusty patched bumble bee

Comment 4: Page 5, Water Quality and Quantity Mitigation Plan
Blanding's turtles, a protected state-listed threatened species, have been documented within the project area. Stormwater features may be colonized by Blanding's turtles in the area, therefore we recommend incorporating measures to avoid impacting this species into stormwater management. In the years when the stormwater features will be dredged to remove excess sediment, please draw down water levels by September 15th in order to allow turtles to find overwintering habitat elsewhere.

Response: Comment noted. Mitigation measures were also updated to reflect the requirements for avoidance of Blanding's turtles

Comment 5: Stormwater: As the project area continues to be developed, it will greatly increase the amount of impervious surfaces as well as the amount of road salt used in the project area. Chloride released into local lakes and streams does not break down, and instead accumulates in the environment, potentially reaching levels that are toxic to aquatic wildlife and plants. Consider promoting local business and city participation in the Smart Salting Training offered through the Minnesota Pollution Control Agency. There are a variety of classes available for road applicators, sidewalk applicators, and property managers. More information and resources can be found at this website. Many winter maintenance staff who have attended the Smart Salting training — both from cities and counties and from private companies — have used their knowledge to reduce salt use and save money for their organizations. We also encourage cities and counties to consider how they may participate in the Statewide Chloride Management Plan and provide public outreach to reduce the overuse of chloride. Here are some educational resources for residents as well as a sample ordinance regarding chloride use.

Response: The city recognizes the impact of chloride related to deicing and highlights corrective action for the increasing prevalence of chloride in surface and groundwater from salt runoff in its comprehensive surface water management plan.

The City promotes smart salting in their Conserve and Preserve Blog and will continue to encourage residents and developers to consider chloride-reduction measures.

Comment 6: Page 7, Noise, Construction Dust, and Screening
The DNR recommends that products containing chloride not be used for dust control in areas that drain to public waters.

Response: The city will encourage developers to not use products containing chloride for dust control. Mitigation measure G5 was added to include this recommendation.

Department of Transportation

Comment 1: Thank you for submitting the Akron AUAR 2023 Update to MnDOT for our comments. We have no comments to make on this AUAR as it is located far enough from any MnDOT roads that we believe it will be slight to no impact on our highways

Response: Comment noted.

Metropolitan Council

Comment 1: Staff concludes that the AUAR Update is complete and accurate with respect to regional concerns and do not raise major issues of consistency with Council policies.

Response: Comment noted.

Comment 2: Item E. Wastewater Mitigation Plan (Roger Janzig, Roger.janzig@metc.state.mn.us) The AUAR explains that Scenario 1 is consistent with Rosemount's 2040 comprehensive plan (Plan). It also indicates that Scenario 2 and Scenario 3 require comprehensive plan amendments to reflect those land uses. These future amendments should evaluate the increase in households with the City's growth forecasts and show the proposed method and means of providing wastewater service.

Response: Comment noted. Mitigation measure E5 was added to address the need to evaluate household increases within the City's growth forecast if a future Comprehensive Plan amendment is needed.

Comment 3: The AUAR reflects an area where proposed projects may have an impact on multiple Metropolitan Council Interceptors in multiple locations. There are specific processes that must be followed before encroachment on our property or a direct connection to our Interceptor can be made. Before encroachment on our property, an Encroachment Agreement will be required, and before direct connection to the Metropolitan Council Interceptor, a Sewer Connection Permit will be required. To obtain a Sewer Connection Permit or an Encroachment Application, contact Tim Wedin, Interceptor Engineering Assistant Manager (651-602-4571) at the Metropolitan Council Environmental Services. To assess the potential impacts to our interceptor system, prior to initiating any projects within this area, preliminary plans should also be sent to Tim Wedin (651-602-4571).

Response: Comment noted. Mitigation measure E4 was added to reflect the requirements concerning the Metropolitan Council's interceptors.

Comment 4: Item F. Transportation Analysis Zones (Todd Graham, 651-602-1321) Forecasts are not discussed in the AUAR Update; however this information is helpful to provide. The study area includes parts of the Metropolitan Council Transportation Analysis Zones (TAZ) 624, 625, 626 and 628. The City provided an allocation of forecasts to TAZs in its 2040 Plan. These zones are expected, in the City's 2040 Plan, to have 2,899 households and 496 jobs in year 2040. If all of the development described in the AUAR Update is realized by 2040, then the resulting households' counts could exceed what is allocated by the City. Only the TAZ households and population forecasts need revisions and not the City's total forecast. City staff can contact Council Research to discuss the TAZ allocation adjustment, which does not require a Plan Amendment.

Response: Comment noted. Mitigation measure F4 was added to reflect the need for the revision of TAZ households and population forecast provided to the Metropolitan Council when necessary.

Dakota County

Comment 1: Transportation

In the county's response to the AUAR Update #2 Revision in 2018, we were concerned with the reduction in the number of east-west city collector roadways originally identified in the city's Transportation Plan that would reduce pressure on CSAH 42. This concern remains. However, we commend the city for the continued development of Connemara Trail eastward as a collector roadway.

Response: Comment noted. Mitigation measure F5 has been added to reflect that the City will not conduct another traffic study for the entire study area but will require all proposed developments to conduct individual traffic studies, as necessary.

Comment 2: Figure 3: Parks and Trails identifies the pedestrian and bikeway system within the study area. Please include a planned street adjacent trail on the north and south sides of CSAH 42 (145th Street West), consistent with the Dakota County 2040 Transportation Plan. County strategies and policies recommend continuous pedestrian and bicycle facilities along county highways based on land use context

Response: Comment noted. Figure 3 has been updated.

Comment 3: Many of the identified improvements in the AUAR update include intersections with county or state roadways. The AUAR update does not provide trip generation and distribution of expected traffic to assist in determining potential timelines of overall potential roadway improvements or identified additional traffic control within the AUAR area. Including this information would be useful to help program improvements.

Response: Comment noted. Mitigation measure F5 addresses that individual traffic study will be required for incoming developments and will contain expected trip generations and traffic volumes.

Comment 4: Dakota County is willing to work with the city to further discuss potential solutions that address our concerns and address the obstacles that the city has identified in providing a connected local roadway network.

Response: Comment noted.

Comment 5: The City of Rosemount and Dakota County now meet monthly to discuss future development impacts to the overall transportation system within the city, including within the AUAR area. We commend the city in working with us to address transportation needs early in the development process.

Response: Comment noted.

Comment 6: Environmental Resources

Environmental Resources conducted an Environmental Review of the subject area relating to the CSAH 42/Akron Study Area AUAR Update request from the City of Rosemount. Known or suspected sites of environmental concern were identified on and directly adjacent to the subject property. Please refer to the attached Environmental Review documents for more information.

Response: Comment noted. Mitigation Measure A1 addresses this issue.

Comment 7: The MPCA WIMN database identifies a number of sites on or adjacent to the subject property. Refer to the MPCA What's in my neighborhood (state.mn.us) website for more information. Numerous pipelines and transmission lines transect the subject property. Union Pacific railroad transects the subject property.

Response: Comment noted.

Comment 8: Homesteads are or were present on the subject property, the potential exists to encounter buried structures, foundations, abandoned wells and buried debris in these areas. If encountered, these items should be managed appropriately. Contact Environmental Resources at 952-891-7000 or environ@co.dakota.mn.us for additional information.

Response: Comment noted. Mitigation measures within Item A and C addresses this issue.

This concludes the responses to comments on the AUAR Update. If you have questions, please contact me at 612.394.2395 or cbrowne@wsbeng.com.

Division of Ecological and Water Resources
Region 3 Headquarters
1200 Warner Road
Saint Paul, MN 55106
February 22, 2023

Transmitted by Email

Anthony Nemcek, Senior Planner
City of Rosemount
2875 145th Street W
Rosemount, MN 55038

Dear Anthony Nemcek,

Thank you for the opportunity to review the CSAH 42/Akron Alternative Urban Areawide Review (AUAR) Update in Dakota County. The DNR respectfully submits the following comments for your consideration:

V. Mitigation Summary and Update

Page 4, Fish Wildlife, and Ecologically Sensitive Resources

- Please see the attached Natural Heritage letter dated, February 22, 2023. Please note that due to the presence of protected state-listed threatened and endangered species, this letter includes **requirements** for all developments within the project area, and should be referenced by all proposers and contractors as development proceeds.
 - The loggerhead shrike (*Lanius ludovicianus*), a state-listed endangered bird, and lark sparrow (*Chondestes grammacus*), a state-listed bird species of special concern, have been documented in the vicinity of the project site. These bird species are found in open, grassland areas with scattered trees and shrubs. Loggerhead shrikes nest in small trees or shrubs, while the lark sparrow typically nests on the ground. Minnesota's Endangered Species Statute (*Minnesota Statutes*, section 84.0895) and associated Rules (*Minnesota Rules*, part 6212.1800 to 6212.2300 and 6134) prohibit the take of threatened or endangered species without a permit. **Given the potential for shrikes to be found in the vicinity of the project, tree and shrub removal must be avoided during the breeding season, April through July.** If you cannot avoid tree removal during loggerhead shrike breeding period, a qualified surveyor needs to conduct a survey for active nests before any trees or shrubs will be removed. Surveys must follow the standards contained in the [Rare Species Survey Process](#). Please consult with the NH Review Team at Reports.NHIS@state.mn.us regarding this process. The list of approved DNR Animal Surveyors is attached to this MCE project. Project planning should take into

account that the survey needs to be conducted during the appropriate time of the year, which may be limited.

- Blanding's turtles (*Emydoidea blandingii*), a state-listed threatened species, have been documented in the vicinity of the proposed project. Blanding's turtles use upland areas up to and over a mile distant from wetlands, waterbodies, and watercourses. Uplands are used for nesting, basking, periods of dormancy, and traveling between wetlands. Factors believed to contribute to the decline of this species include collisions with vehicles, wetland drainage and degradation, and the development of upland habitat. Any added mortality can be detrimental to populations of Blanding's turtles, as these turtles have a low reproduction rate that depends upon a high survival rate to maintain population levels.

This project has the potential to impact this rare turtle through direct fatalities and habitat disturbance/destruction due to excavation, fill, and other construction activities associated with the project. As such, **the following avoidance measures are required:**

- Avoid aquatic impacts during hibernation season, between October 15th and April 15th, unless the area is unsuitable for hibernation.
- The use of [erosion control blanket](#) shall be limited to 'bio-netting' or 'natural-netting' types, and specifically not products containing plastic mesh netting or other plastic components.
 - Also, be aware that hydro-mulch products may contain small synthetic (plastic) fibers to aid in their matrix strength. These loose fibers could potentially re-suspend and make their way into Public Waters. As such, please review mulch products and do not allow any materials with synthetic (plastic) fiber additives in areas that drain into Public Waters.
- Areas where there will be construction, especially aquatic areas, should be thoroughly checked for turtles before the use of heavy equipment or any ground disturbance.
 - The [Blanding's turtle flyer](#) must be given to all contractors working in the area.
 - Monitor for turtles during construction and report any sightings to the [DNR Nongame Specialist](#).
 - If turtles are in imminent danger they must be moved by hand out of harm's way, otherwise, they are to be left undisturbed.

If following the above avoidance measures are not possible, please contact NHIS.Review@state.mn.us as further action may be needed.

For additional information, see the [Blanding's turtle fact sheet](#), which describes the habitat use and life history of this species. The fact sheet also provides two lists of recommendations for avoiding and minimizing impacts to this rare turtle. **Please refer to both lists of recommendations and apply those that are relevant to your project.**

For further assistance regarding the Blanding's turtle, please contact the DNR Regional Nongame Specialist.

- Trumpeter swans (*Cygnus buccinator*), a state-listed species of special concern, have been documented nesting in the vicinity of the proposed project. During the breeding season, trumpeter swans select small ponds and lakes with extensive beds of cattails, bulrush, sedges, and/or horsetail. Ideal habitat includes about 100 m of open water for take-off, stable levels of unpolluted water, emergent vegetation, low levels of human disturbance, and the presence of muskrat (*Ondatra zibethicus*) houses and American beaver (*Castor canadensis*) lodges for use as nesting platforms. If any of the wetlands on site provide suitable habitat, swans may choose to nest in these wetlands. Construction activities that occur during the nesting season, late April through early June, could disrupt nesting swans, if present.
- The U.S. Fish and Wildlife Service (USFWS) recently made the decision to up list the northern long-eared bat (NLEB) to the status of federally endangered. This follows precipitous declines of more than 90% since the species federal listing as threatened in 2015. NLEB are known to occur in Dakota County and efforts are underway to learn more about this species distribution and occurrence statewide. This new status is scheduled to go into effect on March 31, 2023. Please see the attached factsheet from the Minnesota Department of Transportation that summarizes what we know at this time regarding this new status. Tree removal activities in particular are known to impact this species, therefore, we recommend incorporating NLEB avoidance into the City's tree removal ordinance.
- Please note that a portion of the project area is within a **High Potential Zone** for the federally endangered Rusty Patched Bumble Bee. Please refer to the attached Natural Heritage letter for instructions for coordinating with USFWS, and for further recommendations.

Page 5, Water Quality and Quantity Mitigation Plan

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We also encourage cities and counties to consider how they may participate in the [Statewide Chloride Management Plan](#) and provide public outreach to reduce the overuse of chloride. Here are some [educational resources](#) for residents as well as a [sample ordinance](#) regarding chloride use.

Page 7, Noise, Construction Dust, and Screening

- The DNR recommends that products containing chloride not be used for dust control in areas that drain to public waters.

Thank you again for the opportunity to review this document. Please let me know if you have any questions.

Sincerely,

A handwritten signature in black ink that reads "Melissa Collins". The signature is written in a cursive style and is positioned above a light blue rectangular background.

Melissa Collins
Regional Environmental Assessment Ecologist | Ecological and Water Resources
Minnesota Department of Natural Resources
Phone: 651-259-5755
Email: melissa.collins@state.mn.us

Version January 2023 (will be updated when USFWS guidance received, anticipated Feb.-March)

Northern Long-eared Bat (NLEB) Frequently Asked Questions

1. What action was taken and by whom?

On November 30, 2022, the U.S. Fish and Wildlife Service (FWS) published a final rule in the federal register that reclassifies the NLEB from threatened to endangered.

2. When does the endangered listing go into effect?

On January 25, 2023, USFWS provided notice that the effective date for the rule reclassifying the NLEB to endangered will be delayed until March 31, 2023. The special “4(d) rule” that exempted many activities from the Section 9 take prohibition will be void as of this date.

3. When is the bat’s active season in Minnesota?

Generally, the bat active season occurs April 1 to October 31, inclusive in Minnesota. Note FWS may modify these dates when it releases its updated guidance.

4. Does the listing only impact federally funded or permitted projects?

No, Section 9 of the federal Endangered Species Act prohibits *any person* from “taking” an endangered species of fish or wildlife. The Section 9 take prohibition applies to federal and non-federal activities, including activities on private property.

“Take” is broadly defined under the Act. To take a species is to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect. Harm includes activities that destroy or significantly modify habitat to an extent that it actually kills or injures the endangered species. Harassment includes intentional or negligent act or omission which creates the likelihood of injury by annoying it in a way that disrupts normal behavioral patterns.

5. What are common stressors to the NLEB associated with transportation projects?

Stressors to NLEB include direct and indirect effects to individual bats and their suitable bat habitat. Common stressors include habitat removal (e.g., tree clearing), lighting, and noise and vibrations. Bridge and culvert work may also have effects when bat use is known or assumed. Caves, mines, sinkholes, and similar rocky habitats may be used by NLEB, and impact may result in stressors to NLEB.

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Plan to conduct tree clearing during the winter months, approximately Nov. 1 to March 31, inclusive. Bats are underground hibernating in caves and mines during this time and will not be susceptible to injury or death because of tree clearing. Also check bridge inspection reports to ensure bridges and large box culverts do not have a history of bat use ahead of projects and/or maintenance activities. Note Element #900, Condition State (CS) 4 tracks whether bats or bat signs are present. If CS4 = 1 bats or bat signs are present and additional investigation may be needed.

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FWS will be releasing a new “Northern Long-eared Bat Rangewide Determination Key” in its [Information for Planning and Consultation](#) tool (IPaC). Once available, a project proponent may use the determination key to assist the user in evaluating the effects of their actions on northern long-eared bat. We expect the tool will be available on or before the effect date of the listing (i.e., March 31, 2023).

Note, a version of the determination key is available **in draft form**, on the “Beta” IPaC site located at: <https://ipacb.ecosphere.fws.gov/>

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Non-federal projects and activities that cannot avoid impacts to NLEB should contact the [USFWS Minnesota-Wisconsin Ecological Services Field Office](#) to discuss compliance options. Projects with FHWA or MnDOT funding may contact the MnDOT Protected Species Program Coordinator: Christopher.E.Smith@state.mn.us or 612-741-7678.

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For additional NLEB information, please visit: <https://www.fws.gov/species/northern-long-eared-bat-myotis-septentrionalis>

FW: CSAH 42/Akron AUAR 2023 Update (City of Rosemount, Dakota County)



Nemcek, Anthony <Anthony.Nemcek@rosemountmn.gov>

To  Chaldelia Browne

 Follow up.

Start by Monday, February 13, 2023.

Due by Monday, February 13, 2023.



 Reply

 Reply All

 Forward



Mon 2/13/2023 10:24 AM

EXTERNAL EMAIL

Received this email.

Anthony Nemcek
Senior Planner
City of Rosemount
Direct: 651-322-2090
Main: 651-423-4411
rosemountmn.gov



ROSEMOUNT

SPRIT OF PRIDE AND PROGRESS

From: Muhic, P Cameron (DOT) <cameron.muhic@state.mn.us>
Sent: Wednesday, February 8, 2023 3:42 PM
To: Nemcek, Anthony <Anthony.Nemcek@rosemountmn.gov>
Subject: CSAH 42/Akron AUAR 2023 Update (City of Rosemount, Dakota County)

Dear Mr. Nemcek,

Thank you for submitting the Akron AUAR 2023 Update to MnDOT for our comments. We have no comments to make on this AUAR as it is located far enough from any MnDOT roads that we believe it will be slight to no impact on our highways.

Cordially,

Cameron Muhic
Senior Planner
MnDOT Metro District
651-234-7797



February 22, 2023

Anthony Nemcek, Senior Planner
City of Rosemount
2875 145th Street W
Rosemount, MN 55068

RE: City of Rosemount – Alternative Urban Areawide Review Update (AUAR) – CSAH 42/Akron Study Area
Metropolitan Council Review File No. 19859-5
Metropolitan Council District No. 15

Dear Anthony Nemcek:

Metropolitan Council received the CSAH 42/Akron Study Area AUAR Update on February 1, 2023. The AUAR represents the 5-year update required under environmental rules for a study area of approximately 1,420 acres located in the center of the City of Rosemount north of the intersection of 145th Street W (CSAH 42) and Akron Avenue. Metropolitan Council staff completed its review of the AUAR Update to determine its accuracy and completeness in addressing regional concerns. Staff concludes that the AUAR Update is complete and accurate with respect to regional concerns and does not raise major issues of consistency with Council policies. However, staff offers the following comments for your consideration:

Item E. Wastewater Mitigation Plan (*Roger Janzig, Roger.janzig@metc.state.mn.us*)

The AUAR explains that Scenario 1 is consistent with Rosemount's 2040 comprehensive plan (Plan). It also indicates that Scenario 2 and Scenario 3 require comprehensive plan amendments to reflect those land uses. These future amendments should evaluate the increase in households with the City's growth forecasts and show the proposed method and means of providing wastewater service.

The AUAR reflects an area where proposed projects may have an impact on multiple Metropolitan Council Interceptors in multiple locations. There are specific processes that must be followed before encroachment on our property or a direct connection to our Interceptor can be made. Before encroachment on our property, an Encroachment Agreement will be required, and before direct connection to the Metropolitan Council Interceptor, a Sewer Connection Permit will be required. To obtain a Sewer Connection Permit or an Encroachment Application, contact Tim Wedin, Interceptor Engineering Assistant Manager (651-602-4571) at the Metropolitan Council Environmental Services.

To assess the potential impacts to our interceptor system, prior to initiating any projects within this area, preliminary plans should also be sent to Tim Wedin (651-602-4571).

Item F. Transportation Analysis Zones (*Todd Graham, 651-602-1321*)

Forecasts are not discussed in the AUAR Update, however this information is helpful to provide. The study area includes parts of the Metropolitan Council Transportation Analysis Zones (TAZ) 624, 625, 626 and 628. The City provided an allocation of forecasts to TAZs in its 2040 Plan. These zones are expected, in the City's 2040 Plan, to have 2,899 households and 496 jobs in year 2040.

If all of the development described in the AUAR Update is realized by 2040, then the resulting households' counts could exceed what is allocated by the City. Only the TAZ households and population forecasts need revisions and not the City's total forecast. City staff can contact Council Research to discuss the TAZ allocation adjustment, which does not require a Plan Amendment.

The Council will not take formal action on the AUAR Update. If you have any questions or need further information, please contact Patrick Boylan, Principal Reviewer, at 651-602-1438 or via email at patrick.boylan@metc.state.mn.us.

Sincerely,

 *Rajya Esmacili for:*

Angela R. Torres, AICP, Senior Manager
Local Planning Assistance

CC: Tod Sherman, Development Reviews Coordinator, MnDOT - Metro Division
Phillip Sterner, Metropolitan Council District No. 15
Judy Sventek, Water Resources Manager
Patrick Boylan, Sector Representative/ Principal Reviewer
Reviews Coordinator

N:\CommDev\LPA\Communities\Rosemount\Letters\Rosemount 2023 CSAH 42 Akron Study Area AUAR Update 19859-5.docx



February 22, 2023

Anthony Nemcek
City of Rosemount
2875 145th Street W
Rosemount, MN 55068

Thank you for the opportunity to review the Updated Alternative Urban Areawide Review for the CSAH 42/Akron Study Area. Physical Development staff reviewed the document and offer the following comments for consideration.

Transportation

In the county's response to the AUAR Update #2 Revision in 2018, we were concerned with the reduction in the number of east-west city collector roadways originally identified in the city's Transportation Plan that would reduce pressure on CSAH 42. This concern remains. However, we commend the city for the continued development of Connemara Trail eastward as a collector roadway.

Figure 3: Parks and Trails identifies the pedestrian and bikeway system within the study area. Please include a planned street adjacent trail on the north and south sides of CSAH 42 (145th Street West), consistent with the Dakota County 2040 Transportation Plan. County strategies and policies recommend continuous pedestrian and bicycle facilities along county highways based on land use context.

Many of the identified improvements in the AUAR update include intersections with county or state roadways. The AUAR update does not provide trip generation and distribution of expected traffic to assist in determining potential timelines of overall potential roadway improvements or identified additional traffic control within the AUAR area. Including this information would be useful to help program improvements.

Dakota County is willing to work with the city to further discuss potential solutions that address our concerns and address the obstacles that the city has identified in providing a connected local roadway network.

The City of Rosemount and Dakota County now meet monthly to discuss future development impacts to the overall transportation system within the city, including within the AUAR area. We commend the city in working with us to address transportation needs early in the development process.

Physical Development Division

P 952-891-7000 **F** 952-891-7031 **W** www.dakotacounty.us
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Environmental Resources

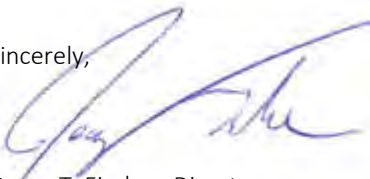
Environmental Resources conducted an Environmental Review of the subject area relating to the CSAH 42/Akron Study Area AUAR Update request from the City of Rosemount. Known or suspected sites of environmental concern were identified on and directly adjacent to the subject property. Please refer to the attached Environmental Review documents for more information.

The MPCA WIMN database identifies a number of sites on or adjacent to the subject property. Refer to the MPCA What's in my neighborhood (state.mn.us) website for more information. Numerous pipelines and transmission lines transect the subject property. Union Pacific railroad transects the subject property.

Homesteads are or were present on the subject property, the potential exists to encounter buried structures, foundations, abandoned wells and buried debris in these areas. If encountered, these items should be managed appropriately. Contact Environmental Resources at 952-891-7000 or environ@co.dakota.mn.us for additional information.

If you have any questions relating to our comments, please contact me at 952-891-7007 or Georg.Fischer@co.dakota.mn.us

Sincerely,

A handwritten signature in blue ink, appearing to read "Georg T. Fischer".

Georg T. Fischer, Director
Physical Development Division

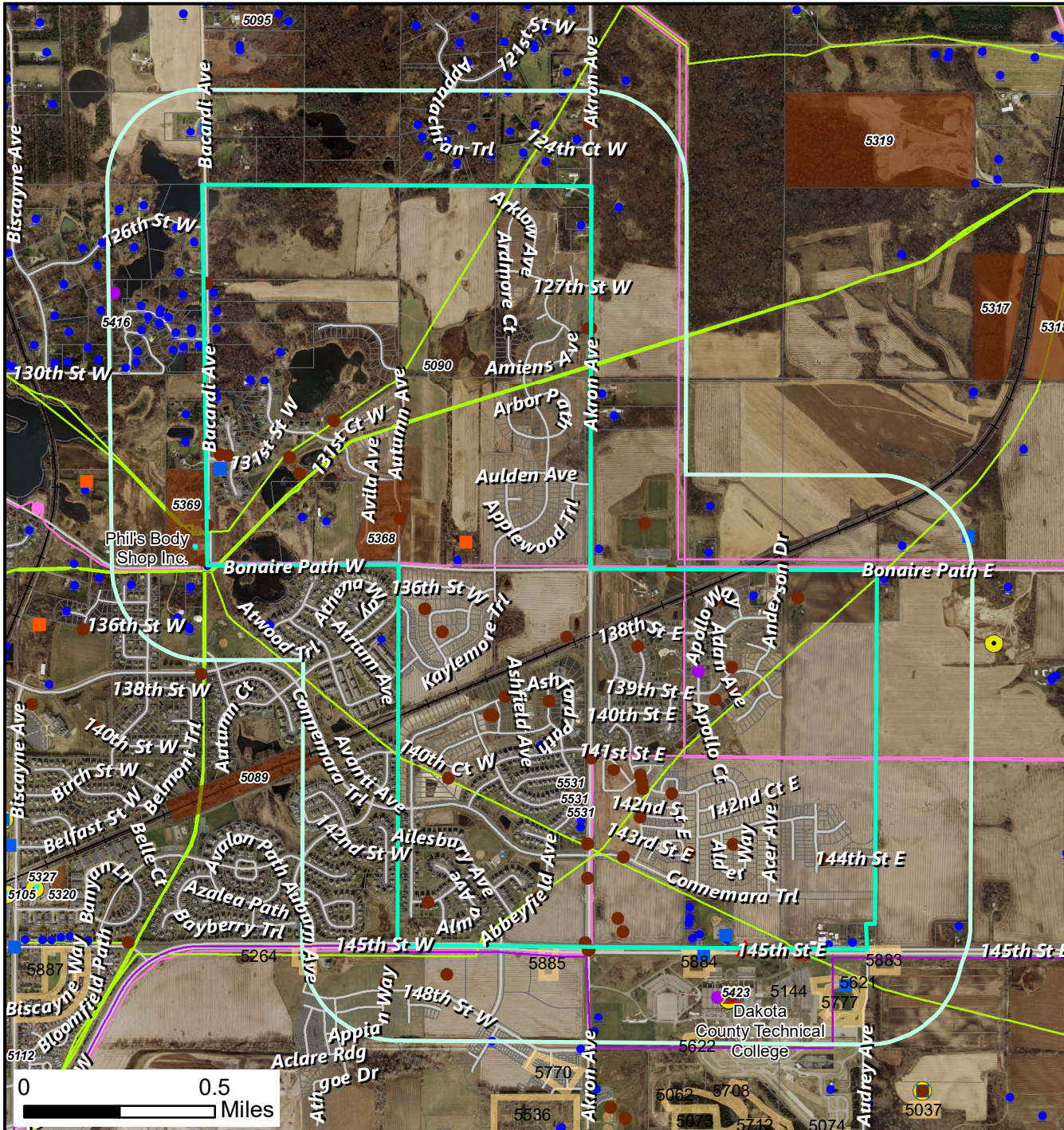
cc: Commissioner William Droste, District 4
Matt Smith, County Manager

Physical Development Division

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Environmental Review Map

AUAR Update
CSAH 42/Akron Study Area
Rosemount, MN
Review Date: February 15, 2023



- Hazardous Waste Generators
- Wells

MPCA WIMN Sites

- Multiple Programs
- Air Quality
- Environmental Review
- Feedlots
- Hazardous Waste
- Investigation and Cleanup
- Pollution Prevention
- Solid Waste
- Stormwater
- ▲ SSTS
- ▲ Tanks
- ▲ Water Quality

DC Projects

- GOW/RRC
- DC Site Inventory
- DC Solid Waste Facilities
- DC GOW Sites
- NPMS Pipelines
- Electric Transmission Lines
- +— Railroads
- Parcels
- Municipal Boundary

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This drawing is neither a legally recorded map nor a survey and is not intended to be used as one. This drawing is a compilation of records, information and data located in various city, county, and state offices and other sources, affecting the area shown, and is to be used for reference purposes only. Dakota County is not responsible for any inaccuracies herein contained. If discrepancies are found please contact the Dakota County Environmental Resources Department.

Environmental Review Report



Haz Waste Generators

<u>ID</u>	<u>Generator</u>	<u>Address</u>	<u>City</u>	<u>Waste Name</u>	<u>Size</u>	<u>Status</u>
97	Dakota County Technical College	1300 E 145th ST	Rosemount	Used Oil	VSQG	Generator
97	Dakota County Technical College	1300 E 145th ST	Rosemount	Lead Acid Batteries	VSQG	Generator
97	Dakota County Technical College	1300 E 145th ST	Rosemount	Paint Filters	VSQG	Generator
97	Dakota County Technical College	1300 E 145th ST	Rosemount	Non-Disposable Rags	VSQG	Generator
97	Dakota County Technical College	1300 E 145th ST	Rosemount	Dry Cell Batteries	VSQG	Generator
97	Dakota County Technical College	1300 E 145th ST	Rosemount	Oil Filters	VSQG	Generator
97	Dakota County Technical College	1300 E 145th ST	Rosemount	Fluorescent Lamps	VSQG	Generator
97	Dakota County Technical College	1300 E 145th ST	Rosemount	PCB Ballasts	VSQG	Generator
97	Dakota County Technical College	1300 E 145th ST	Rosemount	Flammable Liquid	VSQG	Generator
97	Dakota County Technical College	1300 E 145th ST	Rosemount	Paint	VSQG	Generator
97	Dakota County Technical College	1300 E 145th ST	Rosemount	Lead Foil & Aprons	VSQG	Generator
129	Phil's Body Shop Inc.	2025 W 135th ST	Rosemount	Paint Filters	VSQG	Out of Business
129	Phil's Body Shop Inc.	2025 W 135th ST	Rosemount	Fluorescent Lamps	VSQG	Out of Business
129	Phil's Body Shop Inc.	2025 W 135th ST	Rosemount	Paint Thinner	VSQG	Out of Business

Dakota County Site Inventory

<u>Site ID</u>	<u>MPCA Leak ID</u>	<u>MPCA VICID</u>	<u>Site Name</u>	<u>Site Classification</u>	<u>Comments</u>	<u>File Status</u>
5089			Chicago Northwestern Railroad Dump	Industrial Waste Disposal		Open
5090			McMenomy Dump	Large, Unlimited Variety		Open
5368			Williams Pipeline Company Spill	Spill, Leak, Leach or Inject Release		Open
5369			AAA Auto Salvage	Hazardous Waste Disposal		Open
5416	11787		Boche Residence LUST	Spill, Leak, Leach or Inject Release	MPCA Closure 1999 GW & Soil Cont remaining	Open
5423	11933		Dakota County Vo Tech LUST	Spill, Leak, Leach or Inject Release	MPCA Closure 1999 GW and Soil unevaluated	Open
5531			Prestwick Place Lead-Acid Battery Casing ISTS	Hazardous Waste Disposal	Battery casing ISTS. Waste Removed 4/25/2012. Site Closed	Closed

Dakota County Gopher Ordinance Works/Rosemount Research Center Sites

<u>Site ID</u>	<u>Name</u>	<u>City</u>	<u>Dump Type</u>	<u>MPCA Leak ID</u>
5886	Abandoned Mary McDonough Farm	Rosemount	Household or Farm Dump	0
5885	Abandoned Theodore H. A. Dehrer Farm	Rosemount	Household or Farm Dump	0
5884	Abandoned R.I. & C.L. Smith Farm	Rosemount	Household or Farm Dump	0
5883	Abandoned Emil L. Bouche Farm	Rosemount	Household or Farm Dump	0
5661	Temporary Coal-Fired Boiler	Rosemount	Industrial Waste Disposal	0
5144	Gasoline Station 724-A	Rosemount	Spill, Leak, Leach or Inject Release	0
5621	DCTC Asbestos Soils	Rosemount	Hazardous Waste Disposal	0
5622	DCTC Waste & Asbestos Contaminated Soil Stockpile	Rosemount	Hazardous Waste Disposal	0

5777	Ames Construction Contaminated Fill DCTC Ballfield	Rosemount	Industrial Waste Disposal	0
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Dakota County CSIR Projects

<u>Project ID</u>	<u>Name</u>	<u>City</u>	<u>Comments</u>	<u>Project Status</u>
2008001	Gopher Ordinance Works/Rosemount Research Center	Rosemount	See GOW/RRC Sites database for identified potential contamination locations.	Unknown

MPCA "What's In My Neighborhood" Site Data

<u>Name</u>	<u>Active Flag</u>	<u>Address</u>	<u>City</u>	<u>MPCA Activities</u>	<u>MPCA IDs</u>	<u>Institutional Controls (Y or N)</u>
JJT Business Park 1	N	See location description	Rosemount	Construction Stormwater	C00018603	N
Erickson Pond WQ Improvements	N	Address Unknown	Rosemount	Construction Stormwater	C00026281	N
Prestwick Townhomes South	Y		Rosemount	Construction Stormwater	C00053355; SUB0056080	N
TH 3 Reconstruction from Connemara Trl t	N	See location description	Rosemount	Construction Stormwater	C00013100	N
Greystone III Phase 2	Y		Rosemount	Construction Stormwater	C00049138; SUB0051905; SUB0053658	N
Marcotte Pond Lift Station	N	1/3 mi. N of Evermoor Pkwy & Shanno Pkwy	Rosemount	Construction Stormwater	C00008300	N
Bards Crossing	N	See location description	Rosemount	Construction Stormwater	C00009092	N
CP 97-03, SAP 19-599-27	N	See location description	Rosemount	Construction Stormwater	C00014825	N
Empire WWTP Outfall Phase IV	N	See location description	Rosemount	Construction Stormwater	C00014068	N
Biscayne Pointe North Street/Utility	N	See location description	Rosemount	Construction Stormwater	C00013339	N
Eastside Watermain Phase II	N	See location description	Rosemount	Construction Stormwater	C00010254	N
Talamore	Y		Rosemount	Construction Stormwater	C00063583	N
Prestwick Place 15th Addition	Y		Rosemount	Construction Stormwater	C00050586; SUB0052338; SUB0052339; SUB0052340; SUB0052341; SUB0052342; SUB0052343; SUB0052344; SUB0052346; SUB0052577; SUB0052578; SUB0052579; SUB0052580; SUB0052581; SUB0052582; SUB0052595; SUB005259	N
Evermoor Glendalough Phase II	Y	See location description	Rosemount	Construction Stormwater	C00015479; SUB0021004; SUB0021005; SUB0021575; SUB0023473	N
CP 410 - 2007 St Improvement Program	N	See location description	Rosemount	Construction Stormwater	C00022349	N

Harmony 3rd	N	See location description	Rosemount	Construction Stormwater	C00015965	N
2008 Street Improvements (CP 418)	N	Address Unknown	Rosemount	Construction Stormwater	C00024976	N
McNamara Addition	N	SW Corner of County Road 42 & Chippendale Ave	Rosemount	Construction Stormwater	C00005433	N
Biscayne Pointe Second Addition	N	See location description	Rosemount	Construction Stormwater	C00005979	N
Chippendale Ave / CSAH 42	N	See location description	Rosemount	Construction Stormwater	C00010773	N
Carrousel Office Park	N	See location description	Rosemount	Construction Stormwater	C00019544	N
UMORE Park-Hastings BL Abandonment_02127595	Y		Rosemount	Construction Stormwater	C00056751	N
Dakota County Technical College	Y	1300 145th St E	Rosemount	Aboveground Tanks; Air Quality; Hazardous Waste, Very small quantity generator; MS4; Petroleum Remediation, Leak Site; Underground Tanks	03700255; LS0011933; LS0021635; MND980997050; MS400254; TS0001193	N
Dakota County Technical College	N	1300 145th St E	Rosemount	Construction Stormwater; Feedlots	037-88549; C00024513	N
Dave Schmitz	Y	12296 Bacardi Ave W	Rosemount	Hazardous Waste	MNS000326552	N
Prestwick Townhomes North	Y		Rosemount	Construction Stormwater	C00053527; SUB0056085	N
Greystone 8 Main Installation	Y	Anderson-Aron-139th	Rosemount	Construction Stormwater	C00054175	N
Autumn Path Street & Utility Improvements Project	Y		Rosemount	Construction Stormwater	C00056941	N
Rosewood Village 2nd Street/Utility	N	See location description	Rosemount	Construction Stormwater	C00013344	N
Prestwick Place 3rd Addition	Y	Address Unknown	Rosemount	Construction Stormwater	C00032224; SUB0035530	N
Empire WWTP Outfall Phase III	N	See location description	Rosemount	Construction Stormwater	C00015703	N
Bentson Asphalt	Y	160th St	Coates	Aboveground Tanks	TS0121676	N
Lakeville Liquor Galaxie	N	See location description	Lakeville	Construction Stormwater	C00021246	N
Dakota Co Technical College Stockpile	N	1300 145th St e	Rosemount	Construction Stormwater	C00034535	N
Boche Residence	Y	12845 Bengal Ave	Rosemount	Petroleum Remediation, Leak Site	LS0011787	N
Suite Living Senior Care of Rosemount	Y		Rosemount	Construction Stormwater	C00065212	N
Brockway Glass	N	13500 Highway 3 S	Rosemount	Underground Tanks	TS0123240	N
Rosemount Interceptor Lift Stations L74-	N	See location description	Rosemount	Construction Stormwater	C00020620	N
Greystone 7th Addition	Y		Rosemount	Construction Stormwater	C00050870	N
ISD 917- New School	Y	See location description	Rosemount	Construction Stormwater	C00024084	N

DCTC Leased Property (see UMORE Park)	Y	See location description	Rosemount	Brownfields, Voluntary Investigation and Cleanup	VP22482; VP22483	Y
Evermoor Crosscroft 2nd St/Utility	N	See location description	Rosemount	Construction Stormwater	C00013225	N
Formrcity Of Rosemount City Hall	N	1367 145th St E	Rosemount	Underground Tanks	TS0001173	N
CP 249 Biscayne Ave Improv	N	See location description	Rosemount	Construction Stormwater	C00003094	N
Rosemount Commons	N	See location description	Rosemount	Construction Stormwater	C00005793	N
Irish Sports Dome	N	See location description	Rosemount	Construction Stormwater	C00014021	N
Rosewood	N	See location description	Rosemount	Construction Stormwater	C00009149	N
Glendalough Couchtown 4	N	Address Unknown	Rosemount	Construction Stormwater	C00023248	N
Rosemount Rock Removal	Y	Address Unknown	Rosemount	Construction Stormwater	C00024827	N
Ertl House	N	13217 Bacardi Ave	Rosemount	Construction Stormwater	C00020154	N
Prestwick Place 19th & 20th Additions	Y		Rosemount	Construction Stormwater	C00053675; SUB0055731; SUB0055732; SUB0055733; SUB0056102; SUB0056103; SUB0056104; SUB0056105; SUB0056106; SUB0056107; SUB0056108; SUB0056110; SUB0056111; SUB0056113; SUB0056114; SUB0056116; SUB005611	N
CR 73 (Akron Avenue) Roadway Reconstruction	Y		Rosemount	Construction Stormwater	C00055334	N
Connemara Trail Bridge	N	Address Unknown	Rosemount	Construction Stormwater	C00014307	N
Biscayne Pointe North	N	See location description	Rosemount	Construction Stormwater	C00011646	N
Brockway Glass Reflections	N	See location description	Rosemount	Construction Stormwater	C00013221	N
Rosemount Business Park - Phase II	N	SW corner of CSAH 42 & Biscayne Ave	Rosemount	Construction Stormwater	C00006933	N
CP 422-423 Harmony 5th and Pickens S U	N	Address Unknown	Rosemount	Construction Stormwater	C00025619	N
Akron Stockpile	Y		Rosemount	Construction Stormwater	C00055280	N
Waterford	N	See location description	Rosemount	Construction Stormwater	C00009091	N
Meadows of Bloomfield Phase 1 St/Utility	N	See location description	Rosemount	Construction Stormwater	C00013333	N
Keegan Lake Outlet and Storm Sewer Const	N	See location description	Rosemount	Construction Stormwater	C00011036	N
Harmony 2nd	N	See location description	Rosemount	Construction Stormwater	C00015378; SUB0021880	N
Meadows at Bloomfield	N	See location description	Rosemount	Construction Stormwater	C00011174; SUB0017509; SUB0022170	N
Capspray Industries	N	14635 Audrey Ave	Rosemount	Hazardous Waste	MND985708247	N

Michael F. McMenemy Farm	Y	Address Unknown	Rosemount	Feedlots	037-88259	N
Connemara Crossing	Y	See location description	Rosemount	Construction Stormwater	C00013884	N
Meadows Park Trail Imp CP387	N	Address Unknown	Rosemount	Construction Stormwater	C00026524	N
Prestwick Place 4th Addition	N	Address Unknown	Rosemount	Construction Stormwater	C00034578	N
Caramore Crossing	Y	NWC of Akron Avenue and Bonaire Path West	Rosemount	Construction Stormwater	C00053912; SUB0060770; SUB0061754; SUB0062595; SUB0063229; SUB0063427; SUB0064536; SUB0064537	N
Biscayne Pointe 4th Addition	N	See location description	Rosemount	Construction Stormwater	C00009023	N
Bella Vista	Y	Address Unknown	Rosemount	Construction Stormwater	C00037166	N
Carbury Hills	Y	See location description	Rosemount	Construction Stormwater	C00022822	N
ISD 917 Technical Center	Y	1300 145th St E Door 13	Rosemount	Hazardous Waste, Very small quantity generator	MNS000135343	N
Prestwick 8th Addition	Y	2875 145th Street W	Rosemount	Construction Stormwater	C00036516	N
Car-Nav-5	Y	160th St & Robert Trl	Rosemount	Hazardous Waste, Very small quantity generator	MNS000106922	N
Reflections 1st Street/Utility/App Work	N	See location description	Rosemount	Construction Stormwater	C00013767	N
Connemara Trail Phase 2	N	See location description	Rosemount	Construction Stormwater	C00009962	N
UMore Park/EWS Logging Activity	Y	See location description	Rosemount	Construction Stormwater	C00022733	N
Glenrose Streets and Utilities	N	Address Unknown	Rosemount	Construction Stormwater	C00016527	N
Emerald Isle 3rd Addition	Y		Rosemount	Construction Stormwater	C00064082	N
1st Baptist Church Rosemount	N	See location description	Rosemount	Construction Stormwater	C00005484	N
Harmony 2nd Street and Utility Construct	N	Address Unknown	Rosemount	Construction Stormwater	C00015385	N
M F Mickelson	N	12145 12155 Danbury Way	Rosemount	Underground Tanks	TS0018720	N
Bella Vista 2nd Addition	Y	Address Unknown	Rosemount	Construction Stormwater	C00037631	N
Roseport Industrial Lead Improvements	Y	See location description	Rosemount	Construction Stormwater	C00012239	N
Amber Fields	Y		Rosemount	Construction Stormwater	C00064933	N
Eastside Watermain Extension	N	along TH 52 N of 140th St. & along N side of Hwy 55 E of TH 52	Rosemount	Construction Stormwater	C00007693	N
Roundstone	N	See location description	Rosemount	Construction Stormwater	C00009194	N
CP 290 SAP 208-107-04	N	See location description	Rosemount	Construction Stormwater	C00005271	N
Celtic Crossing-Phase III	N	See location description	Rosemount	Construction Stormwater	C00018468	N

CSAH 42 & CR 73/Akron Avenue Intersection Improvements	Y		Rosemount	Construction Stormwater	C00058812	N
New Lower Basin Project	N	Koch Refinery	Rosemount	Construction Stormwater	C00005925	N
Flint Hills Res Sanitary Sewer Extension	N	Address Unknown	Rosemount	Construction Stormwater	C00021370	N
Flint Hills Resources - Spent Bauxite	N	See location description	Rosemount	Construction Stormwater	C00009918	N
Ardan Place 2nd Addition	Y		Rosemount	Construction Stormwater	C00062115	N
Glendalough	N	Address Unknown	Rosemount	Construction Stormwater	C00024866	N
Greystone 6th Addition	Y		Rosemount	Construction Stormwater	C00046940	N
Akron Ave CP417	N	Address Unknown	Rosemount	Construction Stormwater	C00026523	N
Meadow Ridge Improvements	Y		Rosemount	Construction Stormwater	C00051447	N
Koch Refining SW Storm Basin	N	See location description	Rosemount	Construction Stormwater	C00005309	N
Chicago & Northwestern Trans Co	N	1849 Highway 42	Rosemount	Underground Tanks	TS0016159	N
Mike M Murgic	Y	15635 S Robert Trl	Rosemount	Petroleum Remediation, Leak Site; Underground Tanks	LS0016809; TS0001076	N
2006 Rosemount Street Recon - 396	N	See location description	Rosemount	Construction Stormwater	C00018635	N
the Enclave	N	See location description	Rosemount	Construction Stormwater	C00004963	N
160th Street Sanitary Sewer Connection	N	See location description	Rosemount	Construction Stormwater	C00010495	N
Bonaire Path E Berm	Y		Rosemount	Construction Stormwater	C00046860	N
Birger Pond Outlet Storm Sewer	N	See location description	Rosemount	Construction Stormwater	C00006394	N
Ardan Place	Y		Rosemount	Construction Stormwater	C00059631; SUB0062260; SUB0062261; SUB0062262	N
Harmony 5th Addition & Pickens	Y	See location description	Rosemount	Construction Stormwater	C00025677	N
Town Center S_U Improvements CP-419	N	Address Unknown	Rosemount	Construction Stormwater	C00025005	N
2000 St & Utility Reconstruction Project	N	Dodd Blvd from Shannon Pkwy to Chippendale Ave & Cimarron Ave	Rosemount	Construction Stormwater	C00006958	N
Evermoor's Glendalough 7th - St/U	N	See location description	Rosemount	Construction Stormwater	C00018846	N
Bloomfield Add Grading, St, & Util Const	N	N of 145th St W & CSAH 42 E of Biscayne Ave	Rosemount	Construction Stormwater	C00005376	N
Summit Dental	Y	3505 151st St W	Rosemount	Hazardous Waste, Minimal quantity generator	MNS000347008	N
Former Murgics Service Station	N	15635 S Robert St	Rosemount	Underground Tanks	TS0001154	N

2019 Bonaire Path Improvements	Y		Rosemount	Construction Stormwater	C00053787	N
CP 291, 145th St W, S & U Recon	N	See location description	Rosemount	Construction Stormwater	C00005228	N
Prestwick Place 14th Addition	Y		Rosemount	Construction Stormwater	C00047025; SUB0052359; SUB0052363; SUB0052365; SUB0052366; SUB0052367; SUB0052369; SUB0052371; SUB0052373; SUB0052374; SUB0052376; SUB0052377; SUB0052378; SUB0052379	N
Cub Foods Development Site	N	So of Hwy 42 between Crestone & Claret	Rosemount	Construction Stormwater	C00007338	N
Prestwick Place Second Addition	N	Address Unknown	Rosemount	Construction Stormwater	C00032489	N
FedEx Freight Inc	Y	15197A Boulder Ave	Rosemount	Hazardous Waste, One time generator	MNS000344336	N
Co Rd. 73 Road Construction dirt borrow	Y	Address Unknown	Rosemount	Construction Stormwater	C00029278	N
Glendalough 5th Street/Utility	N	See location description	Rosemount	Construction Stormwater	C00014333	N
Prestwick Place 16th Addition	Y		Rosemount	Construction Stormwater	C00051343; SUB0052731; SUB0052732; SUB0052733	N
Nalco	Y	13725 Clark Rd	Rosemount	Hazardous Waste	MNS000339424	N
Biscayne Pointe Addition Phase 1	N	E Side of Biscayne Ave N of the Union Pacific RR	Rosemount	Construction Stormwater	C00004853	N
2001 St & Utility Recon. - Rosemount	N	along Dodd Blvd from Shannon Pkwy to Delft Ave & Danville Ave	Rosemount	Construction Stormwater	C00007858	N
Rosemount Commercial Site - Herbert - C	N	See location description	Rosemount	Construction Stormwater	C00017793	N
Connemara Crossing Street/Utility	N	See location description	Rosemount	Construction Stormwater	C00014427	N
Clover Ridge/Meadow Ridge	Y	12523 Akron Avenue Rosemount, Minnesota	Rosemount	Construction Stormwater	C00048853; SUB0055283; SUB0055295; SUB0059787	N
Cemstone Products Co - Rosemount	Y	15900 158th St W	Rosemount	Aboveground Tanks	TS0130495	N
Rosemount Business Park	N	S Side of County Road 42 E of Highway 3	Rosemount	Construction Stormwater	C00001765	N
Lots 5-8 Hollenback & Nelson	Y	Lots 5 8 First Edition	Rosemount	Brownfields, Petroleum Brownfield	PB3244	N
Bella Vista Trail	Y		Rosemount	Construction Stormwater	C00063838; CS-gen	N
Prestwick Pl 3rd Addtn Street & Utility	N	Address Unknown	Rosemount	Construction Stormwater	C00032439	N
Chicago Northwestern Rr	N	Twp 115N R 19W Sec 28 NW 1/4	Rosemount	Hazardous Waste	MND985756378	N
Wensmann 7th & 8th Additions	N	See location description	Rosemount	Construction Stormwater	C00001867	N

1996 St & Utility Reconstruction	N	See location description	Rosemount	Construction Stormwater	C00003463	N
Hampton Reinforcement Proj A7453	N	See location description	Rosemount	Construction Stormwater	C00010274	N
Empire WWTP Outfall Phase II	N	See location description	Rosemount	Construction Stormwater	C00017834	N
Hawkins Pond Addition	N	N of 145th St W E of Diamond Path	Rosemount	Construction Stormwater	C00004293	N
Soccer Field Development - Rosemount	N	See location description	Rosemount	Construction Stormwater	C00025348	N
Harmony 1st 2nd 3rd Additions Rosemount	Y	See location description	Rosemount	Construction Stormwater	C00025916	N
WATERFORD COMMONS	Y	Address Unknown	Rosemount	Construction Stormwater	C00025831	N
Shannon Pond Excavation	N	NE Quad of 160th St E & Shannon Pkwy	Rosemount	Construction Stormwater	C00007927	N
Brazil Avenue Bituminous Trail Imp.	N	140th St W	Rosemount	Construction Stormwater	C00024423	N
CONNEMARA TRAIL TRUNK STORM SEWER EXTENSION	Y		Rosemount	Construction Stormwater	C00062124	N
Prestwick Place 19th (Arcon Land II), Roesmount	Y	Ashbrook Path/Ashfield Avenue	Rosemount	Construction Stormwater	C00054887	N
Amber Fields	Y		Rosemount	Construction Stormwater	C00062068	N
2004 Street/Utility - Rosemount	N	See location description	Rosemount	Construction Stormwater	C00012047	N
Old CR 38 & 132nd Cr St/Utility Imp - CS	N	See location description	Rosemount	Construction Stormwater	C00017773	N
SP 1906-51 (TH 52)	N	See location description	Rosemount	Construction Stormwater	C00013053	N
Rosemount Crossing	N	See location description	Rosemount	Construction Stormwater	C00013883; SUB0017657	N
Adalyn Avenue Improvement Project	Y	Adalyn Avenue	Rosemount	Construction Stormwater	C00054711	N
Prestwick 7th Addition	N	Address Unknown	Rosemount	Construction Stormwater	C00036262	N
Northern Natural Gas - UMORE Hastings BL Rmvl	Y	1367 145th St E # Nngunit	Rosemount	Hazardous Waste	MNS000338200	N
Bloomfield Vineyards	N	See location description	Rosemount	Construction Stormwater	C00009947	N
SP 1906-50 (TH52)	N	See location description	Coates	Construction Stormwater	C00011121	N
Evermoor Glendalough 4th	N	See location description	Rosemount	Construction Stormwater	C00013878	N

Emerald Isle	Y	142xx Addison Ave	Rosemount	Construction Stormwater	C00057920; SUB0059746; SUB0059747; SUB0059748; SUB0059749; SUB0059750; SUB0059751; SUB0059752; SUB0059753; SUB0062642; SUB0062643; SUB0062662; SUB0062663; SUB0062664; SUB0062665; SUB0062669; SUB006267	N
GlenRose of Rosemount	Y	See location description	Rosemount	Construction Stormwater	C00016563	N
Minea Sanitary Sewer Extension	Y	Akron Ave	Rosemount	Construction Stormwater	C00054836	N
Glendalough 6th Street and Utility	N	Connemara Trl And Couchtown Trl	Rosemount	Construction Stormwater	C00015570	N
Addison Avenue Improvement Project	Y	Addison Avenue	Rosemount	Construction Stormwater	C00049872	N
Horseshoe Lake Park	Y	13210 Aulden Avenue	Rosemount	Construction Stormwater	C00051082	N
JJT Business Park 1st St/Utilities	N	See location description	Rosemount	Construction Stormwater	C00018303	N
Fairview Clinic - Rosemount	N	See location description	Rosemount	Construction Stormwater	C00026227	N
Greystone III Phase 1	Y	0.50 miles north of intersection of CSAH 42 and Akron Ave	Rosemount	Construction Stormwater	C00045531	N
2005 Rosemount St/SS/WM Reconstruction	N	See location description	Rosemount	Construction Stormwater	C00014997	N
Prestwick Place 20th Addition	Y		Rosemount	Construction Stormwater	C00057095	N
Meadows of Bloomfield 3rd	N	See location description	Rosemount	Construction Stormwater	C00014426	N
Flint Hills Resources LP Maintenance	N	See location description	Rosemount	Construction Stormwater	C00023335	N
Evermoor Glendalough 4th Street/Utility	N	See location description	Rosemount	Construction Stormwater	C00013354	N
Wensmann 9th Addition	N	N of Dodd Blvd & E of Shannon Pkwy	Rosemount	Construction Stormwater	C00003257	N
Flint Hills Athletic Complex Phase 2	Y	Bonaire Path E	Rosemount	Construction Stormwater	C00049698	N
Mn Operating Engineers	N	PO Box E 1	Rosemount	Hazardous Waste	PW5103025012	N
Carrousel Plaza South Site Grading	N	15300 Block of Chippewa Ave	Rosemount	Construction Stormwater	C00007624	N
Evermoor Glendalough	N	W of Shannon Pkwy, N of Connemara Trail, E of Dodd Rd	Rosemount	Construction Stormwater	C00008613	N
Bloomfield 5th and 6th	N	See location description	Rosemount	Construction Stormwater	C00009233	N
Connemara Trail	Y	Connemara Trail	Rosemount	Construction Stormwater	C00061248; CS-gen	N

Community of Hope Lutheran Church	N	See location description	Rosemount	Construction Stormwater	C00013569	N
Empire WWTP Outfall Phase I	N	See location description	Rosemount	Construction Stormwater	C00018512	N
Farmfield off Bonaire Path	Y	Southern Portion, 1102 Bonaire Path East	Rosemount	Brownfields, Voluntary Investigation and Cleanup	BF0000251	N
New Coker Basin Project	N	Koch Refinery	Rosemount	Construction Stormwater	C00006197	N
CR 73 (Akron Ave.) CP 399	N	CR 73 from CSAH 42 to CR 38 (135th)	Rosemount	Construction Stormwater	C00028345	N
Greystone II	Y	Address Unknown	Rosemount	Construction Stormwater	C00038774	N
Evermoor's Crosscroft 3rd St/Utility - C	N	See location description	Rosemount	Construction Stormwater	C00018815	N
Harmony Parkview 2nd Addition	Y		Rosemount	Construction Stormwater	C00055055	N
Emerald Isle 2nd Addition	Y	14341 Aspen Ave	Rosemount	Construction Stormwater	C00059485; SUB0062434; SUB0062435; SUB0062436; SUB0062437; SUB0062438; SUB0062439; SUB0062683; SUB0062687; SUB0062688; SUB0062689; SUB0062690; SUB0062691; SUB0062692; SUB0062693; SUB0062694; SUB006269	N
Jeff Schoeller Farm	Y	Address Unknown	Rosemount	Feedlots	037-88247	N
Bacardi Avenue Improvements Project	Y	Address Unknown	Rosemount	Construction Stormwater	C00038299	N
Prestwick Place Townhomes	Y	Akron Ave and 141st Street	Rosemount	Construction Stormwater	C00050111	N
Wensmann 6th Addition	N	See location description	Rosemount	Construction Stormwater	C00001100	N
Conley Ave Street & Utility Improvements	N	See location description	Rosemount	Construction Stormwater	C00006195	N
Evermoor Crosscroft 3rd	N	See location description	Rosemount	Construction Stormwater	C00018222	N

End of Report

Memorandum

To: EQB Agency Distribution List

Copy: Anthony Nemcek, City of Rosemount

From: Chaldelia Browne, WSB

Date: March 7, 2023

Re: CSAH 42/ Akron Study Area AUAR Update – Responses to Comments
WSB Project No. 021842-000

The City of Rosemount issued the Draft CSAH 42/ Akron Study Area AUAR Update for review to the EQB's distribution list on February 8th 2023. The comment period ended on February 22, 2023 and the city received comments from the MN Department of Natural Resources, MN Department of Transportation, Metropolitan Council, and Dakota County regarding the CSAH 42/ Akron Study Area AUAR Update. Each comment, and the city's responses are provided below. Agency comment letters are attached.

Department of Natural Resources

Comment 1: Page 4, Fish Wildlife and, Ecological Sensitive Resources:
Please see the attached DNR Natural Heritage letter dated, February 22, 2023. Please note that due to the presence of protected state-listed threatened and endangered species, this letter includes requirements for all developments within the project area and should be referenced by all proposers and contractors as developments proceeds.

Response: The City reviewed the DNR's Natural Heritage letter and updated the AUAR to reflect the protected species present in the vicinity of the project area. Mitigation measures were added to reflect the need for a habitat assessment of trumpeter swans prior to construction near suitable habitats during nesting season. Mitigation measures were also updated to reflect the requirements for avoidance of loggerhead shrike and Blanding's turtles.

Comment 2: The U.S. Fish and Wildlife Service (USFWS) recently made the decision to up list the northern long-eared bat (NLEB) to the status of federally endangered. This follows precipitous declines of more than 90% since the species federal listing as threatened in 2015. NLEB are known to occur in Dakota County and efforts are underway to learn more about this species distribution and occurrence statewide. This new status is scheduled to go into effect on March 31, 2023. Please see the attached factsheet from the Minnesota Department of Transportation that summarizes what we know at this time regarding this new status. Tree removal activities in particular are known to impact this species, therefore, we recommend incorporating NLEB avoidance into the City's tree removal ordinance

Response: Comment noted. Mitigation measure B16 was added to reflect avoidance of NLEB.

Comment 3: Please note that a portion of the project area is within a High Potential Zone for the federally endangered Rusty Patched Bumble Bee. Please refer to the attached Natural Heritage letter for instructions for coordinating with USFWS, and for further recommendations

Response: Comment noted. Mitigation measure B17 addresses the rusty patched bumble bee

Comment 4: Page 5, Water Quality and Quantity Mitigation Plan
Blanding's turtles, a protected state-listed threatened species, have been documented within the project area. Stormwater features may be colonized by Blanding's turtles in the area, therefore we recommend incorporating measures to avoid impacting this species into stormwater management. In years when the stormwater features will be dredged to remove excess sediment, please draw down water levels by September 15th in order to allow turtles to find overwintering habitat elsewhere.

Response: Comment noted. Mitigation measures were also updated to reflect the requirements for avoidance of Blanding's turtles

Comment 5: Stormwater: As the project area continues to be developed, it will greatly increase the amount of impervious surfaces as well as the amount of road salt used in the project area. Chloride released into local lakes and streams does not break down, and instead accumulates in the environment, potentially reaching levels that are toxic to aquatic wildlife and plants. Consider promoting local business and city participation in the Smart Salting Training offered through the Minnesota Pollution Control Agency. There are a variety of classes available for road applicators, sidewalk applicators, and property managers. More information and resources can be found at this website. Many winter maintenance staff who have attended the Smart Salting training — both from cities and counties and from private companies — have used their knowledge to reduce salt use and save money for their organizations. We also encourage cities and counties to consider how they may participate in the Statewide Chloride Management Plan and provide public outreach to reduce the overuse of chloride. Here are some educational resources for residents as well as a sample ordinance regarding chloride use.

Response: The city recognizes the impact of chloride related to deicing and highlights corrective action for the increasing prevalence of chloride in surface and groundwater from salt runoff in its comprehensive surface water management plan.

The City promotes smart salting in their Conserve and Preserve Blog and will continue to encourage residents and developers to consider chloride-reduction measures.

Comment 6: Page 7, Noise, Construction Dust, and Screening
The DNR recommends that products containing chloride not be used for dust control in areas that drain to public waters.

Response: The city will encourage developers to not use products containing chloride for dust control. Mitigation measure G5 was added to include this recommendation.

Department of Transportation

Comment 1: Thank you for submitting the Akron AUAR 2023 Update to MnDOT for our comments. We have no comments to make on this AUAR as it is located far enough from any MnDOT roads that we believe it will be slight to no impact on our highways

Response: Comment noted.

Metropolitan Council

Comment 1: Staff concludes that the AUAR Update is complete and accurate with respect to regional concerns and do not raise major issues of consistency with Council policies.

Response: Comment noted.

Comment 2: Item E. Wastewater Mitigation Plan (Roger Janzig, Roger.janzig@metc.state.mn.us) The AUAR explains that Scenario 1 is consistent with Rosemount's 2040 comprehensive plan (Plan). It also indicates that Scenario 2 and Scenario 3 require comprehensive plan amendments to reflect those land uses. These future amendments should evaluate the increase in households with the City's growth forecasts and show the proposed method and means of providing wastewater service.

Response: If a future Comprehensive Plan amendment is needed, the City will evaluate this growth in the forecasts

Comment 3: The AUAR reflects an area where proposed projects may have an impact on multiple Metropolitan Council Interceptors in multiple locations. There are specific processes that must be followed before encroachment on our property or a direct connection to our Interceptor can be made. Before encroachment on our property, an Encroachment Agreement will be required, and before direct connection to the Metropolitan Council Interceptor, a Sewer Connection Permit will be required. To obtain a Sewer Connection Permit or an Encroachment Application, contact Tim Wedin, Interceptor Engineering Assistant Manager (651-602-4571) at the Metropolitan Council Environmental Services. To assess the potential impacts to our interceptor system, prior to initiating any projects within this area, preliminary plans should also be sent to Tim Wedin (651-602-4571).

Response: Comment noted. Mitigation measure E4 was added to reflect the requirements concerning the Metropolitan Council's interceptors.

Comment 4: Item F. Transportation Analysis Zones (Todd Graham, 651-602-1321) Forecasts are not discussed in the AUAR Update; however this information is helpful to provide. The study area includes parts of the Metropolitan Council Transportation Analysis Zones (TAZ) 624, 625, 626 and 628. The City provided an allocation of forecasts to TAZs in its 2040 Plan. These zones are expected, in the City's 2040 Plan, to have 2,899 households and 496 jobs in year 2040. If all of the development described in the AUAR Update is realized by 2040, then the resulting households' counts could exceed what is allocated by the City. Only the TAZ households and population forecasts need revisions and not the City's total forecast. City staff can contact Council Research to discuss the TAZ allocation adjustment, which does not require a Plan Amendment.

Response: Comment noted. The City will contact the Metropolitan Council Research to discuss TAZ allocation adjustment if needed.

Dakota County

Comment 1: Transportation

In the county's response to the AUAR Update #2 Revision in 2018, we were concerned with the reduction in the number of east-west city collector roadways originally identified in the city's Transportation Plan that would reduce pressure on CSAH 42. This concern remains. However, we commend the city for the continued development of Connemara Trail eastward as a collector roadway.

Response: The AUAR Update shows internal roadway connections that have been made based on development that has occurred.

Comment 2: Figure 3: Parks and Trails identifies the pedestrian and bikeway system within the study area. Please include a planned street adjacent trail on the north and south sides of CSAH 42 (145th Street West), consistent with the Dakota County 2040 Transportation Plan. County strategies and policies recommend continuous pedestrian and bicycle facilities along county highways based on land use context

Response: Comment noted. Figure 3 has been updated.

Comment 3: Many of the identified improvements in the AUAR update include intersections with county or state roadways. The AUAR update does not provide trip generation and distribution of expected traffic to assist in determining potential timelines of overall potential roadway improvements or identified additional traffic control within the AUAR area. Including this information would be useful to help program improvements.

Response:

Comment 4: Dakota County is willing to work with the city to further discuss potential solutions that address our concerns and address the obstacles that the city has identified in providing a connected local roadway network.

Response: Comment noted.

Comment 5: The City of Rosemount and Dakota County now meet monthly to discuss future development impacts to the overall transportation system within the city, including within the AUAR area. We commend the city in working with us to address transportation needs early in the development process.

Response: Comment noted.

Comment 6: Environmental Resources

Environmental Resources conducted an Environmental Review of the subject area relating to the CSAH 42/Akron Study Area AUAR Update request from the City of Rosemount. Known or suspected sites of environmental concern were identified on and directly adjacent to the subject property. Please refer to the attached Environmental Review documents for more information.

Response: Comment noted. Mitigation Measure A1 addresses this issue.

Comment 7: The MPCA WIMN database identifies a number of sites on or adjacent to the subject property. Refer to the MPCA What's in my neighborhood (state.mn.us) website for more information. Numerous pipelines and transmission lines transect the subject property. Union Pacific railroad transects the subject property.

Comment 8: **Response:** Comment noted.
Homesteads are or were present on the subject property, the potential exists to encounter buried structures, foundations, abandoned wells and buried debris in these areas. If encountered, these items should be managed appropriately. Contact Environmental Resources at 952-891-7000 or environ@co.dakota.mn.us for additional information.

Response: Comment noted. Mitigation measures within Item A and C addresses this issue.

This concludes the responses to comments on the AUAR Update. If you have questions, please contact me at 612.394.2395 or cbrowne@wsbeng.com.

City Council Regular Meeting: May 16, 2023

AGENDA ITEM:	Holiday Stationstore Conditional Use Permit to Allow for an Expansion and Onsite Improvements to the Existing Nonservice Motor Fuel Station on Site	AGENDA SECTION:	CONSENT AGENDA
PREPARED BY:	Julia Hogan, Planner	AGENDA NO.	6.h.
ATTACHMENTS:	Resolution , Site Location, Property Survey, Existing Site Plan, Proposed Canopy Expansion/Improvement Site Plan, Grading Plan, Photometric Plan, MPCA Comments	APPROVED BY:	LJM
RECOMMENDED ACTION: Motion to adopt a resolution approving a Conditional Use Permit for an expansion and onsite improvements to an existing nonservice motor fuel station at 15066 Chippendale Avenue, subject to the conditions in the resolution.			

BACKGROUND

Applicant & Property Owner:	Holiday Stationstores, LLC
Site Location:	15066 Chippendale Ave
Site Area:	1.1 Acres
Land Use Designation:	CC - Community Commercial
Current Zoning:	C4 - General Commercial

The Planning Commission is being asked to consider an application for a Conditional Use Permit to allow for the expansion of an existing canopy and onsite improvements at the existing Holiday Stationstore at 15066 Chippendale Ave. Staff is recommending approval of the conditional use permit subject to the conditions.

PLANNING COMMISSION ACTION

The Planning Commission held a public hearing at its April 25, 2023 meeting to review the conditional use permit application and to receive public comment. No public comments were received prior to or during the public hearing of this item. The Commission had a few questions relating to the location of the parking stalls on site with the expansion of the canopy and also about the engineering review for the proposed site modifications, grading and utility work on site. Staff informed the Commission that the new location of the parking stalls meets the required setback requirements from property lines and that reviews of the onsite improvements, grading, and utility work will be done during the building permit process. The Planning Commission voted unanimously to recommend approval of the request, subject to conditions.

PROPOSAL

The applicant came forward to the City requesting to add an expansion and make improvements to the existing Holiday Stationstore off of Chippendale Ave. The Holiday was built back in 1985, prior to when conditional use permits were required for nonservice motor fuel stations within the C4-Genreal Commercial zoning district. With the request to make improvements to the site, the City is requiring the applicant to obtain a conditional use permit for the site as well.

The applicant is requesting to add an expansion off the existing canopy on site to be able to add an additional 3 fuel dispensers and add LED lighting to the canopy. They will also be adding new underground tanks, a new diesel dispenser and island, new pump islands under the existing canopy, a new step-in freezer, a new storage shed, and also relocating the existing parking onsite to the north to accommodate the expansion of the canopy. They will demo the existing trash enclosure and replace it. These improvements and additions to the site can be seen in the site plans that were submitted by the applicant and included in the attachments of this report.

Across Country Road 42 from this site is a city wellhead. The city has a Wellhead Protection Plan with regards to regulating underground storage tanks incorporating existing federal and state regulations providing controls to manage underground storage tanks within the DWSMA (Drinking Water Supply Management Area). Since Holiday is adding new underground tanks to their site, a condition of approval will note that a response/statement from the MPCA stating that by meeting the requirements of the permit through the state the MPCA considers the proposed installation to be compliant with all measures necessary to protect underground drinking water supply in the area. This will need to be submitted to the City prior to City Council review.

CONDITIONAL USE PERMIT

Legal Authority. Conditional use permits (CUP) are considered quasi-judicial actions. In such cases, the City is acting as a judge to determine if the regulations within the Comprehensive Plan, Zoning Ordinance and Subdivision Ordinance are being followed. Generally, if the application meets these requirements it must be approved.

Purpose. The purpose of conditional use permits is to allow for those uses which are not generally suitable by right within a given zoning district but may be suitable under some circumstances. The burden of demonstrating the proposed use meets the criteria for granting a conditional use permit and meeting all applicable standards lies with the applicant.

As a conditional use, nonservice motor fuel stations are subject to the general CUP standards outlined in Section 11-10-7 as well as the standards specific to this use in section 11-4-13.D. These standards evaluate the City's land use and zoning performance standards and the potential impact of the proposed use on the surrounding neighborhoods. Many of the findings have already been proven due to the fact that this Holiday Stationstore has been operating since the 1980s.

1. Will not be detrimental to or endanger the public health, safety, or general welfare of the neighborhood or the city.

Finding: The existing Holiday Stationstore will not be detrimental to the public health, safety, or general welfare of the neighborhood or the City of Rosemount. This business has been on this site

since the 1980s and has functioned without issue. The requested expansion and improvements to the site will improve the character of the property.

2. Will be harmonious with the objectives of the comprehensive plan and city code provisions.

Finding: The subject property is currently zoned C4-General Commercial and guided for CC-Community Commercial. The City Code allows for nonservice motor fuel stations as a Conditional Use within the C4 zoning district.

According to the comprehensive plan, the Community Commercial land use designation is intended to provide retail, professional offices, and personal services that serve the daily and weekly needs of the residents of Rosemount. The existing fuel station is a personal service that serves residents of Rosemount daily and weekly.

3. Will be designed, constructed, operated, and maintained so as to be compatible or similar in an architectural and landscape appearance with the existing or intended character of the general vicinity and will not change the essential character of that area, nor substantially diminish or impair property values within the neighborhood.

Finding: The proposed changes are to expand on to the exiting canopy onsite, which exteriorly the expansion will match the existing canopy. The existing parking will be moving further north on the property but will be in the same vicinity as where the current parking spaces are.

4. Will be served adequately by existing (or those proposed in the project) essential public facilities and services, including streets, police and fire protection, drainage, structures, refuse disposal, water and sewer systems and schools.

Finding: The existing fuel station is served adequately by existing essential public facilities and services.

5. Will not involve uses, activities, processes, material equipment and conditions of operation that will be hazardous or detrimental to any persons, property, or the general welfare because of excessive production of traffic, noise, smoke, fumes, glare or odors.

Finding: The proposed expansion and improvements will not generate any additional external impacts that would be expected from the existing convenience store/gas station. The closest residential structure is 150-feet away across County Road 42 with the majority of the surrounding uses being commercial.

6. Will have vehicular ingress and egress to the property which does not create traffic congestion or interfere with traffic on surrounding public streets.

Finding: The proposed canopy expansion will not interfere with the existing drive aisle. The applicant is proposing moving the current parking spaces on the north end of the expansion further north for a larger drive aisle. The property's existing vehicular ingress and egress will remain as presently located on the site.

7. Will not result in the destruction, loss or damage of a natural, scenic, or historic feature of major importance and will comply with all local, state, and federal environmental quality standards.

Finding: The proposed use will not result in the destruction, loss, or damage of a natural, scenic, or historic feature of major importance and will comply with all local, state, and federal environmental quality standards.

8. These standards apply in addition to specific conditions as may be applied throughout this code.

Finding: Nonservice motor fuel stations are also subject to the specific conditional use permit standards in 11-4-13.D.

The proposed use must comply with the specific performance standards for nonservice motor fuel stations. These standards along with staff findings are detailed below.

1. The site and building(s) shall be designed to limit the effects of this use on adjacent properties and public rights of way. No gasoline pumps shall be located on a site abutting any residential use or district. Sites or properties separated by a public right of way shall not be considered abutting.

Finding: This property abuts up to two separate road ways, which are County Road 42 and Chippendale Ave. The areas to the south and east of the site are both commercial uses. This site does not abut up to any residential use or districts.

2. The principal building shall be the primary source for screening the gasoline pumps from adjacent properties and/or rights of way. Landscaping and berming shall be a secondary source for screening gasoline pumps. Should landscaping and berming be found ineffective by the city, the city may approve screening walls and/or decorative fencing as an alternative. Screening walls shall be constructed of the same materials as the principal building and shall not extend more than twenty-five feet (25') without a change in architecture to reduce their mass and appearance. The secondary source of screening (landscaping and berming or walls and/or decorative fencing) shall provide a minimum ninety percent (90%) opacity screen to a height of four feet (4').

Finding: Since this Holiday Stationstore has been operating on this site for 30 plus years, there is established screening currently on site. There are trees located along all sides of the property, with the majority of them being on the east side and on west side, which abuts up to Chippendale Ave. With the proposed parking on site moving further north, the applicant will be adding berming/additional landscaping for screening requirements and they plan to add additional landscaping on western side of the property as well.

3. Stacking for gas pumps shall be provided for at least one car beyond the pump island in each direction in which access can be gained to the pump. Each space shall be a minimum of nine feet (9') wide by eighteen feet (18') long.

Findings: The applicants site plans shows that there is room a for at least one car beyond the pump island in each direction for both the existing pump islands and the proposed new ones.

4. Stacking areas shall be designed and located to minimize noises, emissions, and headlight glare upon adjacent properties and shall not interfere with circulation through any required parking, loading, maneuvering or pedestrian area.

Finding: The proposed additional berming/landscaping will assist in limiting headlight glare across of County Road 42 and Chippendale Ave and the existing landscaping will continue to screen headlight glare to the east of the property. The staking areas on site do not interfere with circulation or any required parking, loading, maneuvering or pedestrian area.

5. Fuel pumps shall be installed on pump islands. Pump islands shall be elevated six inches (6") above the traveled surface of the site and shall conform to the applicable principal building setback. Additionally, there shall be sufficient area around the pump island(s) to allow for safe and efficient movement of vehicles through the site, with a minimum twenty-four feet (24') between pump rows, measured curb face to curb.

Finding: The applicant has submitted plans showing the existing pump islands and as well as the proposed additional pump islands that would be located under the canopy expansion. The plans show sufficient area around the pump islands to allow for safe and efficient movement of vehicles through the site and meets the requirement of at least 24-feet between pump rows.

6. Underground fuel storage tanks are to be positioned to allow adequate access by motor fuel transports and unloading operations that do not conflict with circulation, access and other activities on the site.

Finding: The applicant has submitted a site plan showing where the fuel storage tanks are located and as well as a diagram of how the site has adequate access for motor fuel transports to access the site without conflict.

7. A protective canopy structure may be located over the pump islands, subject to the following standards:

- a. The edge of the canopy shall maintain setbacks as required for the principle building.
- b. The architectural design, colors, and character of the canopy shall be consistent with the principal building on the site. The canopy posts/signposts shall not obstruct traffic or the safe operation of the gas pumps.
- c. The canopy shall not exceed eighteen feet (18') in height and must provide at least fourteen feet (14') of clearance to accommodate a semitrailer passing underneath. The height of the canopy may be increased should the city council determine the architectural design enhances the site and/or is more consistent with the principal building.
- d. The canopy fascia shall not exceed three feet (3') in vertical height.
- e. Canopy lighting shall consist of canister spotlights recessed into the canopy. No portion of the light source or fixture may extend below the bottom face of the canopy. Total canopy illumination shall not exceed one hundred fifteen (115) foot-candles below the canopy at ground level. The fascia of the canopy shall not be illuminated.
- f. Signage may be allowed on a canopy, however such signage will apply toward the

allowable sign area for the principal building and/or ground sign.

Finding: The applicant will be expanding on to the existing canopy and adding 3 additional fuel dispensers. The expansion of the canopy will be on the north end of the existing canopy and will also include LED lighting within the expansion. The expansion's design, color and character will be consistent to both the existing building and as well as the existing canopy.

8. No public address system shall be audible from a noncommercial or nonindustrial use or district.

Finding: The applicant did not provide information regarding public address systems or speaker systems on site, but since there are noncommercial/nonindustrial districts across County Road 42 from this site a condition of this approval will note that no public address system shall be audible from any residential use or district.

9. The sale, storage, or display of vehicles is prohibited.

Finding: There have not been any previous issues at this site with the sale, storage, or display of vehicles and the applicant has not indicated that this is something they are looking to do.

10. No outside storage, display, or services shall be allowed except as follows:

- a. **Propane sales limited to twenty (20) pound capacity tanks may be located outside provided the tanks are secured in a locker and the use meets all state building and fire codes.**
- b. **Sale or display of goods shall be allowed on the private sidewalk immediately in front of the principal building, provided that a minimum four foot (4') clearance is maintained for pedestrian access and that the display does not exceed four feet (4') in height and is maintained in an orderly fashion. Display shall not block the handicap accessible route.**
- c. **Sale or display of goods shall be allowed in an area underneath the canopy adjacent to the pump island provided that the display does not exceed three feet (3') in height or extend beyond the concrete base of the pump island. This area shall be maintained in an orderly and safe fashion and in accordance with applicable state fire code regulations.**

Finding: The applicant's site plan does not show an area where outdoor storage is located. The applicant does plan to add a new storage shed, which will help alleviate the need for outdoor storage.

11. Any repair, assembly, disassembly or maintenance of vehicles shall require an additional conditional use permit subject to the performance standards outlined in this subsection for automotive repair.

Finding: The applicant has not indicated that repair, assembly, disassembly or maintenance of vehicles would be happening onsite. If that changes then the applicant will be required to obtain an additional conditional use permit.

12. A car wash facility not accessory to automobile repair or a nonservice motor fuel station shall

require an additional conditional use permit subject to the performance standards outlined in this subsection for car wash, full or self-service.

Finding: There is no car wash associated with this nonservice motor fuel station, and there are no plans to add one with the intended improvements.

RECOMMENDATION

Based on the information contained in this report and provided by the applicant, the Planning Commission and staff are recommending approval of the request for a Conditional Use Permit for the Holiday Stationstore located at 15066 Chippendale Ave to expand on to the existing canopy and make added improvements onsite.

**CITY OF ROSEMOUNT
DAKOTA COUNTY, MINNESOTA**

RESOLUTION 2023-XX

**A RESOLUTION APPROVING A CONDITIONAL USE PERMIT FOR AN EXPANSION
AND ONSITE IMPROVEMENTS TO AN EXISTING NONSERVICE MOTOR FUEL
STATION AT 15066 CHIPPENDALE AVENUE**

WHEREAS, the City of Rosemount received an application from Holiday Stationstores, LLC, requesting a Conditional Use Permit (CUP) to allow for an expansion and onsite improvements to an existing nonservice motor fuel station at 15066 Chippendale Ave; and

WHEREAS, on April 25, 2023, the Planning Commission of the City of Rosemount held a public hearing to review the CUP application and adopted a motion to recommend that the City Council approve this request, subject to conditions; and

WHEREAS, on May 16, 2023, the City Council of the City of Rosemount reviewed and agreed with the Planning Commission's recommendation to grant a Conditional Use Permit allowing for an expansion and onsite improvements for the existing nonservice motor fuel station at 15066 Chippendale Ave.

NOW, THEREFORE, BE IT RESOLVED, the City Council of the City of Rosemount hereby approves a Conditional Use Permit (CUP) for an expansion and onsite improvements to an existing nonservice motor fuel station. Subject to the following conditions:

1. Compliance with all ordinance criteria listed in section 11-4-13.D of the City of Rosemount Zoning Ordinance.
2. Applicant shall obtain a building permit for any renovations requiring a permit.
3. Applicant must acquire applicable state, county and city licenses.
4. No public address system, music, or TV located on site shall be audible from a noncommercial or nonindustrial use or district.
5. The applicant shall provide the City an operation and maintenance plan for the sump and skimmer structure to ensure proper long-term functionality.
6. A copy of local spill response plan showing details on how a spill is contained on site must be provided to the City.
7. Any storm sewer replaced within City right of way shall be constructed with 15" (inch) reinforced concrete pipe.

ADOPTED this 16th day of May, 2023 by the City Council of the City of Rosemount.

Jeffery D. Weisensel, Mayor

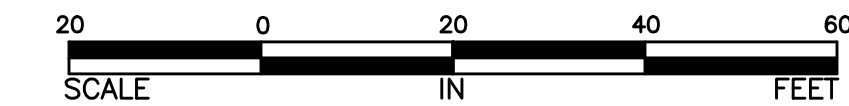
ATTEST:

Erin Fasbender, City Clerk



LEGEND

- ⊕ FIRE HYDRANT
⊗ WATER VALVE
○ MANHOLE
▣ CATCH BASIN
⊗ POWERPOLE
⊙ LIGHT POLE
— GUY
⊠ TRANSFORMER
⊠ ELECTRIC METER
⊠ TV PEDESTAL
⊠ TELEPHONE PEDESTAL
⊠ AIR CONDITIONER
⊠ HAND HOLE
○ SEMAPHORE
⊠ GAS METER
S SANITARY SEWER
ST STORM SEWER
W WATERMAIN
G UNDERGROUND GAS MAIN
T UNDERGROUND TELEPHONE
E UNDERGROUND ELECTRIC
TV UNDERGROUND CABLE T.V.
OU OVERHEAD UTILITY LINES
● IRON MONUMENT FOUND
○ IRON PIPE MONUMENT SET
x EXISTING SPOT ELEVATION
● SOIL BORING
+ SIGN
⊙ DECIDUOUS TREE
⊙ CONIFEROUS TREE
⊙ DENOTES TREE AND BRUSH LIMITS
△ DENOTES FLARED END SECTION
⊙FD DENOTES FRENCH DRAIN
⊙CS CURB STOP
⊙CO CLEAN OUT
⊙MW MONITORING WELL
⊙BG BARBECUE GRILL
⊙ AUTO SPRINKLER
⊙ BASKETBALL HOOP
⊙ BENCH
⊙ WATER SPIGOT
⊙ TRENCH DRAIN
⊙ TRAFFIC CONTROL PANEL
⊙ STORM DISIPATER
⊙ SATELITE DISH
⊙ TELEPHONE
⊙ ELECTRIC PEDESTAL
⊙FP FLAG POLE
⊙ GROUND LITE
⊙ MAILBOX
⊙ ROOF DRAIN
⊙ TRANSMISSION TOWER
⊙ VENT PIPE
⊙ WELL
E DENOTES ELEC. LINE
X DENOTES FENCE LINE
FO DENOTES FIBER OPTIC
G DENOTES GAS LINE
S DENOTES SANITARY SEWER
ST DENOTES STORM SEWER
T DENOTES TELEPHONE LINE
TV DENOTES TV LINE
OU DENOTES OVERHEAD UTL.
W DENOTES WATERMAIN
WETLAND DENOTES WETLAND
+ DENOTES TREELINE
+ DENOTES RAIL ROAD



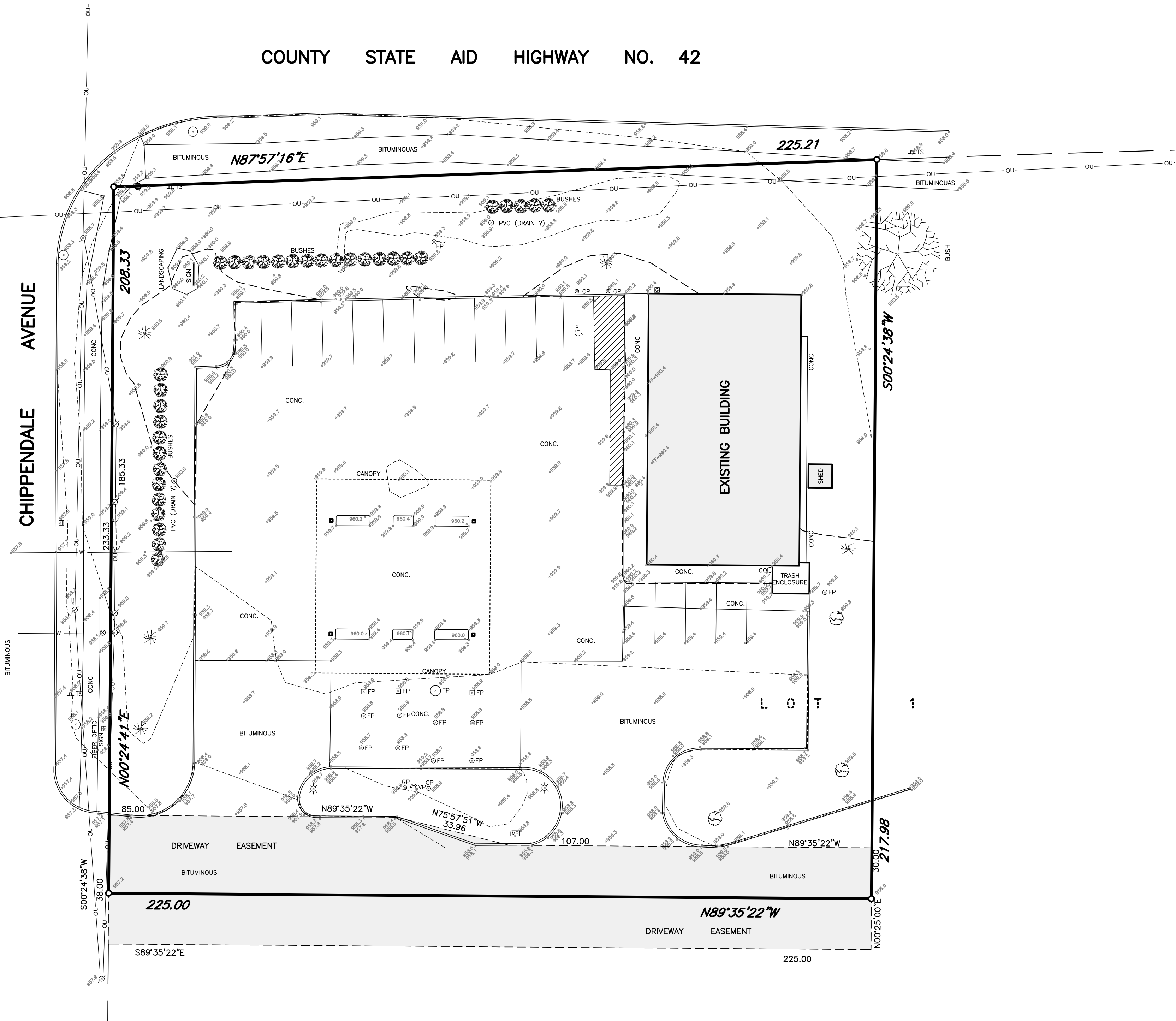
ALTERATIONS TO THIS DRAWING ARE PROHIBITED WITHOUT THE EXPRESS WRITTEN PERMISSION OF HONSA SURVEYING COPYRIGHT 2022 HONSA SURVEYING.

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CERTIFICATE OF SURVEY FOR: HOLIDAY STATIONSTORES
15066 CHIPPENDALE AVENUE, CITY OF ROSEMOUNT, DAKOTA COUNTY, MINNESOTA
STORE NO. 222

COUNTY STATE AID HIGHWAY NO. 42

COUNTY STATE AID HIGHWAY NO. 39
CHIPPENDALE AVENUE



LEGAL DESCRIPTION:

ALL THAT PART OF LOT 1, BLOCK 1, SOUTH ROSE PARK ADDITION REPLAT, ACCORDING TO PLAT OF RECORD IN THE OFFICE OF THE COUNTY RECORDER, DAKOTA COUNTY, MINNESOTA DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 1; THENCE NORTH 87 DEGREES 45 MINUTES 57 SECONDS EAST ON AN ASSUMED BEARING ALONG THE NORTH LINE OF SAID LOT 1 A DISTANCE OF 225.21 FEET; THENCE SOUTH 0 DEGREES 13 MINUTES 19 SECONDS WEST A DISTANCE OF 217.98 FEET; THENCE NORTH 89 DEGREES 46 MINUTES 41 SECONDS WEST A DISTANCE OF 225.00 FEET TO THE WEST LINE OF SAID LOT 1; THENCE NORTH 0 DEGREES 13 MINUTES 19 SECONDS EAST ALONG SAID WEST LINE A DISTANCE OF 208.33 FEET TO THE POINT OF BEGINNING.

SUBJECT TO AND TOGETHER WITH A NONEXCLUSIVE EASEMENT FOR DRIVEWAY PURPOSES OVER AND ACROSS THAT PART OF SAID LOT 1 DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WEST LINE OF SAID LOT 1 A DISTANT 223.33 FEET SOUTH OF THE NORTHWEST CORNER OF SAID LOT 1; THENCE SOUTH 89 DEGREES 46 MINUTES 41 SECONDS EAST AT RIGHT ANGLES TO SAID WEST LINE A DISTANCE OF 225.00 FEET; THENCE NORTH 00 DEGREES 13 MINUTES 19 SECONDS EAST A DISTANCE OF 30.00 FEET; THENCE NORTH 89 DEGREES 46 MINUTES 41 SECONDS EAST A DISTANCE OF 107.00 FEET; THENCE NORTH 76 DEGREES 09 MINUTES 04 SECONDS WEST A DISTANCE OF 33.96 FEET; THENCE NORTH 89 DEGREES 46 MINUTES 41 SECONDS WEST A DISTANCE OF 85.00 FEET TO THE WEST LINE OF SAID LOT 1; THENCE SOUTH 00 DEGREES 13 MINUTES 19 SECONDS WEST A DISTANCE OF 38.00 FEET TO THE POINT OF BEGINNING.

AREA:

THE PROPERTY CONTAINS 47,960 SQUARE FEET OR 1.10 ACRES.

FLOOD ZONE:

BY GRAPHIC INTERPRETATION ONLY, THIS PROPERTY LIES IN ZONE X (AREA DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN) PER NATIONAL FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 27037C0210E. SAID RATE MAP HAS AN EFFECTIVE DATE OF DECEMBER 12TH, 2011. NO FIELD SURVEYING WAS PERFORMED TO DETERMINE THIS ZONE.

CERTIFICATION:

I HEREBY CERTIFY THAT THIS A TRUE AND CORRECT REPRESENTATION OF A SURVEY OF THE ABOVE REAL PROPERTY AND THAT THIS SURVEY 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. SIGNED THE 15TH DAY OF JUNE, 2022.

Dennis M. Honsa

DENNIS M. HONSA
MINNESOTA LICENSE NO. 22440
FOR: HONSA SURVEYING



JOB NO. 127127

HONSA SURVEYING

1592 PACIFIC AVENUE, EAGAN, MN 55122 (651) 492-6725

STORE 2756222
15066 CHIPPENDALE AVE
ROSEMOUNT, MN

1000

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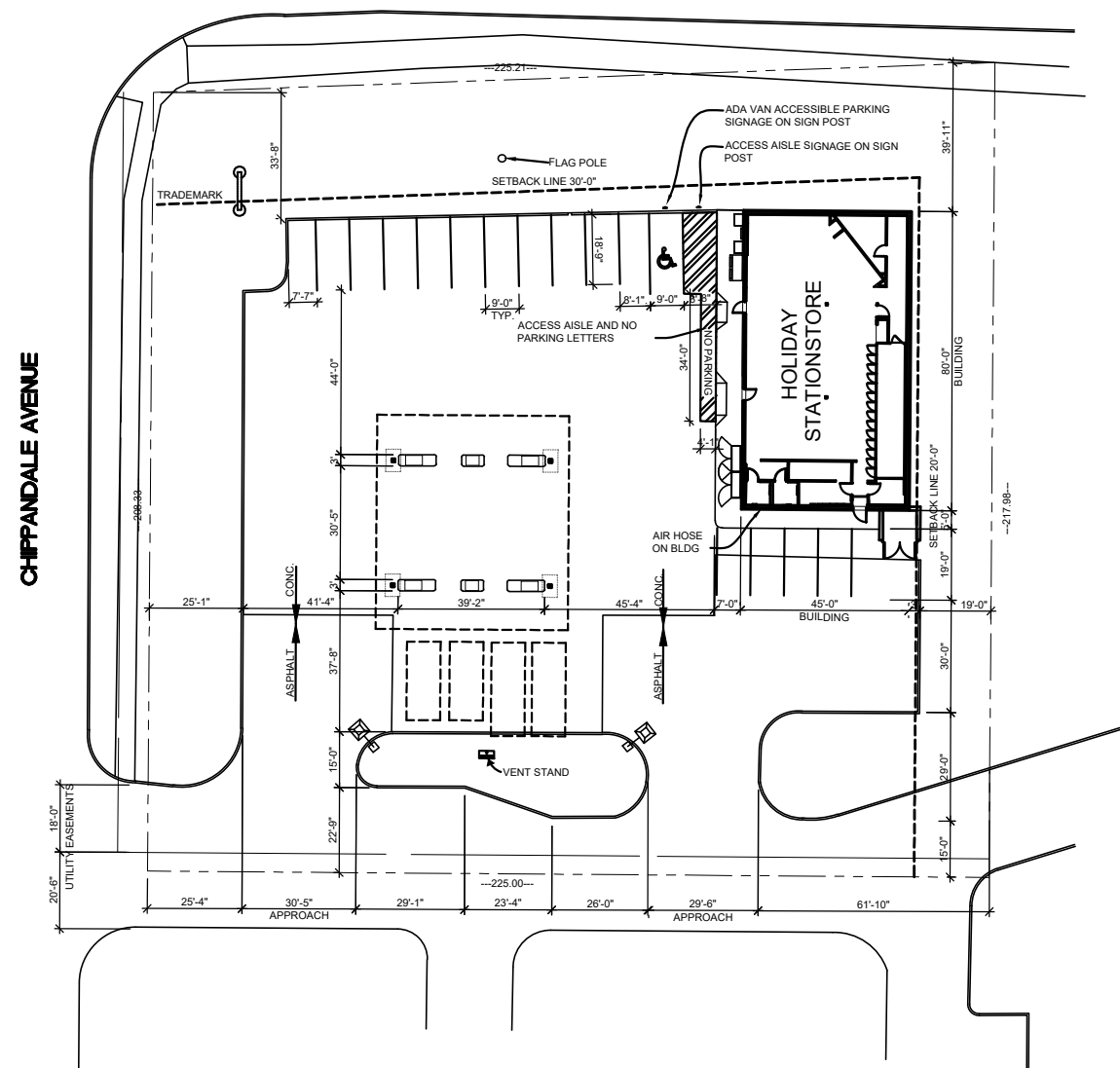
PROJECT:
EXISTING SITE PLAN

OPTION / REVISION:

DATE:	DRAWN BY:
6/24/2022	BDB

STORE #2746222

C 1.0W



TOTAL SITE		
SF	=	47,959.00
ACREAGE	=	1.10

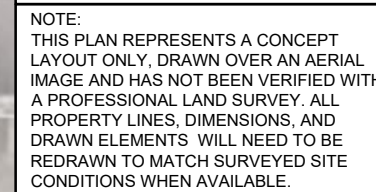
C-STORE (SF)	=	3,600.00
CAR WASH (SF)	=	N/A
SALES (SF)	=	2,373.46



1 EXISTING SITE PLAN
1.0W SCALE : 1" = 50'-0"

[illegible]

C 2.0A



STORE 2756222
15066 CHIPPENDALE AVE
ROSEMOUNT, MN

Parking

- Required: Retail: 1 per 250 gross SF floor area
 --- $(3,600) / 250 = 15$
- Provided:
- Standard $(9.5' \times 18') = 15$
- ADA Space $(9.5' \times 18'$ with Access Stall = 1
- TOTAL PROVIDED: 16

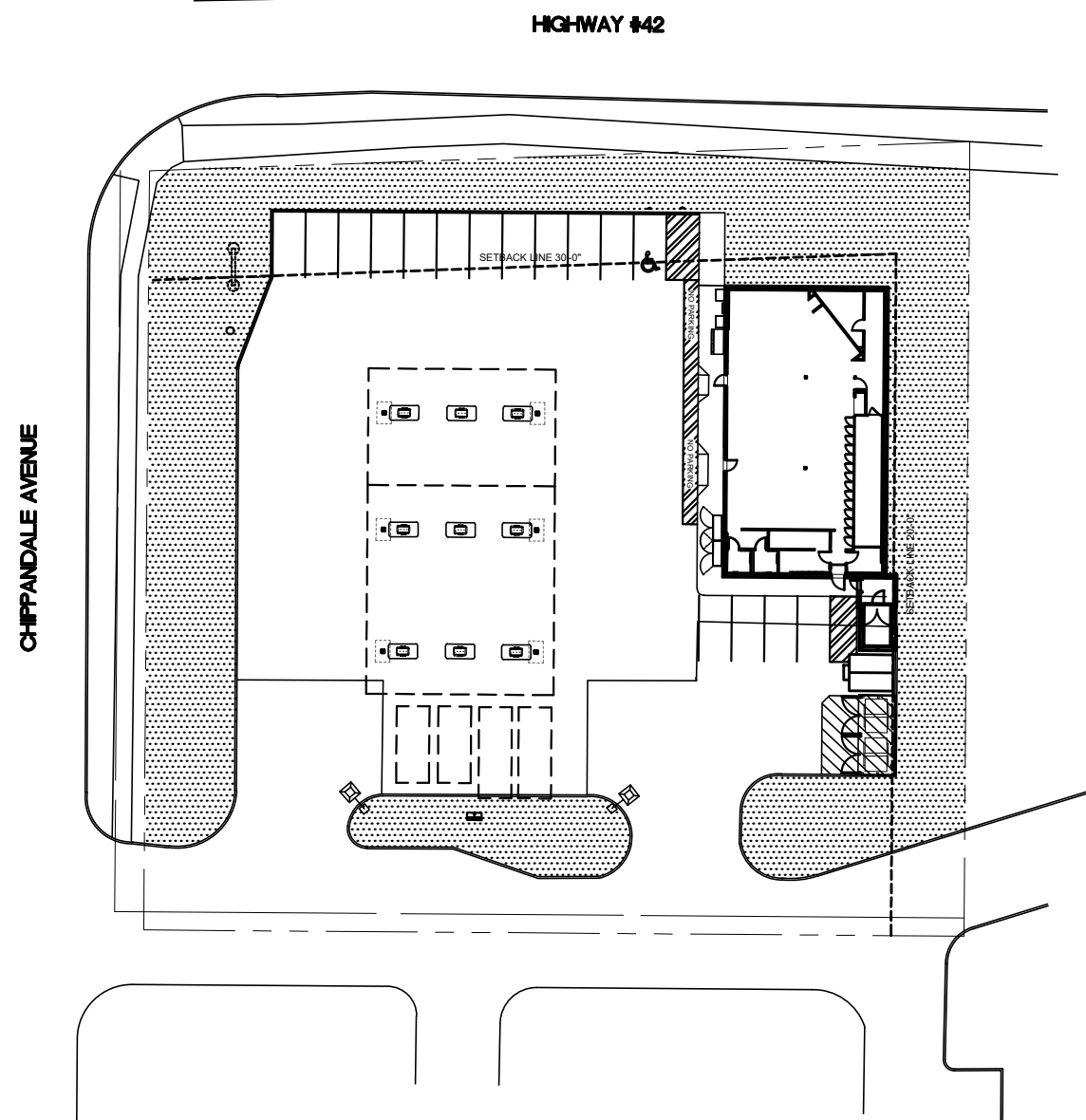
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PROJECT:
PROPOSED CANOPY
EXPANSION

OPTION / REVISION: OPTION 1

DATE:	DRAWN BY:
7/8/2022	BDB

STORE #2746222



TOTAL SITE		
SF	=	47,959.00
ACERAGE	=	1.10
GREENSPACE		
SITE	=	47,959.00
PROVIDED (SF)	=	14,369.97
PROVIDED (%)	=	30%

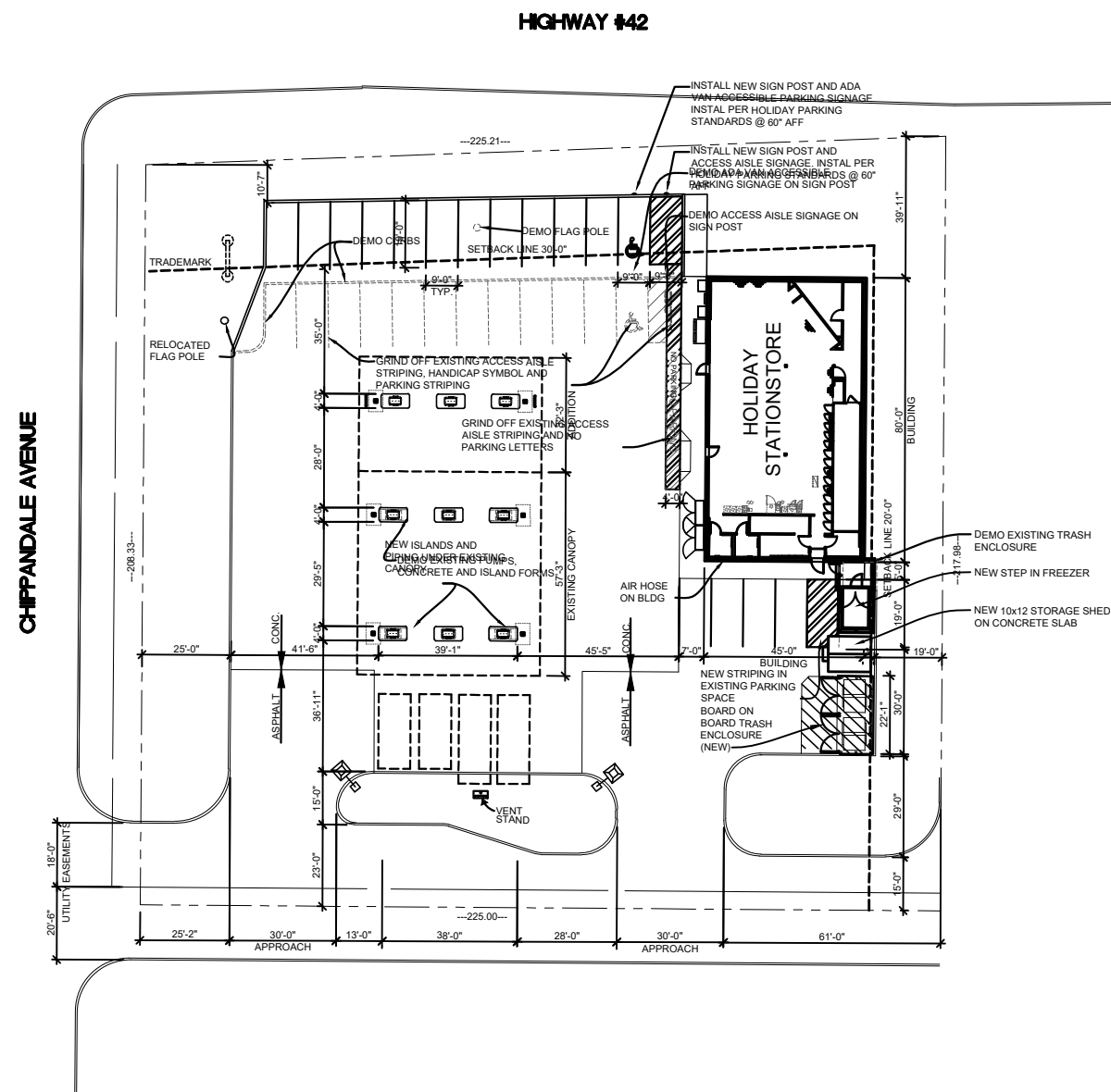
1 PROPOSED SITE PLAN - GREEN SPACE
1.0G SCALE : 1" = 50'-0"

STORE 2756222
15066 CHIPPENDALE AVE
ROSEMOUNT, MN

1000

[illegible]

STORE #2746222



TOTAL SITE		PLAN NORTH
SF	=	47,959.00
ACREAGE	=	1.10
		
C-STORE (SF)		TRUE NORTH
CAR WASH (SF)	=	3,600.00
SALES (SF)	=	N/A
	=	2,373.46
		

NOTE:
THIS PLAN REPRESENTS A CONCEPT LAYOUT ONLY, DRAWN OVER AN AERIAL IMAGE AND HAS NOT BEEN VERIFIED WITH A PROFESSIONAL LAND SURVEY. ALL PROPERTY LINES, DIMENSIONS, AND DRAWN ELEMENTS WILL NEED TO BE REDRAWN TO MATCH SURVEYED SITE CONDITIONS WHEN AVAILABLE.

From: [Blasing, Nathan \(MPCA\)](#)
To: [Julia Hogan](#); casey.beaton@circlek.com
Subject: Rosemount Holiday Station Conditional Use Permit
Date: Wednesday, April 26, 2023 2:38:16 PM
Attachments: [microsoftteams-image_ef2f6c6e-e43a-48ba-9790-ed6c40241373.png](#)
[2023 02-13 ROSEMOUNT REVIEW SET.pdf](#)
[2022-06-22 HOLIDAY ROSEMOUNT.pdf](#)
[Holiday - Rosemount Store #0222 - Stormwater Report 2022.10.12.pdf](#)

Hi Julie and Casey-

My name is Nate Blasing and I supervisor the tanks program for the Minnesota Pollution Control Agency. I was recently forwarded the below email from one of my staff. The MPCA is not in a position to give that sort of a statement. I can say that the MPCA certifies all contractors that do installations of underground storage tanks in Minnesota. If inadequate installation practices are found, the MPCA may/will take enforcement actions and require corrective actions to remedy the situation. That being said, the installation of new underground storage tanks must follow MN Rule 7150 and industry installation standards to ensure the proper installation of the tank systems that therefor protect human health and the environment. New UST's are installed on a regular basis across MN and we rarely see faulty installation issues. The MPCA has no reason to believe that the tank installation at this location would be any different than other tank installations. New underground tanks are much safer for the environment at this point in time since the tanks and piping must be double walled and have contained sumps. If you would like to discuss further feel free to contact me. Thanks.

Nate Blasing
Tanks Unit Supervisor
Minnesota Pollution Control Agency
7678 College Road, Suite 105, Baxter, MN 56425
Office: 218-316-3899
nathan.blasing@state.mn.us



Our mission is to protect and improve the environment and enhance human health.

NOTICE: This email (including attachments) is covered by the Electronic Communications Privacy Act, 18 U.S.C. 2510-2521. This email may be confidential and may be legally privileged. If you are not the intended recipient, you are hereby notified that any retention, dissemination, distribution, or copying of this communication is strictly prohibited. Please reply back to the sender that you have received this message in error, then delete it. Thank you.

City Council Regular Meeting: May 16, 2023

AGENDA ITEM: Fire Relief Discussion	AGENDA SECTION: CONSENT AGENDA
PREPARED BY: Logan Martin, City Administrator Teah Malecha, Finance Director	AGENDA NO. 6.i.
ATTACHMENTS: 2023 Tier Increase Proposal	APPROVED BY: LJM
RECOMMENDED ACTION: Staff recommends the City Council approve a motion authorizing modifications to the Relief Tier System and a \$800 increase up to \$9,400 for the Rosemount Fire Relief Association's annual retirement benefit, effective June 30, 2023.	

BACKGROUND

The Fire Relief Association, which manages the pension funds for our firefighters, has recommended an \$800 increase in the retirement benefit from \$8,600 to \$9,400 per year of service. Representatives from the Relief Association provided staff with updated financial projections reflecting this proposal, which indicate that the Relief Fund will be 146% percent funded after accounting for the proposed increase. This funding ratio is reflective of the positive results of the Relief Association's investments. As of April 2023, the Fund was 159% funded based on market performance and significant payouts (over \$600K) last year.

As the Council will recall, the Relief Association worked with the Council in the fall of 2019 to establish a procedure for adjusting the annual benefit based on the status of their financial investments. The Fire Relief Association recently proposed two additional tiers to the benefit increases, based on market performance.

Funding Ratio	Increase
Less than 122%	\$0
<122% - 128%	\$150
<128% - 136%	\$275
136% - 146%	\$400
146% - 158%	\$600
158% or greater	\$800

Providing increased tiers reflects an opportunity for the Relief Association to more directly apply the earnings from its market performance back to its membership. This is also a key component of the Fire Department's ability to recruit and retain our paid-per-call team of firefighters. The plan still contains the same control measures in place to respond to poor market performance and / or reduced fund balance ratios (as discussed on the attached plan).

RECOMMENDATION

Staff recommends the City Council approve a motion authorizing modifications to the Relief Tier System and authorizing a \$800 increase to \$9,400 for the Rosemount Fire Relief Association's annual retirement benefit, effective June 30, 2023.



Rosemount Firefighter's Relief Association

2875 145th Street West | Rosemount MN 55068

Yearly Benefit Increase Process

Section 1.

Annually, the process to determine a pension benefit increase shall involve the following steps:

1. The RFDRA Board will calculate the Plan Funding Ratio (PFR), defined as the ratio of investment portfolio assets divided by pension fund liabilities, effective December 31st of the previous year utilizing the updated year end information from the 4106_SC Schedule.
2. Any pension benefit increase request from above shall be contingent upon majority approval by the RFDRA membership in February. This demonstrates the RFDRA Board's commitment to the new pension benefit level.
3. The recommended effective date of the new pension benefit level once all contingencies are met would be July 1st of the current year to ensure the completion of any discussions with the city, obtain the necessary approvals from the RFDRA Board and membership, the City Council, and the updating of the bylaws.
4. The recommended PFR and corresponding per year of service pension benefit percentage increases are as follows:

Plan Funding Ratio	Increase
less than 122%	\$0.00
122% or greater but less than 128%	\$150.00
128% or greater but less than 136%	\$275.00
136% or greater but less than 146%	\$400.00
146% or greater but less than 158%	\$600.00
158% or greater	\$800.00

5. As a protection and control, there shall be no increases in the pension benefit for any year that there is mandatory City contribution, and one year after the last mandatory City contribution.
6. This is designed to provide a buffer and additional safeguard for the volatility when large market corrections occur.
7. All spreadsheets and financial models created by RFDRA Board members should be regularly updated with current information and provided to the city for review in April as part of the increase process.
8. A year end recap should also be provided to the city in April containing the following:
 - a. Investment returns
 - b. State Aid received
 - c. # firefighters added
 - d. # firefighters declined
 - e. Plan Funding Ratio (Accrued Liabilities and Assets from Year End Schedule submitted to state)
 - f. Proposed benefit increase based on above tiers
 - g. Change in plan funding ratio after proposed increase

City Council Regular Meeting: May 16, 2023

AGENDA ITEM: Authorize Creation of the HR Manager Position	AGENDA SECTION: CONSENT AGENDA
PREPARED BY: Logan Martin, City Administrator	AGENDA NO. 6.j.
ATTACHMENTS: HR Manager JD (May 2023)	APPROVED BY: LJM
RECOMMENDED ACTION: Motion to approve the job description and salary range for the Human Resource Manager position effective May 17, 2023.	

BACKGROUND

As discussed at the May 2 City Council Work Session, staff is bringing forward a request for the creation of a Human Resource (HR) Manager position. This position is being created in response to upcoming retirements and to complete the proposed reorganization plan of the Administration Department, combining the Finance and Administration Departments into an Administrative Services Department. An Administrative Services Director role will be created within this re-org, which will be brought to the Council at a later date.

A position analysis of the HR Manager role was completed utilizing the SAFE Evaluation System to determine pointing, compensation, and grade placement. It is recommended that the HR Manager position be placed at Grade 20 and assigned 530 points based on the nature and scope of the position, other position responsibilities within the City, and pay equity data. Based on this data, staff is proposing the position be compensated at the 2023 range of \$105,838 – \$132,430 annually. The draft job description is attached. As discussed at the work session, the current Administration Department budget can fully fund this position without impact.

Once approved, staff intends to move forward with recruiting and filling this position as soon as possible.

RECOMMENDATION

Staff recommends the City Council approve the job description and salary range for the Human Resource Manager position effective May 17, 2023.

City of Rosemount, Minnesota

Job Description

Title: HR Manager
Department Administration
Division: Human Resources

FLSA Status: Exempt

Updated: 5/16/2023

General Summary

Responsible for the overall planning, development, implementation, and administration of the employee relations and human resource activities of the City; formulates, develops, and oversees city-wide human resource programs, policies and services; directs the HR operations and related staff including labor relations activities, recruitment, staffing and retention, compensation/classification and benefits administration.

Work is performed under the direction of the Administrative Services Director.

Divisional supervision is exercised over personnel within the division and the shared Volunteer Engagement Manager; and provides work direction to the Deputy City Clerk/Management Analyst.

Essential Functions

To perform this job successfully, an individual must be able to perform each essential function satisfactorily. The requirements listed below are not intended to be an exhaustive list of all responsibilities, duties, and skills required. Reasonable accommodations may be made to enable an individual with disabilities to perform the essential functions.

- Manages Human Resources Division activities and annual budget, oversees employee and labor relations, personnel related compliance programs (EEO/AA, FLSA, ADA, Veteran's Preference, FMLA, COBRA, etc.) position descriptions, pay equity and wage plans,
- Oversees and supports the City's organizational development and training efforts, tuition reimbursement, and employee engagement; and communicates personnel programs, policies and procedures to supervisors and employees.
- Ensures personnel records, recruitment, staffing plans, benefits, insurance, wellness, employee recognition, safety programs and daily HR functions are coordinated.
- Develops and administers employee benefits and insurance plans.
- Manages the operations of the division; conducts employee training; schedules staff and assigns work duties; evaluates employee performance and completed work; performs disciplinary action as needed; recommends hiring, promoting, and terminating.
- Serves as contract administrator and negotiator with all bargaining groups for the city, including: negation strategies, grievance and arbitration support, contract negotiations, and communications with involved parties.
- Consults with, provides advice, and makes recommendations to City Council, City Administrator, and Department Heads concerning policies, laws or human resources issues, and modifications of current organizational structures; collaborates with City Attorney and labor consultants regarding complex HR issues; monitors and ensures applicable laws and policies are followed.
- Prepares and recommends operating budget for Human Resources division to the Administrative Services Director and City Administrator.

City of Rosemount, Minnesota

Job Description

Minimum Qualifications

Bachelor's degree in Human Resources, Public Administration or closely related field and at least five years of progressively responsible human resources supervisory or managerial experience, and/or equivalent combination of education and experience.

Other Specifications

Valid driver's license in the State of Minnesota.

Desirable Qualifications

1. Master's Degree in Human Resources, Public Administration, Business Administration or related field.
 2. Seven years of experience in the field of local government administration, with particular emphasis in human resources.
 3. Professional Human Resources (PHR) or Senior Professional Human Resources (SPHR) designation.
 4. Experience with contract negotiations, mediation, arbitration and grievances.
 5. Experience with the SAFE evaluation system or similar compensation system.
 6. Experience with the Oracle ERP suite of products or similar HRIS software.
 7. Ability to resolve conflicts with public or within workplace.
-
-

Working Conditions

Physical Requirements and Activity

This work requires the regular exertion of up to 10 pounds of force and occasional exertion of up to 50 pounds of force; work regularly requires standing, walking, sitting, speaking or hearing, using hands to finger, handle or feel, reaching with hands and arms and repetitive motions, frequently requires stooping, kneeling, crouching or crawling and pushing or pulling and occasionally requires climbing or balancing, tasting or smelling and lifting.

Sensory Requirements

Work has standard vision requirements; vocal communication is required for expressing or exchanging ideas by means of the spoken word and conveying detailed or important instructions to others accurately, loudly or quickly; hearing is required to perceive information at normal spoken word levels and to receive detailed information through oral communications and/or to make fine distinctions in sound.

Sensory Utilization

Work requires preparing and analyzing written or computer data and observing general surroundings and activities.

Environmental Conditions

Work has no exposure to environmental conditions; work is generally in a moderately noisy location (e.g. business office, light traffic).

The statements in this class description are intended to describe the general nature and level of work being performed by incumbent(s) assigned to this classification. They are not intended to be construed as an exhaustive list of all responsibilities, duties, and skills required of personnel so classified.

City Council Regular Meeting: May 16, 2023

AGENDA ITEM: Authorizing the Rosemount Port Authority to issue General Obligation Bonds for the Life Time Project	AGENDA SECTION: CONSENT AGENDA
PREPARED BY: Logan Martin, City Administrator	AGENDA NO. 6.k.
ATTACHMENTS: Ordinance	APPROVED BY: LJM
RECOMMENDED ACTION: Motion to approve Ordinance 2023 -01 authorizing the Rosemount Port Authority to issue bonds.	

BACKGROUND

The City Council is being asked to authorize the Port Authority to issue up to \$48M in General Obligation Bonds to finance the Life Time recreational facility project. Because the Port Authority is the land owner and financier of the project, the bonding authority within the previously established Connemara Industrial Development District is the mechanism by which these bonds will be issued.

By authorizing this ordinance, the City Council is joining the Port Authority in declaring that it is "desirable and necessary" to issue these bonds and pledge the City's full faith, credit, and resources as a security. The Port Authority will be asked to perform a similar action at their meeting on May 16. If both actions are approved, the previously discussed bond issuance schedule will remain. Land closing is anticipated on June 30, with construction starting immediately thereafter. Separately on the May 16 agenda, the City Council will be accepting bids and awarding contracts for the construction of the Life Time Club.

RECOMMENDATION

Staff recommends the City Council adopt an ordinance authorizing the Rosemount Port Authority to issue General Obligation Bonds and pledging the City of Rosemount's full faith, credit, and resources for the security and payment thereof.

**CITY OF ROSEMOUNT
DAKOTA COUNTY, MINNESOTA**

ORDINANCE NO. 2023- 01

**AN ORDINANCE AUTHORIZING THE ROSEMOUNT PORT AUTHORITY TO ISSUE
GENERAL OBLIGATION BONDS AND PLEDGING THE CITY OF ROSEMOUNT’S FULL
FAITH, CREDIT AND RESOURCES FOR THE SECURITY AND PAYMENT THEREOF**

WHEREAS, the City Council (“City Council”) of the City of Rosemount, Minnesota (the “City”), and the Rosemount Port Authority (the “Port Authority”) have previously established Connemara Industrial Development District within the City (the “Development District”) pursuant to Minnesota Statutes, Sections 469.048 to 469.068, and adopted a development plan therefor (the “Plan”); and

WHEREAS, the City Council and the Port Authority believe that it is desirable and necessary that the Port Authority issue its general obligation bonds in an aggregate principal amount not to exceed \$48,000,000 (the “Bonds”) to finance the acquisition, construction and equipping of a recreational facility within the Development District (the “Project”), as further described in the Plan; and accordingly:

THE CITY COUNCIL OF THE CITY OF ROSEMOUNT HEREBY ORDAINS:

Section 1. Pursuant to and in accordance with the provisions of this Ordinance and of Minnesota Statutes, Sections 469.060, 469.0813 and 412.191, subd. 4 and Chapter 475, the City Council hereby finds that the issuance of the Bonds to finance the Project is proper and authorizes the issuance of the Bonds. Furthermore, the City Council specifically consents to pledge the City’s full faith, credit and resources as payment and security on the Bonds.

Section 2. After adopting, signing and attestation, this Ordinance shall be posted as required by law, and shall be published once in the official newspaper of the City and shall be effective upon such publication.

ADOPTED this 16th day of May, 2023.

Jeffery D. Weisensel, Mayor

ATTEST:

Erin Fasbender City Clerk

City Council Regular Meeting: May 16, 2023

AGENDA ITEM: Receive and Reject Bids - Life Time Project	AGENDA SECTION: CONSENT AGENDA
PREPARED BY: Dan Schultz, Parks & Recreation Director	AGENDA NO. 6.I.
ATTACHMENTS:	APPROVED BY: LJM
RECOMMENDED ACTION: Receive and reject the bid submissions from the following firms for the LifeTime Project. Ironmark Building Co. Gardner Builders SGO Roofing & Construction Bloomington Electric Upper Midwest Athletic Construction	

BACKGROUND

Due to being non responsive, the bid submissions from the following firms should be rejected from the 4/27/23 bid submissions.

Ironmark Building Co.
Gardner Builders
SGO Roofing & Construction
Bloomington Electric
Upper Midwest Athletic Construction

RECOMMENDATION

Receive and reject the bid submissions from the following firms for the LifeTime Project.

Ironmark Building Co.
Gardner Builders
SGO Roofing & Construction
Bloomington Electric
Upper Midwest Athletic Construction

City Council Regular Meeting: May 16, 2023

AGENDA ITEM: 2023-2027 Street Reconstruction and Overlay Plan	AGENDA SECTION: PUBLIC HEARINGS
PREPARED BY: Teah Malecha, Finance Director	AGENDA NO. 7.a.
ATTACHMENTS: Resolution , 2023-2027 Street Reconstruction and Overlay Plan	APPROVED BY: LJM
RECOMMENDED ACTION: Adopt a Resolution Approving a Street Reconstruction and Overlay Plan and Giving Preliminary Approval to the Issuance of Street Reconstruction Bonds.	

BACKGROUND

The City continues to move ahead with street, underground utility, and pedestrian trail improvements. The Akron Avenue South Extension project will include street, underground utility, and pedestrian trail improvements between 148th Street and 155th Street, including a large diameter trunk sanitary sewer main line to provide service to both adjacent newly developing neighborhoods as well as future developable land to the south of 155th Street within the UMore Park area. The 2023 Street Improvement Project was included as part of the 2023-2032 Capital Improvement Plan. It will include extensions of municipal underground utilities (sanitary sewer, water, and stormsewer) into the Jay Simmons Addition to provide municipal services to this area of residential properties. The project also includes street pavement replacement and upgrades to modern standards, along with an extension of pedestrian shared-use trail along the east side of Bacardi Avenue by approximately 800 feet from its current termination point. A portion of these projects will be paid for by assessments, the University of Minnesota, and a developer. The remainder will be funded through bonding.

As part of the bonding process outlined in state statutes, the City Council must adopt a Street Reconstruction and Overlay Plan (SRP) and hold a public hearing. This is a supplementary document to the overall CIP that the City Council has seen and is prepared for the purposes of the bond issuance. Public notice was provided setting this evening as an opportunity to provide feedback on the SRP and proposed bond financing. Mr. Green will be on hand to present information regarding the issuance of bonds and our proposed SRP.

RECOMMENDATION

Staff recommends the City Council adopt a resolution approving the 2023-2027 Street Reconstruction Plan and giving preliminary approval to issue street reconstruction bonds.

**CITY OF ROSEMOUNT
DAKOTA COUNTY, MINNESOTA**

RESOLUTION 2023-59

**APPROVING A STREET AND OVERLAY PLAN AND GIVING PRELIMINARY
APPROVAL TO THE ISSUANCE OF STREET RECONSTRUCTION BONDS**

NOW THEREFORE, BE IT RESOLVED by the City Council (the “Council”) of the City of Rosemount, Minnesota (the “City”) as follows:

Section 1. Background.

1.01. The City is authorized under Section 475.58, subdivision 3b, as amended (the “Act”) to prepare a plan for reconstruction of streets in the City over the next five years, including a description of the affected streets and estimated costs (the “Plan”), and to issue general obligation bonds to finance the cost of street reconstruction activities described in the Plan.

1.02. Before the approval of the Plan and issuance of any general obligation bonds under the Act, the City is required to hold a public hearing on the plan and issuance of the bonds.

1.03. Pursuant to the Act, the City has caused to be prepared a Five-Year Street Reconstruction Plan and Overlay Plan (the “Plan”), which describes expected street reconstruction activities in the City for the years 2023 through 2027.

1.04. The City has determined that it is in its best interests to give preliminary approval to the issuance and sale of street reconstruction bonds pursuant to the Act in the maximum principal amount of \$8,500,000 (the “Bonds”), to finance a portion of the costs described in the Plan.

1.05. On this date, the Council held a public hearing on the Plan and the issuance of the Bonds, after publication in the City’s official newspaper of a notice of public hearing at least 10 days but no more than 28 days before the date of the public hearing.

Section 2. Plan Approved.

2.01. The Council finds that the Plan will improve the City’s street system, which serves the interests of the City as a whole.

2.02. The Plan is approved in substantially the form on file in City Hall.

Section 3. Bonds Authorized.

3.01. The City hereby gives preliminary approval to the issuance of Bonds in the maximum principal amount of \$8,500,000 in order to finance certain street reconstruction and overlay activities described in the Plan, including costs of issuance of the Bonds, subject to further details regarding the sale of the Bonds to be set forth in a resolution to be considered by the City Council at a subsequent meeting.

3.02. If a petition requesting a vote on the issuance of the Bonds, signed by voters equal to 5% of the votes cast in the last municipal general election, is filed with the City Clerk within 30 days after the date of the public hearing, the City may issue the Bonds under Minnesota Statutes, Section 475.58, subdivision 3b only after obtaining approval of a majority of voters voting on the question at an election.

3.03. City staff are authorized and directed to take all other actions necessary to carry out the intent of this resolution.

ADOPTED this 16th day of May, 2023

Jeffery D. Weisensel, Mayor

ATTEST:

Erin Fasbender, City Clerk

2023 through 2027

Five-Year Street Reconstruction and Overlay Plan for the

City of Rosemount, Minnesota

May 16, 2023

City of Rosemount

Five-Year Street Reconstruction and Overlay Plan

2023 through 2027

I. PURPOSE

Street reconstruction is a major expenditure of city funds for the reconstruction of streets. Street reconstruction may include bituminous overlays, utility replacement and relocation, public safety street modifications, and other incidental activities, turn lanes and other improvements having a substantial public safety function, realignments, other modifications to intersect with state and county roads, and the local share of state and county road projects. Except in the case of turn lanes, safety improvements, realignments, intersection modifications, and local share of state and county road projects, street reconstruction does not include the portion of project costs allocable to widening a street or adding curbs and gutters where none previously existed. A Street Reconstruction and Overlay Plan (“SRP”) is a document designed to anticipate street reconstruction expenditures and schedule them over a five-year period so that they may be purchased in the most efficient and cost effective method possible. An SRP helps enable the matching of expenditures with anticipated income. As potential expenditures are reviewed, the city considers the benefits, costs, alternatives and impact on operating expenditures.

The City of Rosemount, Minnesota (the “City”) believes the street reconstruction process is an important element of responsible fiscal management. Major capital expenditures can be anticipated and coordinated so as to minimize potentially adverse financial impacts caused by the timing and magnitude of capital outlays. This coordination of capital expenditures is important to the City in achieving its goals of adequate physical public assets, preservation of public assets and sound fiscal management. Good planning is essential for the wise and prudent use of limited financial resources.

The SRP is designed to be updated periodically. The Street Reconstruction and Overlay Plan is a part of the City’s capital improvement plan. In this manner, it becomes an ongoing fiscal planning tool that continually anticipates future capital expenditures and funding sources.

II. THE STREET RECONSTRUCTION AND OVERLAY PLANNING PROCESS

For the City to use its authority to finance expenditures under Chapter 475.58, Subdivision 3b, it must meet the requirements provided therein. The Street Reconstruction and Overlay Planning process is as follows:

The City staff prepares an SRP reflecting the street reconstruction projects anticipated to be undertaken within the next five years (based on their priority, fiscal impact, and available funding) and the estimated costs thereof. If general obligation bonding is deemed necessary, the City works with its municipal advisor to prepare a bond sale and repayment schedule. A public hearing is held to solicit input from citizens on the SRP and the issuance of bonds. Notice of such hearing must be published in the official newspaper of the City at least 10, but not more than 28 days prior to the date of the public hearing. The City Council must approve the SRP and the sale of street reconstruction bonds by a unanimous vote of those members present at the meeting following the public hearing.

Voters may petition for a reverse referendum on the issuance of street reconstruction bonds. If a petition bearing the signatures of voters equal to at least 5% of the votes cast in the last general election requesting a vote on the issuance of street reconstruction bonds is received by the City Clerk within 30 days after the public hearing, the City may only issue general obligation street reconstruction bonds after approval by voters at an election. If the City elects not to submit the question to the voters, the City may not propose the issuance of street reconstruction bonds for the same purpose and in the same amount for a period of 365 days from the date of receipt of the petition. If the question of issuing the bonds is submitted and not approved by the voters, the provisions of section 475.58, subdivision 1a, shall apply. If no petition is submitted, general obligation street reconstruction bonds may be issued without an election.

In subsequent years, the process is repeated annually or as expenditures are completed and new needs arise.

III. PROJECT SUMMARY AND FINANCING

Street reconstruction projects anticipated to be undertaken within the next five years and the estimated costs thereof are set forth in Appendix A. Those for which street reconstruction bonds are anticipated to be issued are marked with an asterisk in Appendix A and are currently anticipated to include the following:

2023 Street Reconstruction Bond Financed Expenditures – general obligation street reconstruction bonds are proposed to be issued in 2023 in an aggregate principal amount of approximately \$8,500,000 for the Akron Avenue South Extension and 2023 Street Improvements projects; and various other street reconstruction projects. The Akron Avenue South Extension includes street, underground utility, and pedestrian trail improvements. The 2023 Street Improvements includes extensions of municipal underground utility (sanitary sewer, water, and storm sewer), along with pavement replacement. Such bonds could be combined with other financing tools, including general obligation improvement bonds, to finance other capital improvements in the City.

Street reconstruction bonds are included in the amount of indebtedness of the City which cannot, under Minnesota Statutes, Section 475.53, exceed 3% of the assessor's taxable market value for the City ("TMV"). The proposed bonds will not exceed statutory limits.

All other foreseeable capital expenditures are currently expected to be financed through other revenue or financing sources.

APPENDIX A

PROJECT COSTS

Akron Ave South Extension	Project Amount	Bond Amount
Street & Surface Related	\$ 2,697,462	\$ 1,813,933
Water System Related	\$ 735,280	\$ 494,445
Sanitary Sewer System Related	\$ 2,789,745	\$ 1,875,989
Storm Sewer Related	\$ 477,130	\$ 0
Total	\$ 6,699,617	\$ 4,184,367

The Akron Avenue South Extension includes street, underground utility, and pedestrian trail improvements between 148th Street and 155th Street, including a large diameter trunk sanitary sewer main line to provide service to both adjacent newly developing neighborhoods as well as future developable land to the south of 155th Street within the UMore Park area. The project will be partially funded by the University of Minnesota and the developer with the remainder funded by the City.

2023 Street Improvements	Project Amount	Bond Amount
Street & Surface Related	\$ 1,324,767	\$ 1,324,767
Water System Related	\$ 1,158,788	\$ 1,158,788
Sanitary Sewer System Related	\$ 869,584	\$ 869,584
Storm Sewer Related	\$ 573,198	\$ 0
Total	\$ 3,926,337	\$ 3,353,139

The 2023 Neighborhood Infrastructure Improvements Project (2023 Street Improvements) includes extensions of municipal underground utility (sanitary sewer, water, and storm sewer) into the Jay Simmons Addition to provide municipal services to this area of residential properties. The project also includes street pavement replacement and upgrades to modern standards, along with an extension of pedestrian shared-use trail along the east side of Bacardi Avenue by approximately 800 feet from its current termination point. The Project will be partially funded by special assessments with the remainder funded by the City.

City Council Regular Meeting: May 16, 2023

AGENDA ITEM: Wolfson Property Purchase Agreement	AGENDA SECTION: NEW BUSINESS
PREPARED BY: Dan Schultz, Parks & Recreation Director	AGENDA NO. 9.a.
ATTACHMENTS: Resolution , Wolfson Location Map , Purchase Agreement	APPROVED BY: LJM
RECOMMENDED ACTION: Motion to adopt a resolution that approves the City Council entering into a Purchase Agreement, in a format approved by the City Attorney, to Purchase the Fee Title to the Wolfson Property.	

BACKGROUND

The City of Rosemount recently purchased the McMenomy Woods property for a future City Park (yellow on the location map). The vision is that the property would function as a passive park with several walking trails similar Carroll's Woods. There is a parcel that divides the McMenomy Woods property that is owned by the Wolfson Commercial Properties LLC. The attached location map shows the area where the Wolfson property (in red) is located in relation to the McMenomy Woods property. The parcel is 9.91 acres in size.

Dakota County has an agreement to purchase natural resource and green way easements on the Wolfson Property. The conservation easement on the property for is being purchased for \$254,700 and the greenway easement is being purchased for \$48,100.

Staff is recommending that the City Council approve the City of Rosemount purchasing the fee title to land (with the easements in place) for a price of \$34,100. Staff is recommending the City use the Park Improvement account funds to pay for the purchase of the fee title.

RECOMMENDATION

Staff is recommending that the City Council approve a resolution to enter into a Purchase Agreement to buy the fee tile for the Wolfson property.

**CITY OF ROSEMOUNT
DAKOTA COUNTY, MINNESOTA**

RESOLUTION NO. 2023-_____

**A RESOLUTION APPROVING THE CITY OF ROSEMOUNT TO ENTER
INTO A PURCHASE AGREEMENT WITH WOLFSON COMMERCIAL
PROPERTIES LLC FOR CERTAIN PROPERTY LOCATED IN DAKOTA
COUNTY**

WHEREAS, the City of Rosemount (the “City”) participated in a planning process to create a multi-jurisdictional implementation strategy proposed for conservation areas and greenways; and

WHEREAS, the conservation easements and greenways can be a valuable tool for the preservation of open space and wildlife corridors; and

WHEREAS, the City supports the preservation and restoration of open space for its positive impact on our community’s natural resources; and

WHEREAS, Wolfson Commercial Properties LLC (“Wolfson”) owns certain property consisting of approximately 9.91 acres located in Rosemount, Dakota County (PID No. 34-01610-09-010) (the “Property”); and

WHEREAS, the City desires to purchase the Property for the preservation and restoration of open space, conservation areas, greenways, and wildlife corridors; and

WHEREAS, the City and Wolfson desire to enter into a Purchase Agreement, under which, among other things, Wolfson will convey the Property to the City for a sale price of \$34,100.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Rosemount, Minnesota as follows:

1. The recitals set forth herein are incorporated into and made a part hereof.
2. The proposed purchase of the Property is hereby approved.
3. Erin Fasbender, City Clerk, and Jeffery D. Weisensel, Mayor, are hereby authorized and directed to execute all appropriate documents, including but not limited to a Purchase Agreement, to effectuate the purchase of the Property.
4. The City Clerk and Mayor, staff, and consultants are hereby authorized and directed to take all additional steps and actions necessary or convenient in order to accomplish the intent hereof.

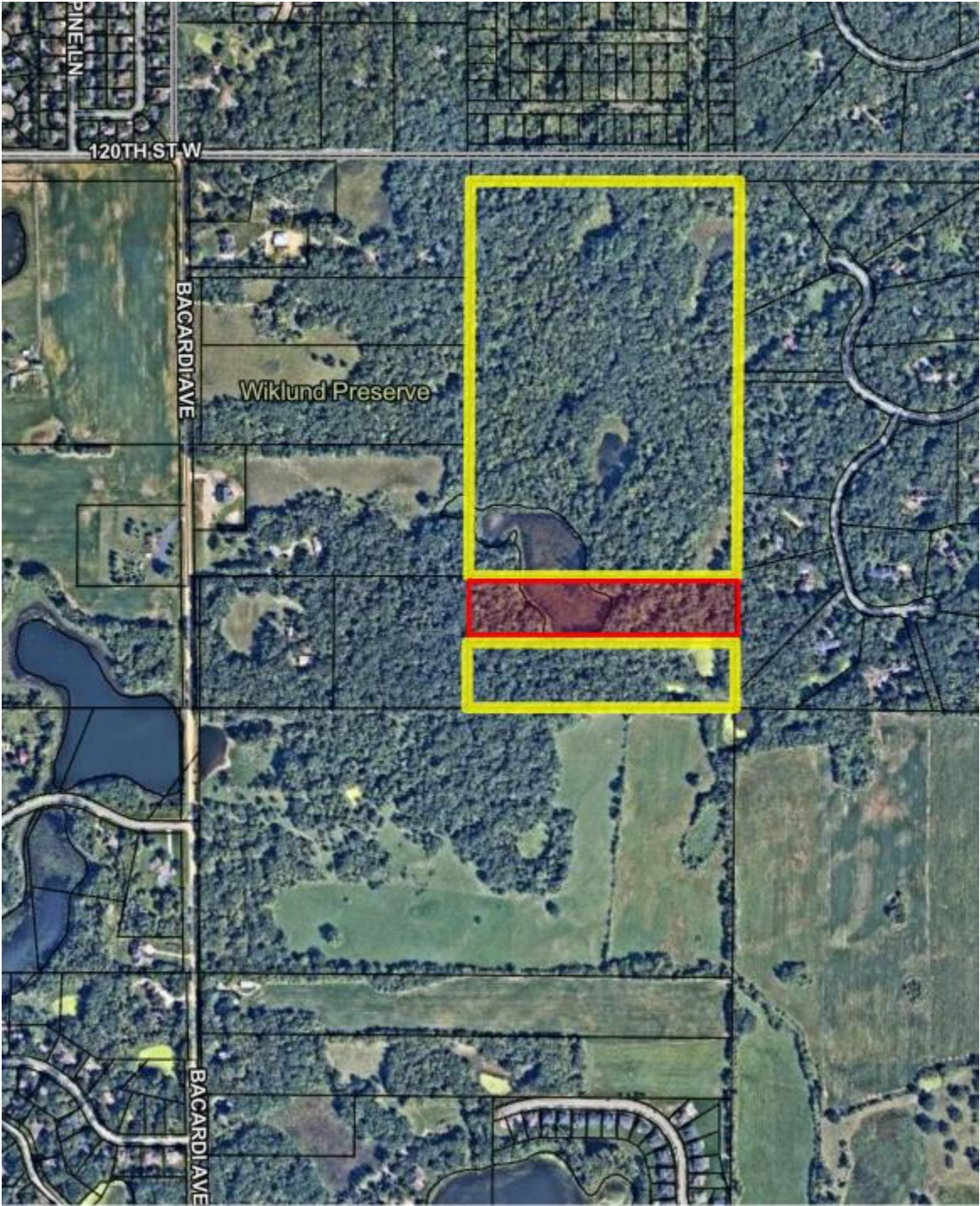
ADOPTED this 16th of May 2023.

Jeffery D. Weisensel, Mayor

ATTEST:

Erin Fasbender, City Clerk

Wolfson Location Map (Outlined in - - - - -)



AGREEMENT FOR THE PURCHASE OF FEE TITLE OF THE WOLFSON COMMERCIAL PROPERTIES LLC PROPERTY

This Purchase Agreement (this "Agreement"), is made and entered into on the ____ day of _____, 2023 (hereinafter called the "Effective Date"), by and between Wolfson Commercial Properties, LLC, a Florida limited liability company ("Seller"), and the City of Rosemount, a Minnesota municipal corporation ("Buyer") (each a "Party" and collectively the "Parties").

WITNESSETH

WHEREAS, Seller is the fee owner of certain real property (Parcel Identification Number 34-01610-09-010) located in Rosemount, Dakota County, Minnesota, legally described on the attached **Exhibit A** and generally depicted on the attached **Exhibit A-1** (the "Property").

WHEREAS, Seller agrees to sell, and Buyer agrees to buy the Property.

NOW, THEREFORE, in consideration of the mutual promises and covenants as stated in this Agreement, it is agreed by and between Seller and Buyer as follows:

AGREEMENT

1. **DEFINITIONS.** As used in this Agreement, the following terms shall have the meaning provided herein:

- a. "Closing" shall mean the process by which Buyer, Seller and Title Company execute all necessary documents, together with any other documents required by Seller or the Title Company to complete the transaction contemplated herein.
- b. "Closing Date" shall mean the date on which Closing occurs, which shall be on or before June 15, 2023, or such other date as agreed to by the Parties.
- c. "Corridor Easement" shall mean the Regional Greenway Corridor Easement (the "Corridor Easement"), to be purchased by the County of Dakota ("County") and which will encumber a portion of the Property to preserve it primarily in its present state for the conservation purpose of protection of a relatively natural habitat of fish, wildlife, or plants, or similar ecosystem as that phrase is used in Section 170(h)(4)(A)(ii) of the Internal Revenue Code, or as that section may be amended from time to time, and in the regulations promulgated thereunder; and which allows a paved recreational trail and associated trail amenities, legally described on **Exhibit C** and generally depicted on **Exhibit D**, attached hereto.
- d. "Easement Areas" shall mean that certain real estate encumbered by the Corridor Easement and the NA Easement defined in Paragraph 1.h., both to be acquired by the County and situated in Dakota County, Minnesota, as legally described on **Exhibits B and C** and generally depicted on **Exhibit D**, attached hereto.
- e. "Effective Date" shall mean the last date of execution by either Party to this Agreement.

- f. "Environmental Law" shall mean each and every federal, state, and local law, statute, ordinance, regulation, rule, judicial or administrative order or decree, permit, license, approval, authorization or similar requirement pertaining to the protection of human health and safety or the environment.
 - g. "Hazardous Substance" shall mean any substance which is (i) defined as a hazardous substance, hazardous material, hazardous waste, pollutant or contaminant under any Environmental Law, (ii) a petroleum hydrocarbon, including crude oil or any fraction thereof, (iii) hazardous, toxic, corrosive, flammable, explosive, infectious, radioactive, carcinogenic, or reproductive toxicant, (iv) regulated pursuant to any Environmental Law(s), or (v) any pesticide regulated under state or federal law.
 - h. "Natural Area Conservation Easement" shall mean the Natural Area Conservation Easement (the "NA Easement"), to be purchased by the County and which will encumber a portion of the Property to preserve it primarily in its present state for the conservation purpose of protection of a relatively natural habitat of fish, wildlife, or plants, or similar ecosystem as that phrase is used in Section 170(h)(4)(A)(ii) of the Internal Revenue Code, or as that section may be amended from time to time, and in the regulations promulgated thereunder, legally described on **Exhibit B** and generally depicted on **Exhibit D**, attached hereto.
 - i. "Purchase Price" shall mean the sum of **Thirty-Four Thousand One Hundred Dollars (\$34,100)**.
 - j. "Title Company" shall mean DCA Title Company located at 7373 - 147th Street West, Suite 161, Apple Valley, Minnesota 55124.
2. FEE OWNER. Seller represents and warrants that they are the fee owners of the Property and agrees to sell the Property subject only to the following exceptions:
- a. Building and zoning laws, ordinances, State and Federal regulations.
 - b. Utility, drainage, and public road easements of record.
 - c. NA Easement, Corridor Easement and any other easements, documents, instruments, restrictions, and reservations of record, if any.
3. DEVELOPMENT RIGHTS. The Parties believe that there are no development rights currently allowed on the Property by local ordinance. Notwithstanding this belief, and to the extent set forth in the separate Corridor Easement and NA Easement on the Property, to be delivered by Seller to the County at a simultaneous closing, Seller agrees to convey all existing development rights, if any, and future development rights which may inure to the Property after execution to Buyer pursuant to the express terms of the Corridor Easement and NA Easement on the Property. Upon a simultaneous closing, no development

rights shall remain within the Easement Areas as expressly set forth in the Corridor Easement and the NA Easement.

4. TITLE EXAMINATION. Within twenty (20) days after the Effective Date, Buyer shall, at Buyer's expense, order a commitment for title insurance naming Buyer as the proposed insured (the "Title Commitment"). Buyer shall be allowed up to twenty (20) days after its receipt of the Title Commitment for examination of the title documents and to make any objections to title. Buyer shall make any such objection in writing or the objection shall be deemed to be waived. If any objections are made, Seller shall have thirty (30) days to make title marketable, provided however, Seller shall have no obligation to cure any objections. Pending correction of title, the payments required by this Agreement shall be postponed, but upon correction of title, and within twenty (20) days of written notice to Buyer, the Parties shall perform this Agreement according to its terms.

If title is not marketable and is not made so within thirty (30) days from the date of written objection as provided above, Buyer may, at Buyer's option and as Buyer's sole and exclusive remedy, terminate this Agreement, and upon termination, neither Party shall be liable for damages or costs to the other Party.

Buyer's failure to terminate this Agreement or waive its objections within five (5) days after expiration of said thirty (30)-day period shall result in automatic termination of this Agreement.

5. PAYMENT TERMS. As consideration for the covenants and agreements made herein, Buyer agrees to pay the Purchase Price to Seller for the Property, payable in cash upon the execution and delivery of the Limited Warranty Deed and other documents necessary to complete the Closing on the Closing Date.

6. CLOSING COSTS AND RELATED ITEMS.

- a. Seller is responsible for paying the following costs: i) any special assessments, pending or levied, prior to the Closing Date; ii) deed transfer taxes; iii) tax and judgment search; iv) any corrective title action taken by Seller and fees associated with Seller's efforts to make title marketable, if any; v) Seller's accounting and attorneys' fees; and vi) one-half of the closing fees charged by the Title Company. If a power of attorney is necessary for Seller to complete the Closing, then Seller is responsible for all costs associated with the power of attorney document including, but not limited, to the preparation costs and recording fees.
- b. Buyer is responsible for paying the following costs: i) a special assessment search; ii) the cost of the title insurance premium and endorsements, if any; iii) the cost of recording or filing the Limited Warranty Deed transferring title to the Property; iv) any name search; v)

all costs associated with Buyer's property inspection; vi) one-half of the closing fees charged by the Title Company; and vii) Buyer's accounting and attorneys' fees.

7. SELLER'S CLOSING DOCUMENTS. Seller agrees to execute and deliver the following documents to Buyer on the Closing Date:

- a. A duly recordable Limited Warranty Deed conveying the Property to Buyer (the "Limited Warranty Deed").
- b. Seller's representation and warranties contained in this Agreement must be true now and on the Closing Date as if made on the Closing Date, and Seller shall have delivered to Buyer at Closing a certificate in a form acceptable to Buyer and Seller, signed by an authorized representative of Seller, certifying that such representations and warranties are true in all material respects as of the Closing Date (the "Bring-Down Certificate").
- c. Standard form Affidavit of Seller.
- d. Affidavit of Seller confirming that Seller is not a foreign person within the meaning of Section 1445 of the Internal Revenue Code.
- e. A completed Minnesota Well Disclosure Certificate or a statement that Seller is not aware of any wells on the Property.
- f. Evidence of Seller's authority and authorization to enter this transaction as may be required by the Title Company.
- g. Such other documents as may be reasonably required by the Title Company.

8. REAL ESTATE TAXES AND SPECIAL ASSESSMENTS. Seller shall be responsible for all real estate taxes, including any deferred real estate taxes, penalties, or interest, for the years prior to the year in which Closing occurs. Seller shall pay on or before the Closing Date all past due and deferred Green Acres taxes, if any. Seller shall pay all levied and pending special assessments constituting a lien against the Property as of the Closing Date, including, without limitation, special assessments certified for payment with the real estate taxes, any installments of special assessments, including interest payable with general real estate taxes in the year of Closing, and all deferred assessments. Real estate taxes for the year of Closing shall be prorated between Buyer and Seller as of the Closing Date.

9. SELLER'S REPRESENTATIONS AND WARRANTIES. Seller represents and warrants that the following are true in all material respects now and will be true in all material respects on the Closing Date:

- a. Seller has requisite power and authority to enter into and perform this Agreement (and the person signing this Agreement as Seller has full power and authority to sign for Seller and

to bind it to this Agreement) and to sell, transfer and convey all right, title and interest in and to the Property.

- b. To Seller's knowledge, the execution of this Agreement will not constitute a breach or default under any agreement to which Seller is bound and/or to which the Property is subject.
- c. To Seller's knowledge, there is no suit, action, arbitration, or legal, administrative, or other proceeding or injury pending or threatened against the Property or any portion thereof or pending or threatened against Seller which could affect Seller's title to the Property or subject an owner of the Property to liability.
- d. To Seller's knowledge, and except as otherwise shown in the title commitment or as would be revealed by an inspection of the land records, there is no lease, license, permit, option, right of first refusal or other agreement, oral or written, which affects the Property.
- e. To Seller's knowledge, there are no present violations of any restrictions relating to the use or improvement of the Property or any uncured notices which have been served upon Seller by any governmental agency notifying Seller of any violations of statute, order, ordinance, rule, requirement, or regulation which would affect the Property or any portion thereof.
- f. To Seller's knowledge, the Property is not subject to a lien for Medical Assistance or other public assistance.
- g. To Seller's knowledge, there is no condition at, on, under or related to the Property constituting a violation of Environmental Laws (as defined in Paragraph 1.g.).
- h. To Seller's knowledge, there has been no production, use, treatment, storage, transportation, or disposal of any Hazardous Substance as defined in Paragraph 1.g. on or under the Property during Seller's ownership thereof.
- i. To Seller's knowledge, no individual sewage treatment system exists on the Property.
- j. To Seller's knowledge, no wells exist on the Property.
- k. To Seller's knowledge, there are no underground storage tanks located on the Property.
- l. To Seller's knowledge, methamphetamine production has not occurred on the Property.
- m. Seller is not a "foreign person" as such term is defined in the Internal Revenue Code.

As used in this Agreement, the term "Seller's knowledge" and similar terms means the current, actual (not constructive or implied) knowledge of Bill Wolfson, as Seller's representative that is most knowledgeable regarding the Property, without any obligation to make any investigation of the files, documents or studies in possession of other persons. Each of the above representations is material and

is relied upon by Buyer with the understanding that Buyer will be performing its own due diligence investigation in regard to the Property and the transaction herein. Each of the above representations shall be deemed to have been made as of Closing and shall survive Closing for a period of six (6) months after the Closing Date. Buyer shall not make or assert against Seller any claim with regard to the alleged breach of any of the foregoing representations or warranties of Seller unless made within six (6) months after the Closing. In no event shall the liability of Seller hereunder exceed the actual amount of Purchase Price proceeds actually received by Seller.

If, before the Closing, Seller discovers any information or facts that would materially change these warranties and representations, Seller shall promptly give notice to Buyer of those facts and information. If any of the foregoing representations and warranties ceases to be materially true before the Closing, and that problem is not remedied before Closing, then within seven (7) days after the scheduled Closing date, Buyer may elect upon written notice to Seller as its sole and exclusive remedy to either (a) terminate this Agreement in which case the obligations of the parties hereunder shall terminate except for those that expressly survive termination and Buyer shall have no obligation to purchase the Property or (b) waive any breach resulting therefrom and proceed to Closing. If Buyer fails to give written notice of termination to Seller within such seven (7)-day period, then Buyer shall be deemed to have elected to proceed with Closing. Buyer's election to proceed to Closing with knowledge of any breach of a Seller representation or warranty shall constitute a waiver of Buyer's rights in regard to any loss or liability suffered as a result of a representation or warranty not being true.

Buyer acknowledges that it will have adequate opportunity to inspect the Property and accepts the risk that any inspection may not disclose all material matters affecting the Property. To the maximum extent permitted by applicable law and except for Seller's representations and warranties expressly made herein (hereinafter collectively called "Seller's Representations and Warranties"), this sale is made and will be made without representation, covenant or warranty of any kind (whether expressed, implied or to the maximum extent permitted by applicable, statutory law) by Seller. **As a material part of the consideration for this Agreement, Buyer agrees to accept the Property on an "as is" and "where is" basis with all faults and without representation of warranty, all of which Seller hereby disclaims.** Except for Seller's Warranties, no warranty or representation is made by Seller as to fitness for any particular purpose, quality, condition, absence of defects, absence of hazardous or toxic substances, flooding, or compliance with laws and regulations including without limitation those relating to health, safety and the environment. Buyer acknowledges that Buyer has entered into this Agreement with the intention of making and relying upon its own investigation of the physical, environmental, economic use, compliance, and legal condition of the Property, and that Buyer is not now relying and will not later rely upon any representations and warranties made by Seller or anyone acting or claiming to act, by, through or under or on Seller's behalf concerning the Property, except for Seller's Representations and Warranties. The provisions of this paragraph shall

survive indefinitely any closing or termination of this Agreement and shall not be merged into the closing documents.

10. ACCESS. Buyer and Seller acknowledge that access to the Property would be available by the adjacent City-owned property (PID No. 34-01610-01-010) (the "City Property") as the result of Buyer's acquisition of the City Property on April 12, 2023.

11. CONDITIONS PRECEDENT FOR BUYER. In addition to the title examination in accordance with this Agreement, the purchase of the Property by Buyer is contingent upon:

- a. Buyer determining in its sole discretion that the condition of the Property is acceptable. From the date of this Agreement through June 1, 2023, Buyer, its employees, contractors, and agents shall have the right to inspect and investigate the Property at all reasonable times and to perform any tests it deems necessary, including tests to evaluate the environmental condition of the Property (the "Inspection"). Buyer shall coordinate any such Inspections to accommodate the schedule of Seller, who shall not unreasonably withhold permission to inspect or investigate. Buyer shall repair any damage to the Property occurring in connection with any such Inspection and restore the Property to its original condition prior to the Inspection to Seller's reasonable satisfaction. Buyer agrees to promptly refill holes dug and repair any damage to the Property as a result of its activities. Buyer shall keep the property free of any liens or third-party claims as a result of the Inspection or its activities on the Property. Buyer agrees to indemnify and hold harmless Seller from any loss, cost or expense (including reasonable attorneys' fees) for death, bodily injury or damage to the Property related to Buyer's tests or to Buyer's or its agents or contractor's presence on the Property. Buyer's obligations set forth in this paragraph shall survive termination of this Agreement and Closing.
- b. Seller signing and executing a separate purchase agreement with the County to convey the 8.32-acre NA Easement to the County for the purchase price of **Two Hundred Fifty-Four Thousand Seven Hundred Dollars (\$254,700)**, and Seller conveying the NA Easement to the County simultaneously with Closing under this Agreement.
- c. Seller signing and executing a separate purchase agreement with the County to convey the 1.59 -acre Corridor Easement to the County for the purchase price of **Forty-Eight Thousand One Hundred Dollars (\$48,100)** and Seller conveying the Corridor Easement to the County simultaneously with Closing under this Agreement.
- d. Buyer approving the purchase of the Property as documented by a resolution approving the purchase of the Property by the Rosemount City Council.

If the above contingencies are not satisfied Buyer may terminate this Agreement and neither Party shall be liable for damages to the other Party, and neither shall have further obligation to the other under this Agreement, except for those damages or obligations that survive termination. If Buyer has not waived contingencies 11.a. and 11.d, above, by sending written notice thereof to Seller on or before June 1, 2023,

then this Agreement shall be deemed terminated. The contingencies described in 11.b.-c. above shall be deemed satisfied upon Buyer closing on the Property on the same date as the County's closing on the NA Easement and the Corridor Easement, without further action of Buyer.

12. CONDITION PRECEDENT FOR SELLER. The sale of the Property from Seller to Buyer is conditioned upon the following:

- a. The County executing a separate purchase agreement with Seller for the purchase price of **Two Hundred Fifty-Four Thousand Seven Hundred Dollars (\$254,700)** for the NA Easement.
- b. The County executing a separate purchase agreement with Seller for the purchase price of **Forty Eight Thousand One Hundred Dollars (\$48,100)** for the Corridor Easement.
- c. The County acquiring the NA Easement and Corridor Easement and paying the applicable purchase prices therefor to Seller simultaneously with closing under this Agreement.
- d. Buyer approving the purchase of the Property as documented by a resolution approving the purchase of the Property by the Rosemount City Council.

If the above conditions are not satisfied, this Agreement and all ancillary agreements shall, at Seller's option, be terminated, and neither party shall be liable for damages to the other party except for those that survive termination.

13. CLOSING. The Closing shall occur on the Closing Date at Title Company's office and may occur by delivering signed documents into escrow with the Title Company. The time of day will be scheduled by the Title Company so as to be mutually acceptable to Buyer and Seller. Seller and Buyer may mutually agree in writing to alter the Closing Date.

14. RISK OF LOSS. Until Closing, all risk of loss is on Seller other than damages caused by Buyer. If the Property is damaged prior to closing, and such damage was not caused by Buyer, Seller shall give Buyer notice within five (5) business days after Seller has become aware that such damage has occurred. The notice shall include Seller's proposal for repairing the damage, if any. From the date that Buyer receives Seller's notice, Buyer shall have three (3) business days to inspect the Property and an additional (2) business days to determine if the damages and Seller's proposal for repairs are acceptable to Buyer, at Buyer's sole discretion. If Buyer does not accept Seller's proposal for repairs within the five (5) business day period, Buyer may terminate this Agreement and neither party shall have any further rights or obligations hereunder except for those that survive termination.

15. REMEDIES UPON DEFAULT. In the event that Seller defaults in the performance of any of its obligations under this Agreement, and such default is not cured within 30 days after written notice thereof from Buyer to Seller, then Buyer shall, as Buyer's sole and exclusive remedy, have the right of specific performance against Seller. In the event that Buyer defaults in the performance of any of its

obligations under this Agreement, Seller shall have, as its sole and exclusive remedy, the right to terminate this Agreement by giving 30 days' written notice to Buyer, as permitted by Minnesota Statutes § 559.21 as amended from time to time and to pursue any damages Seller may have suffered as a result of Buyer failing to perform its obligations pursuant to Section 11a above.

16. NO BROKER'S COMMISSION. Buyer has not used a real estate broker in connection with this Agreement or the transaction contemplated by this Agreement. The Parties agree that Buyer is not responsible for any broker's commission or finder's fee, or any portion thereof related to Seller. If Seller has used a broker, or any person asserts a claim for a broker's commission or finder's fee related to Seller, Seller will indemnify, defend, and hold Buyer harmless from and against the claim and this indemnification shall survive Closing or any earlier termination of this Agreement.

17. WAIVER OF DISCLOSURE. Unless otherwise required herein, Buyer waives the written disclosures required under Minnesota Statutes §§ 513.52 to 513.60 as applicable.

18. MISCELLANEOUS.

- a. Time of Essence. The Parties hereto agree that time is of the essence in the performance of this Agreement.
- b. Notices. Notices to be given under this Agreement shall be in writing and sent by registered or certified mail, or overnight courier, addressed to the Parties at the following addresses:

With respect to Buyer:

City of Rosemount
Attn: City Administrator
2875 145th Street West
Rosemount, MN 55068-2997

With copies to:
Kennedy & Graven, Chartered
Attn: Rosemount City Attorney
150 South Fifth Street, Suite 700
Minneapolis, MN 55402

With respect to Seller:

Wolfson Commercial Properties LLC
c/o Casey, Menden Faust & Nelson, P.A.
7900 - 78th Street West, Suite 450
Edina, MN 55439

The addresses to which notices are to be mailed to either Party may be changed by such Party by giving written notice thereof to the other Party in the manner above provided.

- c. Non-Joint Venture. The Parties agree that nothing contained herein shall be considered a partnership or joint venture undertaken by the Parties.
- d. Minnesota Law. This Agreement shall be governed by the laws of the State of Minnesota. Venue for all legal proceedings arising out of this Agreement, or breach thereof, shall be in the state or federal court with competent jurisdiction in Dakota County, Minnesota.
- e. Representation by Counsel. Seller understands that Buyer and the County Attorney's Office do not represent Seller in this matter. Seller has had an opportunity to review the terms of this Agreement with Seller's own legal counsel, whether Seller has elected to consult with counsel or not. Seller has read and understands the terms of this Agreement and agrees to be bound by the terms of this Agreement.
- f. Entire Agreement. This Agreement, along with any exhibits, appendices, addendums, schedules, and written amendments hereto, encompasses the entire agreement of the Parties, and supersedes all previous understandings and agreements between the Parties, whether oral or written.
- g. Amendments. Any amendments or modifications to this Agreement shall be in writing and shall be executed by the same Parties who executed the original Agreement or their heirs, successors, or assigns.
- h. Waiver. The waiver by any Party of a breach of any provision of this Agreement shall not be deemed a continuing waiver or a waiver of any subsequent breach whether of the same or another provision of this Agreement.
- i. Severability. Each provision of this Agreement is severable from any other provision of this Agreement. Should any provision of this Agreement for any reason be determined by a Court of competent jurisdiction to be unenforceable, the balance of the Agreement shall remain in full force and effect.
- j. Headings. The headings used in this Agreement are for convenience of reference only and shall not operate or be construed to alter or affect the meaning of any of the provisions in this Agreement.
- k. Counterparts. This Agreement may be executed in counterparts, each of which shall be deemed an original and which together shall constitute one and the same agreement.
- l. Exchange. Seller may take steps to effectuate a 1031 Tax Exchange in any part of the transactions contemplated herein and Buyer agrees to reasonably cooperate to facilitate a 1031 Tax Exchange provided there will be no cost to Buyer.

IN TESTIMONY WHEREOF, the Parties hereto have caused this Agreement to be executed the day and year first recited herein.

SELLER

WOLFSON COMMERCIAL PROPERTIES, LLC

By: _____

Bill Wolfson, Manager

Date of Signature_____

BUYER

CITY OF ROSEMOUNT

Jeff Weisensel, Mayor,

Date of Signature_____

Erin Fasbender, City Clerk

Date of Signature_____

Legal Description of the Property

The North Half of the South Half of the Southeast Quarter of the Northeast Quarter of Section 16, Township 115 North, Range 19 West, Dakota County, Minnesota.

Area: 9.91 acres

Depiction of the Property
(Image being revised)



Legal Description of the NA Easement

A permanent Natural Area Conservation Easement over the North Half of the South Half of the Southeast Quarter of the Northeast Quarter of Section 16, Township 115 North, Range 19 West, Dakota County, Minnesota EXCEPTING from said Natural Area easement that part of said North Half of the South Half described as follows: Commencing at the northwest corner of said Southeast Quarter of the Northeast Quarter of Section 16; thence South 00 degrees 11 minutes 32 seconds West, assumed bearing, along the west line of said Southeast Quarter of the Northeast Quarter of Section 16 a distance of 63.40 feet; thence South 82 degrees 07 minutes 25 seconds East a distance of 358.17 feet; thence South 63 degrees 17 minutes 26 seconds East a distance of 201.49 feet; thence South 38 degrees 57 minutes 20 seconds East a distance of 373.07 feet; thence South 86 degrees 06 minutes 37 seconds East a distance of 194.62 feet; thence South 05 degrees 17 minutes 18 seconds East a distance of 142.12 feet to the north line of said North Half of the South Half of the Southeast Quarter of the Northeast Quarter and the point of beginning of the easement to be described; thence South 20 degrees 38 minutes 00 seconds West a distance of 348.58 feet to the south line of said North Half of the South Half of said Southeast Quarter of the Northeast Quarter; thence South 89 degrees 47 minutes 47 seconds West along said south line a distance of 148.43 feet; thence North 05 degrees 01 minutes 40 seconds East a distance of 234.26 feet; thence North 50 degrees 33 minutes 11 seconds West a distance of 144.92 feet to said north line of the North Half of the South Half of said Southeast quarter of the Northeast Quarter; thence North 89 degrees 47 minutes 32 seconds East along said north line a distance of 362.65 feet to the point of beginning.

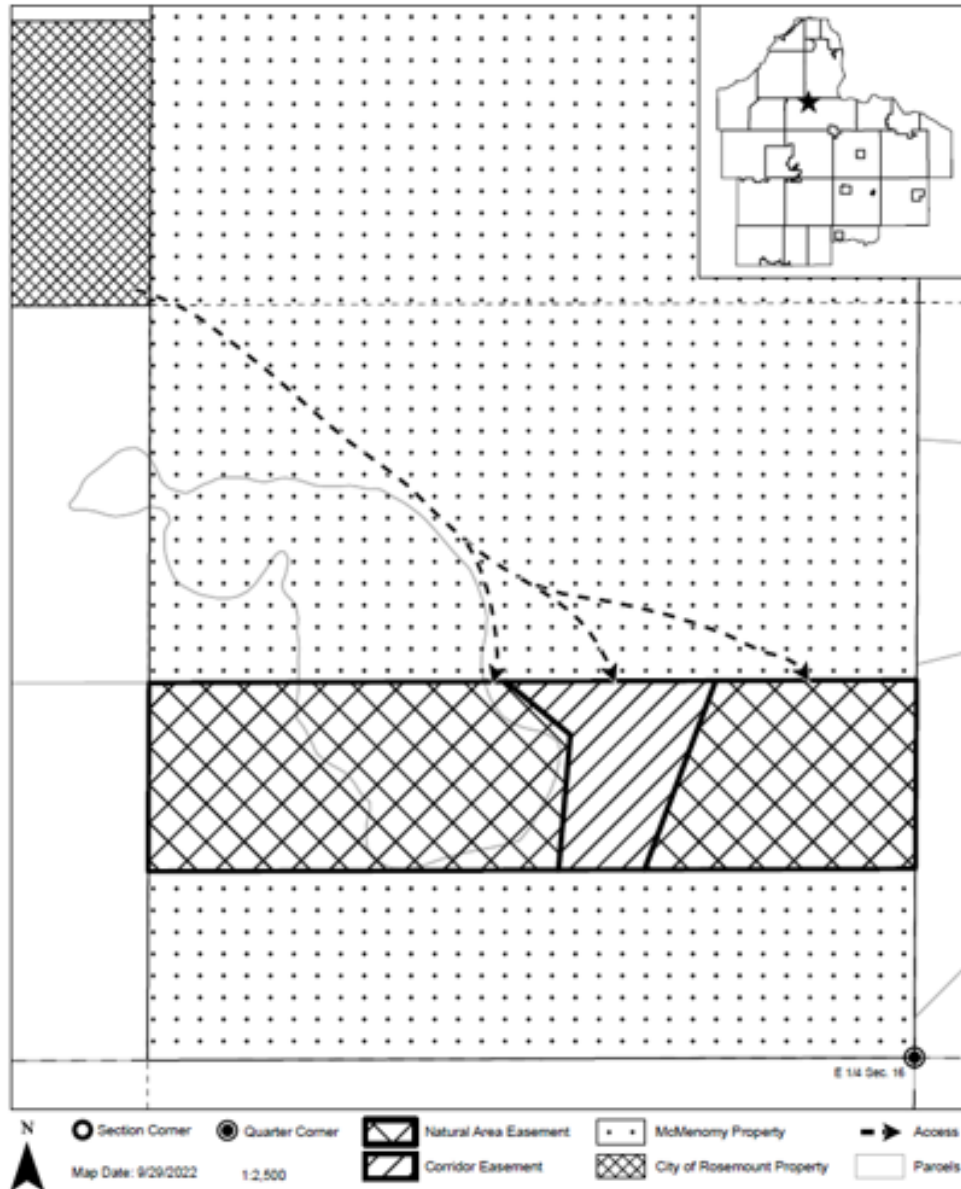
Area: 8.32 acres

Legal Description of the Corridor Easement

A permanent Greenway Corridor Easement over that part of the North Half of the South Half of the Southeast Quarter of the Northeast Quarter of Section 16, Township 115 North, Range 19 West, Dakota County, Minnesota described as follows: Commencing at the northwest corner of said Southeast Quarter of the Northeast Quarter of Section 16; thence South 00 degrees 11 minutes 32 seconds West, assumed bearing, along the west line of said Southeast Quarter of the Northeast Quarter of Section 16 a distance of 63.40 feet; thence South 82 degrees 07 minutes 25 seconds East a distance of 358.17 feet; thence South 63 degrees 17 minutes 26 seconds East a distance of 201.49 feet; thence South 38 degrees 57 minutes 20 seconds East a distance of 373.07 feet; thence South 86 degrees 06 minutes 37 seconds East a distance of 194.62 feet; thence South 05 degrees 17 minutes 18 seconds East a distance of 142.12 feet to the north line of said North Half of the South Half of the Southeast Quarter of the Northeast Quarter and the point of beginning of the Greenway easement to be described; thence South 20 degrees 38 minutes 00 seconds West a distance of 348.58 feet to the south line of said North Half of the South Half of said Southeast Quarter of the Northeast Quarter; thence South 89 degrees 47 minutes 47 seconds West along said south line a distance of 148.43 feet; thence North 05 degrees 01 minutes 40 seconds East a distance of 234.26 feet; thence North 50 degrees 33 minutes 11 seconds West a distance of 144.92 feet to said north line of the North Half of the South Half of said Southeast quarter of the Northeast Quarter; thence North 89 degrees 47 minutes 32 seconds East along said north line a distance of 362.65 feet to the point of beginning.

Area: 1.59 acres

Depiction of the NA Easement and the Corridor Easement



City Council Regular Meeting: May 16, 2023

AGENDA ITEM: Accept Bids, Award Contract, Declare Costs to be Assessed, and Set the Assessment Hearing for the 2023 Neighborhood Infrastructure Improvement Project	AGENDA SECTION: NEW BUSINESS
PREPARED BY: Brian Erickson, City Engineer	AGENDA NO. 9.b.
ATTACHMENTS: Resolution - Receive Bids Award Contract, Resolution - Declare Costs Set Assessment Hearing, Bid Tab Summary, Letter of Recommendation, Project Location Map	APPROVED BY: LJM
RECOMMENDED ACTION: Adopt Resolutions related to the 2023 Neighborhood Infrastructure Improvement Project, City Project 2023-04: 1. Accepting Bids and Awarding a contract 2. Declaring the Costs to be Assessed and Calling the Assessment Hearing.	

BACKGROUND

The 2023 Neighborhood Infrastructure Improvement Project, City Project 2023-04, was included as part of the 2023-2032 Capital Improvement Plan. The streets for this improvement were identified through the City's pavement management evaluation and are shown in the attached map. The project is proposed to consist of a full reconstruction with the addition of utilities (water, sewer and storm) since this neighborhood was included in the 2040 Municipal Urban Service Area (MUSA) as part of the most recent Comprehensive Plan update.

On March 7, 2023, City Council held the Public Hearing on Improvements for this project and several residents were in attendance. Comments from the public addressed the road width, utility installation and assessment amounts. Ultimately, the Council approved having the project designed and advertised in order to get a construction bids for the work.

Bids were opened on May 3, 2023 and there were six bidders. Northern Lines Contracting submitted the lowest bid at \$3,379,043.50 which was \$859,807.50 or 20.2% below the Engineer's Estimate. The two lowest bids were \$23,291 or 0.6% apart. The following table shows the bidders, bid amount and Engineer's Estimate.

Bid Results	
Bidder	Base Bid
Engineer's Estimate	\$4,238,851.00
<i>Northern Lines Contracting</i>	<i>\$3,379,043.05</i>
Ryan Contracting	\$3,402,334.50
McNamara Contracting, Inc.	\$3,600,266.70
Park Construction Company	\$3,682,717.80
S. R. Weidema, Inc.	\$3,910,797.61
Geislinger & Sons	\$4,453,222.02

Cost and Funding

The Feasibility Report prepared an initial estimate for the total project cost. During design, the estimate was refined, and the table below shows the total project cost based on the Feasibility Report, along with the Engineer's Estimate and the low bid. For the Feasibility Report and Engineer's Estimate a 5% construction contingency and 25% overhead factor was used. The low bid was adjusted using \$400,000 (approximately 12%) for the overhead cost as well as an easement cost of \$53,300.

2023 Neighborhood Infrastructure Improvement Project (2023-04) - Total Project Cost			
Work Item	Feasibility Report	Engineer's Estimate	Low Bid
Surface Improvements	\$2,217,628	\$2,786,784	\$1,788,453
Sanitary Sewer Improvements	\$929,762	\$1,089,690	\$840,444
Watermain Improvements	\$1,238,980	\$1,008,059	\$868,643
Storm Sewer Improvements	\$612,865	\$727,193	\$503,756
Total Project Cost	\$4,999,235	\$5,611,726	\$4,001,296

This project would be funded via a combination of funds as shown below. The proposed assessment amount is \$350,000 and will be assessed to the 35 property owners abutting the project. Because the utility system is being extended, the cost for that work would be funded by the appropriate trunk fund. Finally, Bacardi is a Municipal State Aid Street and is eligible for MSA funding. The estimated amounts are detailed in the table below.

2023 Neighborhood Infrastructure Improvement Project (2023-04) - Total Project Funding	
Fund	Amount
Street CIP	\$826,743
Special Assessments	\$350,000
Municipal State Aid	\$611,711
Sanitary Sewer Core	\$840,444
Watermain Core	\$868,643
Storm Sewer Core	\$503,756
Total Project Funding	\$4,001,296

Call Assessment Hearing

The second action requested of City Council is declaring the costs and calling for the Assessment Hearing, which is a necessary step under Minnesota Statute Chapter 429. The hearing will take place during the Council meeting on June 20, 2023.

In accordance with the City's special assessment policy, the formulaic special assessment amount would be approximately \$14,700 per parcel. As a departure from City policy that calls for 35% of the street and surface costs to be assessed to the benefiting adjacent properties, staff is proposing that only 24% of the street and surface costs are assessed to help lessen the burden on adjacent property owners, capping the per parcel assessment at \$10,000. This decision was made based on City Council direction to ensure that the assessment amount is not overly burdensome.

The aggregate total special assessment amount would thus only be \$350,000 instead of the \$510,000 that the City policy would normally require. The proposed amount of \$350,000 is to be assessed to the 35 property owners abutting the project corridor. An additional proposed departure from City policy would be to allow for the assessments to be payable over 15 years instead of the standard 10-year term. The interest rate for a property owner to finance a special assessment via installment payments on the spring property tax statement would be 2% above the interest rate paid by the City for the bonds, currently estimated at 5%. Additional details will be provided at the Assessment Hearing.

Schedule

Should the Council approve this resolution, the proposed project schedule is shown below. Items marked “CC” will require City Council approval in order to move forward.

<i>CC Award Engineering Services Contract & Order Feasibility Report</i>	<i>December 20, 2022</i>
<i>Public Open House</i>	<i>January 12, 2023</i>
<i>CC Receive Feasibility Report and Set Improvement Hearing</i>	<i>February 7, 2023</i>
<i>CC Improvement Hearing, Order Improvement, Authorize Preparation of Plans & Specs, Order Advertisement for Bid</i>	<i>March 7, 2023</i>
<i>Bid Opening</i>	<i>May 3, 2023</i>
<i>CC Award Contract and Call Assessment Hearing</i>	<i>May 16, 2023</i>
<i>Public Open House</i>	<i>May 2023</i>
<i>CC Assessment Hearing</i>	<i>June 20, 2023</i>
<i>Construction Start</i>	<i>June 2023</i>
<i>Substantial Completion</i>	<i>November 2023</i>

RECOMMENDATION

Staff recommends Council adoption of the attached resolutions accepting bids, awarding the contract, declaring the costs and setting the Assessment Hearing for the 2023 Neighborhood Infrastructure Improvement Project, City Project 2023-04.

**CITY OF ROSEMOUNT
DAKOTA COUNTY, MINNESOTA**

RESOLUTION 2023 – XX

**A RESOLUTION RECEIVING BIDS AND AWARDING CONTRACT
FOR 2023 NEIGHBORHOOD INFRASTRUCTURE IMPROVEMENT PROJECT,
CITY PROJECT 2023-04**

BE IT RESOLVED, by the City Council of the City of Rosemount, Minnesota, as follows:

1. Pursuant to an advertisement for bids for Project 2023-04, the 2023 Neighborhood Infrastructure Improvement Project, six bids were received and opened on May 3, 2023 and tabulated according to law:

Bid Results	
Bidder	Base Bid
Engineer's Estimate	\$ 4,238,851.00
<i>Northern Lines Contracting</i>	<i>\$ 3,379,043.50</i>
Ryan Contracting Co.	\$ 3,402,334.50
McNamara Contracting	\$ 3,600,266.70
Park Construction Company	\$ 3,682,717.80
S. R. Weidema, Inc.	\$ 3,910,797.61
Geislinger & Sons	\$ 4,453,222.02

2. Based on the Base Bid, the bid of Northern Lines Contracting in the amount of \$3,379,043.50 for the construction of said improvements is in accordance with the plans and specifications and advertisement for bids, and is the lowest responsible bid and shall be and hereby is accepted.
3. The Mayor and Clerk are hereby authorized and directed to enter into a contract with said bidder for the construction of said improvements for and on behalf of the City of Rosemount.
4. The City Clerk is hereby authorized and directed to return forthwith to all bidders the deposits made with their bids, except that the deposit of the successful bidder and the next two lowest bidders shall be retained until a contract has been executed.

ADOPTED this 16th day of May, 2023.

Jeffery D. Weisensel, Mayor

ATTEST:

Erin Fasbender, City Clerk

**CITY OF ROSEMOUNT
DAKOTA COUNTY, MINNESOTA**

RESOLUTION 2023-XX

**A RESOLUTION DECLARING COST TO BE ASSESSED AND ORDERING
PREPARATION OF PROPOSED ASSESSMENT, AND CALLING
FOR HEARING ON THE PROPOSED ASSESSMENT
2023 NEIGHBORHOOD INFRASTRUCTURE IMPROVEMENT PROJECT, CITY
PROJECT 2023-03**

WHEREAS, a contract has been let for the 2023 Neighborhood Infrastructure Improvement Project, City Project 2023-04, the improvement of the following streets:

- Bacardi Avenue West between the edge of pavement and Stillwell Pond north of 128th Street West, approximately 820 feet north
- 128th Street West between Bacardi Avenue West and Bengal Avenue West
- 130th Way between Bengal Avenue and 130th Street West
- Bengal Avenue between 128th Street West and 130th Street West, and;

WHEREAS, these streets will be improved by pavement reconstruction, installation of water main, sanitary sewer main and storm water improvements and the contract amount for such improvement is \$3,378,043.50 and the expenses incurred or to be incurred in the making of such improvement amount to \$623,252.18 so that the total cost of the improvement will be \$4,001,295.68.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Rosemount, Minnesota:

1. The portion of the cost of such improvement to be paid by the City is hereby declared to be \$3,651,295.68 and the portion of the cost to be assessed against benefited property owners is declared to be \$350,000.00.
2. Assessments plus applicable fees shall be payable in equal annual installments extending over a period of 15 years, the first of the installments to be payable with general taxes for the year 2023, and shall bear interest at the rate of 2% per annum above the interest rate paid by the City for its bonds from date of the adoption of the assessment resolution.
3. The City Clerk, with the assistance of the City Engineer shall forthwith calculate the proper amount to be specially assessed for such improvement against every assessable lot, piece or parcel of land within the district affected, without regard to cash valuation, as provided by law, and she shall file a copy of such proposed assessment in her office for public inspection; and

BE IT FURTHER RESOLVED by the City Council of Rosemount, Minnesota:

1. A hearing shall be held on the 20th day of June, 2023 in the Council Chambers at 7:00 p.m., or as soon thereafter as possible, to pass upon such proposed assessment, and at such time and place, all persons owning property affected by such improvement will be given an opportunity to be heard

with reference to such assessment.

2. The City Clerk is hereby directed to cause a notice of the hearing on the proposed assessment to be published once in the official newspaper at least two weeks prior to the hearing. The published notice shall state that the Council is meeting to consider the proposed assessment and will state the date, time, and place the of the hearing.
3. The City Clerk shall also cause mailed notice to be given to the owner of each parcel described in the assessment roll not less than two weeks prior to the hearings. The mailed notice shall include: the date, time, and place of the hearing, 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 file with the City Clerk and that written or oral objections by any property owner will be considered. The notice shall also state that no appeal may be taken as to the amount of any assessment unless a written objection signed by the property owner is filed with the City Clerk prior to the assessment hearing or presented to the Mayor at the hearing. The notice shall state the process and time lines for such appeals and will inform property owners of the existence of any deferment procedures. The notice shall also state:
 - 1) The amount to be specially assessed against the particular lot;
 - 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.

ADOPTED this 16th day of May, 2023.

Jeffery D. Weisensel, Mayor

ATTEST:

Erin Fasbender, City Clerk

BID TABULATION SUMMARY

PROJECT:
2023 Rosemount Street Improvement

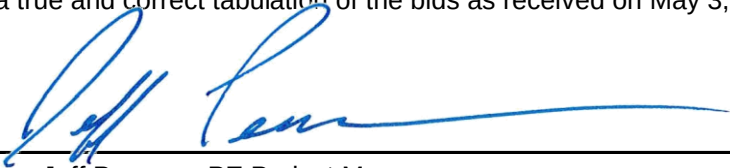
OWNER:
City of Rosemount, MN

WSB PROJECT NO.: 021997-000
City Project No. 2023-04

Bids Opened: Wednesday, May 3, 2023 at 4:00 p.m

Contractor		Bid Security (5%)	Add. No. 1 Rec'd.	Add. No. 2 Rec'd.	Add. No. 3 Rec'd.	Grand Total Bid
1	Northern Lines Contracting	X	X	X	X	\$3,379,043.50
2	Ryan Contracting Co.	X	X	X	X	\$3,402,334.50
3	McNamara Contracting	X	X	X	X	\$3,600,266.70
4	Park Construction Company	X	X	X	X	\$3,682,717.80
5	S R Weidema, Incorporated	X	X	X	X	\$3,910,797.61
6	Geislinger & Sons	X	X	X	X	\$4,453,222.02
Engineer's Opinion of Cost						\$4,238,851.00

I hereby certify that this is a true and correct tabulation of the bids as received on May 3, 2023.



Jeff Pearson, PE Project Manager

Denotes corrected figure



May 4, 2023

Honorable Mayor and City Council
City of Rosemount
2875 145th Street West
Rosemount, MN 55068

Re: 2023 Rosemount Street Improvement
City of Rosemount, MN Project No. 2023-04
WSB Project No. 021997-000

Dear Mayor and Council Members:

Bids were received for the above-referenced project on Wednesday, May 3, 2023, and were opened and read aloud. Six bids were received. The bids were checked for mathematical accuracy. Please find enclosed the bid summary indicating the low bid as submitted by Northern Lines Contracting, Inc., Hanover, Minnesota in the amount of \$3,379,043.50. The Engineer's Estimate was \$4,238,851.00.

We recommend that the City Council consider these bids and award a contract in the amount of \$3,379,043.50 to Northern Lines Contracting, Inc. based on the results of the bids received.

Sincerely,

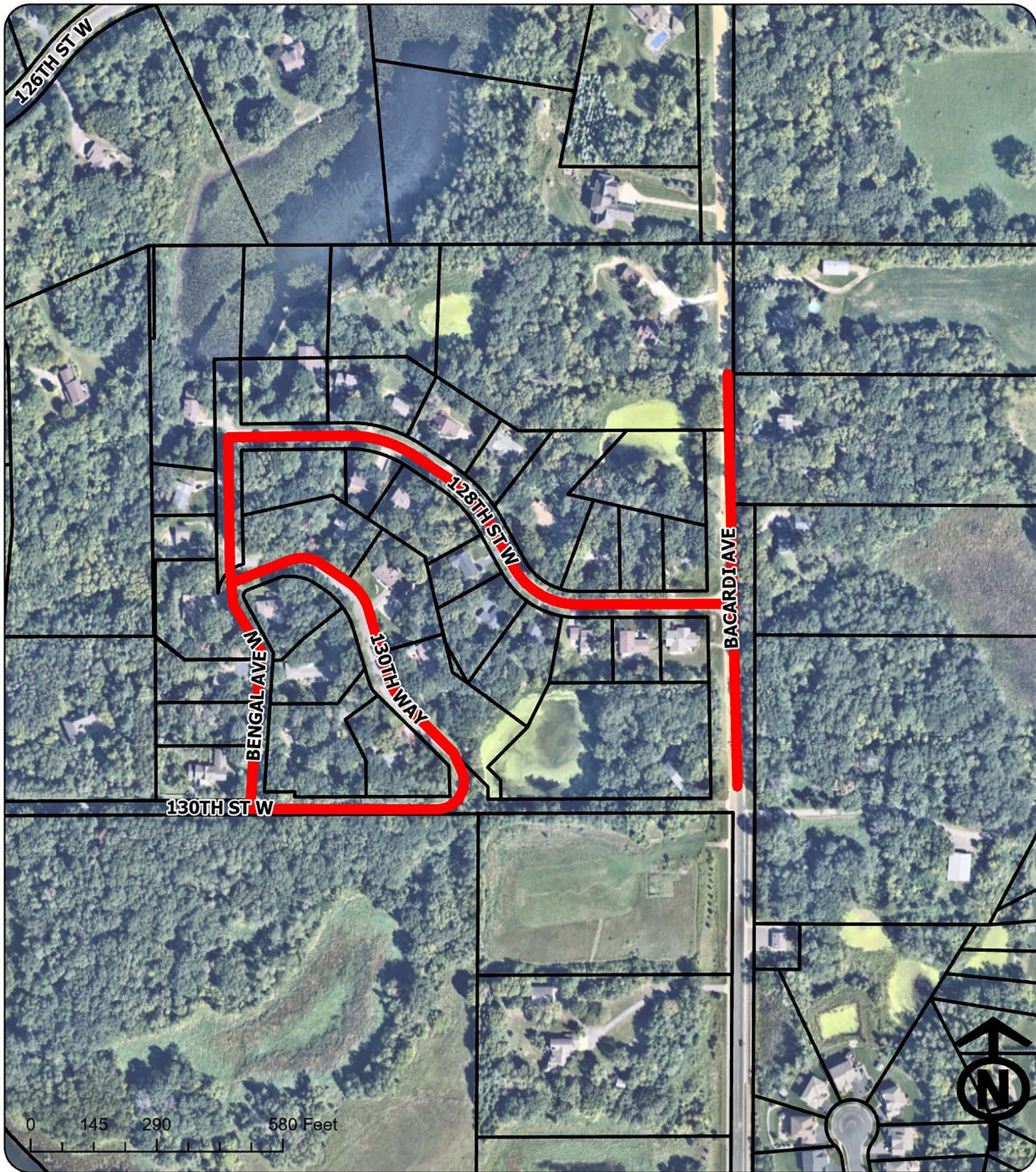
WSB

Jeff Pearson, PE
Project Manager

Attachments

cc: Brian Erickson, City of Rosemount

tmw



City Council Regular Meeting: May 16, 2023

AGENDA ITEM: Life Time Project Bids	AGENDA SECTION: NEW BUSINESS
PREPARED BY: Dan Schultz, Parks & Recreation Director	AGENDA NO. 9.c.
ATTACHMENTS: Bid Recording, S.M. Hentges , Lejeune , B&D Associates , Global Specialty, Kone , Summit Fire , Muska Companies , Midland Glass Co, Boelter Premier	APPROVED BY: LJM
RECOMMENDED ACTION: Motion to recommend the City Council accept the bids and award contracts to the lower bidder as described in the letters of recommendation for the following specialty areas: 1. Earth work, Utilities, and Paving 2. Building Structural 3. Concrete Masonry 4. Aquatics 5. Elevator 6. Fire Suppression 7. Electrical 8. Storefront Entrances/Curtain Wall 9. Food Service	

BACKGROUND

The City recently received several bids for specialty areas of the Life Time facility project. There are six specialty areas that we received bids for that staff is requesting the City Council to act on at tonight's meeting. The Construction Manager for the project is recommending the lowest responsible bidder for each specialty area be awarded a contract for the project. In total, there were originally 14 specialty areas. The remainder of the bids will come to future City Council meetings. TEST

RECOMMENDATION

Staff is recommending the City Council accept the bids and award the contract to the lowest bidder for each of the specialty area as detailed in the letters of recommendation submitted by the Construction Manager.

Life Time Rosemount, MN
Bid Tabulation

4/27/2023

Work Scope	Bidding Contractor	Addendum #1	Addendum #2	Bid Security	Bid Amount
01-A General Construction					
	Ironmark	Yes	Yes	Yes	\$ 7,446,258.00
	Gardner	Yes	Yes	Yes	\$ 16,144,490.00
03-A Concrete and Masonry					
	B&D Associates	Yes	Yes	Yes	\$ 2,883,500.00
	Steenberg Watrud Construction	Yes	Yes	Yes	\$ 2,885,380.00
	Gresser	Yes	Yes	Yes	\$ 2,918,700.00
	Northland Concrete & Masonry	Yes	Yes	Yes	\$ 3,125,050.00
03-B Building Structural					
	Le Jeune	Yes	Yes	Yes	\$ 5,746,580.00
07-A Roofing					
	SGO Roofing	Yes	Yes	Yes	\$ 1,318,656.00
08-A Storefront Entrances and Curtainwall					
	Ford Metro	Yes	Yes	Yes	\$ 856,200.00
	Midland Glass	Yes	Yes	Yes	\$ 837,890.00
11-A Foodservice					
	Stafford Smith	Yes	Yes	Yes	\$ 503,324.00
	Boelter Premier	Yes	Yes	Yes	\$ 374,312.00
13-A Aquatics					
	Aqua Logic	Yes	Yes	Yes	\$ 3,760,000.00
	Global Specialty	Yes	Yes	Yes	\$ 3,719,000.00
14-A Elevators					
	KONE	Yes	Yes	No	\$ 113,900.00
21-A Fire Suppression					
	Summit Fire Protection	Yes	Yes	Yes	\$ 425,000.00
	Nova Fire Protection	Yes	Yes	Yes	\$ 426,176.00
23-A Combined Mech					
	Wiedner Plumbing and Heating	Yes	Yes	Yes	\$ 6,249,000.00
	Thelen Heating & Roofing	Yes	Yes	Yes	\$ 6,845,000.00
	Kraft Mechanical	Yes	Yes	Yes	\$ 6,775,000.00
	Schadegg	Yes	Yes	Yes	\$ 7,530,457.00
	Muska Plumbing	Yes	Yes	Yes	\$ 8,692,336.00

		General Sheet Metal	Yes	Yes	Yes	\$	6,742,840.00
		Harty Mechanical	Yes	Yes	Yes	\$	6,699,000.00
		Wenzel Plymoth Plumbing	Yes	Yes	Yes	\$	6,727,500.00
		Northern Mechanical	Yes	Yes	Yes	\$	8,242,000.00
		Fairbo Plumbing	Yes	Yes	Yes	\$	6,884,900.00
		Master Mechanical	Yes	Yes	Yes	\$	7,530,373.00
26-A	Electrical						
		Laketown Electrical	Yes	Yes	Yes	\$	5,170,000.00
		Bloomington Electric	Yes	Yes	Yes	\$	4,399,000.00
		Vinco Electric	Yes	Yes	Yes	\$	6,745,300.00
		Neo Electrical Solutions	Yes	Yes	Yes	\$	5,000,000.00
		Muska Electric	Yes	Yes	Yes	\$	4,506,000.00
31-A	Earthwork Utilities and Paving						
		Enebek	Yes	Yes	Yes	\$	3,710,000.00
		SM Hentges and Sons	Yes	Yes	Yes	\$	3,228,900.00
		Max Steininger	Yes	Yes	Yes	\$	4,287,250.00
		Northern Lines Contracting	Yes	Yes	Yes	\$	3,429,000.00
		Belair Sitework Services	Yes	Yes	Yes	\$	4,242,664.00
		Park Construction Company	Yes	Yes	Yes	\$	5,322,672.00
		Veit and Company	Yes	Yes	Yes	\$	5,201,900.00
		US Site Work	Yes	Yes	Yes	\$	4,514,594.00
		Rachel Contracting	Yes	Yes	Yes	\$	4,580,157.00
		Carl Bolander & Sons	Yes	Yes	Yes	\$	5,900,000.00
32-A	Landscape						
		Cedar Ridge Landscaping	Yes	Yes	Yes	\$	1,689,960.00
		Margolis	Yes	Yes	Yes	\$	2,162,350.00
		Peterson Companies	Yes	Yes	Yes	\$	2,107,604.00
		Autumn Ridge Landscaping	Yes	Yes	Yes	\$	2,259,270.00
		Greenscape	Yes	Yes	Yes	\$	1,639,900.00
		Hoffamn McNamera	Yes	Yes	Yes	\$	1,913,081.00
32-B	Exterior Athletic						
		Upper Midwest Athletic	Yes	Yes	No	\$	452,153.00



May 16, 2023

Honorable Mayor and City Council
City of Rosemount
2875 145th St W.
Rosemount, MN 55068

Re: Life Time Rosemount
City of Rosemount
Life Time Project No. 0034100

Dear Mayor and Council Members:

Bids were received for the above-referenced project on Thursday, April 27, 2023, and were opened and read aloud. A total of 9 bids were received. The bids were checked for mathematical accuracy and tabulated. The Earthwork, Utilities and Paving Estimate for Base Bid and Alternates was \$5,195,000. The bid tabulation indicates the low bidder as S.M. Hentges & Sons, Jordan, MN in the amount of \$3,228,900 for Base Bid and Alternates.

We recommend that the City consider these bids and award a contract to S.M. Hentges & Sons, based on the results of the bids received.

Sincerely,

Life Time Property Development

A handwritten signature in black ink that reads "Chase Norton". The signature is fluid and cursive.

Chase Norton
Sr. Project Manager

Enclosure

cc: Jay Hembroff, S.M. Hentges & Sons
Dan Schultz, City of Rosemount
Brent Marlow, Life Time Property Development



May 16, 2023

Honorable Mayor and City Council
City of Rosemount
2875 145th St W.
Rosemount, MN 55068

Re: Life Time Rosemount
City of Rosemount
Life Time Project No. 0034100

Dear Mayor and Council Members:

Bids were received for the above-referenced project on Thursday, April 27, 2023, and were opened and read aloud. A total of 1 bid was received. The bid was checked for mathematical accuracy and tabulated. The Building Structural Estimate for Base Bid and Alternates was \$5,700,000. The bid tabulation indicates the low bidder as LeJeune Steel Company, Minneapolis, MN in the amount of \$5,746,5800 for Base Bid and any selected Alternates.

We recommend that the City consider these bids and award a contract to LeJeune Steel Company, based on the results of the bids received.

Sincerely,

Life Time Property Development

A handwritten signature in black ink that reads "Chase Norton".

Chase Norton
Sr. Project Manager

Enclosure

cc: Dustin Steward, Lejeune Steel Company
Dan Schultz, City of Rosemount
Brent Marlow, Life Time Property Development



May 16, 2023

Honorable Mayor and City Council
City of Rosemount
2875 145th St W.
Rosemount, MN 55068

Re: Life Time Rosemount
City of Rosemount
Life Time Project No. 0034100

Dear Mayor and Council Members:

Bids were received for the above-referenced project on Thursday, April 27, 2023, and were opened and read aloud. A total of 4 bids were received. The bids were checked for mathematical accuracy and tabulated. The Concrete and Masonry estimate for Base Bid and Alternates was \$2,000,000. The bid tabulation indicates the low bidder as B&D Associates, LLC., Saint Paul, MN in the amount of \$2,883,500 for Base Bid and Alternates.

We recommend that the City consider these bids and award a contract to B&D Associates, LLC., based on the results of the bids received.

Sincerely,

Life Time Property Development

A handwritten signature in black ink that reads "Chase Norton". The signature is fluid and cursive.

Chase Norton
Sr. Project Manager

Enclosure

cc: Tim Selken, B&D Associates, LLC.
Dan Schultz, City of Rosemount
Brent Marlow, Life Time Property Development



May 16, 2023

Honorable Mayor and City Council
City of Rosemount
2875 145th St W.
Rosemount, MN 55068

Re: Life Time Rosemount
City of Rosemount
Life Time Project No. 0034100

Dear Mayor and Council Members:

Bids were received for the above-referenced project on Thursday, April 27, 2023, and were opened and read aloud. A total of 2 bids were received. The bids were checked for mathematical accuracy and tabulated. The Aquatics Estimate for Base Bid and Alternates was \$4,100,000. The bid tabulation indicates the low bidder as Global Specialty Contractors, Inc., Eagan, MN in the amount of \$3,719,000 for Base Bid and Alternates.

We recommend that the City consider these bids and award a contract to Global Specialty Contractors, Inc., based on the results of the bids received.

Sincerely,

Life Time Property Development

A handwritten signature in black ink that reads "Chase Norton". The signature is fluid and cursive.

Chase Norton
Sr. Project Manager

Enclosure

cc: Zach Brazier, Global Specialty Contractors, Inc.
Dan Schultz, City of Rosemount
Brent Marlow, Life Time Property Development



May 16, 2023

Honorable Mayor and City Council
City of Rosemount
2875 145th St W.
Rosemount, MN 55068

Re: Life Time Rosemount
City of Rosemount
Life Time Project No. 0034100

Dear Mayor and Council Members:

Bids were received for the above-referenced project on Thursday, April 27, 2023, and were opened and read aloud. A total of 1 bid was received. The bid was checked for mathematical accuracy and tabulated. The Elevator Estimate for Base Bid and Alternates was \$100,000. The bid tabulation indicates the low bidder as Kone Elevators, Eagan, MN in the amount of \$113,900 for Base Bid and Alternates.

We recommend that the City consider these bids and award a contract to Kone Elevators, based on the results of the bids received.

Sincerely,

Life Time Property Development

A handwritten signature in black ink that reads "Chase Norton". The signature is fluid and cursive.

Chase Norton
Sr. Project Manager

Enclosure

cc: Andy Braaten, Kone, Inc.
Dan Schultz, City of Rosemount
Brent Marlow, Life Time Property Development



May 16, 2023

Honorable Mayor and City Council
City of Rosemount
2875 145th St W.
Rosemount, MN 55068

Re: Life Time Rosemount
City of Rosemount
Life Time Project No. 0034100

Dear Mayor and Council Members:

Bids were received for the above-referenced project on Thursday, April 27, 2023, and were opened and read aloud. A total of 2 bids were received. The bids were checked for mathematical accuracy and tabulated. The Fire Suppression Estimate for Base Bid and Alternates was \$354,200. The bid tabulation indicates the low bidder as Summit Fire Protection, Saint Paul, MN in the amount of \$425,000 for Base Bid and Alternates.

We recommend that the City consider these bids and award a contract to Summit Fire Protection, based on the results of the bids received.

Sincerely,

Life Time Property Development

A handwritten signature in black ink that reads "Chase Norton". The signature is fluid and cursive.

Chase Norton
Sr. Project Manager

Enclosure

cc: Jacob Kangas, Summit Fire Protection
Dan Schultz, City of Rosemount
Brent Marlow, Life Time Property Development



May 16, 2023

Honorable Mayor and City Council
City of Rosemount
2875 145th St W.
Rosemount, MN 55068

Re: Life Time Rosemount
City of Rosemount
Life Time Project No. 0034100

Dear Mayor and Council Members:

Bids were received for the above-referenced project on Thursday, April 27, 2023, and were opened and read aloud. A total of 5 bids were received. The bids were checked for mathematical accuracy and tabulated. The Electrical Estimate for Base Bid and Alternates was \$2,900,000. The bid tabulation indicates the most responsive low bidder as Muska Companies, Roseville, MN in the amount of \$4,506,000 for Base Bid and selected alternates.

We recommend that the City consider these bids and award a contract to Muska Companies, based on the results of the bids received.

Sincerely,

Life Time Property Development

A handwritten signature in black ink that reads "Chase Norton". The signature is written in a cursive, flowing style.

Chase Norton
Sr. Project Manager

Enclosure

cc: Ted Olson, Muska Companies
Dan Schultz, City of Rosemount
Brent Marlow, Life Time Property Development



May 16, 2023

Honorable Mayor and City Council
City of Rosemount
2875 145th St W.
Rosemount, MN 55068

Re: Life Time Rosemount
City of Rosemount
Life Time Project No. 0034100

Dear Mayor and Council Members:

Bids were received for the above-referenced project on Thursday, April 27, 2023, and were opened and read aloud. A total of 2 bids were received. The bids were checked for mathematical accuracy and tabulated. The Storefront Entrances and Curtainwall Estimate for Base Bid and Alternates was \$1,200,000. The bid tabulation indicates the low bidder as Midland Glass Co., Hopkins, MN in the amount of \$837,890 for Base Bid and any selected Alternates.

We recommend that the City consider these bids and award a contract to Midland Glass Co., based on the results of the bids received.

Sincerely,

Life Time Property Development

A handwritten signature in black ink that reads "Chase Norton". The signature is fluid and cursive.

Chase Norton
Sr. Project Manager

Enclosure

cc: Phil Carlson, Midland Glass Co
Dan Schultz, City of Rosemount
Brent Marlow, Life Time Property Development



May 16, 2023

Honorable Mayor and City Council
City of Rosemount
2875 145th St W.
Rosemount, MN 55068

Re: Life Time Rosemount
City of Rosemount
Life Time Project No. 0034100

Dear Mayor and Council Members:

Bids were received for the above-referenced project on Thursday, April 27, 2023, and were opened and read aloud. A total of 2 bids were received. The bids were checked for mathematical accuracy and tabulated. The Foodservice Estimate for Base Bid and Alternates was \$500,000. The bid tabulation indicates the low bidder as Boelter Premier Foodservice, Minneapolis, MN in the amount of \$374,311.93 for Base Bid and any selected Alternates.

We recommend that the City consider these bids and award a contract to Boelter Premier, based on the results of the bids received.

Sincerely,

Life Time Property Development

A handwritten signature in black ink that reads "Chase Norton". The signature is fluid and cursive.

Chase Norton
Sr. Project Manager

Enclosure

cc: Todd Olson, Boelter Premier
Dan Schultz, City of Rosemount
Brent Marlow, Life Time Property Development

City Council Regular Meeting: May 16, 2023

AGENDA ITEM: Request for an Amendment to the Existing Conditional Use Permit that was Approved in 2020 for North 20 Brewing to Extend the Hours of Operation and to Allow for Outdoor Live Music and Food Trucks Onsite	AGENDA SECTION: NEW BUSINESS
PREPARED BY: Julia Hogan, Planner	AGENDA NO. 9.d.
ATTACHMENTS: Resolution for Denial , Resolution for Approval, Excerpt from the April 25, 2023 Planning Commission Meeting Minutes, Site Location , Applicant Correspondence , Previously Approved Conditional Use Permit with Requested Amendments, Aerial Image , Public Comments	APPROVED BY: LJM
RECOMMENDED ACTION: The Planning Commission recommends the City Council adopt the following motion: Motion to adopt a resolution denying an amendment to an existing Conditional Use Permit for North 20 Brewing located at 12266 Bacardi Avenue to extend the hours of operation and to allow for outdoor live music and food trucks on site. City Council will need to approve one of the following motions listed below: Motion to adopt a resolution upholding the decision of the Planning Commission denying the amendment to the existing Conditional Use Permit. OR Motion to adopt a resolution approving an amendment to an existing Conditional Use Permit for North 20 Brewing located at 12266 Bacardi Avenue to extend the hours of operation and to allow for outdoor live music and food trucks onsite.	

BACKGROUND

Property Owner and Applicant:	David Schmitz
Location:	12266 Bacardi Avenue
Site Area in Acres:	2.5 Acres
Comprehensive Plan Designation:	RR - Rural Residential
Current Zoning:	AG - Agricultural

The City Council is being asked to consider a request by David Schmitz to amend the existing Conditional Use Permit for North 20 Brewing that was approved by the City Council in 2020 to extend

the hours of operation and to allow for outdoor live music and food trucks on site. The Conditional Use Permit that was approved for the microbrewery and taproom contained 17 conditions. The applicant is looking at amending conditions 3 and 17 of the Conditional Use Permit. Condition 3 states “Hours of operation shall be limited to the following: Monday-Thursday 4:00 PM to 9:00 PM; Friday 4:00 PM to 10:00 PM; Saturday 11:00 AM to 10:00 PM; Sunday 11:00 AM to 9:00 PM. On all days, the outdoor patio shall be closed at the same time as the taproom.”. The applicant is looking to extend the current hours of operation that are stated in condition 3 to Monday-Thursday 11:00 AM to 10:00 PM; Friday-Saturday 11:00 AM to 11:00 PM; Sunday 11:00 AM to 10:00 PM. Condition 17 states “Outdoor live music or on-site food trucks are prohibited.” The applicant is requesting to amend this condition within the Conditional Use Permit which would allow for outdoor live music and food trucks on site. If the 17th condition is amended to allow for outdoor live music and food truck, there will still be provisions to allow for both on site. Food trucks will need to adhere to the requirements of Mobile Food Units chapter of the City Code. The property, including the use of outdoor live music, will need to comply with the noise standards that are found within the City’s Code as well. The remaining conditions that are a part of the existing Conditional Use Permit will remain in effect and will be required to be complied with.

PLANNING COMMISSION ACTION

The Planning Commission held a public hearing at its April 25, 2023 meeting to review the amendment request to the existing Conditional Use Permit for North 20 Brewing to extend the hours of operation and to allow for outdoor live music and food trucks onsite. The Commission questioned the food truck portion of the request and where they would be located and how the parking could be impacted. They also had questions regarding the Mobile Food Truck portion of the City’s Code and what North 20 would be allowed to do. Staff informed the Commission that North 20 would only be able to have food trucks on site via a special events permit. Per the City’s Code, businesses outside of areas covered by the mobile food unit ordinance may only have food trucks on four (4) occasions throughout the year. The Commission also requested information regarding the noise ordinance, specifically about the distance to which music shall not be heard from. Staff informed the Commission that within the City’s Code it states that if noise could be heard at fifty (50) feet from the site, police presence could be requested to determine the amount of noise and if steps would need to be taken to deal with the user. The Commission requested clarification on nuisance violations in regards to noise from the site and how that can be enforced. Staff explained to the Commission that enforcement of the code for a nuisance violation would need to be done through the police department. The Commission questioned if food trucks would be allowed to park along Bacardi Ave. Staff informed the Commission that the Mobile Food Truck ordinance does not allow food trucks to park along Bacardi Avenue and that the applicant’s existing Conditional Use Permit does not allow patrons to park along Bacardi Ave as well.

During the public hearing, the Planning Commission heard from the applicant. Several residents also spoke to express opposition to the proposed amendments to the existing Conditional Use Permit. The applicant was able to address some of the Commission’s concerns that staff were not able to speak to. The applicant stated that the reason he brought this request to the City was largely in reaction from customers requesting food trucks, live music, and extended hours. The applicant went on to say that he would only like to have food trucks on site for special occasions and not as a common occurrence and that the live music they were looking at having onsite would most often be indoors and would be a quieter type of live music. The applicant stated their largest request would be to allow the brewery to open earlier so that customers are able to come in during the day. Some of the concerns raised by the

residents during the public hearing were safety concerns in regards to increased traffic and speed on Bacardi Ave, dust issues with the increase of traffic on Bacardi Ave, the additional noise that extended hours and live music could have on the surrounding area, the landscaping on site is not what was approved, and the potential impact that the increase in noise to the site could have on the adjacent nature preserve.

Following the public hearing, the Commission had additional questions and comments in response to the public comments received. These are detailed in the attached excerpt from the April 25, 2023 Planning Commission meeting minutes. The main consensus from the Commission was that the business had been open just under a year and that there has not been verification that the original conditions approved with the Conditional Use Permit have been met. A few Commissioners agreed that the amendment to extend the hours of operation to allow North 20 Brewing to open up earlier was a reasonable request. With that a motion was made to recommend the City Council approve an amendment to the existing Conditional Use Permit to extend the hours of operation in which the hours would be limited to 11 AM to 9 PM Monday through Thursday, 11 AM to 10 PM Friday and Saturday, and 11 AM to 9PM on Sunday. This motion failed 3 to 4. A motion was then made recommending denial of the amendment request to the existing Conditional Use Permit to extend hours of operation and to allow for outdoor live music and food trucks on site. The Planning Commission voted unanimously to recommend denial of the amendment request.

BACKGROUND

In 2020, the applicant came forward to the City requesting a Conditional Use Permit, Simple Plat, and a Variance to facilitate the construction of a microbrewery with taproom on land he owned in the AG-Agricultural zoning district. The original subject parcel owned by the applicant is located at 12296 Bacardi Avenue, which currently contains a single-family residential structure and a detached accessory building. The applicant requested a simple plat to divide the 19.83-acre parcel into two separate lots so that the microbrewery could be located on a separate parcel. The site is located a little more than one mile north of Bonaire Path and ¼ mile south of 120th street on the eastern side of Bacardi Avenue. The site is split between open fields and grass areas in the northern half of the property and heavily wooded areas covering the southern portion of the property. The applicant proposed a 4,355 square feet microbrewery designed to look like a rural structure complete with gabled barn-style roof, vertical siding panels, large overhead doors and other decorative elements intended to mimic a barn or other agricultural structure. The microbrewery was proposed to be located on a relatively flat portion of the site closer to Bacardi Avenue and accessed via a new driveway off of Bacardi Avenue as well.

The microbrewery design showed that within the structure roughly half of the floor space would be devoted to the brewing operation, which included fermentation tanks, coolers, and other brewing equipment. The other portions of the operation included a bar and seating area for the taproom, restrooms, meeting area, and kitchen. The applicant indicated that the kitchen would serve a limited menu of food items (i.e. pizza and appetizers) to compliment the beer available for sale. The plans also included an outdoor concrete patio in the northeast corner of the building which would provide an outdoor seating area for patrons of the facility. The overall interior seating capacity was expected to be 89 persons, with an additional 23 seats available in the patio area, which resulted in a parking requirement of 38 stalls (including the brewery operations). An additional overflow parking area is currently being constructed to add additional parking stalls to the site.

This item went in front of the Planning Commission at both the April and May 2020 meetings. During the first meeting, the Commissioners discussed the application and public hearing comments and stated that they would like additional information from staff before moving forward. The second meeting included staff addressing questions that the Commission had on the additional information. During that meeting, the applicant also expressed concern over the reduced hours of operation proposed by staff and asked the Commission to consider later hours that would allow customers to take advantage of the longer daylight hours during the summer months, particularly on the patio. The applicant explained their plans for the property stating that they envisioned a small neighborhood brewery that is very family-friendly. The Commission and applicant arrived at an agreement for hours of operation. After completing the review, the Commission approved the requested variances and recommended approval of the Simple Plat and CUP for the microbrewery. The Simple Plat and CUP for the proposed microbrewery was then approved by the City Council at their June 2020 regular meeting.

Since the approval by the Council, the Microbrewery and taproom known as North 20 Brewing has finished construction and opened to the public in July 2022.

Conditional Use Permit

Legal Authority

Conditional use permits (CUP) are considered quasi-judicial actions. In such cases, the City is acting as a judge to determine if the regulations within the Comprehensive Plan, Zoning Ordinance and Subdivision Ordinance are being followed. Generally, if the application meets these requirements, it must be approved.

Purpose

The purpose of conditional use permits is to allow for those uses which are not generally suitable by right within a given zoning district but may be suitable under some circumstances. The burden of demonstrating the proposed use meets the criteria for granting a conditional use permit and meeting all applicable standards lies with the applicant. In reviewing such applications, the city may attach reasonable conditions necessary to mitigate anticipated adverse impacts associated with these uses, to protect the value of other property within the district, and to achieve the goals and objectives of the comprehensive plan and city code provisions.

As a Conditional Use, microbreweries are subject to the general CUP standards outlined in Section 11-10-7 and as well as the standards specific to AG-Agricultural zoning district for microbreweries. Below is a list of the requirements for approving a conditional use permit and along with that are the findings that staff found back in 2020 during the original CUP process, along with updated information as well.

Review and Analysis (CUP Requirements and Findings)

1. Will not be detrimental to or endanger the public health, safety, or general welfare of the neighborhood or the city.

Finding: The zoning ordinance allows certain specific activities that are more commercial in nature within the AG – Agricultural zoning district and that allow a reasonable economic return on larger parcels that have historically been used for farming activities but are no longer viable for such

activities. The site design and conditions of approval are intended to address any off-site impacts from construction and operation of a microbrewery on the site. The brewing of beer and service of food and beverages will take place entirely within an enclosed structure except for an outdoor patio facing away from the public street.

2. Will be harmonious with the objectives of the comprehensive plan and city code provisions.

Finding: The site is guided for Rural Residential land uses, and the AG – Agricultural zoning district is listed as an acceptable zoning for this land category. The Comprehensive Plan supports activities that promote a reasonable economic return on larger agricultural properties outside of the City's MUSA boundary. The Plan further supports the expansion of restaurants and local shopping opportunities within the community. The proposed microbrewery complies with all applicant site and building design standards in the zoning ordinance.

3. Will be designed, constructed, operated and maintained so as to be compatible or similar in an architectural and landscape appearance with the existing or intended character of the general vicinity and will not change the essential character of that area, nor substantially diminish or impair property values within the neighborhood.

Finding: The microbrewery is designed to resemble an agricultural building, and will use architectural features and elements that look like a historic farm building.

4. Will be served adequately by existing (or those proposed in the project) essential public facilities and services, including streets, police and fire protection, drainage, structures, refuse disposal, water and sewer systems and schools.

Finding: The site will be served with private well and septic systems designed to meet current standards and appropriately sized for the expected uses.

5. Will not involve uses, activities, processes, material equipment, and conditions of operation that will be hazardous or detrimental to any persons, property, or the general welfare because of excessive production of traffic, noise, smoke, fumes, glare, or odors.

Finding: All processing associated with the microbrewery will occur within an enclosed building, and no external impacts, including noise, smoke, fumes, glare or odors are expected from the use.

6. Will have vehicular ingress and egress to the property which does not create traffic congestion or interfere with traffic on surrounding public streets.

Finding: The use will generate additional truck and vehicular traffic, but not in a capacity that would be substantially different from an active agricultural use. There is sufficient capacity along Bacardi Avenue to handle additional traffic from the use. The applicant has designed the site to comply with all parking and access spacing requirements.

7. Will not result in the destruction, loss or damage of a natural, scenic, or historic feature of major importance and will comply with all local, state, and federal environmental quality standards.

Finding: The project will have little to no environmental impact, nor will it result in the destruction, loss, or damage of any natural, scenic, or historic feature of major importance. The site is located adjacent to the Wiklund Nature Preserve, but the microbrewery will be situated over 150 feet from this boundary and will leave existing trees along the northern property line in place that will act as a buffer to the preserve.

The AG – Agriculture zoning district includes several specific requirements for microbreweries as follows:

1. The site and building(s) shall be designed to limit the effects of this use on adjacent properties and public rights-of-way. No loading docks or overhead vehicle doors shall be on a side abutting any public rights-of-way or any residential use or district.

Finding: The building does not include a loading dock, and the pull-up doors providing access to the outdoor patio face away from the public street.

2. The principal building shall be the primary source for screening of the loading area or any required outdoor equipment.

Finding: Other than the screened trash enclosure area, the applicant is not planning to install any outdoor equipment or designate a loading area for the facility.

3. All drives, loading and parking areas for the microbrewery and associated uses shall be paved with a concrete or bituminous surface including concrete curbing.

Finding: Staff included a condition of approval that required paving of the driveway and parking lot at the time the City paved Bacardi Avenue in front of the use. The delay in paving is consistent with the agricultural character of the area.

4. Pedestrian circulation between the parking area and the microbrewery and associated uses shall be provided through sidewalks at least five feet (5') in width and paved with concrete, bituminous, pavers or similar hardscape.

Finding: A concrete walkway connecting the parking lot, building, and outdoor patio was shown on the development plans and has been installed.

5. Outdoor seating is subject to the performance standards outlined for outdoor seating in section 3-1-14 of this Code and subsection 11-4-14D of this chapter.

Finding: The applicant will need to comply with these standards.

RECOMMENDATION

The Planning Commission recommends denial of the requested amendments to the existing Conditional Use Permit for North 20 Brewing located at 12266 Bacardi Avenue. The amendments included extending the hours of operation from the current Monday-Thursday 4:00 PM to 9:00 PM;

Friday 4:00 PM to 10:00 PM; Saturday 11:00 AM to 10:00 PM; Sunday 11:00 AM to 9:00 PM to Monday-Thursday 11:00 AM to 10:00 PM; Friday-Saturday 11:00 AM to 11:00 PM; Sunday 11:00 AM to 10:00 PM and to remove the explicit prohibition of outdoor live music and food trucks on site.

The City Council should choose one of two options. The first option being to uphold the decision of the Planning Commission to deny the amendment to the existing Conditional Use Permit, with the second option being to approve or modify the requested amendments to the existing Conditional Use Permit..

**CITY OF ROSEMOUNT
DAKOTA COUNTY, MINNESOTA**

RESOLUTION 2023-XX

**A RESOLUTION DENYING AN AMENDMENT TO AN EXISTING CONDITIONAL USE
PERMIT (CUP) THAT WAS APPROVED IN 2020 FOR NORTH 20 BREWING
LOCATED AT 12266 BARACRDI AVE.**

WHEREAS, the Community Development Department of the City of Rosemount received an application from David Schmitz requesting an amendment to an existing Conditional Use Permit (CUP) that was approved in 2020 for a microbrewery and ancillary taproom at 12266 Bacardi Ave. The requested amendments are to conditions 3 and 17 of the current Conditional Use Permit which would allow for the hours of operation to be extended and allow for outdoor live music and food trucks on site; and

WHEREAS, on April 25, 2023, the Planning Commission of the City of Rosemount reviewed and conducted a public hearing for the Conditional Use Permit amendment request for North 20 Brewing; and

WHEREAS, the Planning Commission adopted a motion to recommend that the City Council deny the Conditional Use Permit amendment request for North 20 Brewing; and

WHEREAS, on May 16, 2023, the City Council of the City of Rosemount reviewed and agreed with the Planning Commission's recommendation; and

NOW, THEREFORE, based on the testimony elicited and information received, the Council of the City of Rosemount hereby makes the following:

FINDINGS

- 1) Conditions that were approved with the Conditional Use Permit that was approved in 2020 for North 20 Brewing are not fully being followed by the landowner.
- 2) The increase and speed of traffic on Bacardi Avenue has become a safety concern for the surrounding residential areas.
- 3) The increase in noise from allowing outdoor live music could disturb the surrounding residential properties and as well as wildlife in the adjacent Wiklund Nature Preserve.
- 4) Allowing food trucks on site could affect the number of usable parking stalls within the parking lot area.

NOW, THEREFORE, BE IT FURTHER RESOLVED, the Council of the City of Rosemount hereby denies the amendment request to an existing Conditional Use Permit for North 20 Brewing located at 12266 Bacardi Avenue.

ADOPTED this 16th day of May, 2023 by the City Council of the City of Rosemount.

Jeffery D. Weisensel, Mayor

ATTEST:

Erin Fasbender, City Clerk

**CITY OF ROSEMOUNT
DAKOTA COUNTY, MINNESOTA**

RESOLUTION 2023-XX

**A RESOLUTION APPROVING AN AMENDMENT TO AN EXISTING CONDITIONAL
USE PERMIT (CUP) THAT WAS APPROVED IN 2020 FOR NORTH 20 BREWING
LOCATED AT 12266 BARACRDI AVE.**

WHEREAS, the Community Development Department of the City of Rosemount received an application from David Schmitz requesting an amendment to an existing Conditional Use Permit (CUP) that was approved in 2020 for a microbrewery and ancillary taproom at 12266 Bacardi Ave. The requested amendments are to conditions 3 and 17 of the current Conditional Use Permit which would allow for the hours of operation to be extended and allow for outdoor live music and food trucks on site; and

WHEREAS, on April 25, 2023, the Planning Commission of the City of Rosemount reviewed and conducted a public hearing for the Conditional Use Permit amendment request for North 20 Brewing; and

WHEREAS, the Planning Commission adopted a motion to recommend that the City Council deny the Conditional Use Permit amendment request for North 20 Brewing; and

WHEREAS, on May 16, 2023, the City Council of the City of Rosemount reviewed the Planning Commission recommendations for the Conditional Use Permit amendments.

NOW, THEREFORE, BE IT RESOLVED, the City Council of the City of Rosemount hereby approves the amendments to the existing Conditional Use Permit for North 20 Brewing, subject to the following conditions which include the conditions approved with the original Conditional Use Permit and as well as the approved amended conditions:

1. Submission of updated grading, drainage, and erosion control plans and a storm water management plan that reflects the updated site plan submitted for the May 12, 2020 Planning Commission meeting.
2. Installation of septic system designed by a licensed septic designer and meeting all applicable city and county standards.
3. Hours of operation shall be limited to the following: Monday-Thursday 11:00 AM to 10:00 PM; Friday-Saturday 11:00 AM to 11:00 PM; Sunday 11:00 AM to 10:00 PM. On all days, the outdoor patio shall be closed at the same time as the taproom.
4. Secure a liquor license for the taproom and compliance with all City standards for the taproom as regulated by the license.
5. Compliance with all requirements of the Building Official in a memorandum dated April 8, 2020.
6. All driveways and parking areas shall be capable of supporting access by emergency vehicles and equipment.
7. The parking area shall comply with the minimum setback of 50 feet from the Bacardi Avenue right-of-way.
8. The driveway and parking area shall be paved with concrete or bituminous surface at the time the city paves Bacardi Avenue in front of the Microbrewery property at the owner's

expense. All parking stalls shall be clearly marked to ensure the maximum capacity of the parking area is available for use at all times.

9. No parking for patrons of the microbrewery is allowed along Bacardi Avenue or within surrounding neighborhoods. Should parking problems occur at the site, the applicant will be required to expand the on-site parking lot.
10. City may sign Bacardi Avenue for no parking if necessary.
11. The applicant shall designate an overflow parking area that may be used during peak visitation periods above and beyond 4-proof of parking stalls depicted on site plan
12. Submission of a lighting plan that includes lighting at the driveway entrance and uses down cast fixtures. All lighting shall comply with the City's lighting requirements.
13. Submission of an updated landscape plan that meets the City's minimum requirements for commercial development (1 tree per 3,000 square feet of area) and that includes the required foundation plantings. Additional plantings may be required along the western edge of the parking lot to provide a fully screen the parking lot from Bacardi Avenue.
14. Compliance with the performance standards outlined for outdoor seating in section 3-1-14 and subsection 11-4-14D of the City Code.
15. Submission of a dust control plan for the driveway and parking area.
16. The taproom operation shall operate in compliance with the City definition of a microbrewery which means no more than 3,500 barrels of malt liquor can be produced in a calendar year and taproom which means that sales are limited to the on-sale of the malt liquor produced by the brewery.

ADOPTED this 16th day of May, 2023 by the City Council of the City of Rosemount.

Jeffery D. Weisensel, Mayor

ATTEST:

Erin Fasbender, City Clerk

EXCERPT FROM THE APRIL 25, 2023 PLANNING COMMISSION MEETING MINTUES

5c. Request by North 20 for an amendment to their existing Conditional Use Permit to extend the hours of operation and to allow for outdoor live music and food trucks onsite.

Planner Hogan provided a presentation and summary of the staff report. Planner Hogan also noted the public comments and police reports received by the City.

Commissioner comments:

Chair Kenninger inquired about where the placement of food trucks might be located, what the current parking requirements are, and how the parking requirements might be impacted by the placement of food trucks on site. Planner Hogan and CD Director Kienberger differed to applicant.

Chair Kenninger requested more information on the city code for mobile food trucks and the current noise ordinance. Planner Hogan made note of the city code as well as the special events permit, stating under this purview a business may only have food trucks on four (4) occasions throughout a calendar year.

Chair Kenninger inquired about the length that might count as one (1) of the four (4) occasions under the special events permit.

Planner Hogan stated that the length of one (1) occasion could be between one (1) day or one (1) weekend depending on the event, but that she would need to refer to the City Clerk to verify the specifics.

Chair Kenninger clarified that the maximum length of time a food truck could be on the premise, based on City Code, would be no more than four (4) weekends.

Planner Hogan then noted the noise ordinance stating that the owner would still need to adhere to the City Code regardless of what could be amended.

Chair Kenninger requested more clarification about the noise ordinance, specifically regarding the distance to which the music shall not be heard from.

Planner Hogan noted that if noise could be heard at fifty (50) feet from the site, police presence could be requested to determine the amount of noise and if steps would need to be taken to deal with the user.

Commissioner Reed requested clarification regarding the revocation of the CUP, were it to be recommended by the Planning Commission.

CD Director Kienberger noted that staff is referencing a nuisance violation under city code rather than was tied to the use of the district as was noted in the Las Tortillas staff report.

Commissioner Reed requested further clarification regarding the nuisance violation for noise from the site and how the nuisance might be enforced.

CD Director Kienberger clarified stating that, yes, the CUP can be revoked by the planning commission. However, enforcement of the code for a nuisance would need to be done through the police department.

Commissioner Reed asked whether food trucks can park along Bacardi Avenue.

Senior Planner Nemcek noted that the City's mobile food ordinance does not allow food trucks to park along Bacardi Avenue.

Chair Kenninger clarified that residents or visitors with passenger vehicles could park on Bacardi Avenue.

Commissioner Whitman requested clarification on the application of standards from the code referring to public address systems and the agricultural land use district.

Planner Hogan stated that while it is not specifically noted in the CUP, the code still applies to the use of the site.

Senior Planner Nemcek noted that aspects of the city code can be added to the CUP to future memorialize what is already required if the Planning Commission desires, but it is not necessary as it will still apply to the use regardless.

Commissioner Hebert asked whether the City makes any distinction between noise disturbances or live music.

Planner Hogan noted that they are grouped together per the city's code.

Commissioner Rivera asked if the owner of the site intends to have live music outside or have it remained inside as it is not specified in the application.

Planner Hogan differed to the applicant.

Commissioner Thiagarajan asked if there was a limit to the number of food trucks allowed on site at one time.

Planner Hogan noted the City Clerk has the decision to approve or deny the special events permit.

CD Director Kienberger noted that the avenue the applicant can take to have food trucks is limited based on the special events permit.

Chair Kenninger asked if the City Clerk would review the special event permits and take into consideration the number of parking spaces the food trucks take up.

CD Director Kienberger noted that a number of different departments would review the special events permit.

The public hearing opened at 7:32 pm.

Public Comments:

David Schmitz 2100 126th Street West, Rosemount, MN

Mr. Smith is speaking as the owner of North 20 and hopes to bring clarity to some of the issues brought by the Commissioners. He stated that the reason he brought this request to the City is largely in reaction from customers requesting food trucks, live music, and extended hours. Regarding the food trucks, he would only like to have them on site for a special occasion, not as a common occurrence. On the topic of live music, he mentioned that North 20 would prefer an indoor option on occasion as opposed to an outdoor setting. Mr. Schmitz noted that the music, if permitted, would be quieter, not so loud that you would not be able to have a conversation with someone across the table from you. He mentioned the goal of the brewery has always been to build community and bring people together. His largest request would be to allow the brewery to open earlier, closer to 3pm, to allow customers to come in during the day especially on vacations or special events. He noted that he would not like to have the establishment open very late, as it would often not make sense economically and so as not to disturb the peace.

Chair Kenninger requested clarity on what constitutes as outdoor music, if the garage doors to the brewery were open in the warmer weather months.

Planner Hogan noted if the doors were open then it would constitute as outdoor music, even if the music itself was situated indoors.

Chair Kenninger also asked if the owner had any concerns of the music being heard fifty (50) feet from the property.

Mr. Schmitz noted that he hoped it would not impact neighbors at the fifty (50) foot mark.

Chair Kenninger asked Mr. Schmitz where the placement of the food trucks would be.

Mr. Schmitz noted they would be by the patio, parked in existing parking spaces. He also noted that North 20 is working on building an overflow parking lot to accommodate for the amount of cars parking on Bacardi Avenue.

Chair Kenninger confirmed that the overflow parking area would compensate for the parking spaces that the food trucks would occupy during a special event.

Commissioner Whitman shared his concern for the noise requirement of fifty (50) from the building.

Mr. Schmitz noted again that the music being played would not be onerous. Instead, likely it would be a artist with an acoustic guitar, or something of the like.

Commissioner Whitman clarified that the live music would not be like a concert or anything abrasive and that Mr. Schmitz would be comfortable with having a special event permit limited to four (4) times a year for food trucks rather than having one every weekend.

Commissioner Whitman asked if the Mr. Schmitz had heard any noise complaints from the neighbors surrounding the brewery.

Mr. Schmitz said that he had not.

Jeff Wilczek 12800 Bacardi Avenue West, Rosemount, MN

Mr. Wilczek questioned the sudden change in decision to allow for food trucks and live music. He shared his concern for excessive traffic, parking, and noise in the area and surrounding neighborhood. He noted that even with the excess parking lot, visitors of the brewery were still parking on both sides of Bacardi. He noted that music with a single musician would be nice, but the places I have known for this to happen has been in commercial area not a residential

one. Mr. Wilczek noted that while he is a patron of North 20, the request the applicant has brought forth is too much. In specific he mentioned that this change will disrupt the wildlife quiet atmosphere of the area.

Debbie Rupee 12050 Bacardi Avenue, Rosemount, MN

Mrs. Rupee shared her concern for the amendment to the CUP stating, the business has already broken a few of the conditions of approval for the initial development of the project. She stated since the business opened, there has been an increase in foot traffic, trucks, bikes, and motorcycles and that the road has become more of a hazard every day. She noted that by extending the hours of operation, increases the risk of danger for residents in the area. Mrs. Rupee shared her frustration with the failure of the city to complete a speed study in the area. She also noted that her well water has been impacted by the business. She said that dust has become an issue on her property because of the increase in traffic. She then listed the conditions for issuance of a CUP.

Fred Rupee 12050 Bacardi Avenue, Rosemount, MN

Mr. Rupee noted that his neighborhood is a great place to live, but he is concerned with the amount of noise they hear from the brewery as it effects their lives daily. He mentioned that he bought this property to enjoy it and not to listen to the noise coming from the brewery and the increase in traffic in the area. He recommends that the Planning Commission recommends a landscaping sound buffer put in at the very least. He noted that he came to the original meeting for the construction of North 20 and he mentioned the same issues he is now regarding noise and traffic, but nothing has been done. He is frustrated and feels like he has not been heard. Mr. Rupee concluded by stating that he is glad the business is doing well, he but feels like more can be done to protect and preserve the neighborhood surrounding the use.

Mara Schotttenbauer 12483 Bacardi Avenue West

Mrs. Schotttenbauer noted that her home is elevated slightly above the property that North 20 is situated on. She stated that while her family is not greatly impacted by the noise, she is concerned with the parking and increase in traffic along Bacardi Avenue. She acknowledged the effort that the owners have taken to add an additional parking area to mitigate parking on the street, but she does still have concerns for safety especially for her kids. She noted that while it is not the job of the owners of North 20 to keep residents safe, it is their job to control the impact their business has on the neighborhood. She would like to see further action taken by the City to keep the neighborhood safe including a speed study, additional signage, overflow parking areas, landscaping to prevent glare, and keeping the hours as what was set originally.

Joe Casella 4962 Sycamore Eagan, MN

Mr. Casella lives in Eagan, but his backyard abuts Bacardi Avenue. He shared his frustration with the speed at which this project has moved. He noted that the city should slow down the development of this use (North 20) until it has been around for a while longer and then make a determination later; there is no need to jump to any conclusions. He asked if parking along Bacardi Avenue is legal. He stated the issue is about safety. Mr. Casella said he was completely against the increase in hours and is concerned about the traffic and patrons of the brewery who leave inebriated. He noted that he has had cars parked in the yard and will continue to call the police as needed.

Richard Gertrick 12420 Bacardi Avenue

Mr. Gertrick noted that he has lived 54 years. He gave a brief history of Bacardi Avenue stating that it was not a road when he moved in; his driveway was a half mile long but did not mind it. He shared that he was surprised when this issue came up and noted that before this issue, he was not familiar with his neighbors. He shared is concern for the property values in the neighborhood especially in an agricultural area. He noted his general concern for the use in a low density residential and agricultural area. He shared his frustration with the amount of notice he was given. He also asked how deep the well is on site. He noted that the issue is a tough problem. He does not want to hurt the folks who are trying to make a living but mentioned that there should be some kind of agreement. He also asked if the property is a commercially zoned property?

Mike McMenomy 12380 Bonaire Path

Mr. McMenomy used to live here and has recently sold the property. He noted the Wildlife Preserve and its impact on the community. He mentioned that the owner of the Preserve is not in attendance today because it is too overwhelming of an issue for her. He noted that Schmitz's are wonderful people and are running a wonderful business, even though it did not belong there to begin with. He noted that while the Schmitz's are responsible people and business owners, his concern is that down the road, they will sell their property/business to individuals who are not responsible.

MOTION by Kenninger to close the public hearing.

Second by Reed.

Ayes: 7. Nays: 0. Motion Passes.

The public hearing closed at 8:21 pm.

Additional Comments:

Chair Kenninger addressed the issue of parking on Bacardi stating that while the street does allow for parking in the right of way, as part of the Conditional Use Permit the brewery is not allowed to have patrons park on Bacardi. Planner Hogan confirmed and pointed to condition 9 in the approved CUP for the use in 2020.

Chair Kenninger also noted condition 10 which states that the City may sign Bacardi Avenue for no parking, if necessary. Chair Kenninger inquired to that the next steps were to be to address the issue of parking brought up by residents.

Planner Hogan differed to the CD Director.

CD Director Kienberger noted that the Planning Department would typically refer to the Police Department as they are the ones who would actively monitor and document any types of calls or issues that would occur in the neighborhood. Any recommendation would be made internally by staff to move ahead with a change that could be implemented through their conditional use permit.

Commissioner Reed asked is this type of decision is actionable now and what would trigger that.

CD Director Kienberger noted that all the above would trigger a decision including the public comments received before and during the hearing.

Chair Kenninger mentioned that the course of action for the residents would be to call the police to monitor the parking on Bacardi, have the police observe it and report back to city staff. And asked the CD Director to confirm that this would be the best course of action for residents.

CD Director Kienberger confirmed and noted that all comments written and through the testimony here this evening all weight into the decisions made by staff.

Commissioner Whitman weighed in stating that the Planning Commission should assess the whole CUP and the findings brought forward to decide whether this should be approved or not, parking being a part of the CUP.

Chair Kenninger clarified for the public that Bacardi Avenue does allow for parking in the right of way, but as part of the Conditional Use Permit, the brewery is not allowed to have patrons park on the street. Further stating that if there are concerns, residents should contact the police department.

Senior Planner Nemcek also added that the police department is probably not aware of specific conditions of every properties CUP. Additionally, staff would like to see the overflow parking constructed and if that alleviates the parking on the street, that would be sufficient. Further stating that eliminating parking Bacardi and adding signage would not be in everyone's benefit as it would become a bigger enforcement issue.

Chair Kenninger brought up the zoning of the property, whether it was zoned agricultural or commercial.

Planner Hogan noted that the property is zoned Agricultural, and that microbreweries are permitted in the Agricultural zoning district.

Chair Kenninger addressed the question regarding landscaping on site and asked Planner Hogan to speak to the landscaping requirements initially adopted.

Planner Hogan noted that six (6) feet is the planting requirement for coniferous trees and normally City staff will look at the landscaping a year after the planting of landscaping to ensure the plantings have survived a full winter and growing season. She mentioned that since the site has not been open for a year yet, staff has not identified that. However, upon the one-year inspection, the city will work with the applicant to make sure they are in compliance with the landscaping requirements.

Chair Kenninger clarified the landscaping requirements set by the council upon the approval last year.

Planner Hogan noted that the review would take place in late summer.

Chair Kenninger addressed the concerns by residents for a traffic and or speed study.

Senior Planner Nemcek mentioned that prior to the approval of North 20 last year, the City received a traffic study. This was done to understand the number of trips anticipated with the use and if there would be sufficient capacity on Bacardi, which was found that there would be. Regarding a speed analysis, that is not usually done, but a follow-up would need to be taken with the City Engineering staff.

CD Director Kienberger provided clarification on the difference between the traffic study and speed analysis.

Chair Kenninger asked is a recommendation to lower the speed limit on Bacardi would be a part of a speed analysis taken by the City staff.

CD Director Kienberger noted that it could be included in the recommendation from City staff.

Chair Kenninger addressed the question about the depth of the well on site.

Senior Planner Nemcek noted that the well is permitted by Dakota County and is visited on an annual basis.

Chair Kenninger remembered questions on the well from the initial review of the site.

Senior Planner Nemcek noted that it does get pumped, but not in the fashion of a typical residential septic system.

Chair Kenninger addressed the topic of dust and asked if there have been any discussions on what can be done.

Senior Planner Nemcek noted that he was unsure what the public works department does for the treatment of gravel roads.

Commissioner Reed noted that for traffic concerns among other reasons, he does not believe the City is in the right place to approve the amendment to the CUP and that he will not vote to recommend the amendment to the CUP.

Commissioner Rivera shared that while North 20 is a good neighbor and a good business, she recommends the business go on a little longer before the Planning Commission approve of the amendment to the CUP.

Chair Kenninger addressed the public notice notification and process.

Planner Hogan noted the process for public notices and the amount of notice that is given for residents in the surrounding area.

Chair Kenninger noted the comment on polluted well water.

CD Director Kienberger noted that there will be contact with the Public Works department on the issue.

Chair Kenninger addressed the process for notification of complaints by residents.

CD Director Kienberger noted that any complaints should be shared with the Police Department.

Commissioner Hebert noted that there might be a misunderstanding of the applicant's intent and that the largest priority is to have flexibility over hours of operation. While a lot of the complaints were around the noise, there was not a lot of opposition to allow the business to open earlier.

Chair Kenninger asked about adjustments to the wording of conditions to the CUP.

Senior Planner Nemcek restated the request.

CD Director Kienberger noted that the Planning Commission can change or alter any recommendations within the CUP.

Chair Kenninger noted that one of her largest concerns is that this CUP will exist on the site in perpetuity.

CD Director Kenninger noted the enforcement of the conditions in the CUP.

Commissioner Whitman shared a question about the capacity of seating on site.

Dave Schmitz, the Owner of North 20 Brewing, stated that the interior has 89 seats and 100 outdoors.

Commissioner Whitman noted that he has trouble with some of the findings and for that reason will not approve of the amendments to the CUP.

Commissioner Powell noted that there has not been verification that the original conditions have not been met.

Senior Planner Nemcek clarified his mention of the septic tank.

Dave Schmitz shared the type septic he has on site.

Commissioner Powell reinstated that they cannot verify the other conditions have not met fully. He finds the amendment to the CUP premature, and for that reason he will not move to approve the CUP.

Commissioner Thiagarajan shared that the owners of North 20 Brewing should capitalize on what they have on site including the nature and wildlife component. She also noted that the owner should look to improve landscaping to integrate with nature and educate your guests on parking. She also mentioned that there should be actions taken to lower the speed limit in the area via a speed analysis.

Chair Kenninger noted that she recognizes the comments shared in the meeting. She noted that she is not in favor of all the amendments in the CUP but would not be opposed to the amendment to the hours of operation. A thought she had was to keep this item into the next meeting.

CD Director Kienberger noted the options the Planning Commission can take.

Commissioner Reed mentioned that he did not see approving any of the amendment items other than an earlier hours of operation timeframe.

Chair Kenninger echoed Commissioner Reeds comment.

Commissioner Hebert seconded the earlier hours of operation amendment.

Commissioner Thiagarajan seconded the earlier hours of operation amendment.

Commissioner Whitman shared that there were still too many issues to resolve and suggested that the item should be brought back for further review.

Commissioner Rivera seconded Commissioner Whitman's comment.

Commissioner Powell seconded Commissioner Whitman and Commissioner Reed's comment further suggesting more time should be put in to review the item.

MOTION by Kenninger to recommend the City Council approve an amendment to the existing conditional use permit for North 20 Brewing located at 12266 Bacardi Avenue to extend the hours of operation subject to condition one in which the hours would be limited to 11 AM to 9 PM Monday through Thursday, 11 AM to 10 PM Friday and Saturday, and 11 AM to 9 PM on Sunday.

Second by Hebert.

Roll Call: Powell – No, Whitman – No, Rivera – No, Chair Kenninger – Yes, Commissioner Reed – No, Commissioner Hebert – Yes, Commissioner Thiagarajan – Yes.

The motion fails 3 to 4.

MOTION by Reed to deny an amendment to the existing conditional use permit for North 20 Brewing located at 12266 Bacardi Avenue to extend the hours of operation, outdoor live music, and food trucks on site subject to the terms and conditions listed

Second by Powell.

Ayes: 7. Nays: 0. Motion Passes.



From: schmitdl@frontiernet.net <schmitdl@frontiernet.net>

Sent: Monday, March 6, 2023 3:55 PM

To: Logan Martin <Logan.Martin@rosemountmn.gov>

Subject: North 20 Amendments to CUP

Good Afternoon Logan,

We would like to formally request two amendments to the terms of our conditional use permit.

1) We would like to be able to update our hours to the following:

Monday 11:00am-10:00pm

Tuesday 11:00am-10:00pm

Wednesday 11:00am-10:00pm

Thursday 11:00am-10:00pm

Friday 11:00am-11:00pm

Saturday 11:00am-11:00pm

Sunday 11:00am-10:00pm

We will likely have shorter hours than this the majority of the year but would like the ability to extend our hours if it seems beneficial to do so.

2) We would like the ability to host live music at the brewery.

We appreciate your consideration of these updates.

Please let me know if you have any questions or require any additional information.

Thank you,

Christian Schmitz
North 20 Brewing Co
651-815-2541

From: schmitdl@frontiernet.net <schmitdl@frontiernet.net>
Sent: Friday, March 31, 2023 2:28 PM
To: Anthony Nemcek <Anthony.Nemcek@rosemountmn.gov>
Subject: North 20 CUP Amendment

Anthony,

We would like to have our conditional use permit amended to expand the hours we are able to be open to the public. We feel it would be beneficial to be able to expand hours depending on the seasons to take advantage of the weather and when people have time off during the year.

We would also like the ability to host live music as we have had a large number of patrons asking for this and we feel it would be beneficial to the community to have this additional option for entertainment.

We appreciate your consideration of these amendments.

Thanks

Dave Schmitz

**CITY OF ROSEMOUNT
DAKOTA COUNTY, MINNESOTA**

RESOLUTION 2020-75

**A RESOLUTION APPROVING A CONDITIONAL USE PERMIT (CUP)
FOR DAVID SCHMITZ TO ESTABLISH A MICROBREWERY AND ANCILLARY
TAPROOM ON LOT 1, BLOCK 1 OF THE NORTH 20 BREWERY ADDITION.**

WHEREAS, the Community Development Department of the City of Rosemount received an application from David Schmitz, 12296 Bacardi Avenue requesting a Conditional Use Permit (CUP) to establish a microbrewery and ancillary taproom on Lot 1, Block 1 of the North 20 Brewery addition; and

WHEREAS, on May 12, 2020, the Planning Commission of the City of Rosemount reviewed and conducted a public hearing for the conditional use permit application of North 20 Brewery; and

WHEREAS, the Planning Commission adopted a motion to recommend that the City Council approve the conditional use permit application for North 20 Brewery with conditions; and

WHEREAS, on June 2, 2020, the City Council of the City of Rosemount reviewed the Planning Commission recommendations for the conditional use permit.

NOW, THEREFORE, BE IT RESOLVED, the City Council of the City of Rosemount hereby approves the conditional use permit to establish a microbrewery and ancillary taproom on Lot 1, Block 1 of the North 20 Brewery addition, subject to the following conditions:

1. Submission of updated grading, drainage, and erosion control plans and a storm water management plan that reflects the updated site plan submitted for the May 12, 2020 Planning Commission meeting.
2. Installation of septic system designed by a licensed septic designer and meeting all applicable city and county standards.
3. Hours of operation shall be limited to the following: Monday-Thursday ~~11:00 AM to 10:00 PM~~ ~~4:00 PM to 9:00 PM~~; Friday ~~Saturday 11:00 AM to 11:00 PM~~ ~~4:00 PM to 10:00 PM~~; Saturday ~~11:00 AM to 10:00 PM~~; Sunday ~~11:00 AM to 10:00 PM~~ ~~11:00 AM to 9:00 PM~~. On all days, the outdoor patio shall be closed at the same time as the taproom.
4. Secure a liquor license for the taproom and compliance with all City standards for the taproom as regulated by the license.
5. Compliance with all requirements of the Building Official in a memorandum dated April 8, 2020.
6. All driveways and parking areas shall be capable of supporting access by emergency vehicles and equipment.
7. The parking area shall comply with the minimum setback of 50 feet from the Bacardi Avenue right-of-way.
8. The driveway and parking area shall be paved with concrete or bituminous surface at the time the city paves Bacardi Avenue in front of the Microbrewery property at the owner's expense. All parking stalls shall be clearly marked to ensure the maximum capacity of the parking area is available for use at all times.
9. No parking for patrons of the microbrewery is allowed along Bacardi Avenue or within surrounding neighborhoods. Should parking problems occur at the site, the applicant will be required to expand the on-site parking lot.
10. City may sign Bacardi Avenue for no parking if necessary.
11. The applicant shall designate an overflow parking area that may be used during peak visitation periods above and beyond 4-proof of parking stalls depicted on site plan

12. Submission of a lighting plan that includes lighting at the driveway entrance and uses down cast fixtures. All lighting shall comply with the City's lighting requirements.
13. Submission of an updated landscape plan that meets the City's minimum requirements for commercial development (1 tree per 3,000 square feet of area) and that includes the required foundation plantings. Additional plantings may be required along the western edge of the parking lot to provide a fully screen the parking lot from Bacardi Avenue.
14. Compliance with the performance standards outlined for outdoor seating in section 3-1-14 and subsection 11-4-14D of the City Code.
15. Submission of a dust control plan for the driveway and parking area.
16. The taproom operation shall operate in compliance with the City definition of a microbrewery which means no more than 3,500 barrels of malt liquor can be produced in a calendar year and taproom which means that sales are limited to the on-sale of the malt liquor produced by the brewery.
- ~~17. Outdoor live music or on-site food trucks are prohibited.~~

ADOPTED this 2nd day of June, 2020 by the City Council of the City of Rosemount.

William H. Droste, Mayor

ATTEST:

Erin Fasbender, City Clerk

September 2022 Aerial



April 17, 2023

City of Rosemount
Planning Commission
2875 145th Street West
Rosemount, MNH 55068

Benson
1330 121st Street W
Rosemount, MN
55068

RE: Public Hearing for Live Outdoor Music at North 20 Brewing

Planning Commission –

We live on 8 acres at 1330 121st Street West in Rosemount and are long term residences of the city. Our home is approximately 1/2 mile due east of the North 20 Brewing facility. We are writing in response the Public Hearing Notice that was sent to our home. We are not opposed to North 20 Brewing's proposed extended hours of operation. We are opposed to the outdoor live music.

At our home we can hear trains and the closest tracks to our house are approximately one mile away. We can also hear the Friday night football games at Rosemount High School and we can hear the band practicing. The school is approximately three miles away from our house. We are not opposed to those sounds, but reference them as they indicate how sound travels.

North 20 Brewing is much closer than the high school and railroad tracks. It is 1/2 mile away. We and all our neighbors – and neighbors in other directions from North 20 Brewing will hear the outdoor music at their homes. Live outdoor music will be heard at our home and it will lower our quality of life and decrease the value of our home.

We are not able to attend the April 25 Planning Commission meeting, but are willing to have further discussions about our concerns. We can be reached at ianb4000@gmail.com

Thank you for considering our concerns,

A handwritten signature in black ink, appearing to read "Ian Benson". The signature is stylized with a large "I" and a cursive "an".

Kate and Ian Benson

From: [Erin Fasbender](#)
To: [Adam Kienberger](#); [Julia Hogan](#)
Subject: FW: April 25 public hearing for North 20 Brewery amendment
Date: Monday, April 24, 2023 8:04:57 AM
Attachments: [microsoftteams-image_ef2f6c6e-e43a-48ba-9790-ed6c40241373.png](#)

FYI. See below.

Erin Fasbender, MCMC

City Clerk
City of Rosemount
Direct: 651-322-2003
Main: 651-423-4411
rosemountmn.gov



-----Original Message-----

From: Yvonne Casella <yvonne.casella@gmail.com>
Sent: Saturday, April 22, 2023 11:11 AM
To: cityclerk <cityclerk@ci.rosemount.mn.us>
Subject: April 25 public hearing for North 20 Brewery amendment

Please make these comments public to all members involved in the April 25th meeting.

We the neighbors of the surrounding homes & neighborhood (we live off 120th St.)of North 20 Brewery adamantly oppose the proposal and the recommendation by staff to approve the amendment for North 20 Brewer to allow food trucks, live outdoor music and extended hours.

1. This is no surprise that this is the second amendment request in less than a year. Easier to get what you wanted all along to make the request seem small when it was the the original plan all along. Just keep asking for little exceptions on a frequent basis to get the rules bent . These requests if approved will negatively impact the neighbors quality of life with noise and smells from a food truck.

2. Another point about the brewery not being neighborly is when they had to fulfill the green buffer along the street & house across the street they planted 6 evergreen trees that are maybe 9 inches tall. As we know evergreens grow about a foot a year so it will be many many years before they provide a buffer like they promised.

3. Please make public any police reports and or violations that are associated since the opening of the brewery.

Please do not approve the requested amendment.

Yvonne Casella

From: [Erin Fasbender](#)
To: [Julia Hogan](#); [Adam Kienberger](#)
Subject: FW: April 25th public hearing on North 20 hours
Date: Monday, April 24, 2023 11:33:30 AM
Attachments: [image003.png](#)
[image004.png](#)
[microsoftteams-image_ef2f6c6e-e43a-48ba-9790-ed6c40241373.png](#)

See below. Thanks!

Erin Fasbender, MCMC

City Clerk

City of Rosemount
Direct: 651-322-2003
Main: 651-423-4411
rosemountmn.gov



From: Joe Casella <joe.casella@UnivarSolutions.com>
Sent: Monday, April 24, 2023 11:32 AM
To: Erin Fasbender <Erin.Fasbender@rosemountmn.gov>
Subject: April 25th public hearing on North 20 hours

Please be sure this is forwarded on to appropriate staff members .

Thank you

April 22, 2023

Planning commission meeting April 25 – amendments for North 20 brewery

I live at the corner of 120th street and Bacardi and I am against the proposed amendments for North 20 .

1. The hours of operation were agreed upon in July of 2022 when the brewery first opened. These hours were designed to minimize the noise and activity since the brewery is surrounded by residential homes. Nothing has changed since the original hours were implemented in 2022. They are still surrounded by residential homes. What is the specific justification for changing the hours?
2. The brewery is allowing cars to park on the street on Bacardi making it unsafe for pedestrians and causing speeding vehicles to squeeze into a narrower part of the street. This should be easy; it is either legal to park there or not. If it's not legal, then ticket the offenders and contact the brewery owner again and remind him it's the law.
3. Outside entertainment in this area is a violation of city code regarding noise.

Rosemount, MN Code of Ordinances

...Unlawful **Noises** Or Disturbances: No person shall participate in any party or other gathering of people giving rise to **noise** which disturbs the peace, quiet or repose of the occupants of adjoining or other property. This shall not apply to city authorized events. B. Duty To Disperse: When a police officer determines that a gathering is creating such **noise** disturbance, the officer shall order

all persons present, other than the owner or tenant of the premises where the disturbance is occurring, to disburse immediately.

Joe Casella

joefcasella@gmail.com

651 600 8144

Joe Casella

Sales Account Manager II

Univar Solutions

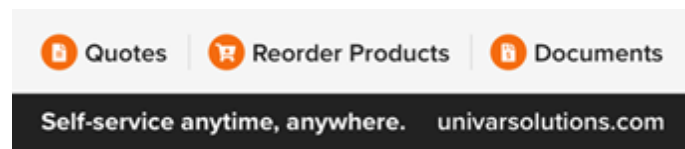
M: 612.804.6610

joe.casella@UnivarSolutions.com

UnivarSolutions.com



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4-21-23

Dear Planning Commission —

Re: Public Hearing April 25, 2023.

We are against any outdoor music at the brewery. This would bring a certain number of rowdy people too drunk to control their actions.

The extension of hours would be acceptable.

This is an agricultural type of area with families. The brewery should never have been approved for this location. We want to keep the speeding down on our streets as well as the noise.

Remember, outdoor music is always loud.

Bob Jenkins
Bob Jenkins + *Judy Jenkins*
Judy Jenkins

2219 - 126th St. W.
Rosemount MN 55068

From: [Adam Kienberger](#)
To: [Julia Hogan](#); [Anthony Nemcek](#)
Cc: [Eric Van Oss](#); [Riley Rooney](#)
Subject: FW: Approve the North 20 Brewery requests
Date: Wednesday, May 3, 2023 9:16:21 AM
Attachments: [microsoftteams-image_ef2f6c6e-e43a-48ba-9790-ed6c40241373.png](#)

FYI

Adam Kienberger
Community Development Director
City of Rosemount
Direct: 651-322-2020
Main: 651-423-4411
rosemountmn.gov



From: Mac Riddel <bigmac@gmail.com>
Sent: Wednesday, April 26, 2023 2:20:36 PM
To: city council members <citycouncil@ci.rosemount.mn.us>
Subject: Approve the North 20 Brewery requests

We have lived in Rosemount for the past 11 years and love going to unique breweries around the state and finally we got not 1, but 2 new breweries in our city in the past year! We couldn't have been happier. Luckier still, North 20 gives our community such a unique experience which provides what so few other breweries can, give patrons a feel that they are in the middle of nowhere with beautiful views of nature while sipping on well made brews. This is the kind of brewery that adds a lot more character to Rosemount because of its unique nature. It's something we should promote and help out as much as we can as other breweries can't match it. Instead, yesterday the Planning Commission gave in to a bunch of grumpy neighbors who think they're in a rural farming community, not one eclipsing 30,000 people and growing rapidly.

These neighbors are not representative of our community as a whole. The Schmitz family couldn't be nicer, having worked hard for years to bring a wonderful family business to our town that caters to the whole family. Sledding in the Winter with free smores & hot chocolate, board games galore & sodas for the kids, and an expansive patio in the summer to enjoy the nature views no other breweries in our state can offer.

Allow them the same options as any other brewery. Let them open earlier and later depending on the day. Allow solo musicians to play music for those enjoying a tasty Milk Stout. If those get-off-my-lawn neighbors claim they hear the murmurings of the chatter on the patio, wouldn't they enjoy hearing some soft music instead? It's not as if N20 is asking to host music festivals in their backyard. And allow them to host food trucks as many days as they want. As the owner Dave stated, they would be in direct competition with their own kitchen so it's going to be rare. And let patrons legally park on the street for those especially busy & beautiful summer days; there's no reason not to allow this when residents can.

Show the 99% of people in town that support these improvements that Rosemount is PRO-business by allowing North 20 to realize their full potential. Doing so will make our city better than ever and bring in dollars from outside our city as well.

While you're at it, please see what can be done about converting that road from dirt into pavement. It's well past time this area of the city was brought into the 21st century.

Thanks all!

Mac Riddel
14085 Dearborn Path, Rosemount, MN 55068
bigmac@gmail.com

To: **CITY OF ROSEMOUNT'S PLANNING COMMISSION**
PUBLIC HEARING AT 6.30 p.m. APRIL 25, 2023

Sorry to be unable to be at the Hearing 4/25 to ask the following questions and make comments. Please be kind and read out loud the following:

Does our old neighbor, now owning the North 20 Brewing and pub, have the right to reduce the quality of life for the neighbors around Bacardi Avenue and to drive away wild creatures from the Wildlife Sanctuary?

If so, that right would be quickly accomplished by "outdoor live music onsite." It not being concert music, pub customers would be talking with raised voices to be heard over the music. Summer's moist air would amplify the noise and be unbearable for neighbors and wildlife.

When Schmitz rented out their house circa 7 years ago, the renters had outdoor live music on weekend parties. It happened that I had outdoor guests and we had to move our party indoors and close all windows. Their music was insufferably loud.

So, please, please, be neighborly and cancel the music plans!
Also, please, let the closing time remain at 10 o'clock p.m.!

Thank you!



Aina Wiklund, 12110 Bacardi Av., Rosemount, MN 55068

City Council Regular Meeting: May 16, 2023

AGENDA ITEM:	Recieve Bids & Award Contract Package No. 2 - Public Works & Police Campus	AGENDA SECTION:	NEW BUSINESS
PREPARED BY:	Logan Martin, City Administrator Nick Egger, Public Works Director Mikael Dahlstrom, Police Chief	AGENDA NO.	9.e.
ATTACHMENTS:	Resolution , Contract Award Letter	APPROVED BY:	LJM
RECOMMENDED ACTION: Motion to Adopt a Resolution Receiving Bids and Awarding Contracts for Bid Package No. 2, Including Alternate Bid Items, on the Public Works & Police Campus Project			

BACKGROUND

After posting an advertisement for bids for the second set of contracts on the Public Works & Police Campus project, the City and its Construction Manager held a bid opening on May 4th. Competition was impressive with over 120 bids across the 22 work scopes, ensuring fair pricing was received.

Bids received via Bid Package No. 2 are within the anticipated project budget and Kraus Anderson is recommending that we accept the bids, including alternates. The items included in Bid Package #2 are listed below.

WS #	BP #2 - Bid Date 5/4/23	Base Estimate (no alternates)	Low Bid (w/ alternates)	Low Bidder Name
1J	Final Cleaning	\$ 73,663	\$ 60,546.00	Wild Cat Cleaning
5C	Misc Metals (Material)	\$ 237,224	\$ 197,000.00	True Steel
5D	Misc Metals (Install)	\$ 240,350	\$ 248,925.00	Patriot Erectors
7F	Metal Panels	\$ 891,319	\$ 1,010,464.00	Division V Sheetmetal
7H	Roofing	\$ 2,616,551	\$ 2,863,600.00	Berwald Roofing
7K	Joint Sealants	\$ 151,558	\$ 172,550.00	Carciofini
8D	OH Doors / Specialty Doors	\$ 427,500	\$ 574,321.00	Miner/Star Equipment
9B	Tile	\$ 432,922	\$ 262,335.00	Grazzini Brothers
9C	Acoustical Ceilings	\$ 422,965	\$ 546,790.00	Sonus
9D	Flooring	\$ 271,510	\$ 242,700.00	MCI
9K	Painting	\$ 527,226	\$ 483,600.00	Reinhardt & Sons
10E	Movable Partition	\$ 26,660	\$ 43,680.00	Acoustics Associates
11B	Fuel Island	\$ 350,000	\$ 396,500.00	Zahl PMC
11D	Cranes & Hoists	\$ 150,000	\$ 280,183.00	Superior Crane
13I	Metal Building (alternate)	\$ -	\$ 423,200.00	Ebert
13J	Salt Building (alternate)	\$ -	\$ 285,991.00	A & B Construction

14A	Light Duty Vehicle Lifts	\$	143,500	\$	77,773.00	Minnesota Petroleum
14B	Heavy Duty Vehicle Lifts	\$	485,000	\$	418,949.00	Minnesota Petroleum
21A	Fire Suppression	\$	624,317	\$	502,925.00	NOVA Fire
32D	Fencing	\$	336,900	\$	439,095.00	Peterson Companies
TOTALS				\$	9,719,473.90	

At the direction of our Construction Manager, 7 work scopes have been selected to be bid via the “best value” method. These scopes were selected due to the expertise and experience needed by the contractor in order to deliver the result that this project demands. Sealed bids were received for these work scopes and have been reviewed, and the 2-3 lowest bidders in each scope have been invited in for an interview with the project team over the next few weeks. The combination of the interview, reference checks, previous experience, and overall price will be considered to determine the selected contractor for these scopes.

After analyzing Bid Package 2 in concert with Bid Package 1, the project is currently under the preliminary estimate. The full status of the project’s budget will be known once the aforementioned Best Value Bidding process is completed, however the project team is confident that the final project will be under budget.

RECOMMENDATION

Motion to Adopt a Resolution Receiving Bids and Awarding Contracts for Bid Package No. 2, Including Alternate Bid Items, on the Public Works & Police Campus Project

**CITY OF ROSEMOUNT
DAKOTA COUNTY, MINNESOTA**

RESOLUTION 2023-XX

**A RESOLUTION RECEIVING BIDS AND AWARDING CONTRACTS
FOR WORK SCOPES UNDER BID PACKAGE NO. 2, INCLUDING ALTERNATE ITEMS,
FOR THE PUBLIC WORKS & POLICE CAMPUS PROJECT, CITY PROJECT 2023-08**

BE IT RESOLVED, by the City Council of the City of Rosemount, Minnesota, as follows:

1. All bids for construction of work scopes covered under Bid Package No. 2 for the Public Works & Police Campus Project, City Project 2023-08, are hereby received and tabulated.
2. The bid of Wild Cat Cleaning Services, LLC of Hudson, WI in the amount of \$63,759.90 for the Construction Final Cleaning elements of the Public Works & Police Campus Project, in accordance with the plans, specifications, and advertisement for bids, is the lowest responsible bid and is hereby accepted.
3. The bid of Tru Steel, LLC of Bethel, MN in the amount of \$197,000 for the Miscellaneous Metals – Material Only element of the Public Works & Police Campus Project, in accordance with the plans, specifications, and advertisement for bids, is the lowest responsible bid and is hereby accepted.
4. The bid of Patriot Erectors, Inc of Loretto, MN in the amount of \$248,925 for the Miscellaneous Metals – Installation elements of the Public Works & Police Campus Project, in accordance with the plans, specifications, and advertisement for bids, is the lowest responsible bid and is hereby accepted.
5. The bid of Division V Sheet Metal Inc. of St. Paul, MN in the amount of \$1,099,827 for the Metal Panels elements of the Public Works & Police Campus Project, in accordance with the plans, specifications, and advertisement for bids, is the lowest responsible bid and is hereby accepted.
6. The bid of Berwald Roofing Company, Inc. of North St. Paul, MN in the amount of \$2,863,600 for the Roofing elements of the Public Works & Police Campus Project, in accordance with the plans, specifications, and advertisement for bids, is the lowest responsible bid and is hereby accepted.
7. The bid of Carciofini Company of Burnsville, MN in the amount of \$176,950 for the Joint Sealant element of the Public Works & Police Campus Project, in accordance with the plans, specifications, and advertisement for bids, is the lowest responsible bid and is hereby accepted.
8. The bid of Miner LTD, DBA Star Equipment of Lino Lakes, MN in the amount of \$574,321 for the Specialty Door elements of the Public Works & Police Campus Project, in accordance with the plans, specifications, and advertisement for bids, is the lowest responsible bid and is hereby accepted.

9. The bid of Grazzini Brothers & Company of Eagan, MN in the amount of \$359,585 for the Tile elements of the Public Works & Police Campus Project, in accordance with the plans, specifications, and advertisement for bids, is the lowest responsible bid and is hereby accepted.
10. The bid of Sonus Interiors, Inc of Golden Valley, MN in the amount of \$546,790 for the Ceiling and Acoustical Treatment elements of the Public Works & Police Campus Project, in accordance with the plans, specifications, and advertisement for bids, is the lowest responsible bid and is hereby accepted.
11. The bid of MCI, Inc. DBA Multiple Concepts Interiors of Waite Park, MN in the amount of \$242,700 for the Flooring elements of the Public Works & Police Campus Project, in accordance with the plans, specifications, and advertisement for bids, is the lowest responsible bid and is hereby accepted.
12. The bid of Reinhardt & Sons Painting, Inc.in the amount of \$484,975 for the Wall Covering and Painting elements of the Public Works & Police Campus Project, in accordance with the plans, specifications, and advertisement for bids, is the lowest responsible bid and is hereby accepted.
13. The bid of Acoustics Associates, Inc of Brooklyn Park, MN in the amount of \$43,680 for the Movable Partitions elements of the Public Works & Police Campus Project, in accordance with the plans, specifications, and advertisement for bids, is the lowest responsible bid and is hereby accepted.
14. The bid of Zahl-Petroleum Maintenance Co. of Minneapolis, MN in the amount of \$396,500 for the Canopy, Fueling, and Tank Systems elements of the Public Works & Police Campus Project, in accordance with the plans, specifications, and advertisement for bids, is the lowest responsible bid and is hereby accepted.
15. The bid of Superior Crane Corporation of Waukesha, WI in the amount of \$280,183 for the Cranes & Hoists elements of the Public Works & Police Campus Project, in accordance with the plans, specifications, and advertisement for bids, is the lowest responsible bid and is hereby accepted.
16. The bid of Ebert, Inc. DBA Ebert Construction of Loretto, MN in the amount of \$423,300 for the Metal Building System elements of the Public Works & Police Campus Project, in accordance with the plans, specifications, and advertisement for bids, is the lowest responsible bid and is hereby accepted.
17. The bid of A&B Construction, LTD of Harper, IA in the amount of \$285,991 for the Salt Building elements of the Public Works & Police Campus Project, in accordance with the plans, specifications, and advertisement for bids, is the lowest responsible bid and is hereby accepted.
18. The bid of Minnesota Petroleum Service, Inc of Columbia Heights, MN in the amount of \$77,773 for the Light Duty Vehicle Lifts elements of the Public Works & Police Campus Project, in accordance with the plans, specifications, and advertisement for bids, is the lowest responsible bid and is hereby accepted.

19. The bid of Minnesota Petroleum Service, Inc of Columbia Heights, MN in the amount of \$418,949 for the Heavy Duty Vehicle Lifts elements of the Public Works & Police Campus Project, in accordance with the plans, specifications, and advertisement for bids, is the lowest responsible bid and is hereby accepted.
20. The bid of NOVA Fire Protection, Inc. of Fargo, ND in the amount of \$502,925 for the Fire Suppression elements of the Public Works & Police Campus Project, in accordance with the plans, specifications, and advertisement for bids, is the lowest responsible bid and is hereby accepted.
21. The bid of Peterson Companies, Inc. of Chisago City, MN in the amount of \$431,740 for the Fence elements of the Public Works & Police Campus Project, in accordance with the plans, specifications, and advertisement for bids, is the lowest responsible bid and is hereby accepted.
22. The Administrator and Clerk are hereby authorized and directed to affix their signatures on all contracts approved herein on behalf of the City of Rosemount.
23. The City Clerk is hereby authorized and directed to return forthwith to all bidders the deposits made with their bids, except that the deposit of the successful bidder and the next two lowest bidders shall be retained until a contract has been executed.

ADOPTED this 16th day of May, 2023.

Jeffery D. Weisensel, Mayor

ATTEST:

Erin Fasbender, City Clerk



May 11, 2023

Mr. Logan Martin
City of Rosemount
2875 145th Street West
Rosemount, MN 55068

**RE: Rosemount Police & Public Works Campus – Bid Package #2
Contract Award Recommendation**

Dear Mr. Martin:

This letter is concerning the contract awards for the Rosemount Police & Public Works Campus – Bid Package #2. Bids were received on May 4, 2023 and are summarized on the attached bid tabulation sheets. Listed below is the lowest responsible bidder and their base bid amount for purposes of contract award.

Work Scope	Contractor, City, State	Bid Amount
WS 01-J	Construction Final Cleaning	Wild Cat Cleaning Services, LLC Hudson, WI
		Base Bid \$60,546.00 Alternate No. 1: \$1,285.56 Alternate No. 2: \$1,928.34 Alternate No. 3: \$0.00 Alternate No. 4: \$0.00 Alternate No. 5: \$0.00 Alternate No. 6: \$0.00 Alternate No. 7: \$0.00 Alternate No. 8: \$0.00 Total Contract Amount: \$63,759.90
WS 05-C	Miscellaneous Metals – Material Only – Tax Exempt	Tru Steel, LLC Bethel, MN
		Base Bid \$197,000.00 Alternate No. 1: \$0.00 Alternate No. 2: \$0.00 Alternate No. 3: \$0.00 Alternate No. 4: \$0.00 Alternate No. 5: \$0.00 Alternate No. 6: \$0.00 Alternate No. 7: \$0.00 Alternate No. 8: \$0.00 Total Contract Amount: \$197,000.00
WS 05-D	Miscellaneous Metals – Installation	Patriot Erectors, Inc. Loretto, MN
		Base Bid \$248,925.00 Alternate No. 1: \$0.00 Alternate No. 2: \$0.00 Alternate No. 3: \$0.00 Alternate No. 4: \$0.00 Alternate No. 5: \$0.00 Alternate No. 6: \$0.00 Alternate No. 7: \$0.00 Alternate No. 8: \$0.00 Total Contract Amount: \$248,925.00

WS 07-F	Metal Panels	Division V Sheet Metal, Inc. St. Paul, MN	Base Bid Alternate No. 1: Alternate No. 2: Alternate No. 3: Alternate No. 4: Alternate No. 5: Alternate No. 6: Alternate No. 7: Alternate No. 8: Total Contract Amount:	\$1,010,464.00 \$0.00 \$0.00 \$0.00 \$0.00 \$89,363.00 \$0.00 \$0.00 \$0.00 \$1,099,827.00
WS 07-H	Roofing	Berwald Roofing Company, Inc. North St. Paul, MN	Base Bid Alternate No. 1: Alternate No. 2: Alternate No. 3: Alternate No. 4: Alternate No. 5: Alternate No. 6: Alternate No. 7: Alternate No. 8: Total Contract Amount:	\$2,863,600.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$2,863,600.00
WS 07-K	Joint Sealant	Carciofini Company Burnsville, MN	Base Bid Alternate No. 1: Alternate No. 2: Alternate No. 3: Alternate No. 4: Alternate No. 5: Alternate No. 6: Alternate No. 7: Alternate No. 8: Total Contract Amount:	\$172,550.00 \$0.00 \$4,400.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$176,950.00
WS 08-D	Specialty Door	Miner LTD, DBA Star Equipment Lino Lakes, MN	Base Bid Alternate No. 1: Alternate No. 2: Alternate No. 3: Alternate No. 4: Alternate No. 5: Alternate No. 6: Alternate No. 7: Alternate No. 8: Total Contract Amount:	\$574,321.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$574,321.00
WS 09-B	Tile	Grazzini Brothers & Company Eagan, MN	Base Bid Alternate No. 1: Alternate No. 2: Alternate No. 3: Alternate No. 4: Alternate No. 5: Alternate No. 6: Alternate No. 7: Alternate No. 8: Total Contract Amount:	\$262,335.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$97,250.00 \$359,585.00

WS 09-C	Ceiling and Acoustical Treatment	Sonus Interiors, Inc. Golden Valley, MN	Base Bid Alternate No. 1: Alternate No. 2: Alternate No. 3: Alternate No. 4: Alternate No. 5: Alternate No. 6: Alternate No. 7: Alternate No. 8: Total Contract Amount:	\$546,790.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$546,790.00
WS 09-D	Flooring	MCI, Inc. dba Multiple Concepts Interiors Waite Park, MN	Base Bid Alternate No. 1: Alternate No. 2: Alternate No. 3: Alternate No. 4: Alternate No. 5: Alternate No. 6: Alternate No. 7: Alternate No. 8: Total Contract Amount:	\$242,700.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$242,700.00
WS 09-K	Wall Covering and Painting	Reinhardt & Sons Painting, Inc. Minneapolis, MN	Base Bid Alternate No. 1: Alternate No. 2: Alternate No. 3: Alternate No. 4: Alternate No. 5: Alternate No. 6: Alternate No. 7: Alternate No. 8: Total Contract Amount:	\$483,600.00 \$0.00 \$1,375.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$484,975.00
WS 10-E	Movable Partitions	Acoustics Associates, Inc. Brooklyn Park, MN	Base Bid Alternate No. 1: Alternate No. 2: Alternate No. 3: Alternate No. 4: Alternate No. 5: Alternate No. 6: Alternate No. 7: Alternate No. 8: Total Contract Amount:	\$43,680.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$43,680.00
WS 11-B	Canopy, Fueling, and Tank Systems	Zahl-Petroleum Maintenance Co. Minneapolis, MN	Base Bid Alternate No. 1: Alternate No. 2: Alternate No. 3: Alternate No. 4: Alternate No. 5: Alternate No. 6: Alternate No. 7: Alternate No. 8: Total Contract Amount:	\$396,500.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$396,500.00

WS 11-D	Cranes & Hoists	Superior Crane Corporation Waukesha, WI	Base Bid Alternate No. 1: Alternate No. 2: Alternate No. 3: Alternate No. 4: Alternate No. 5: Alternate No. 6: Alternate No. 7: Alternate No. 8: Total Contract Amount:	\$280,183.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$280,183.00
WS 13-I	Metal Building System	Ebert, Inc. dba Ebert Construction Loretto, MN	Base Bid Alternate No. 1: Alternate No. 2: Alternate No. 3: Alternate No. 4: Alternate No. 5: Alternate No. 6: Alternate No. 7: Alternate No. 8: Total Contract Amount:	\$0.00 \$0.00 \$423,300.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$423,300.00
WS 13-J	Salt Building	A & B Construction, LTD Harper, IA	Base Bid Alternate No. 1: Alternate No. 2: Alternate No. 3: Alternate No. 4: Alternate No. 5: Alternate No. 6: Alternate No. 7: Alternate No. 8: Total Contract Amount:	\$0.00 \$285,991.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$285,991.00
WS 14-A	Light Duty Vehicle Lifts	Minnesota Petroleum Service, Inc. Columbia Heights, MN	Base Bid Alternate No. 1: Alternate No. 2: Alternate No. 3: Alternate No. 4: Alternate No. 5: Alternate No. 6: Alternate No. 7: Alternate No. 8: Total Contract Amount:	\$77,773.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$77,773.00
WS 14-B	Heavy Duty Vehicle Lifts	Minnesota Petroleum Service, Inc. Columbia Heights, MN	Base Bid Alternate No. 1: Alternate No. 2: Alternate No. 3: Alternate No. 4: Alternate No. 5: Alternate No. 6: Alternate No. 7: Alternate No. 8: Total Contract Amount:	\$418,949.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$418,949.00

WS 21-A	Fire Suppression	NOVA Fire Protection, Inc. Fargo, ND	Base Bid	\$502,925.00
			Alternate No. 1:	\$0.00
			Alternate No. 2:	\$0.00
			Alternate No. 3:	\$0.00
			Alternate No. 4:	\$0.00
			Alternate No. 5:	\$0.00
			Alternate No. 6:	\$0.00
			Alternate No. 7:	\$0.00
			Alternate No. 8:	\$0.00
			Total Contract Amount:	\$502,925.00
WS 32-D	Fence	Peterson Companies, Inc. Chisago City, MN	Base Bid	\$439,095.00
			Alternate No. 1:	\$0.00
			Alternate No. 2:	\$0.00
			Alternate No. 3:	\$0.00
			Alternate No. 4:	\$0.00
			Alternate No. 5:	(\$7,355.00)
			Alternate No. 6:	\$0.00
			Alternate No. 7:	\$0.00
			Alternate No. 8:	\$0.00
			Total Contract Amount:	\$431,740.00

The total amount of the base bids and alternates is **\$9,719,473.90** which is within a reasonable variance from our cost estimates.

If you have any questions regarding this information, please do not hesitate to contact me at 612-859-1697.

Very truly yours,

KRAUS-ANDERSON® CONSTRUCTION COMPANY



Ken Francois
Project Manager



ROSEMOUNT POLICE AND PUBLIC WORKS CAMPUS - BP #2

BID TABULATIONS

May 4, 2023 at 2:00 PM

OWNER: City of Rosemount

ARCHITECT: BKV Group

Work Scope 01-J: Construction Final Cleaning

	BIDDER	BIDDER	BIDDER	BIDDER	BIDDER	BIDDER
	Wild Cat Cleaning Services, LLC	Midwest Specialty Maintenance, Inc.	Prime Construction Solutions			
BID SECURITY	Bid Bond	Bid Bond	Bid Bond			
ADDENDA REC'D.	1,2,3,4	1,2,3,4	4			
BASE BID	\$60,546.00	\$87,842.00	\$90,000.00			
Alternate No. 1: Salt Storage Building	\$1,285.56	\$733.00	\$1,000.00			
Alternate No. 2: Cold Storage Building	\$1,928.34	\$733.00	\$2,000.00			
Alternate No. 3: Granular Material Storage Bins and Enclosure	\$0.00	\$0.00	\$0.00			
Alternate No. 4: Underground Storm Retention System	\$0.00	\$0.00	\$0.00			
Alternate No. 5: Architectural Precast Screen Wall	\$0.00	\$0.00	\$0.00			
Alternate No. 6: Snowmelt System	\$0.00	\$0.00	\$0.00			
Alternate No. 7: Retractable Electrical Cord Reels at Garage 1096	\$0.00	\$0.00	\$0.00			
Alternate No. 8: Police Corridor Wall Wainscot	\$0.00	\$0.00	\$0.00			



KRAUS-ANDERSON®
Construction Company

ROSEMOUNT POLICE AND PUBLIC WORKS CAMPUS - BP #2

BID TABULATIONS

May 4, 2023 at 2:00 PM

OWNER: City of Rosemount

ARCHITECT: BKV Group

Work Scope 05-C: Miscellaneous Metals - Material Only - Tax Exempt

	BIDDER	BIDDER	BIDDER	BIDDER	BIDDER	BIDDER
	Tru Steel, LLC	Construction Systems, Inc.	Bens Structural Fabrication, Inc.			
BID SECURITY	Bid Bond	Bid Bond	Bid Bond			
ADDENDA REC'D.	1,2,3,4	1,2,3,4	1,2,3,4			
BASE BID	\$197,000.00	\$262,779.00	\$1,045,130.00			
Alternate No. 1: Salt Storage Building	\$0.00	\$0.00	\$0.00			
Alternate No. 2: Cold Storage Building	\$0.00	\$0.00	\$0.00			
Alternate No. 3: Granular Material Storage Bins and Enclosure	\$0.00	\$0.00	\$0.00			
Alternate No. 4: Underground Storm Retention System	\$0.00	\$0.00	\$0.00			
Alternate No. 5: Architectural Precast Screen Wall	\$0.00	\$0.00	\$0.00			
Alternate No. 6: Snowmelt System	\$0.00	\$0.00	\$0.00			
Alternate No. 7: Retractable Electrical Cord Reels at Garage 1096	\$0.00	\$0.00	\$0.00			
Alternate No. 8: Police Corridor Wall Wainscot	\$0.00	\$0.00	\$0.00			



ROSEMOUNT POLICE AND PUBLIC WORKS CAMPUS - BP #2

BID TABULATIONS

May 4, 2023 at 2:00 PM

OWNER: City of Rosemount

ARCHITECT: BKV Group

Work Scope 05-D: Miscellaneous Metals - Installation

	BIDDER	BIDDER	BIDDER	BIDDER	BIDDER	BIDDER
	Patriot Erectors, Inc.	South Central Erectors, Inc.				
BID SECURITY	Bid Bond	Bid Bond				
ADDENDA REC'D.	1,2,3,4	1,2,3,4				
BASE BID	\$248,925.00	\$299,500.00				
Alternate No. 1: Salt Storage Building	\$0.00	\$0.00				
Alternate No. 2: Cold Storage Building	\$0.00	\$0.00				
Alternate No. 3: Granular Material Storage Bins and Enclosure	\$0.00	\$0.00				
Alternate No. 4: Underground Storm Retention System	\$0.00	\$0.00				
Alternate No. 5: Architectural Precast Screen Wall	\$0.00	\$0.00				
Alternate No. 6: Snowmelt System	\$0.00	\$0.00				
Alternate No. 7: Retractable Electrical Cord Reels at Garage 1096	\$0.00	\$0.00				
Alternate No. 8: Police Corridor Wall Wainscot	\$0.00	\$0.00				



ROSEMOUNT POLICE AND PUBLIC WORKS CAMPUS - BP #2

BID TABULATIONS

May 4, 2023 at 2:00 PM

OWNER: City of Rosemount

ARCHITECT: BKV Group

Work Scope 07-F: Metal Panels

	BIDDER	BIDDER	BIDDER	BIDDER	BIDDER	BIDDER
	Division V Sheet Metal, Inc.	Minnkota Architectural Products Co.	Nordstrom Architectural Sheet Metal	Atomic Architectural Sheet Metal, Inc.	Berwald Roofing Company, Inc.	APS, Inc.
BID SECURITY	Bid Bond	Bid Bond	Bid Bond	Bid Bond	Bid Bond	Cashiers Check
ADDENDA REC'D.	1,2,3,4	1,2,3,4	1,2,3,4	1,2,3,4	1,2,3,4	1,2,3,4
BASE BID	\$1,010,464.00	\$1,035,207.00	\$1,073,300.00	\$1,098,000.00	\$1,110,470.00	\$1,298,000.00
Alternate No. 1: Salt Storage Building	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Alternate No. 2: Cold Storage Building	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Alternate No. 3: Granular Material Storage Bins and Enclosure	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Alternate No. 4: Underground Storm Retention System	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Alternate No. 5: Architectural Precast Screen Wall	\$89,363.00	\$87,687.00	\$59,500.00	\$64,000.00	\$55,000.00	\$119,000.00
Alternate No. 6: Snowmelt System	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Alternate No. 7: Retractable Electrical Cord Reels at Garage 1096	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Alternate No. 8: Police Corridor Wall Wainscot	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00



ROSEMOUNT POLICE AND PUBLIC WORKS CAMPUS - BP #2

BID TABULATIONS

May 4, 2023 at 2:00 PM

OWNER: City of Rosemount

ARCHITECT: BKV Group

Work Scope 07-F: Metal Panels

	BIDDER	BIDDER	BIDDER	BIDDER	BIDDER	BIDDER
	Schwickert's Tecta America, LLC	Central Roofing Company				
BID SECURITY	Bid Bond	Bid Bond				
ADDENDA REC'D.	1,2,3,4	1,2,3,4				
BASE BID	\$1,395,850.00	\$1,426,600.00				
Alternate No. 1: Salt Storage Building	\$0.00	\$0.00				
Alternate No. 2: Cold Storage Building	\$0.00	\$0.00				
Alternate No. 3: Granular Material Storage Bins and Enclosure	\$0.00	\$0.00				
Alternate No. 4: Underground Storm Retention System	\$0.00	\$0.00				
Alternate No. 5: Architectural Precast Screen Wall	\$51,850.00	\$152,900.00				
Alternate No. 6: Snowmelt System	\$0.00	\$0.00				
Alternate No. 7: Retractable Electrical Cord Reels at Garage 1096	\$0.00	\$0.00				
Alternate No. 8: Police Corridor Wall Wainscot	\$0.00	\$0.00				



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Construction Company

ROSEMOUNT POLICE AND PUBLIC WORKS CAMPUS - BP #2

BID TABULATIONS

May 4, 2023 at 2:00 PM

OWNER: City of Rosemount

ARCHITECT: BKV Group

Work Scope 07-H: Roofing

	BIDDER	BIDDER	BIDDER	BIDDER	BIDDER	BIDDER
	Berwald Roofing Company, Inc.	Lake Area Roofing & Construction, Inc.	Central Roofing Company	Palmer West Construction Company, Inc.	John A. Dalsin & Son, Inc.	
BID SECURITY	Bid Bond	Bid Bond	Bid Bond	Bid Bond	Bid Bond	
ADDENDA REC'D.	1,2,3,4	1,2,3,4	1,2,3,4	1,2,3,4	1,2,3,4	
BASE BID	\$2,863,600.00	\$3,049,640.00	\$3,385,809.00	\$3,486,000.00	\$4,245,226.00	
Alternate No. 1: Salt Storage Building	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
Alternate No. 2: Cold Storage Building	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
Alternate No. 3: Granular Material Storage Bins and Enclosure	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
Alternate No. 4: Underground Storm Retention System	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
Alternate No. 5: Architectural Precast Screen Wall	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
Alternate No. 6: Snowmelt System	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
Alternate No. 7: Retractable Electrical Cord Reels at Garage 1096	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
Alternate No. 8: Police Corridor Wall Wainscot	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	



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ROSEMOUNT POLICE AND PUBLIC WORKS CAMPUS - BP #2

BID TABULATIONS

May 4, 2023 at 2:00 PM

OWNER: City of Rosemount

ARCHITECT: BKV Group

Work Scope 07-K: Joint Sealant

	BIDDER	BIDDER	BIDDER	BIDDER	BIDDER	BIDDER
	Carciofini Company	Right Way Caulking, Inc.	Dziedzic Caulking, Inc.			
BID SECURITY	Bid Bond	Bid Bond	Bid Bond			
ADDENDA REC'D.	1,2,3,4	1,2,3,4	1,2,3,4			
BASE BID	\$172,550.00	\$204,592.00	\$265,400.00			
Alternate No. 1: Salt Storage Building	\$0.00	\$0.00	\$0.00			
Alternate No. 2: Cold Storage Building	\$4,400.00	\$7,470.00	\$8,000.00			
Alternate No. 3: Granular Material Storage Bins and Enclosure	\$0.00	\$0.00	\$0.00			
Alternate No. 4: Underground Storm Retention System	\$0.00	\$0.00	\$0.00			
Alternate No. 5: Architectural Precast Screen Wall	\$0.00	\$0.00	\$0.00			
Alternate No. 6: Snowmelt System	\$0.00	\$0.00	\$0.00			
Alternate No. 7: Retractable Electrical Cord Reels at Garage 1096	\$0.00	\$0.00	\$0.00			
Alternate No. 8: Police Corridor Wall Wainscot	\$0.00	\$0.00	\$0.00			



ROSEMOUNT POLICE AND PUBLIC WORKS CAMPUS - BP #2

BID TABULATIONS

May 4, 2023 at 2:00 PM

OWNER: City of Rosemount

ARCHITECT: BKV Group

Work Scope 08-D: Specialty Door

	BIDDER	BIDDER	BIDDER	BIDDER	BIDDER	BIDDER
	Miner LTD, DBA Star Equipment	Crawford Door Sales Co.	Doorco, Inc.			
BID SECURITY	Bid Bond	Bid Bond	Bid Bond			
ADDENDA REC'D.	1,2,3,4	1,2,3,4	1,2,3,4			
BASE BID	\$574,321.00	\$598,680.00	\$652,723.00			
Alternate No. 1: Salt Storage Building	\$0.00	\$0.00	\$0.00			
Alternate No. 2: Cold Storage Building	\$0.00	\$21,320.00	\$55,848.00			
Alternate No. 3: Granular Material Storage Bins and Enclosure	\$0.00	\$0.00	\$0.00			
Alternate No. 4: Underground Storm Retention System	\$0.00	\$0.00	\$0.00			
Alternate No. 5: Architectural Precast Screen Wall	\$0.00	\$0.00	\$0.00			
Alternate No. 6: Snowmelt System	\$0.00	\$0.00	\$0.00			
Alternate No. 7: Retractable Electrical Cord Reels at Garage 1096	\$0.00	\$0.00	\$0.00			
Alternate No. 8: Police Corridor Wall Wainscot	\$0.00	\$0.00	\$0.00			



ROSEMOUNT POLICE AND PUBLIC WORKS CAMPUS - BP #2

BID TABULATIONS

May 4, 2023 at 2:00 PM

OWNER: City of Rosemount

ARCHITECT: BKV Group

Work Scope 09-B: Tile

	BIDDER	BIDDER	BIDDER	BIDDER	BIDDER	BIDDER
	Grazzini Brothers & Company	Tim's Construction Group	Commercial Flooring Services, LLC	Blackhawk Tile & Stone, Inc.	Acoustics Associates, Inc.	
BID SECURITY	Bid Bond	Cashiers Check	Bid Bond	Bid Bond	Bid Bond	
ADDENDA REC'D.	1,2,3,4	1,2,3,4	1,2,3,4	1,2,3,4	1,2,3,4	
BASE BID	\$262,335.00	\$264,997.00	\$275,952.00	\$289,676.00	\$324,149.00	
Alternate No. 1: Salt Storage Building	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
Alternate No. 2: Cold Storage Building	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
Alternate No. 3: Granular Material Storage Bins and Enclosure	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
Alternate No. 4: Underground Storm Retention System	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
Alternate No. 5: Architectural Precast Screen Wall	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
Alternate No. 6: Snowmelt System	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
Alternate No. 7: Retractable Electrical Cord Reels at Garage 1096	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
Alternate No. 8: Police Corridor Wall Wainscot	\$97,250.00	\$0.00	\$48,031.00	\$79,883.00	\$86,050.00	



ROSEMOUNT POLICE AND PUBLIC WORKS CAMPUS - BP #2

BID TABULATIONS

May 4, 2023 at 2:00 PM

OWNER: City of Rosemount

ARCHITECT: BKV Group

Work Scope 09-C: Ceiling and Acoustical Treatment

	BIDDER	BIDDER	BIDDER	BIDDER	BIDDER	BIDDER
	Sonus Interiors, Inc.	Kirk Acoustics, Inc.	Twin City Acoustics, Inc.	Acoustics Associates, Inc.	Architectural Sales of Minnesota, Inc.	
BID SECURITY	Bid Bond	Bid Bond	Bid Bond	Bid Bond	Bid Bond	
ADDENDA REC'D.	1,2,3,4	1,2,3,4	1,2,3,4	1,2,3,4	1,2,3,4	
BASE BID	\$546,790.00	\$578,300.00	\$578,400.00	\$588,971.00	\$597,695.00	
Alternate No. 1: Salt Storage Building	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
Alternate No. 2: Cold Storage Building	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
Alternate No. 3: Granular Material Storage Bins and Enclosure	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
Alternate No. 4: Underground Storm Retention System	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
Alternate No. 5: Architectural Precast Screen Wall	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
Alternate No. 6: Snowmelt System	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
Alternate No. 7: Retractable Electrical Cord Reels at Garage 1096	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
Alternate No. 8: Police Corridor Wall Wainscot	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	



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ROSEMOUNT POLICE AND PUBLIC WORKS CAMPUS - BP #2

BID TABULATIONS

May 4, 2023 at 2:00 PM

OWNER: City of Rosemount

ARCHITECT: BKV Group

Work Scope 09-D: Flooring - Resilient and Carpet

	BIDDER	BIDDER	BIDDER	BIDDER	BIDDER	BIDDER
	MCI, Inc. dba Multiple Concepts Interiors	Acoustics Associates, Inc.	Commercial Flooring Services, LLC	Sonus Interiors, Inc.	Grazzini Brothers & Company	Floors By Beckers, LLC
BID SECURITY	Bid Bond	Bid Bond	Bid Bond	Bid Bond	Bid Bond	Bid Bond
ADDENDA REC'D.	1,2,3,4	1,2,3,4	1,2,3,4	1,2,3,4	1,2,3,4	1,2,3,4
BASE BID	\$242,700.00	\$261,211.00	\$265,360.00	\$271,417.00	\$278,720.00	\$282,731.00
Alternate No. 1: Salt Storage Building	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Alternate No. 2: Cold Storage Building	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Alternate No. 3: Granular Material Storage Bins and Enclosure	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Alternate No. 4: Underground Storm Retention System	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Alternate No. 5: Architectural Precast Screen Wall	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Alternate No. 6: Snowmelt System	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Alternate No. 7: Retractable Electrical Cord Reels at Garage 1096	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Alternate No. 8: Police Corridor Wall Wainscot	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00



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ROSEMOUNT POLICE AND PUBLIC WORKS CAMPUS - BP #2

BID TABULATIONS

May 4, 2023 at 2:00 PM

OWNER: City of Rosemount

ARCHITECT: BKV Group

Work Scope 09-D: Flooring - Resilient and Carpet

	BIDDER	BIDDER	BIDDER	BIDDER	BIDDER	BIDDER
	Rickway, Inc.	St. Paul Linleum & Carpet Co.				
BID SECURITY	Bid Bond	Bid Bond				
ADDENDA REC'D.	1,2,3,4	1,2,3,4				
BASE BID	\$282,850.00	\$297,000.00				
Alternate No. 1: Salt Storage Building	\$0.00	\$0.00				
Alternate No. 2: Cold Storage Building	\$0.00	\$0.00				
Alternate No. 3: Granular Material Storage Bins and Enclosure	\$0.00	\$0.00				
Alternate No. 4: Underground Storm Retention System	\$0.00	\$0.00				
Alternate No. 5: Architectural Precast Screen Wall	\$0.00	\$0.00				
Alternate No. 6: Snowmelt System	\$0.00	\$0.00				
Alternate No. 7: Retractable Electrical Cord Reels at Garage 1096	\$0.00	\$0.00				
Alternate No. 8: Police Corridor Wall Wainscot	\$0.00	\$0.00				



ROSEMOUNT POLICE AND PUBLIC WORKS CAMPUS - BP #2

BID TABULATIONS

May 4, 2023 at 2:00 PM

OWNER: City of Rosemount

ARCHITECT: BKV Group

Work Scope 09-K: Wall Covering and Painting

	BIDDER	BIDDER	BIDDER	BIDDER	BIDDER	BIDDER
	Reinhardt & Sons Painting, Inc.	Mulcahy Nickolaus, LLC	Admiral Coatings, Inc.	Swanson & Youngdale, Inc.	Wasche Commercial Finishes, Inc.	Steinbrecher Painting Company
BID SECURITY	Cashiers Check	Bid Bond	Bid Bond	Bid Bond	Bid Bond	Bid Bond
ADDENDA REC'D.	1,2,3,4	1,2,3,4	1,2,3,4	1,2,3,4	1,2,3,4	1,2,3,4
BASE BID	\$483,600.00	\$495,945.00	\$540,815.00	\$545,660.00	\$547,930.00	\$577,800.00
Alternate No. 1: Salt Storage Building	\$0.00	\$100.00	\$0.00	\$0.00	\$0.00	\$0.00
Alternate No. 2: Cold Storage Building	\$1,375.00	\$1,550.00	\$2,500.00	\$1,500.00	\$0.00	\$1,800.00
Alternate No. 3: Granular Material Storage Bins and Enclosure	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Alternate No. 4: Underground Storm Retention System	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Alternate No. 5: Architectural Precast Screen Wall	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Alternate No. 6: Snowmelt System	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Alternate No. 7: Retractable Electrical Cord Reels at Garage 1096	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Alternate No. 8: Police Corridor Wall Wainscot	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00



ROSEMOUNT POLICE AND PUBLIC WORKS CAMPUS - BP #2

BID TABULATIONS

May 4, 2023 at 2:00 PM

OWNER: City of Rosemount

ARCHITECT: BKV Group

Work Scope 09-K: Wall Covering and Painting

	BIDDER	BIDDER	BIDDER	BIDDER	BIDDER	BIDDER
	Fransen Decorating, Inc.					
BID SECURITY	Bid Bond					
ADDENDA REC'D.	1,2,3,4					
BASE BID	\$702,764.00					
Alternate No. 1: Salt Storage Building	\$0.00					
Alternate No. 2: Cold Storage Building	\$1,260.00					
Alternate No. 3: Granular Material Storage Bins and Enclosure	\$0.00					
Alternate No. 4: Underground Storm Retention System	\$0.00					
Alternate No. 5: Architectural Precast Screen Wall	\$0.00					
Alternate No. 6: Snowmelt System	\$0.00					
Alternate No. 7: Retractable Electrical Cord Reels at Garage 1096	\$0.00					
Alternate No. 8: Police Corridor Wall Wainscot	\$0.00					



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ROSEMOUNT POLICE AND PUBLIC WORKS CAMPUS - BP #2

BID TABULATIONS

May 4, 2023 at 2:00 PM

OWNER: City of Rosemount

ARCHITECT: BKV Group

Work Scope 10-E: Movable Partitions

	BIDDER	BIDDER	BIDDER	BIDDER	BIDDER	BIDDER
	Acoustics Associates, Inc.	W.L. Hall Co.				
BID SECURITY	Bid Bond	Bid Bond				
ADDENDA REC'D.	1,2,3,4	1,2,3,4				
BASE BID	\$43,680.00	\$58,768.00				
Alternate No. 1: Salt Storage Building	\$0.00	\$0.00				
Alternate No. 2: Cold Storage Building	\$0.00	\$0.00				
Alternate No. 3: Granular Material Storage Bins and Enclosure	\$0.00	\$0.00				
Alternate No. 4: Underground Storm Retention System	\$0.00	\$0.00				
Alternate No. 5: Architectural Precast Screen Wall	\$0.00	\$0.00				
Alternate No. 6: Snowmelt System	\$0.00	\$0.00				
Alternate No. 7: Retractable Electrical Cord Reels at Garage 1096	\$0.00	\$0.00				
Alternate No. 8: Police Corridor Wall Wainscot	\$0.00	\$0.00				



ROSEMOUNT POLICE AND PUBLIC WORKS CAMPUS - BP #2

BID TABULATIONS

May 4, 2023 at 2:00 PM

OWNER: City of Rosemount

ARCHITECT: BKV Group

Work Scope 11-B: Canopy, Fueling, and Tank Systems

	BIDDER	BIDDER	BIDDER	BIDDER	BIDDER	BIDDER
	Zahl-Petroleum Maintenance Co.	Minnesota Petroleum Service, Inc.	Pump and Meter Service, Inc.			
BID SECURITY	Bid Bond	Bid Bond	None			
ADDENDA REC'D.	1,2,3,4	1,2,3,4	1,2,3,4			
BASE BID	\$396,500.00	\$410,511.00	\$417,127.02			
Alternate No. 1: Salt Storage Building	\$0.00	\$0.00	\$0.00			
Alternate No. 2: Cold Storage Building	\$0.00	\$0.00	\$0.00			
Alternate No. 3: Granular Material Storage Bins and Enclosure	\$0.00	\$0.00	\$0.00			
Alternate No. 4: Underground Storm Retention System	\$0.00	\$0.00	\$0.00			
Alternate No. 5: Architectural Precast Screen Wall	\$0.00	\$0.00	\$0.00			
Alternate No. 6: Snowmelt System	\$0.00	\$0.00	\$0.00			
Alternate No. 7: Retractable Electrical Cord Reels at Garage 1096	\$0.00	\$0.00	\$0.00			
Alternate No. 8: Police Corridor Wall Wainscot	\$0.00	\$0.00	\$0.00			



ROSEMOUNT POLICE AND PUBLIC WORKS CAMPUS - BP #2

BID TABULATIONS

May 4, 2023 at 2:00 PM

OWNER: City of Rosemount

ARCHITECT: BKV Group

Work Scope 11-D: Cranes & Hoists

	BIDDER	BIDDER	BIDDER	BIDDER	BIDDER	BIDDER
	Superior Crane Corporation					
BID SECURITY	Bid Bond					
ADDENDA REC'D.	1,2,3,4					
BASE BID	\$280,183.00					
Alternate No. 1: Salt Storage Building	\$0.00					
Alternate No. 2: Cold Storage Building	\$0.00					
Alternate No. 3: Granular Material Storage Bins and Enclosure	\$0.00					
Alternate No. 4: Underground Storm Retention System	\$0.00					
Alternate No. 5: Architectural Precast Screen Wall	\$0.00					
Alternate No. 6: Snowmelt System	\$0.00					
Alternate No. 7: Retractable Electrical Cord Reels at Garage 1096	\$0.00					
Alternate No. 8: Police Corridor Wall Wainscot	\$0.00					



ROSEMOUNT POLICE AND PUBLIC WORKS CAMPUS - BP #2

BID TABULATIONS

May 4, 2023 at 2:00 PM

OWNER: City of Rosemount

ARCHITECT: BKV Group

Work Scope 13-I: Metal Building Systems

	BIDDER	BIDDER	BIDDER	BIDDER	BIDDER	BIDDER
	Ebert, Inc. dba Ebert Construction					
BID SECURITY	Bid Bond					
ADDENDA REC'D.	1,2,3,4					
BASE BID	\$0.00					
Alternate No. 1: Salt Storage Building	\$0.00					
Alternate No. 2: Cold Storage Building	\$423,300.00					
Alternate No. 3: Granular Material Storage Bins and Enclosure	\$0.00					
Alternate No. 4: Underground Storm Retention System	\$0.00					
Alternate No. 5: Architectural Precast Screen Wall	\$0.00					
Alternate No. 6: Snowmelt System	\$0.00					
Alternate No. 7: Retractable Electrical Cord Reels at Garage 1096	\$0.00					
Alternate No. 8: Police Corridor Wall Wainscot	\$0.00					



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ROSEMOUNT POLICE AND PUBLIC WORKS CAMPUS - BP #2

BID TABULATIONS

May 4, 2023 at 2:00 PM

OWNER: City of Rosemount

ARCHITECT: BKV Group

Work Scope 13-J: Salt Building

	BIDDER	BIDDER	BIDDER	BIDDER	BIDDER	BIDDER
	A & B Contruction, LTD	Greystone Construction Company				
BID SECURITY	Bid Bond	Bid Bond				
ADDENDA REC'D.	1,2,3,4	1,2,3,4				
BASE BID	\$0.00	\$0.00				
Alternate No. 1: Salt Storage Building	\$285,991.00	\$339,795.00				
Alternate No. 2: Cold Storage Building	\$0.00	\$0.00				
Alternate No. 3: Granular Material Storage Bins and Enclosure	\$0.00	\$0.00				
Alternate No. 4: Underground Storm Retention System	\$0.00	\$0.00				
Alternate No. 5: Architectoral Precast Screen Wall	\$0.00	\$0.00				
Alternate No. 6: Snowmelt System	\$0.00	\$0.00				
Alternate No. 7: Retractable Electrical Cord Reels at Garage 1096	\$0.00	\$0.00				
Alternate No. 8: Police Corridor Wall Wainscot	\$0.00	\$0.00				



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ROSEMOUNT POLICE AND PUBLIC WORKS CAMPUS - BP #2

BID TABULATIONS

May 4, 2023 at 2:00 PM

OWNER: City of Rosemount

ARCHITECT: BKV Group

Work Scope 14-A: Light Duty Vehicle Lifts

	BIDDER	BIDDER	BIDDER	BIDDER	BIDDER	BIDDER
	Minnesota Petroleum Service, Inc.	Pump and Meter Service, Inc.				
BID SECURITY	Bid Bond	None				
ADDENDA REC'D.	1,2,3,4	1,2,3,4				
BASE BID	\$77,773.00	\$103,308.13				
Alternate No. 1: Salt Storage Building	\$0.00	\$0.00				
Alternate No. 2: Cold Storage Building	\$0.00	\$0.00				
Alternate No. 3: Granular Material Storage Bins and Enclosure	\$0.00	\$0.00				
Alternate No. 4: Underground Storm Retention System	\$0.00	\$0.00				
Alternate No. 5: Architectural Precast Screen Wall	\$0.00	\$0.00				
Alternate No. 6: Snowmelt System	\$0.00	\$0.00				
Alternate No. 7: Retractable Electrical Cord Reels at Garage 1096	\$0.00	\$0.00				
Alternate No. 8: Police Corridor Wall Wainscot	\$0.00	\$0.00				



ROSEMOUNT POLICE AND PUBLIC WORKS CAMPUS - BP #2

BID TABULATIONS

May 4, 2023 at 2:00 PM

OWNER: City of Rosemount

ARCHITECT: BKV Group

Work Scope 14-B: Heavy Duty Vehicle Lifts

	BIDDER	BIDDER	BIDDER	BIDDER	BIDDER	BIDDER
	Minnesota Petroleum Service, Inc.	Midwest Lift Works, LLC	Pump and Meter Service, Inc.			
BID SECURITY	Bid Bond	Bid Bond	Bid Bond			
ADDENDA REC'D.	1,2,3,4	1,2,3,4	1,2,3,4			
BASE BID	\$418,949.00	\$465,195.00	\$508,640.50			
Alternate No. 1: Salt Storage Building	\$0.00	\$0.00	\$0.00			
Alternate No. 2: Cold Storage Building	\$0.00	\$0.00	\$0.00			
Alternate No. 3: Granular Material Storage Bins and Enclosure	\$0.00	\$0.00	\$0.00			
Alternate No. 4: Underground Storm Retention System	\$0.00	\$0.00	\$0.00			
Alternate No. 5: Architectural Precast Screen Wall	\$0.00	\$0.00	\$0.00			
Alternate No. 6: Snowmelt System	\$0.00	\$0.00	\$0.00			
Alternate No. 7: Retractable Electrical Cord Reels at Garage 1096	\$0.00	\$0.00	\$0.00			
Alternate No. 8: Police Corridor Wall Wainscot	\$0.00	\$0.00	\$0.00			



ROSEMOUNT POLICE AND PUBLIC WORKS CAMPUS - BP #2

BID TABULATIONS

May 4, 2023 at 2:00 PM

OWNER: City of Rosemount

ARCHITECT: BKV Group

Work Scope 21-A: Fire Suppression

	BIDDER	BIDDER	BIDDER	BIDDER	BIDDER	BIDDER
	NOVA Fire Protection, Inc.	Viking Automatic Sprinkler Co.	Nasseff Mechanical Contractors, Inc.	Summit Fire Protection Co.		
BID SECURITY	Bid Bond	Bid Bond	Bid Bond	Bid Bond		
ADDENDA REC'D.	1,2,3,4	1,2,3,4	1,2,3,4	1,2,3,4		
BASE BID	\$502,925.00	\$552,820.00	\$646,500.00	\$759,000.00		
Alternate No. 1: Salt Storage Building	\$0.00	\$0.00	\$0.00	\$0.00		
Alternate No. 2: Cold Storage Building	\$0.00	\$0.00	\$0.00	\$0.00		
Alternate No. 3: Granular Material Storage Bins and Enclosure	\$0.00	\$0.00	\$0.00	\$0.00		
Alternate No. 4: Underground Storm Retention System	\$0.00	\$0.00	\$0.00	\$0.00		
Alternate No. 5: Architectural Precast Screen Wall	\$0.00	\$0.00	\$0.00	\$0.00		
Alternate No. 6: Snowmelt System	\$0.00	\$0.00	\$0.00	\$0.00		
Alternate No. 7: Retractable Electrical Cord Reels at Garage 1096	\$0.00	\$0.00	\$0.00	\$0.00		
Alternate No. 8: Police Corridor Wall Wainscot	\$0.00	\$0.00	\$0.00	\$0.00		



KRAUS-ANDERSON[®]
Construction Company

ROSEMOUNT POLICE AND PUBLIC WORKS CAMPUS - BP #2

BID TABULATIONS

May 4, 2023 at 2:00 PM

OWNER: City of Rosemount

ARCHITECT: BKV Group

Work Scope 32-D: Fence

	BIDDER	BIDDER	BIDDER	BIDDER	BIDDER	BIDDER
	Peterson Companies, Inc.	Action Fence, Inc.	Keller Fence, Inc.	Midwest Fence & Mfg Co.	Century Fence Company	
BID SECURITY	Bid Bond	Bid Bond	Bid Bond	Bid Bond	Bid Bond	
ADDENDA REC'D.	1,2,3,4	1,2,3,4	1,2,3,4	1,2,3,4	1,2,3,4	
BASE BID	\$439,095.00	\$449,450.00	\$456,175.00	\$458,840.00	\$480,539.00	
Alternate No. 1: Salt Storage Building	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
Alternate No. 2: Cold Storage Building	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
Alternate No. 3: Granular Material Storage Bins and Enclosure	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
Alternate No. 4: Underground Storm Retention System	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
Alternate No. 5: Architectural Precast Screen Wall	(\$7,355.00)	(\$8,010.00)	\$0.00	(\$9,250.00)	(\$24,154.00)	
Alternate No. 6: Snowmelt System	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
Alternate No. 7: Retractable Electrical Cord Reels at Garage 1096	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
Alternate No. 8: Police Corridor Wall Wainscot	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	

May 2023

Su	M	Tu	W	Th	F	Sa
30	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31	1	2	3

Main Calendar

City Council Special Meeting

May 16, 2023, 5:15 PM - 6:15 PM

[More Details](#)

Port Authority

May 16, 2023, 6:00 PM - 7:00 PM

[More Details](#)

City Council Meeting

May 16, 2023, 7:00 PM - 8:00 PM

[More Details](#)

Spring Cleanup & Shred Event

May 20, 2023, 8:00 AM - @ DCTC East Lot
12:00 PM

Head South on on 151st Street to
enter the event.

[Event Map and Directions](#)

[More Details](#)

Parks and Recreation Meeting

May 22, 2023, 7:00 PM - 8:00 PM

[More Details](#)

Crash Course: Organics

May 23, 2023, 7:00 PM - 8:00 PM

[More Details](#)

Youth Commission Regular Meeting

May 24, 2023, 3:00 @ 3 p.m. at Lions Park (15155 December
PM - 4:45 PM Trail in Rosemount)
3:45 p.m. at the Steeple Center (14375
South Robert Trail) in Room 200

[More Details](#)

Memorial Day Event

May 29, 2023, 11:00 AM - 11:30 AM @ Central Park

[More Details](#)

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June 2023

Su	M	Tu	W	Th	F	Sa
28	29	30	31	1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	1

Main Calendar

City Council Work Session Meeting

June 6, 2023, 5:00 PM - 6:00 PM

[More Details](#)

City Council Meeting

June 6, 2023, 7:00 PM - 8:00 PM

[More Details](#)

Farmers Market

June 13, 2023, All Day

*Please note, this is not a city-run market. This market is run by the Saint Paul Growers' Association. More info at Saint Paul Farmers' Market website: <https://stpaulfarmersmarket.com>

[More Details](#)

Environment and Sustainability Commission Meeting

June 13, 2023, 5:30 PM - 6:30 PM

[More Details](#)

Kids Music in the Park

June 15, 2023, 10:00 AM - 11:00 AM @ Central Park

[More Details](#)

Farmers Market

June 20, 2023, All Day

*Please note, this is not a city-run market. This market is run by the Saint Paul Growers' Association. More info at Saint Paul Farmers' Market website: <https://stpaulfarmersmarket.com>

[More Details](#)

City Council Meeting

June 20, 2023, 7:00 PM - 8:00 PM

[More Details](#)

Kids Music in the Park

June 22, 2023, 10:00 AM - 11:00 AM @ Central Park

[More Details](#)

Utility Commission Regular Meeting

June 26, 2023, 5:30 PM - 7:00 PM @ City Hall, Conference Room

[More Details](#)

Parks and Recreation Meeting

June 26, 2023, 7:00 PM - 8:00 PM

[More Details](#)

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Farmers Market

June 27, 2023, All Day

*Please note, this is not a city-run market. This market is run by the Saint Paul Growers' Association. More info at Saint Paul Farmers' Market website: <https://stpaulfarmersmarket.com>

[More Details](#)

Kids Music in the Park

June 29, 2023, 10:00 AM - 11:00 AM @ Central Park

[More Details](#)

 Government Websites by [CivicPlus®](#)