

WACONIA CITY COUNCIL MEETING AGENDA



**Monday, September 19, 2022
6:00 PM**

VISION STATEMENT

A thriving, connected community with deep roots: a great place to live for a lifetime.

MISSION STATEMENT

A city that leads, serves, and governs to enhance the quality of life for all community members.

MAYOR: KENT BLOUDEK
COUNCIL MEMBER: NICOLE WALDRON
COUNCIL MEMBER : RANDY SORENSEN
COUNCIL MEMBER: PETE LEO

NOTE: TO ENSURE THAT YOU ARE PRESENT FOR ITEMS OF INTEREST, PLEASE BE PRESENT AT 6:00 P.M.

Those with items on the agenda should reach out to their staff contact. Others who wish to participate in the meeting, please contact the City Administrator at 952-442-3100 or sfineran@waconia.org to make certain that you are called upon during the meeting.

- 1. CALL MEETING TO ORDER AND ROLL CALL**
- 2. PLEDGE OF ALLEGIANCE**
- 3. ADOPT AGENDA**
- 4. VISITOR'S PRESENTATIONS, PETITIONS, CORRESPONDENCE** Update from Marty Walsh on the Waterfront Services Building for Lake Waconia Regional Park
- 5. ADOPT CONSENT AGENDA**

The items listed on the Consent Agenda are considered routine and non-controversial by the Council and will be approved by one motion. There will be no separate discussion of these items unless a Councilmember, City Staff, or Citizen so requests; in which case, the item will be removed from the Consent Agenda and considered at the end of the Regular Agenda.

- 1) [September 6, 2022 City Council Meeting Minutes](#)
Approve September 6, 2022 City Council Meeting Minutes
- 2) [September 19, 2022 Expenditures](#)
Payment of September 19, 2022 Expenditures
- 3) [Rink Management Services Corporation Waconia Ice Arena Expenditures Incurred August 2022](#)
Motion to Approve Rink Management Corporation Expenditures for Waconia Ice Arena Incurred in August 2022
- 4) [Rink Management Services Corporation Safari Island Community Center Expenditures Incurred August 2022](#)
Motion to Approve Rink Management Corporation Expenditures for Safari Island Community Center

- Incurred in August 2022
- 5) [Contractor Pay Request #7 - Final 2021 Infrastructure Improvement Project](#)
Motion to approve Pay Estimate No. 7-Final to GMH Asphalt, Inc. for the 2021 Infrastructure Improvement Project.
 - 6) [Donation Acceptance - Cash Donations for Adaptive Playground Equipment](#)
Adopt Resolution 2022-244, Accepting Cash Donation for Adaptive Playground Equipment
 - 7) [Accepting Donation and Pass Thru Recommendation](#)
Adopt Resolution 2022-245, Accepting Donation and Approving Pass Thru Recommendation
 - 8) [Consent to Assignment of TIF Development Agreement](#)
Resolution 2022-246 Approving the Modification to the Development Program for the Waconia Development District; Establishing Tax Increment Financing District No. 5 within the Waconia Development District; Approving the Tax Increment Financing Plan Therefor; and Authorizing Interfold Loan.
 - 9) [Allocation of Deferred Assessment Payment](#)
Adopt Resolution No.2022-247, Approving Allocation of Deferred Assessment Payment to the PIR Capital Project Fund.
 - 10) [Chick-fil-A Gift Card Donation for Organizational Use](#)
Adopt Resolution 2022-248, Accepting Chick-fil-A Gift Card Donation for Organizational Use
 - 11) [Approve Electrical Easement](#)
Adopt Resolution 2022-249; Approve Execution of Electrical Easement with Northern States Power, XCEL Energy for Waterford Park & Raven Croft Road
 - 12) [2nd Variance Extension Request - Mark Fischer for the property located at 479 Lakeview Terrace Boulevard](#)
Adopt Resolution No. 2022-250 approving the 2nd variance extension request submitted by Mark Fischer for the property located at 479 Lakeview Terrace Boulevard, extending the variance deadline until December 7th, 2023.
 - 13) [Retirement of Firefighter Tom Martino](#)
Adopt Resolution 2022-251, Accepting Retirement of Firefighter Tom Martino
 - 14) [Firefighter Resignation](#)
Adopt Resolution 2022-252, Accepting Resignation of Probationary Firefighter Grace Hollingsworth

6. COUNCIL BUSINESS

- 1) [Consider the Issuance and Sale of \\$18,290,000 General Obligation Bonds, Series 2022A-2022 Infrastructure Improvement Projects and Fire Station Construction](#)
Adopt Resolution 2022-253, Providing for the Issuance and Sale of \$18,290,000 General Obligation Bonds, Series 2022A, Pledging for the Security Thereof Net Revenues, Special Assessments, Tax Abatements and Levying a Tax for the Payment Thereof
- 2) [After-the-Fact Variance request by Gregory & Kelly Payette - 144 Maple Terrace](#)
Adopt Resolution 2022-254 denying the after-the-fact variance to allow impervious surface exceeding the 35% maximum allowed in the Planned Unit Development (PUD) District for the property located at 144 Maple Terrace.
- 3) [Airport Road Addition Preliminary and Final Plat](#)
Adopt Resolution 2022-255 approving the Preliminary and Final Plat applications for the Airport Road Addition.
- 4) [Approve Survey and Topographical Work](#)
Adopt Resolution 2022-256; Approval of Survey & Topographical Work For Trunk Highway Five Corridor, CIP Project 132-B
- 5) [Revolving Loan Request by Bode Gray's, LLC](#)
Adopt Resolution 2022-257, Approving the Revolving Loan Request for Bode Gray's, LLC
- 6) [Approve Feasibility Report and Call Public Hearing](#)
Adopt Resolution 2022-258; Approval of Receiving Feasibility Report & Calling Public Hearing on 2023 Improvement Project, CIP Project 128
- 7) [Approve Submittal of WBIF, BWSR Grant For 2023](#)
Approve Resolution 2022-259; Approval of Application for Board of Water And Resources Watershed

7. ITEMS REMOVED FROM CONSENT AGENDA

8. STAFF REPORTS

9. BOARD REPORTS

- 1) Councilmember Waldron
- 2) Councilmember Sorensen
- 3) Councilmember Leo
- 4) Councilmember Pierson
- 5) Mayor Bloudek

10. ANNOUNCEMENTS

11. ADJOURN REGULAR MEETINGOFFICE OF THE CITY ADMINISTRATOR

Shane Fineran

Work Session: 2023 Preliminary Levy & Budget

UPCOMING CALENDAR OF EVENTS/MEETINGS:

City Council - October 3rd

Planning Commission & Joint City Council Workshop - October 6th

City Council - October 17th

Park Board - October 20th



REQUEST FOR CITY COUNCIL ACTION

Meeting Date:		September 19, 2022					
Item Name:		September 6, 2022 City Council Meeting Minutes					
Originating Department:		Administration					
Presented by:		Ann Meyerhoff					
Previous Council Action (if any):							
Item Type (X only one):	Consent	☒	X	Regular Session	☐	Discussion Session	☐
RECOMMENDATIONS/COUNCIL ACTION/MOTION REQUESTED (Include motion in proper format.)							
Approve September 6, 2022 City Council Meeting Minutes							
EXPLANATION OF AGENDA ITEM (Include a description of background, benefits, and recommendations.)							
Attachments:							
1. Minutes 9-6-2022.pdf							
FINANCIAL IMPLICATIONS:				ADVISORY BOARD RECOMMENDATIONS:			
Funding Sources & Uses:							
Budget Information:				Planning Commission			
☐ Budgeted				Parks and Recreation Board			
☐ Non Budgeted				Safari Island Advisory Board			
☐ Amendment Required				Other			

CITY OF WACONIA
September 6, 2022

1) **CALL MEETING TO ORDER AND ROLL CALL**

Pursuant to due call and notice thereof, the regular meeting of the City Council of the City of Waconia was called to order by Mayor at 6:00 p.m. The following members were present:
Kent Bloudek, Nicole Waldron, Randy Sorensen, Pete Leo

Staff Present: Shane Fineran, Jackie Schulze, Lane Braaten, Craig Eldred, Nicole Meyer, Ann Meyerhoff, Justin Sorensen, Mike Dressel.

2) **PLEDGE OF ALLEGIANCE**

3) **ADOPT AGENDA**

Motion by Sorensen , seconded by Waldron 3) ADOPT AGENDA
MOTION carried

4) **VISITOR'S PRESENTATIONS, PETITIONS, CORRESPONDENCE**

5) **ADOPT CONSENT AGENDA**

5.1 August 15, 2022 City Council Meeting Minutes

[Minutes 8-15-2022.pdf](#)

5.2 September 6, 2022 Expenditures

[Council List-Expenditures 09.06.2022.pdf](#)

5.3 Rink Management Services Corporation Waconia Ice Arena Expenditures
Incurred July 2022

[Waconia Ice Arena Bills Applied Payments Jul '22.pdf](#)

5.4 Rink Management Services Corporation Safari Island Community Center
Expenditures Incurred July 2022

[Safari Island Bills Applied Payments Jul '22.pdf](#)

5.5 Contractor Pay Request #7 - L-52 Lift Station Upgrade

[2022-08-29 L52 Payment #7.pdf](#)

5.6 Contractor Pay Request #8 - Waconia Parkway South Improvements

- [2022-8-30_WPS_Payment #8.pdf](#)
- 5.7 Contractor Pay Request #1 - City Square Park Retaining Wall & Sidewalk
[2022-08-30 City Square Park Ret Wall #1.pdf](#)
- 5.8 Contractor Pay Request #3 - Waterford Park - Water Reuse Station Project
[0C1.123804 Pay Application No 3_packet.pdf](#)
- 5.9 Contractor Pay Request #4 - Waconia 2022 Infrastructure Improvements
[2022-08-31 2022 Infrastructure Pay Request 4.pdf](#)
- 5.10 Declaring Surplus Property and Authorizing Sale
[22232res_Surplus_Equipment_Shed_RES.docx](#)
- 5.11 License Agreement with Waconia Baseball Association
[22233res_License_Agreement_Streaming_Services.doc](#)
[License Agreement for Live Streaming - Baseball\).docx](#)
- 5.12 Authorize Preparation of Plans and Specifications for Pond Cleaning
[22234res_Sudheimer_Industrial_Park_Pond_CIP_504.doc](#)
[Sudheimer Ind. Park Pond Image.pdf](#)
- 5.13 Approval of 2023 Pond Survey and Testing
[22235res 2023_Pond_Survey___Testing_Resolution.doc](#)
[Sterling Hills Pond Image.pdf](#)
[Landing Wetland_Pond Image.pdf](#)
[Ford_Business Ponds Image.pdf](#)
[Provence Creek Pond Image.pdf](#)
- 5.14 Approval of Storm Culvert & Drainage Review
[22236res](#)
[Waconia_Parkway_North_Resurfacing___Storm_Water_Drainage_Res.doc](#)

[Corridor Image Pavement Resurfacing.pdf](#)

[Storm Culvert and Drainage Review Waconia Parkway North.pdf](#)

5.15 Approval of Preparing Plans and Specifications

[22237res 2023_Culvert_Lining_P___S_Res.doc](#)

[Burandt Blvd & Kinder Dr. Culvert Image.pdf](#)

[Oak Avenue & Sparrow Road Culvert Image.pdf](#)

5.16 Minor Subdivision - 751 Main Street - Hartmann

[22238res_Approving_Minor_Subdivision_Hartmann.docx](#)

[Location Map.pdf](#)

[Minor Subdivision Plan Set.pdf](#)

5.17 Kwik Trip Project - Development Agreement and Access Agreement

[R22239res_Approving_DA_and_Cross_Access_Easement_for_Kwik_Trip.docx](#)

[Development Agreement Kwik Trip.docx](#)

[Cross Access Easement.docx](#)

5.18 Donation Acceptance - Cash Donations for Adaptive Playground Equipment

[22240res Donations_Received_Donations_for_Playground_09.06.22_Res.doc](#)

5.19 Donation Acceptance - Cash Donation for Operations of the Fire Department

[22241res_Donations_Received_Fire_09.06.22.doc](#)

5.20 Probationary Firefighter to Active Firefighter Status

[22242res Active_FF_Status_-_Resolution_final.docx](#)

Motion by Waldron , seconded by Leo 5) ADOPT CONSENT AGENDA

MOTION carried

6) COUNCIL BUSINESS

6.1 New Firefighter Oath & Badge Pinning

Mayor Bloudek swore in Mickey Lair, Jacob Nelson, and Zach Peterson as Active Firefighters.

6.2 Acceptance of Bids for Fire Station Construction

[22243res 2022_Fire_Station_Bid_Approval.doc](#)

[WFS Award Recommendation Letter.pdf](#)

[WFS Bid Tabs.pdf](#)

[Waconia Fire Station Overall Budget 08.29.22.pdf](#)

Shane Fineran stated that on July 18, 2022, the City Council adopted Resolution 2022-203, authorizing the bids for construction of the new fire station. A public bid opening took place on August 18, 2022 where over 125 bids were received for 27 work scopes. Kraus-Anderson has verified bidders and submitted the lowest responsible bidders and their total bid amount for all work scopes.

Fineran shared the bid documents and budget break down, including soft-costs and contingencies, for a total project cost of \$14,500,000. Due to the lead-times for procurement of materials, construction is not expected to begin until summer of 2023.

Motion by Leo, seconded by Waldron Adopt Resolution 2022-243 Accepting Bids for Fire Station Project

MOTION carried

6.3 Zoning Administrator Appeal - Michelle Bachmann - Widen Driveway within Road Right-of-Way

[809 Yellowstone Trail Existing Driveway](#)

[809 Yellowstone Trail Proposed Driveway](#)

Lane Braaten explained that the City has received a Notice of Appeal from Michelle Bachmann requesting the City Council/Board of Appeals review the applicable information regarding the expansion of driveway within the road right-of-way.

Braaten stated that City Staff has been contacted via email by Michelle Bachmann with a request to expand her driveway within the road right-of-way beyond the maximum 24 ft. width requirement by review from the City Engineer. The property owner has submitted existing and proposed conditions of the driveway to expand the driveway partially within the property lines and also expanding the curb cut to Yellowstone Trail.

The City Engineer has reviewed the plan as proposed and has recommended denial of the request. The reasons for the denial are:

1. The proposed expansion does not provide additional off-street parking due to the location of the existing sidewalk.
2. The existing grade is below the maximum allowed so there is no reason for a flatter driveway or a need to access the driveway at an angle to reduce the grade.

Michelle Bachman, 809 Yellowstone Trail, came forward saying that the main problem is in the winter. If they were able to extend the driveway, they would be able to pull straight in and not have to cut across to get to the garage. Other homes in Legacy Village already have the widen driveway and not sure if they have been approved. By asking permission they are just trying to follow the rules.

Braaten said that there were a number of driveways that were approve before building and others that probably just went ahead and just did it. Most driveways were installed prior to 2014 before his time with the City.

Council Member Waldron stated that she would like a little more understanding that if this improvement was allowed how would it affect off street parking. Want to understand the process.

Braaten responded that he is just going off the comments from the engineer, if more information is needed we can continue this.

Council Member Leo asked why our ordinance stops at 24 feet.

Mike Melchert, there isn't much interpretation with the 24 feet unless City Engineer approve. Council would have to overturn the engineer. If overturned she could apply for a variance. Don't see grounds for overturning the interpretation.

Council Member Leo stated that he is open to discussion on if we need to change our policy or process.

Shane Fineran added that it may just be looking at it from a process standpoint not a policy change.

Motion by Leo, seconded by Sorensen Motion to deny the appeal of the Zoning Administrator's interpretation regarding the widening of the driveway within the road right-of-way

MOTION carried

7) **ITEMS REMOVED FROM CONSENT AGENDA**

8) STAFF REPORTS

Sargent Stahn, Carver County Sheriff, updated the Council with activity in Waconia for the last month.

9) BOARD REPORTS

Council Member Waldron: Nickle Dickle Day, Saturday, September 17, 2022.

Council Member Leo: Attended the School board meeting and they went over the forensic audit on August 22. Inclusive Playground Grand Opening on the September 15, 2022

10) ANNOUNCEMENTS

Grand opening for Inclusive Playground is next Thursday at 5:00 p.m. Invites went out to all the donors. Ice Cream and Snow Cones will be available. There will also be 2 very special guests in attendance.

11) ADJOURN REGULAR MEETING

Motion by Sorensen , seconded by Waldron 11) ADJOURN REGULAR MEETING at 6:57 p.m.

MOTION carried

Work Session:

UPCOMING CALENDAR OF EVENTS/MEETINGS:

Kent Bloudek, Mayor

ATTEST: _____

Ann Meyerhoff, Office Assistant



REQUEST FOR CITY COUNCIL ACTION

Meeting Date:		September 19, 2022					
Item Name:		September 19, 2022 Expenditures					
Originating Department:		Finance					
Presented by:		Nicole Meyer					
Previous Council Action (if any):							
Item Type (X only one):		Consent	X	Regular Session		Discussion Session	
RECOMMENDATIONS/COUNCIL ACTION/MOTION REQUESTED <i>(Include motion in proper format.)</i>							
Payment of September 19, 2022 Expenditures							
EXPLANATION OF AGENDA ITEM <i>(Include a description of background, benefits, and recommendations.)</i>							
Attachments: 1. Council List-Expenditures 09.19.2022_Regular.pdf 2. Council List-Expenditures 09.19.2022_Purchasing Card.pdf 3. Council List-Expenditures 09.19.2022_Electronic.pdf							
FINANCIAL IMPLICATIONS:				ADVISORY BOARD RECOMMENDATIONS:			
Funding Sources & Uses:							
Budget Information: _____ Budgeted _____ Non Budgeted _____ Amendment Required				Planning Commission			
				Parks and Recreation Board			
				Safari Island Advisory Board			
				Other			

I have reviewed the list of claims for council approval and recommend payment.

Nicole M. Meyer

Nicole Meyer, Finance Director

CITY OF WACONIA
Council List-Expenditures
Meeting: September 19, 2022

VENDOR NAME	DESCRIPTION	AMOUNT	FUND / DEPARTMENT
ANCOM COMMUNICATIONS, INC.	Siren Programming Service	\$785.00	Community Safety
BOLTON & MENK, INC	Miscellaneous Engineering	\$704.00	Planning
BOLTON & MENK, INC	Highway 5 Phase II Funding	\$1,859.00	Streets
BOLTON & MENK, INC	Miscellaneous Engineering	\$450.00	Streets
BOLTON & MENK, INC	Municipal State Aid System	\$97.00	Streets
BOLTON & MENK, INC	2020 Infrastructure Imprvmnts	\$231.84	PIR Fund
BOLTON & MENK, INC	2021 Infrastructure Imprvmnts	\$470.23	PIR Fund
BOLTON & MENK, INC	2022 Improvement Project	\$36,991.77	PIR Fund
BOLTON & MENK, INC	Anderson Property Development	\$1,176.00	PIR Fund
BOLTON & MENK, INC	Apartments - 233 Olive St S	\$366.00	PIR Fund
BOLTON & MENK, INC	City Square Park ADA	\$331.00	PIR Fund
BOLTON & MENK, INC	CSAH 10 & Waconia Pkwy North	\$4,533.30	PIR Fund
BOLTON & MENK, INC	Downtown Recon - Phase 1	\$8,835.00	PIR Fund
BOLTON & MENK, INC	East Frontage Road Extension	\$19,798.86	PIR Fund
BOLTON & MENK, INC	East Frontage Road Parking Lot	\$457.00	PIR Fund
BOLTON & MENK, INC	Fields of Waconia Development	\$15,473.00	PIR Fund
BOLTON & MENK, INC	Interlaken 8th Addition	\$236.00	PIR Fund
BOLTON & MENK, INC	Miscellaneous Engineering	\$999.00	PIR Fund
BOLTON & MENK, INC	Orchard Park Development	\$8,420.00	PIR Fund
BOLTON & MENK, INC	Scooters Coffee	\$312.00	PIR Fund
BOLTON & MENK, INC	Shores of Lake Waconia East	\$1,230.00	PIR Fund
BOLTON & MENK, INC	Siegle Property Development	\$22,352.00	PIR Fund
BOLTON & MENK, INC	Sparrow Road Kwik Trip	\$485.00	PIR Fund
BOLTON & MENK, INC	Waconia Parkway South Imp	\$9,993.60	PIR Fund
BOLTON & MENK, INC	Waterford Park	\$1,979.00	PIR Fund
BOLTON & MENK, INC	Windmill Creek 8th Addition	\$97.00	PIR Fund
BOLTON & MENK, INC	Woodland Creek	\$1,919.00	PIR Fund
BOLTON & MENK, INC	2020 Infrastructure Imprvmnts	\$120.06	Water Utility Fund
BOLTON & MENK, INC	2022 Improvement Project	\$9,247.94	Water Utility Fund

CITY OF WACONIA
Council List-Expenditures
Meeting: September 19, 2022

VENDOR NAME	DESCRIPTION	AMOUNT	FUND / DEPARTMENT
BOLTON & MENK, INC	Downtown Recon - Phase 1	\$2,650.50	Water Utility Fund
BOLTON & MENK, INC	East Frontage Road Extension	\$2,869.40	Water Utility Fund
BOLTON & MENK, INC	Waconia Parkway South Imp	\$1,748.88	Water Utility Fund
BOLTON & MENK, INC	2020 Infrastructure Imprvmts	\$28.98	Sewer Utility Fund
BOLTON & MENK, INC	2022 Improvement Project	\$5,779.96	Sewer Utility Fund
BOLTON & MENK, INC	Downtown Recon - Phase 1	\$2,650.50	Sewer Utility Fund
BOLTON & MENK, INC	East Frontage Road Extension	\$1,147.76	Sewer Utility Fund
BOLTON & MENK, INC	L-52 Lift Station Upgrade	\$2,374.00	Sewer Utility Fund
BOLTON & MENK, INC	Miscellaneous Engineering	\$90.00	Sewer Utility Fund
BOLTON & MENK, INC	2020 Infrastructure Imprvmts	\$33.12	Storm Water Fund
BOLTON & MENK, INC	2021 Infrastructure Imprvmts	\$326.77	Storm Water Fund
BOLTON & MENK, INC	2022 Improvement Project	\$5,779.97	Storm Water Fund
BOLTON & MENK, INC	2023 CCWMO Cost Share Fund	\$228.00	Storm Water Fund
BOLTON & MENK, INC	CSAH 10 & Waconia Pkwy North	\$503.70	Storm Water Fund
BOLTON & MENK, INC	Downtown Recon - Phase 1	\$3,534.00	Storm Water Fund
BOLTON & MENK, INC	East Frontage Road Extension	\$4,877.98	Storm Water Fund
BOLTON & MENK, INC	Lakeview Terrace Blvd Storm	\$3,652.50	Storm Water Fund
BOLTON & MENK, INC	Miscellaneous Engineering	\$166.00	Storm Water Fund
BOLTON & MENK, INC	Storm Water Reuse System	\$6,127.00	Storm Water Fund
BOLTON & MENK, INC	Stormwater Funding	\$4,637.00	Storm Water Fund
BOLTON & MENK, INC	Waconia Parkway South Imp	\$749.52	Storm Water Fund
BOLTON & MENK, INC	Waterford Park	\$17,637.00	Storm Water Fund
CADY BUILDING MAINTENANCE, INC.	Facility Cleaning 09.2022	\$3,904.71	Central Facilities
CARVER COUNTY	Internet Services 08.2022	\$30.00	Bill Back Receivable
CARVER COUNTY	Liquor License Background Ck	\$100.00	Administration
CARVER COUNTY	Internet Services 08.2022	\$204.25	Central Facilities
CARVER COUNTY	Internet Services 08.2022	\$110.25	Safari Island Fund
CARVER COUNTY	Internet Services 08.2022	\$23.50	Water Utility Fund
CARVER COUNTY	Internet Services 08.2022	\$23.50	Sewer Utility Fund
CARVER COUNTY	Internet Services 08.2022	\$75.00	Storm Water Fund
CARVER COUNTY	Internet Services 08.2022	\$98.50	Ice Arena
C-D PRODUCTS, INC.	Inclusive Playground Donor Sign	\$949.00	PIR Fund
COMMERCIAL ASPHALT COMPANY	MV4 Wear Asphalt	\$3,628.10	Streets
CRAIG RAPP LLC	Staffing & Organization Study	\$8,183.33	Administration

CITY OF WACONIA
Council List-Expenditures
Meeting: September 19, 2022

VENDOR NAME	DESCRIPTION	AMOUNT	FUND / DEPARTMENT
ELECTRIC PUMP, INC.	Surge Protectors	\$715.50	Sewer Utility Fund
EVOQUA WATER TECHNOLOGIES LLC	Bioxide Storage Lease 08.2022	\$2,052.00	Sewer Utility Fund
EVOQUA WATER TECHNOLOGIES LLC	LS Bioxide Treatment-284/SE/52	\$12,289.20	Sewer Utility Fund
FIRST LIGHT TECHNOLOGIES LTD	Amenity Repair Replacement	\$2,541.00	Parks
GDS DESIGN & BUILD, INC	Water Tower Door Replacement	\$3,275.00	Water Utility Fund
GMH ASPHALT CORP	2021 Infrastructure Imprvmnts	\$8,771.81	PIR Fund
GMH ASPHALT CORP	2021 Infrastructure Imprvmnts	\$4,266.04	Storm Water Fund
GOPHER STATE ONE-CALL	Utility Locate Tickets 08.2022	\$288.90	Water Utility Fund
GOPHER STATE ONE-CALL	Utility Locate Tickets 08.2022	\$288.90	Sewer Utility Fund
HAWKINS, INC	WTP Chemicals	\$5,490.21	Water Utility Fund
KLM ENGINEERING, INC.	Sprint Antenna Decommission #1	\$4,300.00	PIR Fund
LAURSEN ASPHALT REPAIR EQUIPMENT SALES	Falcon Hose & Spray Tip	\$258.36	Central Facilities
LEAGUE OF MINNESOTA CITIES	LMC Dues 2022 - 2023	\$13,152.00	Administration
LEAGUE OF MINNESOTA CITIES	MN Mayor Membership Fee	\$30.00	Administration
LEAGUE OF MN CITIES INSURANCE TRUST	EE Claim #475017	\$500.00	Fire
LOCAL GOVERNMENT INFORMATION SYSTEMS	JDE Application Support	\$5,354.00	Technology
LUBE-TECH & PARTNERS, LLC	Shop Asphalt Release Agent	\$164.94	Streets
MARCO TECHNOLOGIES, LLC	Carverlink Switch Swap	\$2,843.25	Technology
MED COMPASS	Medical Testing	\$5,690.00	Fire
METRO WEST INSPECTION SERVICES	2021 Expired Permit Fee	\$4,785.08	Building Inspections
METRO WEST INSPECTION SERVICES	Building Inspections 08.2022	\$5,820.01	Building Inspections
METRO WEST INSPECTION SERVICES	Building Inspections 08.2022	\$18,846.47	Building Inspections
METRO WEST INSPECTION SERVICES	Expired Permits 08.15.22	\$706.70	Building Inspections
METROPOLITAN COUNCIL	SAC Report 08.2022	\$159,909.75	Sewer Utility Fund
METROPOLITAN COUNCIL	Sewer Flow Charges 10.2022	\$83,836.95	Sewer Utility Fund
NOVEL SOLAR THREE LLC	Solar Electric 07.2022	\$3,958.52	Central Facilities
NOVEL SOLAR THREE LLC	Solar Electric 07.2022	\$6,370.94	Water Utility Fund
NOVEL SOLAR THREE LLC	Solar Electric 07.2022	\$3,057.45	Sewer Utility Fund
NOVEL SOLAR THREE LLC	Solar Electric 07.2022	\$698.21	Storm Water Fund
NOVEL SOLAR THREE LLC	Solar Electric 07.2022	\$390.02	Street Light Utility Fund
NOVEL SOLAR THREE LLC	Solar Electric 07.2022	\$8,879.63	Ice Arena
PRAIRIE RESTORATIONS, INC.	RLP/Interlaken Restoration	\$660.00	Parks
PRAIRIE RESTORATIONS, INC.	RLP/Interlaken Restoration	\$1,750.00	Storm Water Fund
QUESTICA INC	LOGIS/Questica-Connection	\$450.00	PIR Fund

CITY OF WACONIA
Council List-Expenditures
Meeting: September 19, 2022

VENDOR NAME	DESCRIPTION	AMOUNT	FUND / DEPARTMENT
RACHIO	Zone Controllers 08.2022	\$200.00	Water Utility Fund
SIR LINES-A-LOT	JPA Traffic Markings	\$12,441.82	Streets
STUMP BUSTERS LLC	Grind Stump & Roots	\$1,350.00	Parks
USA SECURITY, INC.	Open Path Remote Support	\$145.00	Central Facilities
USA SECURITY, INC.	Open Path Subscription - Qtr 4	\$225.00	Water Utility Fund
WACONIA ROLL-OFF SERVICE	Inclusive Playground Dumpsters	\$780.00	PIR Fund
WSB	Small Area Plan Services	\$4,422.25	Planning
ZIEGLER INC	Generator TH 284 Lift Station	\$52,197.00	Sewer Utility Fund
Grand Total		\$679,024.19	

The above bills have been approved for payment at the regular City Council Meeting on September 19, 2022.
Authorized and ordered for payment:

Mayor

City Administrator

I have reviewed the list of claims for council approval and recommend payment.



Nicole Meyer, Finance Director

CITY OF WACONIA
Council List-Purchasing Card
Meeting: September 19, 2022

VENDOR NAME	DESCRIPTION	AMOUNT	FUND / DEPARTMENT
ACROSS THE STREET PRODUCTIONS, INC.	Online Training & Renewal Fee	\$903.12	Fire
AED CORO MEDICAL	Defibrillation Electrode Pads	\$244.82	Fire
AMAZON.COM	Election Supplies	\$9.65	Administration
AMAZON.COM	Cleaning Supplies	\$99.99	Streets
AMERICAN PLANNING ASSOCIATION - MN	APA Membership	\$517.00	Planning
AMERICAN PUBLIC WORKS ASSOCIATION	Fall Workshop Training	\$1,564.80	Parks
AMERICAN PUBLIC WORKS ASSOCIATION	Fall Workshop Trng Refund	-\$846.00	Parks
AMERICAN PUBLIC WORKS ASSOCIATION	Fall Workshop Training	\$652.00	Sewer Utility Fund
AMERICAN WATER WORKS ASSOC	AWWA Conference	\$420.00	Water Utility Fund
AMERICAN WATER WORKS ASSOC	AWWA Membership	\$1,090.00	Water Utility Fund
AMERICAN WATER WORKS ASSOC	Training Webinars	\$150.00	Water Utility Fund
AMERICAN WATER WORKS ASSOC	AWWA Membership	\$1,090.00	Sewer Utility Fund
ASPEN MILLS INCORPORATED	Fire Badges	\$2,955.51	Fire
ASPHALT ZIPPER FACTORY	Double Carbide Bit	\$2,629.00	Streets
ASPHALT ZIPPER FACTORY	Double Carbide Bit	\$2,629.00	Parks
ASSURITY LIFE INSURANCE COMPANY	Premiums 07.2022	\$662.64	Personnel Liabilities
BARCO PRODUCTS	Small Message Center	\$1,549.66	Parks
BIFFS, INC.	Portable Sanitation	\$2,583.00	Parks
CANVA PTY LTD.	Inclusive Playground Postcards	\$195.00	Administration
CANVA PTY LTD.	Small Area Plan Postcards	\$120.00	Planning
CAR-CO AUTO PARTS CO.	#1805, #55, & #40 Plug & Oil F	\$63.66	Streets
CAR-CO AUTO PARTS CO.	#189 & #180 Hyd, Oil & Air Filter	\$173.54	Streets
CAR-CO AUTO PARTS CO.	#40 & #56 Adapters & Fuse	\$35.96	Streets
CAR-CO AUTO PARTS CO.	#56 Fuse	\$4.99	Streets
CAR-CO AUTO PARTS CO.	#57, #188, & #56 Air & Oil Filter	\$133.78	Streets
CAR-CO AUTO PARTS CO.	#150 Light Bar & Reflectors	\$21.20	Parks
CAR-CO AUTO PARTS CO.	Coupler Kit	\$17.99	Parks
CAR-CO AUTO PARTS CO.	Shop Supplies	\$6.99	Parks
CAR-CO AUTO PARTS CO.	#53 Metallic Pads	\$50.91	Water Utility Fund
CARQUEST AUTO PARTS	#9016 Hose & Hose End	\$399.52	Sewer Utility Fund
CINTAS CORPORATION NO. 2	PW Uniforms 06.2022	\$278.39	Streets
CINTAS CORPORATION NO. 2	PW Uniforms 06.2022	\$92.64	Parks
CINTAS CORPORATION NO. 2	CH Restroom Mats 06.2022	\$38.52	Central Facilities

CITY OF WACONIA
Council List-Purchasing Card
Meeting: September 19, 2022

VENDOR NAME	DESCRIPTION	AMOUNT	FUND / DEPARTMENT
CINTAS CORPORATION NO. 2	PW First Aid Supplies	\$98.04	Central Facilities
CINTAS CORPORATION NO. 2	PW Uniforms 06.2022	\$67.24	Water Utility Fund
CINTAS CORPORATION NO. 2	PW Uniforms 06.2022	\$67.24	Sewer Utility Fund
CINTAS CORPORATION NO. 2	PW Uniforms 06.2022	\$159.78	Storm Water Fund
CINTAS CORPORATION NO. 2	PW Uniforms 06.2022	\$15.52	Street Light Utility Fund
CIRCLE C COUNTRY SUPPLIES	Vet One Udder Balm	\$51.00	Streets
COLONY PLAZA	Fuel	\$25.24	Fire
COLONY PLAZA	Forklift LP Gas	\$31.89	Parks
CORE & MAIN	2022 Improvement Project	\$4,733.45	Water Utility Fund
DELL MARKETING L.P.	Dell Monitors	\$779.98	Technology
DIGICERT, INC	Computer Software	\$551.30	Technology
DOLLAR TREE STORES INC	Election Supplies	\$26.84	Administration
D'VINCIS OF WACONIA	Election Judge Dinner	\$472.21	Administration
ECM PUBLISHERS INC	Publishing Fees 06.2022	\$24.30	Administration
ECM PUBLISHERS INC	Publishing Fees 06.2022	\$48.60	Planning
EVERSON HARDWARE HANK	#193 & 8013 Magnet & Hardware	\$19.24	Streets
EVERSON HARDWARE HANK	Fiberglass Shovel	\$134.95	Streets
EVERSON HARDWARE HANK	PVC Cap	\$0.99	Streets
EVERSON HARDWARE HANK	Udder Balm	\$11.99	Streets
EVERSON HARDWARE HANK	Jetter Truck Valve	\$8.46	Sewer Utility Fund
FALLS FLAG SOURCE	Nylon US Flags	\$261.89	Fire
FAST GUARD SERVICE WORLDWIDE	Waterford Park Security	\$7,948.60	Law Enforcement
FASTENAL INDUSTRIAL & CONST	Tufnut Tamproof	\$43.22	Streets
FASTENAL INDUSTRIAL & CONST	Inclusive Playground Cable Tie	\$57.73	PIR Fund
FASTENAL INDUSTRIAL & CONST	Safety Vending Equipment 06.2022	\$674.56	Water Utility Fund
FASTENAL INDUSTRIAL & CONST	#35 Hydsealant	\$49.44	Sewer Utility Fund
FERGUSON ENTERPRISES, INC.	New Home Resale Meters	\$8,663.60	Water Utility Fund
FERGUSON ENTERPRISES, INC.	Replacement Rain Gear	\$148.50	Sewer Utility Fund
FORCE AMERICA DISTRIBUTING, LLC	Adapter, Male & Female Coupler	\$587.21	Streets
GRAINGER, INC.	Batteries	\$39.45	Fire
GRAINGER, INC.	Street Supplies	\$89.94	Streets
GRAINGER, INC.	Eye Wash Station Guards	\$193.51	Sewer Utility Fund
HACH COMPANY	Accuvacs for Water Testing	\$160.01	Water Utility Fund
HARBOR FREIGHT TOOLS	Shovel & Richt Tie	\$104.94	Parks
HOLIDAY GAS STATION	Command Vehicle Washing 07.2022	\$5.50	Fire
HOME DEPOT	East Frontage Road Wire & Pipe	\$464.28	PIR Fund
INTERSTATE BATTERY SYSTEMS	#186 & 134 Batteries	\$173.66	Streets

CITY OF WACONIA
Council List-Purchasing Card
Meeting: September 19, 2022

VENDOR NAME	DESCRIPTION	AMOUNT	FUND / DEPARTMENT
INTERSTATE BATTERY SYSTEMS	#186 & 134 Batteries	\$97.69	Sewer Utility Fund
LANO EQUIPMENT OF LANO	Spring & Washer	\$12.30	Streets
LANO EQUIPMENT, INC.	#180 & 191 Filters for Cutoff Saw	\$276.91	Streets
LANO EQUIPMENT, INC.	#185 & 177 Anchor Pin Blade	\$98.32	Streets
LANO EQUIPMENT, INC.	#2025 Caster Wheel	\$136.41	Parks
LEAGUE OF MINNESOTA CITIES	ICMA-MCMA Dinner	\$55.00	Administration
MACKENTHUN'S FINE FOODS	Election Judge Breakfast	\$78.62	Administration
MACKENTHUN'S FINE FOODS	Election Supplies	\$13.34	Administration
MACKENTHUN'S FINE FOODS	Water for Testing	\$9.03	Water Utility Fund
MCFOA REGION IV	Annual Membership Dues	\$51.48	Administration
MEDIACOM	SI Cable Box Fees 06.29-07.26	\$22.10	Safari Island Fund
MILLS FLEET FARM	Angle Disc Harrow & Adhesive	\$1,451.72	Parks
MILLS FLEET FARM	Handgun Sprayer	\$7.99	Parks
MILLS FLEET FARM	Parks Supplies	\$15.98	Parks
MILLS FLEET FARM	Shop Supplies	\$26.07	Parks
MILLS FLEET FARM	Meter Box Supplies	\$53.98	Water Utility Fund
MN DEPARTMENT OF LABOR & INDUSTRY	Q1-2022 Bldg Permit Surcharge	\$13,365.83	Building Permit Surcharge Payable
MN DEPARTMENT OF LABOR & INDUSTRY	Q2-2022 Bldg Permit Surcharge	\$14,451.48	Building Permit Surcharge Payable
MN DEPARTMENT OF LABOR & INDUSTRY	WFD Elevator License	\$100.00	Central Facilities
MN FIRE SVC CERT BOARD	Apparatus Operator Certificate	\$580.00	Fire
MN GFOA	Annual MN GFOA Conference Fee	\$230.00	Finance
MN GFOA	MN GFOA August Meeting	\$20.00	Finance
MN VALLEY ELECTRIC COOP	Electric Service 07.2022	\$79.05	Central Facilities
MN VALLEY ELECTRIC COOP	Electric Service 07.2022	\$369.25	Sewer Utility Fund
MN VALLEY ELECTRIC COOP	Electric Service 07.2022	\$2,886.30	Street Light Utility Fund
MN VALLEY TESTING LABS	Water Testing Supplies	\$641.50	Storm Water Fund
MOCHA MONKEY	Elections Coffee	\$95.99	Administration
MONROE TOWMASTER LLC	#8013 Oak Boards	\$77.90	Streets
MONROE TOWMASTER LLC	#150 Bearing Cartridge	\$73.71	Parks
MTI DISTRIBUTING, INC.	Tire & Wheel ASM & Angled Blade	\$337.47	Parks
NAPA AUTO PARTS	#8003 Break Away System	\$81.99	Streets
NAPA AUTO PARTS	#51 Back Up Alarm	\$92.99	Sewer Utility Fund
NORTHSIDE GRILL	County Admins Meeting	\$25.57	Administration
NUSS EQUIPMENT GROUP LLC	#40 Gunitite 2000	\$85.97	Streets
OFFICE OF THE SECRETARY OF STATE	UCC Filing Fee American Legion	\$20.00	Revolving Loan Fund
ORGANIC RECYCLING FAC	Top Soil	\$1,433.60	Streets
PINE PRODUCTS	Compost Disposal	\$650.00	Streets

CITY OF WACONIA
Council List-Purchasing Card
Meeting: September 19, 2022

VENDOR NAME	DESCRIPTION	AMOUNT	FUND / DEPARTMENT
PINE PRODUCTS	Playground Chips	\$10,260.00	Parks
PLUNKETT'S PEST CONTROL	WTP Pest Control	\$1,336.90	Water Utility Fund
PRECISE MRM LLC	Vehicle Data Charge 06.2022	\$540.00	Streets
PUMP & METER SERVICE	Compliance Testing	\$454.50	Streets
PUMP & METER SERVICE	RFID Aim Ext Cable	\$30.86	Streets
R&W ROPE	Pallet Shipping Charge	\$200.00	PIR Fund
REDPATH AND COMPANY	2021 Audit Services	\$47,000.00	Finance
REPUBLIC SERVICES	CH Shredding Service 07.2022	\$34.95	Central Facilities
REPUBLIC SERVICES	CH Shredding Service 08.2022	\$35.12	Central Facilities
ROBERT HAMILTON/HAJOCA CORP	L-52 Faucet	\$65.24	Sewer Utility Fund
ROYAL TIRE INC	#179 & 8003 Tires	\$1,432.20	Streets
ROYAL TIRE INC	#8015 & 8016 Tires	\$425.88	Streets
ROYAL TIRE INC	#189 Tires	\$45.00	Parks
RUFFRIDGE JOHNSON EQUIPMENT COMPANY	Street Shovels	\$117.81	Streets
SEALMASTER OF MINNESOTA	U-Shape Refills	\$37.98	Parks
SHERWIN-WILLIAMS	Traffic Line Paint	\$1,574.25	Streets
SITE ONE LANDSCAPE SUPPLY	CH Irrigation	\$13.41	Central Facilities
SITE ONE LANDSCAPE SUPPLY	Mounting Bracket & Solar Panel	\$2,159.28	Storm Water Fund
SITE ONE LANDSCAPE SUPPLY	Poly Pipe, Elbow, PVC Nipple	\$381.33	Storm Water Fund
SITE ONE LANDSCAPE SUPPLY	PVC Coupling Socket	\$26.12	Storm Water Fund
SITE ONE LANDSCAPE SUPPLY	Spiral Barb Elbows, Rotor, & Saddle	\$231.53	Storm Water Fund
SITE ONE LANDSCAPE SUPPLY	Storm Sewer Valves	\$532.65	Storm Water Fund
SITE ONE LANDSCAPE SUPPLY	Valve Boxes with Overlapping	\$235.79	Storm Water Fund
STAPLES CONTRACT & COMMERCIAL, INC.	City Hall Supplies	\$89.46	Administration
STAPLES CONTRACT & COMMERCIAL, INC.	Paper Towels	\$51.68	Streets
STAPLES CONTRACT & COMMERCIAL, INC.	Paper Towels & Label Maker Tap	\$38.35	Streets
STAPLES CONTRACT & COMMERCIAL, INC.	Sticky Notes & Paper Towels	\$37.92	Streets
SWANK MOTION PICTURES, INC	Movie in the Park; Sing 2	\$465.00	Recreation
SWANK MOTION PICTURES, INC	Movie in the Park; Space Jam	\$465.00	Recreation
TARGET	CH & Election Supplies	\$100.54	Administration
TARGET	Election Filing Supplies	\$5.00	Administration
TARGET	Election Supplies	\$92.59	Administration
TARGET	Water	\$37.74	Fire
TOLL COMPANY	Cylinder Audit; Welder Equipment	\$24.06	Streets
TOLL COMPANY	Industrial Cylinder	\$23.28	Streets
TOLL COMPANY	Kit Drive Roll	\$112.24	Streets
TWIN CITY SEED COMPANY	Turf Seed Mix	\$1,400.00	Parks

CITY OF WACONIA
Council List-Purchasing Card
Meeting: September 19, 2022

VENDOR NAME	DESCRIPTION	AMOUNT	FUND / DEPARTMENT
UPS STORE	Water Quality Samples Postage	\$41.08	Water Utility Fund
USABUEBOOK	Water Hyd Fitting	\$185.30	Water Utility Fund
USABUEBOOK	Fill Hose for Sweeper	\$185.29	Storm Water Fund
USPS	Fluoride Sample Postage	\$5.10	Water Utility Fund
VERIZON WIRELESS	City Cell/Aircard Service 07.22	\$82.58	Administration
VERIZON WIRELESS	City Cell/Aircard Service 07.22	\$76.30	Technology
VERIZON WIRELESS	City Cell/Aircard Service 07.22	\$81.30	Planning
VERIZON WIRELESS	City Cell/Aircard Service 07.22	\$240.08	Fire
VERIZON WIRELESS	City Cell/Aircard Service 07.22	\$178.95	Streets
VERIZON WIRELESS	City Cell/Aircard Service 07.22	\$164.12	Parks
VERIZON WIRELESS	City Cell/Aircard Service 07.22	\$256.77	Water Utility Fund
VERIZON WIRELESS	City Cell/Aircard Service 07.22	\$256.78	Sewer Utility Fund
VERIZON WIRELESS	City Cell/Aircard Service 07.22	\$109.64	Storm Water Fund
VERIZON WIRELESS	City Cell/Aircard Service 07.22	\$34.66	Street Light Utility Fund
VERIZON WIRELESS	City Cell/Aircard Service 07.22	-\$12.08	Ice Arena
WACONIA PHARMACY	Epi Pens	\$496.00	Fire
WASTE MANAGEMENT	Cedar Point Floating Dock Disp	\$299.11	Parks
WAYNE'S HOME SERVICES	Outside Window Cleaning	\$520.00	Central Facilities
ZIEGLER INC	#171 Fitting	\$156.15	Streets
Grand Total		\$159,107.91	

The above bills have been approved for payment at the regular City Council Meeting on September 19, 2022.

Authorized and ordered for payment:

Mayor

City Administrator

I have reviewed the list of claims for council approval and recommend payment.

Nicole M. Meyer

Nicole Meyer, Finance Director

CITY OF WACONIA
Council List-Other/Electronic
Meeting: September 19, 2022

VENDOR NAME	DESCRIPTION	AMOUNT	FUND / DEPARTMENT
AMERICAN MAILING MACHINES	Postage Machine Refill	\$500.00	Water Utility Fund
CARVER COUNTY	Record Fees for Waconia Square	\$488.00	Revolving Loan Fund
CENTERPOINT ENERGY RESOURCES CORP	Natural Gas Service 06.2022	\$1,123.56	Central Facilities
CENTERPOINT ENERGY RESOURCES CORP	Natural Gas Service 06.2022	\$1,007.31	Water Utility Fund
CENTERPOINT ENERGY RESOURCES CORP	Natural Gas Service 06.2022	\$80.52	Sewer Utility Fund
CENTERPOINT ENERGY RESOURCES CORP	Natural Gas Service 06.2022	\$20.77	Storm Water Fund
CENTERPOINT ENERGY RESOURCES CORP	Natural Gas Service 06.2022	\$20.77	Street Light Utility Fund
CENTERPOINT ENERGY RESOURCES CORP	Natural Gas Service 06.2022	\$1,428.94	Ice Arena
EFTPS	Federal Taxes - Fire/CC 07/22	\$2,700.43	Personnel Liabilities
EFTPS	Federal Taxes - Pay 16-2022	\$29,031.98	Personnel Liabilities
EFTPS	Federal Taxes - Pay 17-2022	\$29,585.53	Personnel Liabilities
HEALTHPARTNERS	Medical/Dental 08.2022	\$38,887.74	Personnel Liabilities
HEALTHPARTNERS	Medical/Dental 09.2022	\$39,401.35	Personnel Liabilities
HEIDI SCHWARTZ	Refund Overpayment of UB	-\$5.00	Finance
HEIDI SCHWARTZ	Refund Overpayment of UB	\$245.00	Water Utility Fund
INVOICE CLOUD, INC.	CC Transaction Fees 07.2022	\$2,176.20	Finance
KANSAS STATE BANK OF MANHATTAN	Exercise Equip Lease 08.2022	\$2,310.00	Safari Island Fund
LONGHORNS BURGER HOUSE	Employee Recognition Picnic	\$1,285.00	Administration
MARCO TECHNOLOGIES, LLC	CH Printer Lease 07.21-08.21	\$748.39	Central Facilities
MCFOA REGION IV	MCFOA Region IV Meeting	\$20.00	Administration
METRO FIBERNET LLC	Phone Services 08.2022	\$22.94	Bill Back Receivable
METRO FIBERNET LLC	Phone Services 08.2022	\$495.57	Central Facilities
METRO FIBERNET LLC	Phone Services 08.2022	\$138.17	Safari Island Fund
METRO FIBERNET LLC	Phone Services 08.2022	\$110.28	Water Utility Fund
METRO FIBERNET LLC	Phone Services 08.2022	\$31.20	Sewer Utility Fund
METRO FIBERNET LLC	Phone Services 08.2022	\$41.61	Storm Water Fund
METRO FIBERNET LLC	Phone Services 08.2022	\$109.14	Ice Arena
MINNESOTA DEPARTMENT OF REVENUE	Sales Tax Liability 07.2022	\$1.50	Sales Tax Liability
MINNESOTA DEPARTMENT OF REVENUE	State Taxes - Fire/CC 07/2022	\$129.63	Personnel Liabilities
MINNESOTA DEPARTMENT OF REVENUE	State Taxes - Pay 16-2022	\$5,371.60	Personnel Liabilities
MINNESOTA DEPARTMENT OF REVENUE	State Taxes - Pay 17-2022	\$5,490.14	Personnel Liabilities
MINNESOTA DEPARTMENT OF REVENUE	Sales Tax Liability 07.2022	\$240.17	Safari Island Fund
MINNESOTA DEPARTMENT OF REVENUE	Sales Tax Liability 07.2022	\$2,742.33	Water Utility Fund
MONEY MOVERS	SI Insurance Reimb 07.2022	\$19.25	Safari Island Fund
NATIONWIDE RETIREMENT SOLUTIONS	EE Retirement - Pay 16-2022	\$2,820.00	Personnel Liabilities

CITY OF WACONIA
Council List-Other/Electronic
Meeting: September 19, 2022

VENDOR NAME	DESCRIPTION	AMOUNT	FUND / DEPARTMENT
NATIONWIDE RETIREMENT SOLUTIONS	EE Retirement - Pay 17-2022	\$2,820.00	Personnel Liabilities
NORTHERN STATES POWER COMPANY, MINNESOTA	Electric Service 06.2022	\$35.79	Community Safety
NORTHERN STATES POWER COMPANY, MINNESOTA	10525 10th St Electric 06.2022	\$25.51	Central Facilities
NORTHERN STATES POWER COMPANY, MINNESOTA	Electric Service 06.2022	\$299.76	Central Facilities
NORTHERN STATES POWER COMPANY, MINNESOTA	Inclusive Playground Electric	\$9,992.03	PIR Fund
NORTHERN STATES POWER COMPANY, MINNESOTA	Electric Service 06.2022	\$8,377.84	Water Utility Fund
NORTHERN STATES POWER COMPANY, MINNESOTA	Electric Service 06.2022	-\$2,886.18	Sewer Utility Fund
NORTHERN STATES POWER COMPANY, MINNESOTA	Electric Service 06.2022	\$1,075.63	Storm Water Fund
NORTHERN STATES POWER COMPANY, MINNESOTA	Electric Service 06.2022	\$12,853.19	Street Light Utility Fund
NORTHERN STATES POWER COMPANY, MINNESOTA	Electric Service 06.2022	\$1,887.78	Ice Arena
OLD NATIONAL BANK	EE HSA Liability - Pay 16-2022	\$3,874.07	Personnel Liabilities
OLD NATIONAL BANK	EE HSA Liability - Pay 17-2022	\$3,874.07	Personnel Liabilities
OLD NATIONAL BANK	ER HSA Liability - Pay 16-2022	\$2,200.12	Personnel Liabilities
OLD NATIONAL BANK	ER HSA Liability - Pay 17-2022	\$2,200.12	Personnel Liabilities
PERA	EE/ER Retirement - Pay 16-2022	\$17,024.64	Personnel Liabilities
PERA	EE/ER Retirement - Pay 17-2022	\$17,167.95	Personnel Liabilities
RAGTOWN	Music in the Park 08.11.22	\$1,000.00	Recreation
RELIANCE STANDARD	09.2022 Premiums	\$1,634.93	Personnel Liabilities
RINK MANAGEMENT SERVICES CORPORATION	SI CC Reimb 07.01.22 -07.19.22	\$34,762.89	Safari Island Fund
RINK MANAGEMENT SERVICES CORPORATION	SI CC Reimb 07.20.22 -07.31.22	\$9,392.38	Safari Island Fund
RINK MANAGEMENT SERVICES CORPORATION	SI CC Reimb 08.01.22 -08.19.22	\$37,675.83	Safari Island Fund
RINK MANAGEMENT SERVICES CORPORATION	SI CC Reimb 08.20.22 -08.31.22	\$9,842.77	Safari Island Fund
RINK MANAGEMENT SERVICES CORPORATION	SI Replenish ME 08.2022	\$17,635.34	Safari Island Fund
RINK MANAGEMENT SERVICES CORPORATION	CC Reimbursement 08.01-08.19	\$456.00	Ice Arena
RINK MANAGEMENT SERVICES CORPORATION	CC Reimbursement 8.20-8.31	\$461.06	Ice Arena
RINK MANAGEMENT SERVICES CORPORATION	IA CC Reimburse 07.01 - 07.19	\$4,130.51	Ice Arena
RINK MANAGEMENT SERVICES CORPORATION	IA CC Reimburse/Replenish	\$41,317.94	Ice Arena
RINK MANAGEMENT SERVICES CORPORATION	Replenish Reserve Cash ME 8.22	\$20,772.31	Ice Arena
SECURITY BANK WACONIA	EDA Lease Rev Safari Island	\$27,273.02	2004 Community Center Bond
SECURITY BANK WACONIA	Rev Bonds Arena Construction	\$71,622.78	2007 Ice Arena Bond
SOLBERG'S TREE SERVICE, LLC	Ash Tree Treatment	\$2,390.00	Streets
SOLBERG'S TREE SERVICE, LLC	Ash Tree Treatment	\$2,390.00	Parks
STANDARD PRINTING -N- MAILING	#10 Envelopes Mailings_UB	\$287.00	Water Utility Fund
STANDARD PRINTING -N- MAILING	Processing of Final Bills	\$7.50	Water Utility Fund
STANDARD PRINTING -N- MAILING	UB/Mailing Processing 08.2022	\$957.64	Water Utility Fund
STANDARD PRINTING -N- MAILING	#10 Envelopes Mailings_UB	\$287.00	Sewer Utility Fund
STANDARD PRINTING -N- MAILING	Processing of Final Bills	\$7.50	Sewer Utility Fund
STANDARD PRINTING -N- MAILING	UB/Mailing Processing 08.2022	\$957.64	Sewer Utility Fund
UNITED FARMERS COOP	Diesel Fill 08.11.22	\$17,845.40	Fleet Fuel Payable

CITY OF WACONIA
Council List-Other/Electronic
Meeting: September 19, 2022

VENDOR NAME	DESCRIPTION	AMOUNT	FUND / DEPARTMENT
WACONIA SQUARE, LLC	Revolving Loan Proceeds	\$149,999.00	Revolving Loan Fund
Grand Total		\$702,748.78	

The above bills have been approved for payment at the regular City Council Meeting on September 19, 2022.

Authorized and ordered for payment:

Mayor

City Administrator



REQUEST FOR CITY COUNCIL ACTION

Meeting Date:		September 19, 2022					
Item Name:		Rink Management Services Corporation Waconia Ice Arena Expenditures Incurred August 2022					
Originating Department:		Finance					
Presented by:		Nicole Meyer					
Previous Council Action (if any):							
Item Type (X only one):	Consent	X	Regular Session		Discussion Session		
RECOMMENDATIONS/COUNCIL ACTION/MOTION REQUESTED <i>(Include motion in proper format.)</i>							
Motion to Approve Rink Management Corporation Expenditures for Waconia Ice Arena Incurred in August 2022							
EXPLANATION OF AGENDA ITEM <i>(Include a description of background, benefits, and recommendations.)</i>							
Rink Management Services Corporation has provided the attached report for expenditures paid in August 2022. Per the City's contract with Rink Management, these expenditures are paid by Rink Management for the City's operation of the Waconia Ice Arena.							
<u>Attachments:</u>							
1. Ice Arena Bills Applied Payments Aug '22.pdf							
FINANCIAL IMPLICATIONS:				ADVISORY BOARD RECOMMENDATIONS:			
Funding Sources & Uses: Ice Arena Fund (678)							
Budget Information:				Planning Commission			
☒ Budgeted				Parks and Recreation Board			
☐ Non Budgeted				Safari Island Advisory Board			
☐ Amendment Required				Other			

**Waconia Ice Arena
Bills and Applied Payments
August 2022**

	Date	Transaction Type	Num	Memo/Description	Split	Amount
Advanced Energy Partners						
	08/19/2022	Bill Payment (Check)	2826		0012 Cash - IA/RMSC	-269.36
	08/04/2022	Bill	2022-7	July 2022	4049 2 Utilities:Solar Energy	269.36
Brent Schmeling						
	08/05/2022	Bill Payment (Check)	2814		0012 Cash - IA/RMSC	-90.00
	07/27/2022	Bill	07/27/22	3 games 07/27/22	2107 Summer Programming	90.00
	08/12/2022	Bill Payment (Check)	2819		0012 Cash - IA/RMSC	-120.00
	08/03/2022	Bill	8.3.22	4 games 8/3/22	2107 Summer Programming	120.00
	08/19/2022	Bill Payment (Check)	2827		0012 Cash - IA/RMSC	-90.00
	08/10/2022	Bill	8.10.22	3 games 8/10/22	2107 Summer Programming	90.00
CD Products INC						
	08/26/2022	Bill Payment (Check)	2835		0012 Cash - IA/RMSC	-186.83
	08/16/2022	Bill	79984	Advertising for hire flag	4046 Advertising	186.83
Cool Air Mechanical						
	08/26/2022	Bill Payment (Check)	2836		0012 Cash - IA/RMSC	-551.00
	08/08/2022	Bill	27475	Work on Air Handling Unit	4029 1 Maintenance & Repairs:Building Repairs	551.00
Gartner Refrigeration and MFG., INC						
	08/19/2022	Bill Payment (Check)	2828		0012 Cash - IA/RMSC	-136.95
	08/01/2022	Bill	IP008756	CamCo Oil, 5 gal pail	4023 1 Operating Supplies:Building Supplies	136.95
Grainger						
	08/19/2022	Bill Payment (Check)	2829		0012 Cash - IA/RMSC	-328.27
	08/01/2022	Bill	878026442	Filters	4023 2 Operating Supplies:Maintenance Supplies	322.49
	08/01/2022	Bill	7	Oil	4023 1 Operating Supplies:Building Supplies	5.78
Jeff Schrader						
	08/05/2022	Bill Payment (Check)	2815		0012 Cash - IA/RMSC	-120.00
	07/27/2022	Bill	07/27/22	4 games 7/27/22	2107 Summer Programming	120.00
	08/12/2022	Bill Payment (Check)	2820		0012 Cash - IA/RMSC	-120.00
	08/03/2022	Bill	08.03.22	4 games 8/3/22	2107 Summer Programming	120.00
	08/19/2022	Bill Payment (Check)	2830		0012 Cash - IA/RMSC	-90.00
	08/10/2022	Bill	8.10.22	3 games 8.10.22	2107 Summer Programming	90.00
Jeremy Heckmann						
	08/05/2022	Bill Payment (Check)	2816		0012 Cash - IA/RMSC	-120.00
	07/27/2022	Bill	07/27/22	4 games 07/27/22	2107 Summer Programming	120.00
	08/12/2022	Bill Payment (Check)	2821		0012 Cash - IA/RMSC	-90.00
	08/03/2022	Bill	08.03.22	3 games 08/03/22	2107 Summer Programming	90.00
	08/19/2022	Bill Payment (Check)	2831		0012 Cash - IA/RMSC	-90.00
	08/10/2022	Bill	8.10.22	3 games 8.10.22	2107 Summer Programming	90.00
Nathan Swanson - Petty Cash						
	08/12/2022	Bill Payment (Check)	2822		0012 Cash - IA/RMSC	-78.31
	08/03/2022	Bill	PC8.3.22		-Split-	78.31
Paul Williams						
	08/05/2022	Bill Payment (Check)	2817		0012 Cash - IA/RMSC	-90.00

	Date	Transaction Type	Num	Memo/Description	Split	Amount
	07/27/2022	Bill	07/27/22	3 games 07/27/22	2107 Summer Programming	90.00
	08/12/2022	Bill Payment (Check)	2823		0012 Cash - IA/RMSC	-90.00
	08/03/2022	Bill	08.03.22	3 games 8/3/22	2107 Summer Programming	90.00
	08/19/2022	Bill Payment (Check)	2832		0012 Cash - IA/RMSC	-90.00
	08/10/2022	Bill	8.10.22	3 games 8/10/22	2107 Summer Programming	90.00
R & R Specialties of Wisconsin Inc						
	08/12/2022	Bill Payment (Check)	2824		0012 Cash - IA/RMSC	-42.50
	07/29/2022	Bill	76210	Blade Sharpening	4029 2 Maintenance & Repairs:Equipment Repairs	42.50
Rink Management Services Corporation						
	08/05/2022	Bill Payment (Check)	2818		0012 Cash - IA/RMSC	-7,429.12
	07/06/2022	Bill	108650	Intuit/Quick Books Subscription Payroll WK 27 Processing Charges; Paychex Invoice #2022062901 (\$5,430.52 split by 561	4053 Subscript., Memberships & Dues	180.00
	07/01/2022	Bill	108581	Employee Pays)	4004 3 Contracted Payroll:Payroll Expenses	77.44
	07/28/2022	Bill	108528	Payroll Period Ending 7/24/22; Pay Date 8/1/22; WK 31	4004 1 Contracted Payroll:Payroll	6,560.90
	07/20/2022	Bill	108615	July Timeclocks; Paychecks Invoice #2558451	4004 3 Contracted Payroll:Payroll Expenses	148.40
	07/18/2022	Bill	108561	Principal Health Insurance Invoice 7/18/22; Billing Period 8/1 - 8/31/22 Payroll WK 29 Processing Charges; Paychex Invoice #2022071401 (\$5,432.80 split by 535	-Split-	334.06
	07/18/2022	Bill	108602	Employee Pays)	4004 3 Contracted Payroll:Payroll Expenses	71.05
	07/06/2022	Bill	108693	HR Classroom Charge from Bill #070622th (\$950 split with 18 users) Time Budgeting Module; Paychex Invoice #2464895	4004 3 Contracted Payroll:Payroll Expenses	52.77
	07/02/2022	Bill	108642	Time Budgeting Module; Paychex Invoice #2377882	-Split-	4.50
	08/12/2022	Bill Payment (Check)	2825		0012 Cash - IA/RMSC	-70.42
	07/31/2022	Bill	108748	July Time Budgeting; Paychex Invoice #2558451	4004 3 Contracted Payroll:Payroll Expenses	2.25
	07/15/2022	Bill	108764	Paychex Statement #25467396; Screening Services (split with 20 users)	4004 3 Contracted Payroll:Payroll Expenses	33.74
	07/15/2022	Bill	108790	Analysis & Monitoring Services; Paychex Statement #25467396	4004 3 Contracted Payroll:Payroll Expenses	15.61
	07/08/2022	Bill	108715	Federal Express Invoice #7-813-56719; July 8, 2022	4037 Postage & Delivery	18.82
	08/19/2022	Bill Payment (Check)	2833		0012 Cash - IA/RMSC	-3,985.77
	08/11/2022	Bill	108815	Payroll Period Ending 8/7/22; Pay Date 8/15/22; WK 33	4004 1 Contracted Payroll:Payroll	3,985.77
	08/26/2022	Bill Payment (Check)	2837		0012 Cash - IA/RMSC	-40.02
	08/01/2022	Bill	108821	Walmart Check Printing (split charge from Bill #070622TH2765)	4023 4 Operating Supplies:Office Supplies	40.02
Steve Bohn						
	08/19/2022	Bill Payment (Check)	2834		0012 Cash - IA/RMSC	-4,000.00
	08/10/2022	Bill	8.10.22	Softball program	2107 Summer Programming	4,000.00
					Total Expenses:	\$18,318.55



REQUEST FOR CITY COUNCIL ACTION

Meeting Date:		September 19, 2022					
Item Name:		Rink Management Services Corporation Safari Island Community Center Expenditures Incurred August 2022					
Originating Department:		Finance					
Presented by:		Nicole Meyer					
Previous Council Action (if any):							
Item Type (X only one):	Consent	☒ X	Regular Session	☐	Discussion Session	☐	
RECOMMENDATIONS/COUNCIL ACTION/MOTION REQUESTED <i>(Include motion in proper format.)</i>							
Motion to Approve Rink Management Corporation Expenditures for Safari Island Community Center Incurred in August 2022							
EXPLANATION OF AGENDA ITEM <i>(Include a description of background, benefits, and recommendations.)</i>							
Rink Management Services Corporation has provided the attached report for expenditures paid in August 2022. Per the City's contract with Rink Management, these expenditures are paid by Rink Management for the City's operation of the Safari Island Community Center. Attachments: 1. Safari Island Bills Applied Payments Aug '22.pdf							
FINANCIAL IMPLICATIONS:				ADVISORY BOARD RECOMMENDATIONS:			
Funding Sources & Uses: Safari Island Fund (231)							
Budget Information: ☒ X Budgeted ☐ Non Budgeted ☐ Amendment Required				Planning Commission			
				Parks and Recreation Board			
				Safari Island Advisory Board			
				Other			

**Safari Island Community Center
Bills and Applied Payments
August 2022**

	Date	Transaction Type	Num	Memo/Description	Split	Amount
American Red Cross						
	08/12/2022	Bill Payment (Check)	4499		0012 Cash - SI/RMSC	-123.00
	07/27/2022	Bill	22466493	Lifeguarding	4041 Training & Education	123.00
Cady Building Maintenance						
	08/12/2022	Bill Payment (Check)	4500		0012 Cash - SI/RMSC	-3,511.16
	08/01/2022	Bill	4984596	August Cleaning	4069 Contract Services	3,511.16
City of Waconia						
	08/19/2022	Bill Payment (Check)	4513		0012 Cash - SI/RMSC	-6,368.54
	08/08/2022	Bill	OD 7.31.22	Amount over \$75,000 reserve on 07/31/22	0010 Cash - City of Waconia	6,368.54
Dan Montague - Expense Reimbursement						
	08/12/2022	Bill Payment (Check)	4501		0012 Cash - SI/RMSC	-361.70
	08/05/2022	Bill	EXP8.5.22	Waconia Bucks and Mileage	-Split-	361.70
	08/19/2022	Bill Payment (Check)	4514		0012 Cash - SI/RMSC	-102.49
	08/11/2022	Bill	EXP08.11.22		-Split-	102.49
Dan Montague - Petty Cash						
	08/12/2022	Bill Payment (Check)	4502		0012 Cash - SI/RMSC	-77.28
	08/04/2022	Bill	PC8.4.22		-Split-	77.28
	08/19/2022	Bill Payment (Check)	4515		0012 Cash - SI/RMSC	-40.51
	08/12/2022	Bill	PC081212		-Split-	40.51
Fun Jumps						
	08/19/2022	Bill Payment (Check)	4516		0012 Cash - SI/RMSC	-748.29
	08/12/2022	Bill	Q215986	Dunk Tank & Obstacle Course Rental	4023 3 Operating Supplies:Office Supplies	748.29
GK2 Promotions						
	08/12/2022	Bill Payment (Check)	4503		0012 Cash - SI/RMSC	-266.33
	07/26/2022	Bill	6026	sunglasses for free giveaway at Carver County Fair	4046 Advertising & Promotion	266.33
Horizon Commercial Pool Supply						
	08/12/2022	Bill Payment (Check)	4504		0012 Cash - SI/RMSC	-1,183.24
	07/28/2022	Bill	22760	Hydrochloric Acid Solution	4075 Chemicals/Pool Supplies	653.63
	07/26/2022	Bill	22593	Pool Repair Putty	4029 2 Maintenance & Repairs:Pool Repairs	112.26
	07/25/2022	Bill	23104	Spa Filter Valve	4029 2 Maintenance & Repairs:Pool Repairs	778.44
	07/26/2022	Vendor Credit	CM110434	Credit from Return of pool parts	4029 2 Maintenance & Repairs:Pool Repairs	-361.09
Innovative Office Solutions, LLC						
	08/12/2022	Bill Payment (Check)	4505		0012 Cash - SI/RMSC	-509.05
	07/01/2022	Bill	3830488	Safe, pen, tape, markers	4023 3 Operating Supplies:Office Supplies	509.05
	08/19/2022	Bill Payment (Check)	4517		0012 Cash - SI/RMSC	-147.38
	08/08/2022	Bill	3891161	Laminating Pouches	4023 3 Operating Supplies:Office Supplies	77.26
	08/11/2022	Bill	3895953	Dum Dum Pops	4023 3 Operating Supplies:Office Supplies	70.12
Johnson Fitness & Wellness						
	08/12/2022	Bill Payment (Check)	4506		0012 Cash - SI/RMSC	-35.00
	07/29/2022	Bill	22-039242	Weight Room Accessory; Tricep Rope	4023 6 COGS - Operating:COGS - Reg., Programs & Lessons	35.00
Kristi Sherlock - Expense Reimbursement						
	08/12/2022	Bill Payment (Check)	4507		0012 Cash - SI/RMSC	-20.36
	07/18/2022	Bill	EXP07/18/22	Mileage to and from bank	4043 2 Travel & Entertainment:Travel & Mileage	20.36
Master-Link Sports						

	Date	Transaction Type	Num	Memo/Description	Split	Amount
	08/19/2022	Bill Payment (Check)	4518		0012 Cash - SI/RMSC	-525.00
	08/11/2022	Bill	9125	Pad Upholstery for Weight machine	4029 3 Maintenance & Repairs:Equipment Repairs	525.00
Minneapolis Oxygen Company						
	08/12/2022	Bill Payment (Check)	4508		0012 Cash - SI/RMSC	-23.60
	07/31/2022	Bill	96626	Helium Rental	4023 4 COGS - Operating:COGS - Birthday Parties	23.60
Rink Management Services Corporation						
	08/05/2022	Bill Payment (Check)	4498		0012 Cash - SI/RMSC	-35,095.63
	07/28/2022	Bill	108525	Payroll Period Ending 7/24/22; Pay Date 8/1/22; WK 31	4004 1 Contracted Payroll:Payroll	33,274.23
	07/20/2022	Bill	108614	July Timeclocks; Paychex Invoice #2558451	4004 3 Contracted Payroll:Payroll Expenses	296.80
				Payroll WK 29 Processing Charges; Paychex Invoice #2022071401 (\$5,432.80 split by 535 Employee Pays)		
	07/18/2022	Bill	108599		4004 3 Contracted Payroll:Payroll Expenses	517.65
	07/18/2022	Bill	108560	Principal Health Insurance Invoice 7/18/22; Billing Period 8/1 - 8/31/22	-Split-	204.28
	07/06/2022	Bill	108648	Intuit/Quickbooks Subscription	4053 Subscript., Memberships & Dues	180.00
	07/06/2022	Bill	108689	HR Classroom Charge from Bill #070622th (\$950 split with 18 users)	4004 3 Contracted Payroll:Payroll Expenses	52.77
				Time Budgeting Module; Paychex Inv #2464895		
	07/02/2022	Bill	108639	Time Budgeting Module; Paychex Invoice #2377882	-Split-	37.50
				Payroll WK 27 Processing Charges; Paychex Invoice #2022062901 (\$5,430.52 split by 561 Employee Pays)		
	07/01/2022	Bill	108576		4004 3 Contracted Payroll:Payroll Expenses	532.40
	08/12/2022	Bill Payment (Check)	4509		0012 Cash - SI/RMSC	-392.74
	07/01/2022	Bill	108394	Wix.com - Yearly Ascend Basic Plan	4053 Subscript., Memberships & Dues	120.00
	07/12/2022	Bill	108698	Verizon Invoice #9911010884, 7/12/22; Billing Period 6/13/22 - 7/12/22	-Split-	106.52
	07/15/2022	Bill	108787	Analysis & Monitoring Services; Paychex Statement #25467396	4004 3 Contracted Payroll:Payroll Expenses	113.73
	07/15/2022	Bill	108761	Paychex Statement #25467396; Screening Services (split with 20 users)	4004 3 Contracted Payroll:Payroll Expenses	33.74
	07/31/2022	Bill	108745	July Time Budgeting; Paychex Invoice #2558451	4004 3 Contracted Payroll:Payroll Expenses	18.75
	08/19/2022	Bill Payment (Check)	4519		0012 Cash - SI/RMSC	-32,552.50
	08/11/2022	Bill	108811	Payroll Period Ending 8/7/22; Pay Date 8/15/22; WK 33	4004 1 Contracted Payroll:Payroll	32,552.50
The Lifeguard Store, INC						
	08/12/2022	Bill Payment (Check)	4510		0012 Cash - SI/RMSC	-33.50
	07/22/2022	Bill	1230115	Emergency Blankets	4023 1 Operating Supplies:Building Supplies	33.50
	08/19/2022	Bill Payment (Check)	4520		0012 Cash - SI/RMSC	-8.50
	08/01/2022	Bill	1219560	Aquajogger Classic Color Blue	4085 Uniforms	8.50
The Sherwin Williams Co						
	08/12/2022	Bill Payment (Check)	4511		0012 Cash - SI/RMSC	-1,637.23
	08/01/2022	Bill	4099-7	Paint	4029 1 Maintenance & Repairs:Building Repairs	504.45
	08/01/2022	Bill	5298-2	Paint	4029 1 Maintenance & Repairs:Building Repairs	911.81
	08/01/2022	Bill	5061-9	Paint	4029 1 Maintenance & Repairs:Building Repairs	220.97
Waconia Ice Arena						
	08/19/2022	Bill Payment (Check)	4521		0012 Cash - SI/RMSC	-3,684.44
	07/25/2022	Bill	ST 06/22	Sales & Use tax payment for June 2022	-Split-	3,684.44
Watson Company						
	08/19/2022	Bill Payment (Check)	4522		0012 Cash - SI/RMSC	-490.42
	08/11/2022	Bill	127661	Concessions Inventory	-Split-	490.42
Welcome Neighbor Inc						
	08/12/2022	Bill Payment (Check)	4512		0012 Cash - SI/RMSC	-170.85
	08/01/2022	Bill	16600	New Neighbor Package	4046 Advertising & Promotion	170.85
Total Expenses:						\$88,108.74



REQUEST FOR CITY COUNCIL ACTION

Meeting Date:		September 19, 2022					
Item Name:		Contractor Pay Request #7 - Final 2021 Infrastructure Improvement Project					
Originating Department:		Finance					
Presented by:		Nicole Meyer					
Previous Council Action (if any):							
Item Type (X only one):	Consent	☒ X	Regular Session	☐	Discussion Session	☐	
RECOMMENDATIONS/COUNCIL ACTION/MOTION REQUESTED <i>(Include motion in proper format.)</i>							
Motion to approve Pay Estimate No. 7-Final to GMH Asphalt, Inc. for the 2021 Infrastructure Improvement Project.							
EXPLANATION OF AGENDA ITEM <i>(Include a description of background, benefits, and recommendations.)</i>							
Staff has reviewed the contractor pay request for the 2021 Infrastructure Improvement Project and recommends payment of \$13,037.85 based on the engineering request for payment. This payment represents approximately 107.0% of the total approved contract for the project. Engineering advised that the total contract was overrun due to storm sewer/drain tile work that was added on Sparrow Road after the project was bid. The added pipe resulted in the need for additional removals, more bituminous pavement, and additional restoration.							
Attachments:							
1. 2021 Project Payment #7.pdf							
FINANCIAL IMPLICATIONS:				ADVISORY BOARD RECOMMENDATIONS:			
Funding Sources & Uses: PIR, Stormwater							
Budget Information:				Planning Commission			
☒ X Budgeted				Parks and Recreation Board			
☐ Non Budgeted				Safari Island Advisory Board			
☐ Amendment Required				Other			



Real People. Real Solutions.

2638 Shadow Lane
Suite 200
Chaska, MN 55318-1172

Ph: (952) 448-8838
Fax: (952) 448-8805
Bolton-Menk.com

September 8, 2022

City of Waconia
Attn: Nicole Meyer
201 South Vine St.
Waconia, MN 55387

RE: 2021 Infrastructure Improvements- Pay Request No. 7 (Final)

Dear Mrs. Meyer:

Enclosed please find Pay Request No. 7 for final payment on the above referenced project. The work completed includes turf restoration, roadway striping, and a reduction in retainage from 1% to 0%.

We have reviewed the estimate, verified the quantities, and recommend the City make payment in the amount of **\$13,037.85** to GMH Asphalt, Inc. This project is complete and operational and all punchlist items have been addressed. Below is a total for the project as well as the estimated percent of work completed for each funding type. The reduction in retainage has been split into the appropriate funding section for each project section.

Pay Application No. 7 (Final)				
Project Section	Total Payment	Street	Storm Sewer	Park & Trail
Pro Rata	\$563.24	100%	0%	0%
Boulder Wall Replacement	\$1,386.52	98%	2%	0%
Turf Parking Lot	\$1,596.62	0%	100%	0%
Hunter's Crossing Filtration Bench	\$2,387.80	0%	100%	0%
Sparrow Road	\$7,103.67	63%	15%	22%
Total:	\$13,037.85			

Also enclosed are the contractor's project closeout documents. Please contact me if you have any questions regarding this pay request.

Respectfully Submitted,
Bolton & Menk, Inc.

Jake Saulsbury, P.E.

cc: Craig Eldred, City of Waconia
Sam Ellison, Bolton & Menk

Enclosures

H:\WACA\C14121635\7_Construction\D_Pay Applications\Pay App #7 (Final)\121635_Pay Request 7 Letter.docx

Bolton & Menk is an equal opportunity employer.

Partial Pay Estimate No.:

7

2021 INFRASTRUCTURE IMPROVEMENTS

CITY OF WACONIA

BMI PROJECT NO. C14.121635

WORK COMPLETE 11/24/2021 TO 8/26/2022

ITEM NO.	ITEM	UNIT PRICE	AS BID		CURRENT ESTIMATE		COMPLETED TO DATE				
			ESTIMATED QUANTITY	ESTIMATED AMOUNT	ESTIMATED QUANTITY	ESTIMATED AMOUNT	ESTIMATED QUANTITY	ESTIMATED AMOUNT			
SECTION 1: PRORATA											
1	MOBILIZATION	\$56,500.00	1	LS	\$56,500.00	0.00	LS	\$0.00	1.00	LS	\$56,500.00
SECTION 2 - BOULDER WALL REPLACEMENT											
2	REMOVE WOOD FENCE	\$21.10	200	LF	\$4,220.00	0.00	LF	\$0.00	200.00	LF	\$4,220.00
3	REMOVE BITUMINOUS TRAIL PAVEMENT	\$4.50	180	SY	\$810.00	0.00	SY	\$0.00	186.00	SY	\$837.00
4	REMOVE RETAINING WALL - BOULDER	\$5,540.00	1	LS	\$5,540.00	0.00	LS	\$0.00	1.00	LS	\$5,540.00
5	SAWCUT BITUMINOUS PAVEMENT/ DRIVEWAY/ WALK (FULL DEPTH)	\$3.50	5	LF	\$17.50	0.00	LF	\$0.00	42.00	LF	\$147.00
6	TOPSOIL BORROW (LV)	\$31.00	65	CY	\$2,015.00	0.00	CY	\$0.00	194.00	CY	\$6,014.00
7	3" TYPE SP 9.5 BITUMINOUS TRAIL PAVEMENT (2,B)	\$28.10	190	SY	\$5,339.00	0.00	SY	\$0.00	187.00	SY	\$5,254.70
8	GEOTEXTILE FABRIC TYPE V (TRAIL)	\$2.00	190	SY	\$380.00	0.00	SY	\$0.00	0.00	SY	\$0.00
9	CONSTRUCT MODULAR BLOCK RETAINING WALL - LARGE UNIT BLOCK	\$52.50	1510	SF	\$79,275.00	0.00	SF	\$0.00	1,565.00	SF	\$82,162.50
10	FENCE DESIGN SPECIAL - WALL MOUNTED	\$142.00	128	LF	\$18,176.00	0.00	LF	\$0.00	133.00	LF	\$18,886.00
11	FENCE DESIGN SPECIAL - DIRECT BURY	\$142.00	73	LF	\$10,366.00	0.00	LF	\$0.00	61.00	LF	\$8,662.00
12	8" PVC SDR 26 DRAIN TILE	\$45.45	22	LF	\$999.90	0.00	LF	\$0.00	0.00	LF	\$0.00
13	8" PVC TRENCH DRAIN W/ ADA CASTING	\$268.00	10	LF	\$2,680.00	0.00	LF	\$0.00	10.00	LF	\$2,680.00
14	CONNECT TO EXISTING STORM SEWER	\$300.00	1	EA	\$300.00	0.00	EA	\$0.00	0.00	EA	\$0.00
15	ADJUST FRAME AND RING CASTING (STORM)	\$201.00	1	EA	\$201.00	0.00	EA	\$0.00	1.00	EA	\$201.00
16	INLET PROTECTION	\$100.00	3	EA	\$300.00	0.00	EA	\$0.00	2.00	EA	\$200.00
17	BIO-LOG	\$3.15	135	LF	\$425.25	0.00	LF	\$0.00	131.00	LF	\$412.65
18	EROSION CONTROL BLANKET CAT 3N WITH SEED MIX 25-131 (LOW MAINTEN	\$1.85	785	SY	\$1,452.25	0.00	SY	\$0.00	2,091.00	SY	\$3,868.35
19	ROCK CONSTRUCTION ENTRANCE	\$1,005.00	1	EA	\$1,005.00	0.00	EA	\$0.00	0.00	EA	\$0.00
20	TRAFFIC CONTROL	\$317.00	1	LS	\$317.00	0.00	LS	\$0.00	0.00	LS	\$0.00
21	STREET SWEEPING	\$132.00	20	HR	\$2,640.00	0.00	HR	\$0.00	0.00	HR	\$0.00
SECTION 3 - TURF PARKING LOT											
22	REMOVE BITUMINOUS DRIVEWAY PAVEMENT	\$16.00	20	SY	\$320.00	0.00	SY	\$0.00	20.00	SY	\$320.00
23	REMOVE 4" PIPE DRAIN	\$25.00	10	LF	\$250.00	0.00	LF	\$0.00	0.00	LF	\$0.00
24	REMOVE PIPE DRAIN CLEANOUT	\$25.00	1	EA	\$25.00	0.00	EA	\$0.00	0.00	EA	\$0.00
25	REMOVE GRAVEL PARKING LOT	\$10.00	1525	SY	\$15,250.00	0.00	SY	\$0.00	1,525.00	SY	\$15,250.00
26	SAWCUT BITUMINOUS PAVEMENT/ DRIVEWAY/ WALK (FULL DEPTH)	\$3.00	30	LF	\$90.00	0.00	LF	\$0.00	24.00	LF	\$72.00
27	COMMON EXCAVATION (EV) (P)	\$26.85	879	CY	\$23,601.15	0.00	CY	\$0.00	879.00	CY	\$23,601.15
28	TOPSOIL BORROW (LV)	\$31.00	160	CY	\$4,960.00	0.00	CY	\$0.00	160.00	CY	\$4,960.00
29	GRASSPAVE SUBBASE	\$63.20	838	CY	\$52,961.60	0.00	CY	\$0.00	838.00	CY	\$52,961.60
30	GRASSPAVE PAVERS	\$37.15	1165	SY	\$43,279.75	0.00	SY	\$0.00	1,165.00	SY	\$43,279.75
31	6" PERF PE DRAIN TILE	\$16.25	169	LF	\$2,746.25	0.00	LF	\$0.00	168.00	LF	\$2,730.00
32	6" PVC SDR 26 DRAIN TILE	\$17.95	33	LF	\$592.35	0.00	LF	\$0.00	27.00	LF	\$484.65
33	6" PIPE DRAIN CLEANOUT W/ CASTING	\$400.00	2	EA	\$800.00	0.00	EA	\$0.00	2.00	EA	\$800.00
34	CONNECT TO EXISTING STORM STRUCTURE	\$300.00	1	EA	\$300.00	0.00	EA	\$0.00	1.00	EA	\$300.00
35	CONCRETE CURB & GUTTER DESIGN B612	\$19.90	525	LF	\$10,447.50	0.00	LF	\$0.00	506.00	LF	\$10,069.40
36	8" CONCRETE DRIVEWAY PAVEMENT	\$11.50	132	SF	\$1,518.00	0.00	SF	\$0.00	0.00	SF	\$0.00
37	INLET PROTECTION	\$100.00	3	EA	\$300.00	0.00	EA	\$0.00	2.00	EA	\$200.00
38	BIO-LOG	\$3.15	315	LF	\$992.25	0.00	LF	\$0.00	189.00	LF	\$595.35
39	HYDROMULCH TYPE BONDED FIBER MATRIX, WITH SEED MIX 25-131 (LOW N	\$2.11	710	SY	\$1,498.10	0.00	SY	\$0.00	710.00	SY	\$1,498.10
40	HYDROMULCH TYPE BFM WITH STATE SEED MIX MIX 25-141, GENERAL ROAD	\$2.11	1340	SY	\$2,827.40	0.00	SY	\$0.00	1,340.00	SY	\$2,827.40
41	ROCK CONSTRUCTION ENTRANCE	\$1,005.00	1	EA	\$1,005.00	0.00	EA	\$0.00	0.00	EA	\$0.00
42	TRAFFIC CONTROL	\$211.00	1	LS	\$211.00	0.00	LS	\$0.00	1.00	LS	\$211.00
43	STREET SWEEPING	\$132.00	20	HR	\$2,640.00	0.00	HR	\$0.00	0.00	HR	\$0.00
SECTION 4 - HUNTER'S CROSSING FILTRATION BENCH											
44	REMOVE BITUMINOUS TRAIL PAVEMENT	\$10.00	60	SY	\$600.00	0.00	SY	\$0.00	133.00	SY	\$1,330.00
45	REMOVE PIPE SEWER (STORM)	\$26.40	55	LF	\$1,452.00	0.00	LF	\$0.00	55.00	LF	\$1,452.00

46	REMOVE EXISTING WIER	\$528.00	1	LS	\$528.00	0.00	LS	\$0.00	1.00	LS	\$528.00
47	REMOVE STORM SEWER APRON	\$132.00	1	EA	\$132.00	0.00	EA	\$0.00	1.00	EA	\$132.00
48	REMOVE DRAINAGE STRUCTURE (STORM)	\$369.00	2	EA	\$738.00	0.00	EA	\$0.00	2.00	EA	\$738.00
49	POND EXCAVATION (EV) (P)	\$30.35	368	CY	\$11,168.80	0.00	CY	\$0.00	368.00	CY	\$11,168.80
50	TOPSOIL BORROW (LV)	\$35.00	130	CY	\$4,550.00	0.00	CY	\$0.00	0.00	CY	\$0.00
51	3" TYPE SP 9.5 BITUMINOUS TRAIL PAVEMENT (2,B)	\$50.00	60	SY	\$3,000.00	0.00	SY	\$0.00	133.00	SY	\$6,650.00
52	6" PERF PE DRAIN TILE	\$22.15	250	LF	\$5,537.50	0.00	LF	\$0.00	230.00	LF	\$5,094.50
53	12" PVC SDR 26 STORM SEWER	\$100.00	21	LF	\$2,100.00	0.00	LF	\$0.00	21.00	LF	\$2,100.00
54	12" GATE VALVE & BOX	\$4,088.00	2	EA	\$8,176.00	0.00	EA	\$0.00	2.00	EA	\$8,176.00
55	15" RCP PIPE SEWER DESIGN 3006 CLASS V	\$106.00	48	LF	\$5,088.00	0.00	LF	\$0.00	48.00	LF	\$5,088.00
56	21" RCP PIPE SEWER DESIGN 3006 CLASS II	\$116.00	44	LF	\$5,104.00	0.00	LF	\$0.00	44.00	LF	\$5,104.00
57	15" RC PIPE APRON W/ TRASH GUARD	\$1,714.00	1	EA	\$1,714.00	0.00	EA	\$0.00	1.00	EA	\$1,714.00
58	CONSTRUCT DRAINAGE STRUCTURE, DES 48-4020	\$308.00	7	LF	\$2,156.00	0.00	LF	\$0.00	7.00	LF	\$2,156.00
59	CONSTRUCT POND OUTLET STRUCTURE (INCLUDES COVER W/ GRATE)	\$754.00	7	LF	\$5,278.00	0.00	LF	\$0.00	7.00	LF	\$5,278.00
60	CASTING ASSEMBLY (STORM)	\$1,404.00	1	EA	\$1,404.00	0.00	EA	\$0.00	1.00	EA	\$1,404.00
61	CONNECT TO EXISTING STORM SEWER	\$528.00	1	EA	\$528.00	0.00	EA	\$0.00	1.00	EA	\$528.00
62	WATERMAIN OFFSET	\$14,770.00	1	EA	\$14,770.00	0.00	EA	\$0.00	1.00	EA	\$14,770.00
63	4" POLYSTYRENE INSULATION	\$42.20	10	SY	\$422.00	0.00	SY	\$0.00	10.00	SY	\$422.00
64	INLET PROTECTION	\$100.00	3	EA	\$300.00	0.00	EA	\$0.00	3.00	EA	\$300.00
65	ROCK CONSTRUCTION ENTRANCE	\$1,005.00	1	EA	\$1,005.00	0.00	EA	\$0.00	1.00	EA	\$1,005.00
66	0.25" WASHED ROCK	\$106.00	35	CY	\$3,710.00	0.00	CY	\$0.00	35.00	CY	\$3,710.00
67	3.25" WASHED ROCK	\$106.00	103	CY	\$10,918.00	0.00	CY	\$0.00	103.00	CY	\$10,918.00
68	FILTER MEDIA - 70% SAND, 30% COMPOST	\$41.10	137	CY	\$5,630.70	0.00	CY	\$0.00	215.00	CY	\$8,836.50
69	RIP RAP CL II	\$132.00	5	CY	\$660.00	0.00	CY	\$0.00	5.00	CY	\$660.00
70	HYDROMULCH TYPE BONDED FIBER MATRIX, WITH SEED MIX 25-131 (LOW N	\$4.05	260	SY	\$1,053.00	334.00	SY	\$1,352.70	334.00	SY	\$1,352.70
71	EROSION CONTROL BLANKET CAT 3N WITH SEED MIX 34-262 (WET PRAIRIE)	\$1.85	925	SY	\$1,711.25	0.00	SY	\$0.00	216.00	SY	\$399.60
72	DISK ANCHORED MULCH TYPE 3, WITH SEED MIX 34-262 (WET PRAIRIE)	\$1.58	1255	SY	\$1,982.90	0.00	SY	\$0.00	717.00	SY	\$1,132.86
73	TEMPORARY SEEDING WITH ANNUAL RYE OR MIX 21-112 (WINTER WHEAT)	\$1.06	1255	SY	\$1,330.30	0.00	SY	\$0.00	1,291.00	SY	\$1,368.46
74	TRAFFIC CONTROL	\$317.00	1	LS	\$317.00	0.00	LS	\$0.00	1.00	LS	\$317.00
75	STREET SWEEPING	\$132.00	20	HR	\$2,640.00	0.00	HR	\$0.00	0.00	HR	\$0.00
SECTION 5 - SPARROW ROAD											
76	REMOVE STORM SEWER APRON	\$132.00	1	EA	\$132.00	0.00	EA	\$0.00	1.00	EA	\$132.00
77	REMOVE PIPE SEWER (STORM)	\$26.40	12	LF	\$316.80	0.00	LF	\$0.00	12.00	LF	\$316.80
78	REMOVE BITUMINOUS TRAIL PAVEMENT	\$7.50	110	SY	\$825.00	0.00	SY	\$0.00	116.00	SY	\$870.00
79	REMOVE BITUMINOUS DRIVEWAY PAVEMENT	\$7.50	186	SY	\$1,395.00	0.00	SY	\$0.00	399.00	SY	\$2,992.50
80	REMOVE CONCRETE SIDEWALK/PEDESTRIAN RAMPS	\$0.75	12680	SF	\$9,510.00	0.00	SF	\$0.00	13,710.00	SF	\$10,282.50
81	REMOVE CONCRETE DRIVEWAY PAVEMENT	\$1.10	5240	SF	\$5,764.00	0.00	SF	\$0.00	4,929.00	SF	\$5,421.90
82	REMOVE CONCRETE CURB & GUTTER	\$7.85	1045	LF	\$8,203.25	0.00	LF	\$0.00	1,755.00	LF	\$13,776.75
83	BITUMINOUS MILLING - 2"	\$1.20	10555	SY	\$12,666.00	0.00	SY	\$0.00	10,974.00	SY	\$13,168.80
84	SAWCUT BITUMINOUS PAVEMENT/ DRIVEWAY/ WALK (FULL DEPTH)	\$0.01	3075	LF	\$30.75	0.00	LF	\$0.00	3,941.00	LF	\$39.41
85	SAWCUT CONCRETE DRIVEWAY PAVEMENT/WALK (FULL DEPTH)	\$5.00	460	LF	\$2,300.00	0.00	LF	\$0.00	399.00	LF	\$1,995.00
86	TOPSOIL BORROW (LV)	\$33.00	450	CY	\$14,850.00	28.00	CY	\$924.00	156.00	CY	\$5,148.00
87	CONCRETE CURB & GUTTER DESIGN B618	\$26.90	1030	LF	\$27,707.00	0.00	LF	\$0.00	893.00	LF	\$24,021.70
88	SURMOUNTABLE CONCRETE CURB & GUTTER	\$25.20	90	LF	\$2,268.00	0.00	LF	\$0.00	862.00	LF	\$21,722.40
89	CONCRETE CURB DESIGN V	\$24.50	50	LF	\$1,225.00	0.00	LF	\$0.00	0.00	LF	\$0.00
90	6" CONCRETE DRIVEWAY PAVEMENT	\$6.35	6025	SF	\$38,258.75	0.00	SF	\$0.00	4,402.00	SF	\$27,952.70
91	3" BITUMINOUS DRIVEWAY PAVEMENT MIX (2,B)	\$22.40	225	SY	\$5,040.00	0.00	SY	\$0.00	378.00	SY	\$8,467.20
92	BITUMINOUS PATCH - UTILITY EXCAVATIONS AND ADJACENT TO CURB RECO	\$32.60	778	SY	\$25,362.80	0.00	SY	\$0.00	2,348.00	SY	\$76,544.80
93	TYPE SP 9.5 BITUMINOUS WEAR OVERLAY (3,C)	\$71.85	1190	TON	\$85,501.50	0.00	TON	\$0.00	1,269.39	TON	\$91,205.67
94	6" CONCRETE PEDESTRIAN RAMP	\$16.70	2930	SF	\$48,931.00	0.00	SF	\$0.00	1,675.00	SF	\$27,972.50
95	4" CONCRETE SIDEWALK	\$4.20	12150	SF	\$51,030.00	0.00	SF	\$0.00	12,989.00	SF	\$54,553.80
96	TRUNCATED DOMES	\$39.90	438	SF	\$17,476.20	0.00	SF	\$0.00	352.00	SF	\$14,044.80
97	ADJUST GATE VALVE BOX	\$501.00	3	EA	\$1,503.00	0.00	EA	\$0.00	0.00	EA	\$0.00
98	ADJUST FRAME AND RING CASTING (STORM)	\$201.00	13	EA	\$2,613.00	0.00	EA	\$0.00	0.00	EA	\$0.00
99	12" PVC SDR 26 STORM SEWER	\$45.10	60	LF	\$2,706.00	0.00	LF	\$0.00	61.00	LF	\$2,751.10
100	4" PERF PE DRAIN TILE	\$25.40	1340	LF	\$34,036.00	0.00	LF	\$0.00	3,171.00	LF	\$80,543.40
101	4" PIPE DRAIN CLEANOUT W/ CASTING	\$250.00	6	EA	\$1,500.00	0.00	EA	\$0.00	13.00	EA	\$3,250.00
102	SUMP PUMP SERVICE LINE CONNECTION	\$150.00	5	EA	\$750.00	0.00	EA	\$0.00	34.00	EA	\$5,100.00
103	CONNECT DRAIN TILE TO EXISTING STRUCTURE	\$300.00	1	EA	\$300.00	0.00	EA	\$0.00	12.00	EA	\$3,600.00

104	CONSTRUCT DRAINAGE STRUCTURE, DES 48-4020	\$386.00	10	LF	\$3,860.00	0.00	LF	\$0.00	9.60	LF	\$3,705.60
105	CONNECT TO EXISTING STORM STRUCTURE	\$3,714.00	1	EA	\$3,714.00	0.00	EA	\$0.00	1.00	EA	\$3,714.00
106	CONNECT TO EXISTING STORM SEWER	\$1,055.00	2	EA	\$2,110.00	0.00	EA	\$0.00	2.00	EA	\$2,110.00
107	CASTING ASSEMBLY (STORM)	\$1,107.00	2	EA	\$2,214.00	0.00	EA	\$0.00	2.00	EA	\$2,214.00
108	INLET PROTECTION	\$100.00	20	EA	\$2,000.00	0.00	EA	\$0.00	20.00	EA	\$2,000.00
109	SOD TYPE LAWN	\$7.90	2045	SY	\$16,155.50	0.00	SY	\$0.00	2,193.00	SY	\$17,324.70
110	STREET SWEEPING	\$132.00	40	HR	\$5,280.00	0.00	HR	\$0.00	26.00	HR	\$3,432.00
111	CROSSWALK MARKING - LATEX	\$2.29	1120	SF	\$2,564.80	360.00	SF	\$824.40	1,080.00	SF	\$2,473.20
112	TRAFFIC CONTROL	\$10,497.00	1	LS	\$10,497.00	0.00	LS	\$0.00	1.00	LS	\$10,497.00
113	LANDSCAPING ALLOWANCE	\$5,000.00	1	ALLOWANCE	\$5,000.00	0.00	ALLOWANCE	\$0.00	0.00	ALLOWANCE	\$0.00
114	IRRIGATION SYSTEM AND ELECTRIC FENCE REPAIR	\$5,000.00	1	ALLOWANCE	\$5,000.00	0.00	ALLOWANCE	\$0.00	0.00	ALLOWANCE	\$0.00
EW-1	SOD WATERING: CITY STAFF TIME	-\$31.00	57	HOUR	-\$1,767.00	0.00	HOUR	\$0.00	57.00	HOUR	-\$1,767.00
EW-1	SOD WATERING: CITY TANKER TIME	-\$65.00	57	HOUR	-\$3,705.00	0.00	HOUR	\$0.00	57.00	HOUR	-\$3,705.00
EW-1	SOD WATERING: WATER	-\$2.50	270	KGAL	-\$675.00	0.00	KGAL	\$0.00	270.00	KGAL	-\$675.00
	TOTAL AMOUNT:				\$925,875.05			\$3,101.10			\$996,776.25



Contractor Affidavit Submitted

Thank you, your Contractor Affidavit has been approved.

Confirmation Summary

Confirmation Number:	0-677-864-352
Submitted Date and Time:	6-Sep-2022 8:55:09 AM
Legal Name:	G M H ASPHALT CORP
Federal Employer ID:	41-1662485
User Who Submitted:	gmhasphalt
Type of Request Submitted:	Contractor Affidavit

Affidavit Summary

Affidavit Number:	1692766208
Minnesota ID:	2857091
Project Owner:	CITY OF WACONIA
Project Number:	C14.121635
Project Begin Date:	01-Apr-2021
Project End Date:	31-Aug-2022
Project Location:	WACONIA
Project Amount:	\$996,776.25

Subcontractor Summary

Name	ID	Affidavit Number
ASSURED ASPHALT	1720800	1307611136
FRENCH LAKE CURB	3825384	278040576
LANDSCAPE ENTERPRISE	5366456	259952640
MIDSTATE RECLAMATION	1719563	1268879360
SAFETY SIGNS LLC	5139558	1168347136
SUNRAM CONSTRUCTION	1870470	102928384
WIDMER CONSTRUCTION	6610572	1322029056

Important Messages

A copy of this page must be provided to the contractor or government agency that hired you.

Contact Us

If you need further assistance, contact our Withholding Tax Division at 651-282-9999, (toll-free) 800-657-3594, or (email) withholding.tax@state.mn.us. Business hours are 8:00 a.m. - 4:30 p.m. Monday - Friday.

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DEPARTMENT OF REVENUE

Contractor Affidavit Submitted

Thank you, your Contractor Affidavit has been approved.

Confirmation Summary

Confirmation Number:	1-989-241-248
Submitted Date and Time:	19-May-2022 5:31:13 PM
Legal Name:	ASSURED ASPHALT CORP
Federal Employer ID:	41-1702174
User Who Submitted:	midnight1111
Type of Request Submitted:	Contractor Affidavit

Affidavit Summary

Affidavit Number:	1307611136
Minnesota ID:	1720800
Project Owner:	CITY OF WACONIA
Project Number:	C14121635
Project Begin Date:	01-Jun-2021
Project End Date:	01-Nov-2021
Project Location:	WACONIA
Project Amount:	\$8,267.38
Subcontractors:	No Subcontractors

Important Messages

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Confirmation

Contractor Affidavit Submitted

Thank you, your Contractor Affidavit has been approved.

Confirmation Summary

Confirmation Number:	1-4728-318-624
Submitted Date and Time:	23-May-2022 2:55:34 PM
Legal Name:	FRENCH LAKE CURS CO
Federal Employer ID:	41-1913224
User Who Submitted:	djohns
Type of Request Submitted:	Contractor Affidavit

Affidavit Summary

Affidavit Number:	278040576
Minnesota ID:	3623384
Project Owner:	CITY OF WACONIA
Project Number:	1234
Project Begin Date:	01-May-2021
Project End Date:	01-Oct-2021
Project Location:	WACONIA
Project Amount:	\$178,686.75
Subcontractors:	No Subcontractors

Important Messages

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Email Me

Alfred J. Rizzo

OK



Erica Johnson

From: Erica Johnson
Sent: Tuesday, September 6, 2022 8:31 AM
To: Erica Johnson
Subject: FW: Your Recent Contractor Affidavit Request

This email is an automated notification and is unable to receive replies.

Contractor Affidavit Submitted

Thank you, your Contractor Affidavit has been approved.

Confirmation Summary

Confirmation Number: 0-117-728-160
 Submitted Date and Time: 1-Sep-2022 1:32:49 PM
 Legal Name: GROUNDSCAPE ENTERPRISE INC
 Federal Employer ID: 81-4895852
 User Who Submitted: Ground Enter
 Type of Request Submitted: Contractor Affidavit

Affidavit Summary

Affidavit Number: 259952640

Minnesota ID: 5366456
 Project Owner: CITY OF WACONIA
 Project Number: C14.121635
 Project Begin Date: 01-Apr-2021
 Project End Date: 19-May-2022
 Project Location: CITY OF WACONIA
 Project Amount: \$75,196.02
 Subcontractors: No Subcontractors

Important Messages

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Contact Us

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How to View and Print this Request

You can see copies of your requests by going into your History.

This message and any attachments are solely for the intended recipient and may contain nonpublic / private data. If you are not the intended recipient, any disclosure, copying, use, or distribution of the information included in this message and any attachments is prohibited. If you have received this communication in error, please notify us and immediately and permanently delete this message and any attachments. Thank you.



Contractor Affidavit Submitted

Thank you, your Contractor Affidavit has been approved.

Confirmation Summary

Confirmation Number:	0-563-305-888
Submitted Date and Time:	3-Aug-2022 4:39:10 PM
Legal Name:	MID STATE RECLAMATION INC
Federal Employer ID:	39-1727526
User Who Submitted:	Cpcayo
Type of Request Submitted:	Contractor Affidavit

Affidavit Summary

Affidavit Number:	1268879360
Minnesota ID:	1719563
Project Owner:	CITY OF WACONIA
Project Number:	C14.121635
Project Begin Date:	01-Apr-2021
Project End Date:	19-May-2022
Project Location:	CITY OF WACONIA
Project Amount:	\$8,309.03
Subcontractors:	No Subcontractors

Important Messages

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Contact Us

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Contractor Affidavit Submitted

Thank you, your Contractor Affidavit has been approved.

Confirmation Summary

Confirmation Number:	0-653-026-208
Submitted Date and Time:	1-Sep-2022 2:48:33 PM
Legal Name:	SAFETY SIGNS LLC
Federal Employer ID:	41-1991774
User Who Submitted:	beth novak
Type of Request Submitted:	Contractor Affidavit

Affidavit Summary

Affidavit Number:	1168347136
Minnesota ID:	5139558
Project Owner:	CITY OF WACONIA
Project Number:	C14.121635
Project Begin Date:	15-Apr-2021
Project End Date:	16-Dec-2021
Project Location:	CITY OF WACONIA
Project Amount:	\$12,945.00
Subcontractors:	No Subcontractors

Important Messages

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Contact Us

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Contractor Affidavit Submitted

Thank you, your Contractor Affidavit has been approved.

Confirmation Summary

Confirmation Number:	1-368-320-416
Submitted Date and Time:	20-May-2022 8:00:32 AM
Legal Name:	SUNRAM CONSTRUCTION INC
Federal Employer ID:	41-1728948
User Who Submitted:	Sunram
Type of Request Submitted:	Contractor Affidavit

Affidavit Summary

Affidavit Number:	102928384
Minnesota ID:	1870470
Project Owner:	CITY OF WACONIA
Project Number:	C14.121635
Project Begin Date:	10-May-2021
Project End Date:	07-Jul-2021
Project Location:	WACONIA
Project Amount:	\$81,874.40
Subcontractors:	No Subcontractors

Important Messages

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Contact Us

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Please [print this page](#) for your records using the print or save functionality built into your browser.



Contractor Affidavit Submitted

Thank you, your Contractor Affidavit has been approved.

Confirmation Summary

Confirmation Number:	1-111-697-824
Submitted Date and Time:	20-May-2022 8:54:23 AM
Legal Name:	WIDMER CONSTRUCTION LLC
Federal Employer ID:	81-0624883
User Who Submitted:	sharonv
Type of Request Submitted:	Contractor Affidavit

Affidavit Summary

Affidavit Number:	1322029056
Minnesota ID:	6610572
Project Owner:	CITY OF WACONIA
Project Number:	C14.121635
Project Begin Date:	01-Apr-2021
Project End Date:	19-May-2022
Project Location:	WACONIA
Project Amount:	\$90,595.60
Subcontractors:	No Subcontractors

Important Messages

A copy of this page must be provided to the contractor or government agency that hired you.

Contact Us

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Please [print this page](#) for your records using the print or save functionality built into your browser.

RECEIPT AND WAIVER OF MECHANIC'S LIEN RIGHTS

DATED: May 19, 2022

The undersigned hereby acknowledges receipt of the sum of \$ 12,945.00
from GMH ASPHALT COPORATION.

CHECK ONLY ONE

- 1.) _____ as partial payment for labor, skill and material furnished
- 2.) xx as payment for labor, skill and material furnished or to be furnished
(Except the sum of \$ 540.00 as retainage or holdback)
- 3.) _____ as full and final payment for all labor, skill and material furnished.

To the following real property (legal description, street address or project name:

CITY OF CITY OF WACONIA
2021 INFRASTRUCTURE IMP
CITY PROJECT NUMER: C14.121635

and for value received hereby waives all rights acquired by the undersigned to file or record mechanic's liens against said property for labor, skill or material furnished to said real] property (only for the amount paid if box 1 is checked and except for retainage shown if box 2 is checked).

The undersigned affirms that all material furnished by the undersigned has been paid for, and all subcontractors employed by the undersigned have been paid in full.

COMPANY: SAFETY SIGNS, LLC

BY:

Beth Novak
Signature

9/1/2022
Date

Federal I.D. #:

41-1991774

NOTE: If this instrument is executed by a corporation, it must be signed by an officer, and if executed by a partnership it must be signed by a partner.

RECEIPT AND WAIVER OF MECHANIC'S LIEN RIGHTS

DATED: May 19, 2022

The undersigned hereby acknowledges receipt of the sum of \$ 75,196.02
from **GMH ASPHALT COPORATION**.

CHECK ONLY ONE

- 1.) _____ as partial payment for labor, skill and material furnished
- 2.) XX as payment for labor, skill and material furnished or to be furnished
(Except the sum of \$ 5,663.34 as retainage or holdback)
- 3.) _____ as full and final payment for all labor, skill and material furnished.

To the following real property (legal description, street address or project name:

**CITY OF CITY OF WACONIA
2021 INFRASTRUCTURE IMP
CITY PROJECT NUMER: C14.121635**

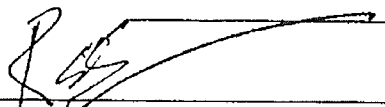
and for value received hereby waives all rights acquired by the undersigned to file or record mechanic's liens against said property for labor, skill or material furnished to said real] property (only for the amount paid if box 1 is checked and except for retainage shown if box 2 is checked).

The undersigned affirms that all material furnished by the undersigned has been paid for, and all subcontractors employed by the undersigned have been paid in full.

COMPANY:

GROUNDSCAPE ENTERPRISE

BY:



Signature

9/1/2022

Date

Federal I.D. #:

81-4895852

NOTE: If this instrument is executed by a corporation, it must be signed by an officer, and if executed by a partnership it must be signed by a partner.

RECEIPT AND WAIVER OF MECHANIC'S LIEN RIGHTS

DATED: May 19, 2022

The undersigned hereby acknowledges receipt of the sum of \$ 8,309.03
from **GMH ASPHALT COPORATION**.

CHECK ONLY ONE

- 1.) _____ as partial payment for labor, skill and material furnished
- 2.) XX as payment for labor, skill and material furnished or to be furnished
(Except the sum of \$ 8,309.03 as retainage or holdback)
- 3.) _____ as full and final payment for all labor, skill and material furnished.

To the following real property (legal description, street address or project name:

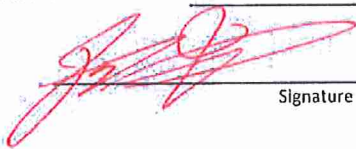
**CITY OF CITY OF WACONIA
2021 INFRASTRUCTURE IMP
CITY PROJECT NUMER: C14.121635**

and for value received hereby waives all rights acquired by the undersigned to file or record mechanic's liens against said property for labor, skill or material furnished to said real] property (only for the amount paid if box 1 is checked and except for retainage shown if box 2 is checked).

The undersigned affirms that all material furnished by the undersigned has been paid for, and all subcontractors employed by the undersigned have been paid in full.

COMPANY: MIDSTATE RECLAMATION

BY:


Signature

8/3/22
Date

Federal I.D. #: _____

NOTE: If this instrument is executed by a corporation, it must be signed by an officer, and if executed by a partnership it must be signed by a partner.

RECEIPT AND WAIVER OF MECHANIC'S LIEN RIGHTS

DATED: May 19, 2022

The undersigned hereby acknowledges receipt of the sum of \$ 90,595.60
from **GMH ASPHALT COPORATION**.

CHECK ONLY ONE

- 1.) _____ as partial payment for labor, skill and material furnished
- 2.) XX as payment for labor, skill and material furnished or to be furnished
(Except the sum of \$ 896.92 as retainage or holdback)
- 3.) _____ as full and final payment for all labor, skill and material furnished.

To the following real property (legal description, street address or project name:

**CITY OF CITY OF WACONIA
2021 INFRASTRUCTURE IMP
CITY PROJECT NUMER: C14.121635**

and for value received hereby waives all rights acquired by the undersigned to file or record mechanic's liens against said property for labor, skill or material furnished to said real] property (only for the amount paid if box 1 is checked and except for retainage shown if box 2 is checked).

The undersigned affirms that all material furnished by the undersigned has been paid for, and all subcontractors employed by the undersigned have been paid in full.

COMPANY: WIDMER CONSTRUCTION

BY:


Signature

5/20/2022
Date

Federal I.D. #:

81-0624883

NOTE: If this instrument is executed by a corporation, it must be signed by an officer, and if executed by a partnership it must be signed by a partner.

RECEIPT AND WAIVER OF MECHANIC'S LIEN RIGHTS

DATED: May 19, 2022

The undersigned hereby acknowledges receipt of the sum of \$ 81,874.40
from **GMH ASPHALT COPORATION**.

CHECK ONLY ONE

- 1.) _____ as partial payment for labor, skill and material furnished
- 2.) XX as payment for labor, skill and material furnished or to be furnished
(Except the sum of \$ 818.74 as retainage or holdback)
- 3.) _____ as full and final payment for all labor, skill and material furnished.

To the following real property (legal description, street address or project name:

**CITY OF CITY OF WACONIA
2021 INFRASTRUCTURE IMP
CITY PROJECT NUMER: C14.121635**

and for value received hereby waives all rights acquired by the undersigned to file or record mechanic's liens against said property for labor, skill or material furnished to said real] property (only for the amount paid if box 1 is checked and except for retainage shown if box 2 is checked).

The undersigned affirms that all material furnished by the undersigned has been paid for, and all subcontractors employed by the undersigned have been paid in full.

COMPANY: SUNRAM CONSTRUCTION

BY: Lee Sunram 5-20-22
Signature Date

Federal I.D. #: 41-1728948

NOTE: If this instrument is executed by a corporation, it must be signed by an officer, and if executed by a partnership it must be signed by a partner.

RECEIPT AND WAIVER OF MECHANIC'S LIEN RIGHTS

DATED: May 19, 2022

The undersigned hereby acknowledges receipt of the sum of \$ 26,038.68
from **GMH ASPHALT COPORATION**.

CHECK ONLY ONE

- 1.) _____ as partial payment for labor, skill and material furnished
- 2.) XX as payment for labor, skill and material furnished or to be furnished
(Except the sum of \$ 260.39 as retainage or holdback)
- 3.) _____ as full and final payment for all labor, skill and material furnished.

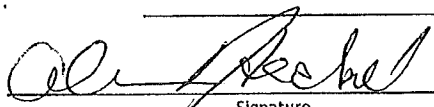
To the following real property (legal description, street address or project name:

**CITY OF CITY OF WACONIA
2021 INFRASTRUCTURE IMP
CITY PROJECT NUMER: C14.121635**

and for value received hereby waives all rights acquired by the undersigned to file or record mechanic's liens against said property for labor, skill or material furnished to said real] property (only for the amount paid if box 1 is checked and except for retainage shown if box 2 is checked).

The undersigned affirms that all material furnished by the undersigned has been paid for, and all subcontractors employed by the undersigned have been paid in full.

COMPANY: HECKSEL MACHINE

BY:  05/19/2022
Signature Date

Federal I.D. #: 41-1681877

NOTE: If this instrument is executed by a corporation, it must be signed by an officer, and if executed by a partnership it must be signed by a partner.

RECEIPT AND WAIVER OF MECHANIC'S LIEN RIGHTS

DATED: May 19, 2022

The undersigned hereby acknowledges receipt of the sum of \$ 8,267.38
from **GMH ASPHALT COPORATION**.

CHECK ONLY ONE

- 1.) _____ as partial payment for labor, skill and material furnished
- 2.) _____ as payment for labor, skill and material furnished or to be furnished
(Except the sum of _____ as retainage or holdback)
- 3.) XX as full and final payment for all labor, skill and material furnished.

To the following real property (legal description, street address or project name:

**CITY OF CITY OF WACONIA
2021 INFRASTRUCTURE IMP
CITY PROJECT NUMER: C14.121635**

and for value received hereby waives all rights acquired by the undersigned to file or record mechanic's liens against said property for labor, skill or material furnished to said real] property (only for the amount paid if box 1 is checked and except for retainage shown if box 2 is checked).

The undersigned affirms that all material furnished by the undersigned has been paid for, and all subcontractors employed by the undersigned have been paid in full.

COMPANY: ASSURED ASPHALT

BY: _____

J. W. Wachs
Signature

Date

Federal I.D. #: _____

41-1702174

NOTE: If this instrument is executed by a corporation, it must be signed by an officer, and if executed by a partnership it must be signed by a partner.

RECEIPT AND WAIVER OF MECHANIC'S LIEN RIGHTS

DATED: May 19, 2022

The undersigned hereby acknowledges receipt of the sum of \$ 166,887.46
from **GMH ASPHALT COPORATION**.

CHECK ONLY ONE

- 1.) _____ as partial payment for labor, skill and material furnished
- 2.) XX as payment for labor, skill and material furnished or to be furnished
(Except the sum of \$ 1,652.19 as retainage or holdback)
- 3.) _____ as full and final payment for all labor, skill and material furnished.

To the following real property (legal description, street address or project name:

**CITY OF CITY OF WACONIA
2021 INFRASTRUCTURE IMP
CITY PROJECT NUMER: C14.121635**

and for value received hereby waives all rights acquired by the undersigned to file or record mechanic's liens against said property for labor, skill or material furnished to said real] property (only for the amount paid if box 1 is checked and except for retainage shown if box 2 is checked).

The undersigned affirms that all material furnished by the undersigned has been paid for, and all subcontractors employed by the undersigned have been paid in full.

COMPANY: FRENCH LAKE CURB CO

BY:  5/23/2022
Signature Date

Federal I.D. #: 41-1913224

NOTE: If this instrument is executed by a corporation, it must be signed by an officer, and if executed by a partnership it must be signed by a partner.



REQUEST FOR CITY COUNCIL ACTION

Meeting Date:		September 19, 2022					
Item Name:		Donation Acceptance - Cash Donations for Adaptive Playground Equipment					
Originating Department:		Finance					
Presented by:		Nicole Meyer					
Previous Council Action (if any):		Motion Designating the City as a Fiscal Host for Donations for Playground Equipment - Approved April 3, 2017					
Item Type (X only one):	Consent	☒	X	Regular Session	☐	Discussion Session	☐
RECOMMENDATIONS/COUNCIL ACTION/MOTION REQUESTED <i>(Include motion in proper format.)</i>							
Adopt Resolution 2022-244, Accepting Cash Donation for Adaptive Playground Equipment							
EXPLANATION OF AGENDA ITEM <i>(Include a description of background, benefits, and recommendations.)</i>							
The City of Waconia received additional cash donations for the adaptive playground equipment. The following donations were posted to the City's PIR capital fund. The donations will be recognized as donation revenue designated for this specific project. Al & Colleen Larson - \$3,000 - 2 Park Benches To date, the City has received \$310,822.21 towards the purchase of adaptive playground equipment in donations. This includes cash donations made to the City, the City's Go Fund Me site, Special Olympics of Minnesota Polar Plunge Events, and the 2019 and 2020 Swing for the Kids events. As additional donations are received, staff will have the City Council accept them and acknowledge donations with a receipt.							
<u>Attachments:</u>							
1. 22244res Donations_Received_Donations_for_Playground_09.19.22_Res.doc							
FINANCIAL IMPLICATIONS:				ADVISORY BOARD RECOMMENDATIONS:			
Funding Sources & Uses:							
PIR Capital Project Fund							
Budget Information:				Planning Commission			
☒ Budgeted				Parks and Recreation Board			
☐ Non Budgeted				Safari Island Advisory Board			
☐ Amendment Required				Other			

**CITY OF WACONIA
RESOLUTION NO. 2022-244**

**RESOLUTION ACCEPTING CASH DONATIONS FOR ADAPTIVE PLAYGROUND
EQUIPMENT**

WHEREAS, the City of Waconia is generally authorized to accept contributions of real and personal property pursuant to Minnesota Statutes Sections 412.21 and 465.03 for the benefit of its citizens and is specifically authorized to accept gifts and requests for the benefit of facilities, services and the development of programs to benefit residents pursuant to Minnesota Statutes Section 471.17; and

WHEREAS, the following persons and/or entities have offered to contribute the items set forth below to the City:

<u>Name of Donor</u>	<u>Item</u>	<u>Value</u>
Al & Colleen Larson	Cash	\$3,000.00

WHEREAS, these donations have been contributed for the benefit of residents within the City's corporate limits either alone or in cooperation with others, as allowed by law; and

WHEREAS, the City Council hereby finds that it is appropriate to accept the contributions offered.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF WACONIA, MINNESOTA, AS FOLLOWS:

1. The contribution described above is hereby accepted and acknowledged with gratitude.
2. Said contribution shall be used for the designated purposes of adaptive playground equipment.
3. That the Finance Director is hereby directed to issue receipts to the donor acknowledging the City's receipt of the donor's contribution.

Adopted by the City Council of the City of Waconia this 19th day of September, 2022.

Kent Bloudek, Mayor

ATTEST: _____
Jackie Schulze, City Clerk



REQUEST FOR CITY COUNCIL ACTION

Meeting Date:		September 19, 2022					
Item Name:		Accepting Donation and Pass Thru Recommendation					
Originating Department:		Finance					
Presented by:		Nicole Meyer					
Previous Council Action (if any):							
Item Type (X only one):	Consent	☒ X	Regular Session	☐	Discussion Session	☐	
RECOMMENDATIONS/COUNCIL ACTION/MOTION REQUESTED <i>(Include motion in proper format.)</i>							
Adopt Resolution 2022-245, Accepting Donation and Approving Pass Thru Recommendation							
EXPLANATION OF AGENDA ITEM <i>(Include a description of background, benefits, and recommendations.)</i>							
The City received a donation from the Waconia Fire Department Gambling Board totaling \$1,500.00. The gambling board approved this donation as a pass thru for the following purpose: Donation to the City of Waconia to fund expenditures related to the Inclusive Playground Grand Opening Event on September 15, 2022 With the Council's acceptance of the donation and recommended purpose for pass thru from the gambling board, City staff will recognize the donation revenue and off-setting expenditures in the General Fund - Administration department's 2022 budget. Attachments: 1. 22245res Gambling_Donation_Resolution (4).doc							
FINANCIAL IMPLICATIONS:				ADVISORY BOARD RECOMMENDATIONS:			
Funding Sources & Uses:							
General Fund - Administration							
Budget Information:				Planning Commission			
☐ Budgeted				Parks and Recreation Board			
☒ Non Budgeted				Safari Island Advisory Board			
☐ Amendment Required				Other			

**CITY OF WACONIA
RESOLUTION NO. 2022-245
RESOLUTION ACCEPTING DONATION AND PASS THRU RECOMMENDATION**

WHEREAS, the City of Waconia is generally authorized to accept contributions of real and personal property pursuant to Minnesota Statutes Sections 412.21 and 465.03 for the benefit of its citizens and is specifically authorized to accept gifts and requests for the benefit of recreational facilities, services and the development of programs to benefit residents pursuant to Minnesota Statutes Section 471.17; and

WHEREAS, the following persons and/or entities have offered to contribute the items set forth below to the City:

<u>Name of Donor</u>	<u>Item</u>	<u>Value</u>	<u>Department/Fund</u>
Waconia Fire Gambling Board	Check	\$1,500.00	General Fund - Administration

WHEREAS, these donations have been contributed for the benefit of residents within the City's corporate limits either alone or in cooperation with others, as allowed by law; and

WHEREAS, the City Council hereby finds that it is appropriate to accept the contributions offered.

WHEREAS, the Waconia Fire Department Gambling Board wishes to enhance the donation by passing the funds thru for the following purpose:

- Donation to the City of Waconia to fund expenditures related to the Inclusive Playground Grand Opening Event on September 15, 2022

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF WACONIA, MINNESOTA, AS FOLLOWS:

1. The contribution described above is hereby accepted and acknowledged with gratitude.
2. Said contribution shall be deposited to the appropriate funds and used for the designated purposes.
3. That the Finance Director is hereby directed to issue receipts to the donor acknowledging the City's receipt of the donor's contribution.

Adopted by the City Council of the City of Waconia this 19th day of September, 2022.

Kent Bloudek, Mayor

ATTEST: _____
Jackie Schulze, City Clerk



REQUEST FOR CITY COUNCIL ACTION

Meeting Date:		September 19, 2022					
Item Name:		Consent to Assignment of TIF Development Agreement					
Originating Department:		Administration					
Presented by:		Shane Fineran					
Previous Council Action (if any):		Resolution 2022-80					
Item Type (X only one):	Consent	X	Regular Session		Discussion Session		
RECOMMENDATIONS/COUNCIL ACTION/MOTION REQUESTED <i>(Include motion in proper format.)</i>							
Resolution 2022-246 Approving the Modification to the Development Program for the Waconia Development District; Establishing Tax Increment Financing District No. 5 within the Waconia Development District; Approving the Tax Increment Financing Plan Therefor; and Authorizing Interfold Loan.							
EXPLANATION OF AGENDA ITEM <i>(Include a description of background, benefits, and recommendations.)</i>							
In March the City Council entered into a Tax Increment Financing Development Agreement with Waconia Investment Partners, LLC for the redevelopment of the American Legion site located at 233 Olive St S into market rate apartments. The TIF development agreement provided for the maximum reimbursement of increment based upon verification of eligible expense and time line for repayment. The developer is completing the closing of financing for the project and has requested that the city provide consent to the assignment of the developer agreement to the financing institution. The assignment of the agreement provides that if the developer defaults and the financing institution becomes the owner of the property and completes the obligations identified under the development agreement, that they would then benefit from the pay as you go TIF as identified in the development agreement. The agreement and consent has been reviewed by the city's bond counsel, Taft Law, and it is recommended for approval.							
Attachments: 1. 22246res_- _Approving_TIF_Agreement_Assignment.doc 2. ASSGNMNT DEV AGMNT Waconia Investment Partners Merchants Bank 0822C.doc							
FINANCIAL IMPLICATIONS:				ADVISORY BOARD RECOMMENDATIONS:			
Funding Sources & Uses:							
Budget Information: _____ Budgeted _____ Non Budgeted _____ Amendment Required				Planning Commission			
				Parks and Recreation Board			
				Safari Island Advisory Board			
				Other			

**CITY OF WACONIA
RESOLUTION NO. 2022-246**

RESOLUTION APPROVING THE ASSIGNMENT OF DEVELOPMENT AGREEMENT

A. WHEREAS, the City of Waconia (the "City") entered into a Development Agreement, dated May 1, 2022 (the "Development Agreement") with Waconia Investment Partners, LLC, a Minnesota limited liability company ("Developer") for which the Development Agreement provides for the construction of an approximately 44-unit multi-family residential rental housing facility with 42 enclosed parking stalls and 36 on-site surface parking spaces by the Developer (the "Project"); and

B. WHEREAS, the Developer is seeking to finance the Project with Merchants Bank, N.A. (the "Lender"), and the Lender is requiring the execution of an Assignment of Development Agreement (the "Assignment"); and

C. WHEREAS, a draft of the Assignment has been submitted to the City Council for approval.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Waconia, Minnesota, as follows:

1. The City Council hereby approves the Assignment in substantially the form submitted, and the Mayor and the City Administrator are hereby authorized and directed to execute the Acknowledgement and Consent attached to the Assignment on behalf of the City. In the absence of the Mayor or the City Administrator, any document authorized by this resolution to be executed may be executed by an acting or duly designated official.

2. The approval hereby given to the Assignment includes approval of such additional details therein as may be necessary and appropriate and such modifications thereof, deletions therefrom and additions thereto as may be necessary and appropriate and approved by the City officials authorized by this resolution to execute the Acknowledgement and Consent. The execution of the Acknowledgement and Consent by the appropriate officer or officers of the City shall be conclusive evidence of the approval of the Assignment in accordance with the terms hereof.

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

and the following voted against the same:

whereupon said resolution was declared duly passed and adopted.

Kent Bloudek Mayor

Attest:

Jackie Schulze, City Clerk

STATE OF MINNESOTA
COUNTY OF CARVER
CITY OF WACONIA

I, the undersigned, being the duly qualified and acting City Administrator of the City of Waconia, Minnesota, DO HEREBY CERTIFY that I have compared the attached and foregoing extract of minutes with the original thereof on file in my office, and that the same is a full, true and complete transcript of the minutes of a meeting of the City Council of said City duly held on the date therein indicated, insofar as such minutes relate to a resolution giving approval to the Assignment of Development Agreement.

WITNESS my hand this 19th day of September, 2022.

City Administrator

ASSIGNMENT OF DEVELOPMENT AGREEMENT

This Assignment, entered into as of September ___, 2022 is by and between **WACONIA INVESTMENT PARTNERS, LLC** (the “Borrower”) and **MERCHANTS BANK, N.A.** (the “Bank”).

RECITALS

FIRST: The Borrower and the Bank have entered into that certain Combination Constnution/Term Loan Agreement dated of even date herewith (the “Loan Agreement”) for a loan (the “Loan”) to finance construction of improvements on real property located in Carver County, Minnesota and legally described on Exhibit A attached hereto (the “Property”).

SECOND: Among other conditions of the Loan, the Bank requires an assignment of the Development Agreement dated May 1, 2022, between the Borrower and the City of Waconia, MN (the “City”) (the “Development Agreement”).

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Borrower and the Bank hereby agree as follows:

1. **Definitions.** Except otherwise defined in context, each capitalized term in this Assignment shall have the meaning ascribed to it in the Loan Agreement.
2. **Assignment.** The Borrower hereby assigns the Development Agreement to the Bank.
3. **Present Assignment.** This Assignment is a present and absolute assignment to the Bank as of the Effective Date; ***provided, however,*** the Bank grants the Borrower the right to enforce the terms of the Development Agreement and the Borrower’s rights thereto so long as no Event of Default or event that would constitute an Event of Default after notice or the passage of time, or both, has occurred and is continuing under the Loan Agreement. Upon an Event of Default or event which would constitute an Event of Default after notice or the passage of time, or both, under the Loan Agreement, the Bank, may, in its sole discretion, give notice to the City of the Bank’s intent to enforce the Bank’s rights under this Assignment and may initiate or participate in any legal proceedings regarding the Borrower’s rights. The Borrower acknowledges that by accepting this Assignment, the Bank does not assume any of the Borrower’s obligations under the Development Agreement.
4. **Representations and Warranties.** The Borrower represents and warrants to the Bank, as of the Effective Date, that: (a) the Development Agreement entered into by the Borrower is in full force and effect and are enforceable in accordance with its terms and no default, or event which would constitute a default after notice or the passage of time, or both, exists with respect to the Development Agreement; (b) the Development Agreement delivered to the Bank is complete and correct; and (c) the Borrower has not assigned any of its rights under the Development Agreement.
5. **Borrower Covenants.** The Borrower hereby agrees: (a) to perform all of its obligations under the Development Agreement; (b) to enforce performance of all obligations of any other person or entity under the Development Agreement; (c) not to modify the existing Development

Agreement and not to enter into any future agreements with the Development without the Bank's prior written approval; and (d) not to further assign, for security or any other purposes, its rights under the Development Agreement without the Bank's prior written consent.

6. **Integration.** This Assignment secures payment and performance by the Borrower of all of its obligations under the Loan Agreement. This Assignment is supplemented by those provisions of the Loan Agreement, the terms and conditions of which are hereby incorporated by reference. This Assignment is part of and further defines the assignment of contract rights and other rights set forth in the Mortgage.

7. **Successors and Assigns.** This Assignment shall be binding upon and inure to the benefit of the heirs, legal representatives, assigns, and successors-in-interest of the Borrower and the Bank, including, but not limited to a court-appointed receiver of the Property appointed pursuant to petition by the Bank.

8. **Multiple Counterparts.** This Agreement may be executed in several counterparts, each of which shall be deemed an original. Executed copies of the signature pages of this Agreement transmitted by facsimile or electronically in either Tagged Image File Format ("TIFF") or Portable Document Format ("PDF") shall be treated as originals. A manually executed counterpart of this Agreement shall also be delivered if an executed counterpart of this Agreement is transmitted by facsimile, TIFF or PDF, but the failure to deliver a manually executed counterpart should not affect the validity, enforceability, and binding effect of this Agreement. The pages of any counterpart of this Agreement containing any party's signature or the acknowledgement of such party's signature hereto may be detached therefrom without impairing the effect of the signature or acknowledgement, provided that such pages are attached to any other counterpart identical thereto except having additional pages containing the signatures or acknowledgements thereof of other parties.

[The remainder of this page is intentionally blank. Signature page follows.]

IN WITNESSETH WHEREOF, the Borrower has executed this Assignment as of the date first above written.

WACONIA INVESTMENT PARTNERS, LLC

By: _____

Its: President

ACKNOWLEDGMENT AND CONSENT

The City of Waconia, MN (the “City”) hereby acknowledges and consents to the foregoing Assignment and agrees that if, at any time, the Bank or its wholly-owned subsidiary becomes the owner of or acquires possession of the Property or obtains a court order appointing a third party as receiver of the Property, or, pursuant to its rights under the Loan Agreement or the Mortgage, elects to undertake or cause the completion of construction of the Project as defined in the Development Agreement, and gives the City written notice of such election; then, ***provided that*** the Bank or its wholly-owned subsidiary performs the Borrower’s obligations under the Development Agreement, the Bank (or its wholly-owned subsidiary) may, at its option, avail itself of all benefits under the City Agreement, and the City shall continue to perform its obligations under the Development Agreement for the benefit and account of the Bank (or its wholly-owned subsidiary) in the same manner as if performed for the benefit or account of the Borrower in the absence of the Assignment.

CITY OF WACONIA, MINNESOTA

By: _____ Dated: September ___, 2022

Its: _____

EXHIBIT A

Lots 3, 4, 5, 6, Block 7, VILLAGE OF WACONIA, Carver County, Minnesota.

Together with an easement for roadway purposes over and across the South 12 feet of Lots 9, 10, 11, and 12 of said Block 7, until such time as the alley platted in said Block 7 is opened by the City of Waconia.



REQUEST FOR CITY COUNCIL ACTION

Meeting Date:		September 19, 2022					
Item Name:		Allocation of Deferred Assessment Payment					
Originating Department:		Finance					
Presented by:		Nicole Meyer					
Previous Council Action (if any):							
Item Type (X only one):	Consent	☒ X	Regular Session	☐	Discussion Session	☐	
RECOMMENDATIONS/COUNCIL ACTION/MOTION REQUESTED <i>(Include motion in proper format.)</i>							
Adopt Resolution No.2022-247, Approving Allocation of Deferred Assessment Payment to the PIR Capital Project Fund.							
EXPLANATION OF AGENDA ITEM <i>(Include a description of background, benefits, and recommendations.)</i>							
Sale of a piece of property in the Pinehill Development that had deferred special assessments allocated to it occurred on September 9, 2022. Upon sale and development of the parcel, a deferred assessment of \$339,087 was to be paid to the City for improvements that benefitted this parcel. The improvements made that benefitted this parcel were paid for with bonds issued by the City. The assessment should have been used for repayment of the bonds. However, the assessment was deferred as part of an agreement with the property owner until sale and development of the parcel. The final bond payment was made by the City on February 1, 2018. Finance staff confirmed with the City's auditors that the funds can be allocated to another fund that is not used to pay debt service. Staff recommends the funds be allocated to the PIR Capital Project Fund (103) for future use on capital projects and improvements throughout the City. The City made transfers to the PIR Debt Fund (303) for several years from the General Fund (101) to pay debt service payments.							
<u>Attachments:</u>							
1. 22247Res_Allocation_of_Proceeds_-_Deferred_Assessment_Hartman.docx							
FINANCIAL IMPLICATIONS:				ADVISORY BOARD RECOMMENDATIONS:			
Funding Sources & Uses: PIR Capital Project Fund (103)							
Budget Information:				Planning Commission			
☐ Budgeted				Parks and Recreation Board			
☒ Non Budgeted				Safari Island Advisory Board			
☐ Amendment Required				Other			

**CITY OF WACONIA
RESOLUTION NO. 2022-247**

**RESOLUTION APPROVING ALLOCATION OF DEFERRED ASSESSMENT
PAYMENT TO THE PIR CAPITAL PROJECT FUND**

WHEREAS, the City received payment of a deferred assessment for property located in the Pinehill Development in September 2022; and

WHEREAS, assessment payments were to be used for repayment of the bonds issued for improvements that were made that benefitted the parcel; and

WHEREAS, assessment payments were deferred until sale and development of the parcel based on an agreement with the property owner; and

WHEREAS, the City has since paid the bonds in full with the last payment being made on February 1, 2018; and

WHEREAS, the assessment payment was \$339,087; and

WHEREAS, it has been the City's practice to use these funds for continued funding of capital improvement projects throughout the community since the debt is paid in full.

NOW, THEREFORE, BE IT RESOLVED the City Council of the City of Waconia hereby approves allocation of the deferred assessment payment to the PIR Capital Project Fund (103) for future expenditures related to capital projects and improvements.

Adopted by the City Council of the City of Waconia this 19th day of September, 2022.

Kent Bloudek, Mayor

ATTEST: _____
Jackie Schulze, City Clerk



REQUEST FOR CITY COUNCIL ACTION

Meeting Date:		September 19, 2022					
Item Name:		Chick-fil-A Gift Card Donation for Organizational Use					
Originating Department:		Finance					
Presented by:		Nicole Meyer					
Previous Council Action (if any):							
Item Type (X only one):		Consent	X	Regular Session		Discussion Session	
RECOMMENDATIONS/COUNCIL ACTION/MOTION REQUESTED <i>(Include motion in proper format.)</i>							
Adopt Resolution 2022-248, Accepting Chick-fil-A Gift Card Donation for Organizational Use							
EXPLANATION OF AGENDA ITEM <i>(Include a description of background, benefits, and recommendations.)</i>							
Staff received gift certificates from Minnetonka Community Education - Tour de Tonka event organizers for Chick-fil-A. The gift cards were in appreciation of the City's assistance with the 2022 Tour de Tonka event. There were a total of 6 gift cards with a total valuation of \$27.90 . Staff is requesting acceptance of the donation for organizational use. The certificates will be given away to employees at the employee event held this summer. <u>Attachments:</u> 1. 22248res Donation_Acceptance_-_Chick_Fil_A_Gift_Cards_09.18.22.doc							
FINANCIAL IMPLICATIONS:				ADVISORY BOARD RECOMMENDATIONS:			
Funding Sources & Uses:							
None							
Budget Information:				Planning Commission			
_____ Budgeted				Parks and Recreation Board			
X _____ Non Budgeted				Safari Island Advisory Board			
_____ Amendment Required				Other			

**CITY OF WACONIA
RESOLUTION NO. 2022-248**

RESOLUTION ACCEPTING CAR WASH DONATION FOR ORGANIZATIONAL USE

WHEREAS, the City of Waconia is generally authorized to accept contributions of real and personal property pursuant to Minnesota Statutes Sections 412.21 and 465.03 for the benefit of its citizens and is specifically authorized to accept gifts and requests for the benefit of facilities, services and the development of programs to benefit residents pursuant to Minnesota Statutes Section 471.17; and

WHEREAS, the following persons and/or entities have offered to contribute the items set forth below to the City:

<u>Name of Donor</u>	<u>Item</u>	<u>Value</u>
Minnetonka Community Education – Tour de Tonka	6 Chick-fil-A Gift Cards	\$27.90

WHEREAS, these donations have been contributed for the benefit of residents within the City's corporate limits either alone or in cooperation with others, as allowed by law; and

WHEREAS, the City Council hereby finds that it is appropriate to accept the contributions offered.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF WACONIA, MINNESOTA, AS FOLLOWS:

1. The contribution described above is hereby accepted and acknowledged with gratitude.
2. Said contribution shall be used for the designated purposes of providing meal or beverages for staff or city council meeting use.
3. That the Finance Director is hereby directed to issue receipts to the donor acknowledging the City's receipt of the donor's contribution.

Adopted by the City Council of the City of Waconia this 19th day of September, 2022.

Kent Bloudek, Mayor

ATTEST: _____
Jackie Schulze, City Clerk



REQUEST FOR CITY COUNCIL ACTION

Meeting Date:		September 19, 2022					
Item Name:		Approve Electrical Easement					
Originating Department:		Public Services					
Presented by:		Craig Eldred					
Previous Council Action (if any):		None					
Item Type (X only one):	Consent	☒ X	Regular Session	☐	Discussion Session	☐	
RECOMMENDATIONS/COUNCIL ACTION/MOTION REQUESTED <i>(Include motion in proper format.)</i>							
Adopt Resolution 2022-249; Approve Execution of Electrical Easement with Northern States Power, XCEL Energy for Waterford Park & Raven Croft Road							
EXPLANATION OF AGENDA ITEM <i>(Include a description of background, benefits, and recommendations.)</i>							
As part of the Inclusive Playground Improvement Project and Parking Lot improvements the electrical transformer installed back in 2007 needs relocation. The transformer is located on what was previously privately held by the Waterford Homeowner's Association and dedicated to the City in 2017. It's current location as noted is programmed to be encompassed as part of the parking lot. The current and revised location is provided on the attached plan sheet. Staff worked with XCEL staff on right sizing and relocation of the transformer which benefits XCEL and the City. However the location chosen would still be on private property. Therefore, the need for the easement to place the transformer. The proposed area actually serves no benefit to the Park outside the need of current and future electrical needs for the Park. Attached are documents reviewed by the City Attorney on behalf of the City which will need to be executed by the Mayor and City Clerk allowing the easement and relocation of the transformer. Staff recommends approval of this request allowing for the relocation of the transformer and completion of the parking lot improvements by S.M. Hengtes as part of the dedicated Waterford Park Improvements. Attachments: 1. 22249res_Authorizing_Conveyance_of_NSP_Easement_Draft_09-09-2022_.docx 2. 2022.0577 City of Waconia Easement Agreement Waterford Park.docx 3. Site Overview & Location Adjustments.pdf							
FINANCIAL IMPLICATIONS:				ADVISORY BOARD RECOMMENDATIONS:			
Funding Sources & Uses:							
Donated & Accepted							
Budget Information:				Planning Commission			
☒ X Budgeted				Parks and Recreation Board			
☐ Non Budgeted				Safari Island Advisory Board			
☐ Amendment Required				Other			

CITY OF WACONIA
RESOLUTION NO. 2022-249

RESOLUTION APPROVING GRANT OF ELECTRICAL EASEMENT

WHEREAS, the City of Waconia (the “City”) owns the parcel of land legally described on attached Exhibit A (the “Property”); and

WHEREAS, the City is constructing an inclusive public playground on the Property; and

WHEREAS, in connection with the construction of such playground, the City has asked Northern States Power Company, a Minnesota Corporation, d/b/a Xcel Energy (“NSP”) to relocate a NSP transformer; and

WHEREAS, NSP requires a new easement area as a condition of completing the transformer relocation; and

WHEREAS, NSP has submitted a proposed permanent electrical easement to the City (the “Electrical Easement”); and

WHEREAS, the form of the Electrical Easement is attached as Exhibit B, which includes revisions requested by City staff and the City Attorney; and

WHEREAS, the City Council finds the form of the proposed Electrical Easement attached as Exhibit B acceptable; and

WHEREAS, the City Council further finds it is in the best interests of the City and its residents to execute the Electrical Easement as partial consideration for NSP relocating its transformer at the City’s request; and

WHEREAS, pursuant to Minnesota Statutes §462.356, subd. 2, the City Council further finds that the granting of the easement over the Property has no relationship to the City’s comprehensive municipal plan and the City may dispense with the requirements of Minnesota Statutes §462.356, subd. 2, to the extent such requirements apply.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WACONIA, MINNESOTA:

1. The above recitals and findings are incorporated as resolutions of the City Council.
2. The grant of the Electrical Easement to NSP is hereby approved and ratified.
3. The Mayor and City Clerk, on behalf of the City, are authorized to execute and deliver the Electrical Easement on behalf of the City. The execution of any document or instrument by such officers of the City shall be conclusive evidence

of the approval of such document or instrument in accordance with the terms of this resolution.

4. The City Administrator is authorized to expend City funds to pay any costs allocated to the City or incurred by the City in connection with the Electrical Easement.

Passed and adopted by the City Council of the City of Waconia this 19th day of September, 2022.

Kent Bloudek, Mayor

ATTEST: _____
Jackie Schulze, City Clerk

[https://mhslaw.sharepoint.com/sites/1/41908/draftdocs/easements granted/nsp easement over lot 1, block 8, waterford/resolution authorizing conveyance of easement \(draft 09-08-2022\).docx](https://mhslaw.sharepoint.com/sites/1/41908/draftdocs/easements%20granted/nsp%20easement%20over%20lot%201,%20block%208,%20waterford/resolution%20authorizing%20conveyance%20of%20easement%20(draft%2009-08-2022).docx)

EXHIBIT A

Legal Description of Property

Lot 1, Block 8, WATERFORD, Carver County, Minnesota.

EXHIBIT B

Form of Permanent Easement

See document attached after this sheet

ELECTRIC EASEMENT

KNOW ALL BY THESE PRESENTS, That the undersigned, hereinafter called "Grantor", in consideration of the sum of \$1.00 and other good and valuable consideration in hand paid by **NORTHERN STATES POWER COMPANY**, a Minnesota Corporation, the receipt and sufficiency whereof is hereby acknowledged, do hereby, grant unto said Company its successors and assigns, hereinafter called "Grantee", an easement with the right, privilege and authority to excavate for, construct, install, mark, inspect, operate, repair, alter, replace, reconstruct, remove and maintain its facilities for the distribution of electrical energy, including the necessary poles, wires, guys, stubs, electric cables, conduits, vaults, pedestals, manholes and facilities related and appurtenant thereto, over, across, under and upon the following described land situated in the County of **Carver**, State of Minnesota, (hereinafter called "Property") to-wit:

Lot 1, Block 8, Waterford, Carver County, Minnesota.

Said easement shall be limited to that part of the Property (hereinafter called "Easement Area" as depicted on attached Exhibit A) described as follows:

A 5.00 foot wide easement over, under and across the Southeasterly 5.00 feet of Lot 1, Block 8, WATERFORD, Carver County, Minnesota, as measured at right angles to the Southeasterly line thereof.

TOGETHER WITH

A 10.00 foot wide easement over, under and across that part of Lot 1, Block 8, WATERFORD, Carver County, Minnesota which lies within 5.00 feet on each side of the following described centerline:

Commencing at the northeast corner of said Lot 1; thence southwesterly 92.00 feet along the southeast line of said Lot 1 to the point of beginning of the centerline to be described; thence northwesterly 16.00 feet on a radial line to said southeast line of said Lot 1 and said centerline there terminating.

The grant of easement herein contained shall also include the right to remove from Easement Area any structure, trees, shrubbery, or other object or obstruction which in Grantee's opinion interferes with said facilities or the removal of which may be reasonably necessary for the construction or maintenance thereof.

Except as otherwise provided herein or in any Underground Distribution Agreement between the Grantor and Grantee covering the above described Property, Grantee shall, after installation of the above described electrical facilities, or after the exercise of any rights granted herein, restore the lands subject to this easement to as near their original condition as is reasonably possible and remove therefrom all debris, spoils, and equipment resulting from or used in connection with said installation.

Grantor further agrees that no structure or obstruction will be erected or permitted or any trees planted on or within said Easement Area, that Grantor will not change the ground elevation thereof without the written consent of Grantee, or perform any act which will interfere with or endanger said electrical facilities. Grantee accepts the Easement Area in its "as-is, where-is condition" and Grantor makes no warranties or representations concerning the Easement Area.

Grantor covenants with Grantee, its successors and assigns, that Grantor is the owner of the above described Property and has the right to sell and convey an easement in the manner and form aforesaid.

This instrument and the covenants and agreements contained herein are binding upon the Grantor, its personal representatives, heirs, successors and assigns.

It is mutually understood and agreed that this instrument covers all the agreements and stipulations between the parties and that no representation or statements, verbal or written, have been made modifying, adding to or changing the terms hereof.

This instrument is exempt from the Minnesota Deed Tax.

SIGNATURE PAGE FOLLOWS

Exhibit A
Diagram of Easement Area

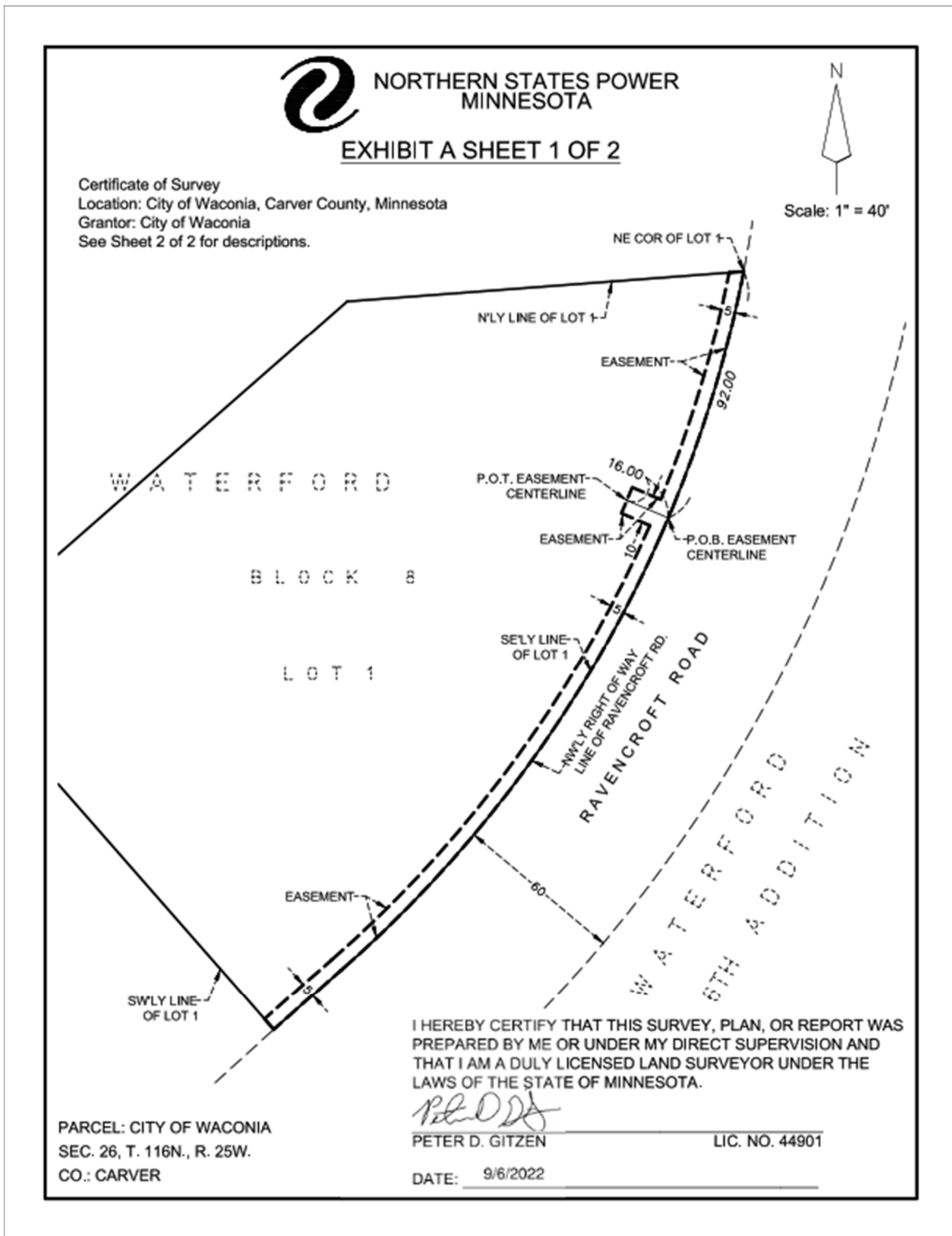


Exhibit A

Rev(1): 10-4-04



NORTHERN STATES POWER
MINNESOTA

EXHIBIT A SHEET 2 OF 2

Certificate of Survey

Location: City of Waconia, Carver County, Minnesota

Grantor: City of Waconia

"Property"

Lot 1, Block 8, Waterford, Carver County, Minnesota.

Easement Area:

A 5.00 foot wide easement over, under, and across the Southeasterly 5.00 feet of Lot 1, Block 8 as measured at right angles to the Southeasterly line thereof.

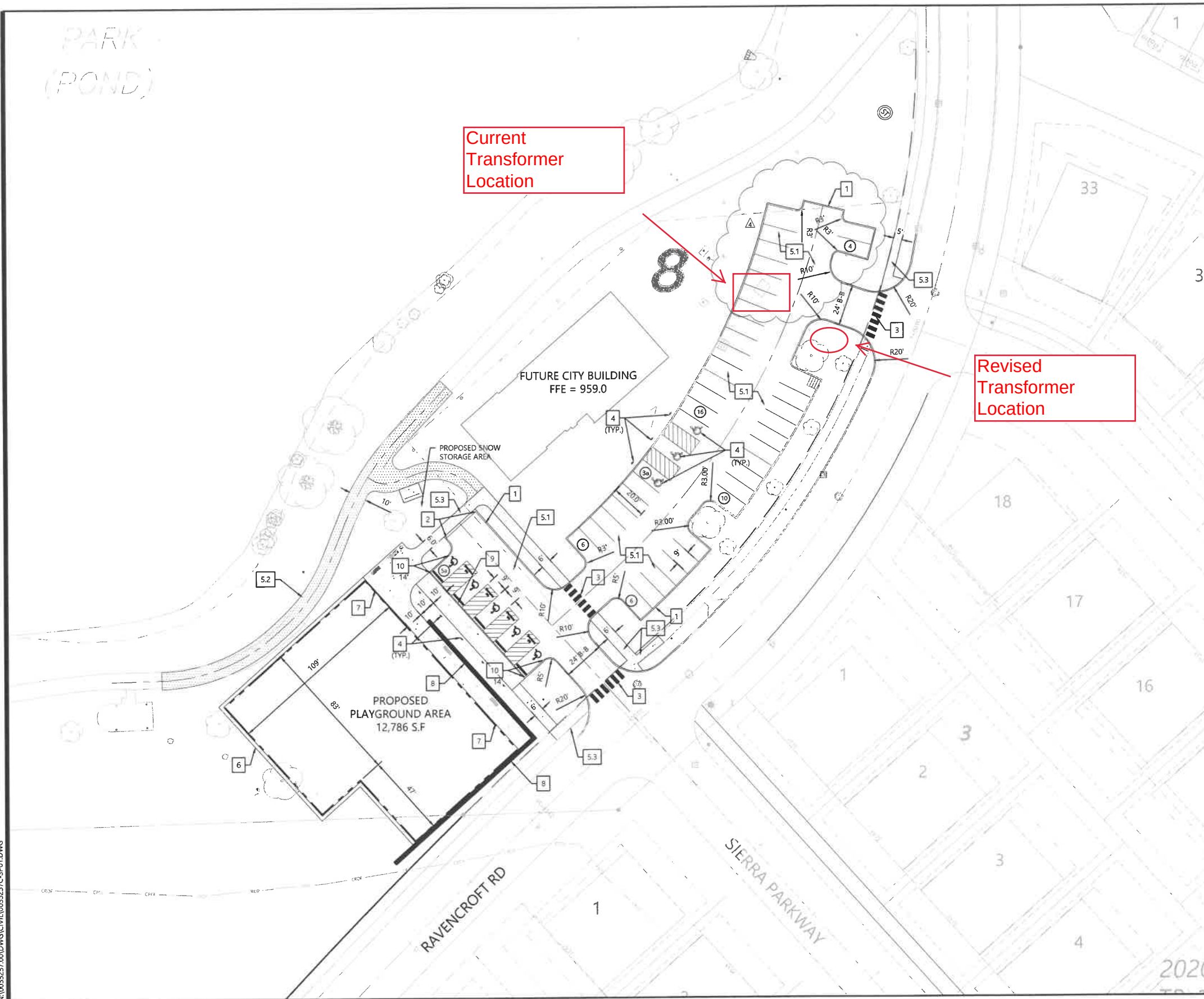
TOGETHER WITH

A 10.00 foot wide easement over, under, and across that part of the herein before described "Property" which lies within 5.00 feet on each side of the following described centerline:

Commencing at the northeast corner of said Lot 1; thence southwesterly 92.00 feet along the southeast line of said Lot 1 to the point of beginning of the centerline to be described; thence northwesterly 16.00 feet on a radial line to said southeast line of said Lot 1 and said centerline there terminating.

Containing 0.04 acres, more or less.

PARCEL: CITY OF WACONIA
SEC. 26, T. 116N., R. 25W.
CO.: CARVER



SITE LEGEND

EXISTING	PROPOSED	
		PROPERTY LINE
		LOT LINE
		SETBACK LINE
		EASEMENT LINE
		CURB AND GUTTER
		TIP-OUT CURB AND GUTTER
		POND NORMAL WATER LEVEL
		RETAINING WALL
		FENCE
		CONCRETE PAVEMENT
		CONCRETE SIDEWALK
		NUMBER OF PARKING STALLS
		TRANSFORMER
		SITE LIGHTING
		TRAFFIC SIGN
		POWER POLE
		BOLLARD / POST

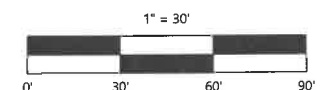
GENERAL SITE NOTES

- LOCATIONS AND ELEVATIONS OF EXISTING TOPOGRAPHY AND UTILITIES AS SHOWN ON THIS PLAN ARE APPROXIMATE. CONTRACTOR SHALL FIELD VERIFY SITE CONDITIONS AND UTILITY LOCATIONS PRIOR TO EXCAVATION/CONSTRUCTION. IF ANY DISCREPANCIES ARE FOUND, THE ENGINEER SHOULD BE NOTIFIED IMMEDIATELY.
- REFER TO BOUNDARY SURVEY FOR LOT BEARINGS, DIMENSIONS AND AREAS.
- ALL DIMENSIONS ARE TO FACE OF CURB OR EXTERIOR FACE OF BUILDING UNLESS OTHERWISE NOTED.
- REFER TO ARCHITECTURAL PLANS FOR EXACT BUILDING DIMENSIONS AND LOCATIONS OF EXITS, RAMPS, AND TRUCK DOCKS.
- ALL CURB RADII ARE SHALL BE 3.0 FEET (TO FACE OF CURB) UNLESS OTHERWISE NOTED.
- ALL CURB AND GUTTER SHALL BE **B612** UNLESS OTHERWISE NOTED.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROVIDING AND MAINTAINING TRAFFIC CONTROL DEVICES SUCH AS BARRICADES, WARNING SIGNS, DIRECTIONAL SIGNS, FLAGGERS AND LIGHTS TO CONTROL THE MOVEMENT OF TRAFFIC WHERE NECESSARY. PLACEMENT OF THESE DEVICES SHALL BE APPROVED BY THE CITY AND ENGINEER PRIOR TO PLACEMENT. TRAFFIC CONTROL DEVICES SHALL CONFORM TO APPROPRIATE MNDOT STANDARDS.
- BITUMINOUS PAVEMENT AND CONCRETE SECTIONS TO BE IN ACCORDANCE WITH THE RECOMMENDATIONS OF THE GEOTECHNICAL ENGINEER.
- CONTRACTOR SHALL MAINTAIN FULL ACCESS TO ADJACENT PROPERTIES DURING CONSTRUCTION AND TAKE ALL PRECAUTIONS NECESSARY TO AVOID PROPERTY DAMAGE TO ADJACENT PROPERTIES.
- SITE LIGHTING SHOWN ON PLAN IS FOR REFERENCE ONLY. REFER TO LIGHTING PLAN PREPARED BY OTHERS FOR SITE LIGHTING DETAILS AND PHOTOMETRICS.

1 SITE DETAILS

- B612** CURB AND GUTTER
- SURMOUNTABLE CURB AND GUTTER
- CROSS WALK STRIPING
- HANDICAP ACCESSIBLE SIGNAGE AND STRIPING
- PAVEMENT SECTIONS
 - BITUMINOUS PARKING
 - BITUMINOUS TRAIL
 - CONCRETE SIDEWALK
- 12"x12" CONCRETE EDGE
- THICKENED EDGE SIDEWALK
- MODULAR BLOCK RETAINING WALL
- FLUSH CURB SECTION
- CURB TRANSITION

IMPERVIOUS SURFACES	
ADDED IMPERVIOUS AREA (SY)	FUTURE CITY BUILDING (SY)
1227	645



CONSTRUCTION PLANS

DESIGNED:
CHECKED:
DRAWN:
HORIZONTAL SCALE: 30.0003'
VERTICAL SCALE: 6' OR 3'

INITIAL ISSUE: 02/07/22
REVISIONS:
04/15/22 CLIENT COMMENTS
06/20/22 REVISED GRADING PLAN
07/01/22 TRANSFORMER PAD
07/13/22 CITY COMMENTS

PREPARED FOR:

I HEREBY CERTIFY THAT THIS PLAN 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
RYAN M. BLUHM
DATE: 07/01/22 LICENSE NO. 41257

WATERFORD PARK
WACONIA, MN

Westwood
Phone (952) 937-6150 12701 Whitewater Drive, Suite #300
Fax (952) 937-6822 Minneapolis, MN 55343
Toll Free (888) 937-5150 westwoodps.com
Westwood Professional Services, Inc.

SITE PLAN

PROJECT NUMBER: 0035257

SHEET NUMBER:
3 OF 6
DATE: 07/01/22



REQUEST FOR CITY COUNCIL ACTION

Meeting Date:	September 19, 2022
Item Name:	2nd Variance Extension Request - Mark Fischer for the property located at 479 Lakeview Terrace Boulevard
Originating Department:	Community Development
Presented by:	Ethan Nelson

Previous Council Action (if any):

Item Type (X only one):	Consent	X	Regular Session		Discussion Session	
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RECOMMENDATIONS/COUNCIL ACTION/MOTION REQUESTED *(Include motion in proper format.)*

Adopt Resolution No. 2022-250 approving the 2nd variance extension request submitted by Mark Fischer for the property located at 479 Lakeview Terrace Boulevard, extending the variance deadline until December 7th, 2023.

EXPLANATION OF AGENDA ITEM *(Include a description of background, benefits, and recommendations.)*

The City Council, at their regular meeting on December 7th, 2020, reviewed and approved a variance request by Mark Fischer to allow a remodel and expansion project for their home on the property located at 479 Lakeview Terrace Boulevard. Specifically, the variance was necessary as the structure, as proposed, could not meet the minimum front yard setback or the maximum impervious surface requirements as stated in the R-2, Single Family Residential District and the Shoreland Overlay District. Both the Planning Commission and City Council voted unanimously to approve the variance request as both indicated that the proposed modifications to the home met the necessary variance criteria.

Subsequently, at the request of Mr. Fischer, the City Council approved Resolution 2021-221 on September 20th, 2021 approving a 1 year extension to the variance request. The extension approval required the project to commence no later than December 7, 2022. Further, the staff report indicated that any further extensions be submitted to the City prior to the expiration or the variance will become void.

On September 13th, 2022, Mr. Fischer informed staff that he had run into building costs and availability issues for the project and would be unable to obtain a permit prior to December 7th, 2022. For the reasons noted, Mr. Fischer has requested another extension to the variance timeline.

If the City Council chooses to approve the 2nd variance extension request submitted by Mr. Weinberger, City staff would recommend approval upon the following conditions:

1. The project be constructed subject to Resolution 2020-272 and the approved plans.
2. The project shall commence no later than December 7th, 2023. Any further extensions shall be submitted to the City of Waconia prior to the expiration or the variance will become void.

Attachments:

1. [22250res__2_Pages_\(3\).docx](#)
2. [Extension Request_Fischer \(1 Page\).pdf](#)
3. [Original Variance Approval - Resolution 2020-272\(2 Pages\).pdf](#)
4. [Location Map \(1 Page\).pdf](#)

FINANCIAL IMPLICATIONS:

Funding Sources & Uses:

Budget Information:
 _____ Budgeted
 _____ Non Budgeted

ADVISORY BOARD RECOMMENDATIONS:

Planning Commission	
Parks and Recreation Board	
Safari Island Advisory Board	

_____Amendment Required	Other
--	--

CITY OF WACONIA

RESOLUTION NO. 2022-250

**RESOLUTION APPROVING A VARIANCE EXTENSION
TO ALLOW A REDUCED SETBACK REQUIREMENT
AND HARDCOVER EXCEEDING LOT REQUIREMENTS
FOR THE PROPERTY LOCATED AT 479 LAKEVIEW TERRACE BOULEVARD**

WHEREAS, Mark Fischer (the “**Applicant**”) has submitted a second request to end the deadline for the variance approved by the City Council via Resolution 2020-272; and

WHEREAS, the subject parcel is located at 479 Lakeview Terrace Boulevard, and identified as PID# 752960010 (the “**Property**”); and

WHEREAS, the Applicant was granted a variance on December 7th, 2020 to allow a home remodel and expansion project on the property at a reduced front yard setback with improvements that exceed the 25% impervious surface requirements stated in City Code; and

WHEREAS, the City Council approved Resolution 2021-221 on September 20th, 2021 approving a one year extension to the variance, which required work to commence no later than December 7th, 2022 unless an additional extension was requested prior to expiration; and

WHEREAS, City Ordinance states “*A variance shall become void one year after it was granted unless made use of.*”; and

WHEREAS, the Applicant has requested an additional extension to the variance prior to the expiration of the initial extension; and

WHEREAS, Staff has reviewed the proposed extension and, if approved by the City Council, would recommend the following conditions:

1. The project be constructed subject to Resolution 2020XXX and the approved plans.
2. The project shall commence no later than December 7th, 2023. Any further extensions shall be submitted to the City of Waconia prior to the expiration or the variance will become void.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Waconia hereby approves an additional one year extension to the Variance request submitted by Mark Fischer for the remodel and expansion of an existing home at 479 Lakeview Terrace Boulevard based on the findings and conditions stated above.

Passed and adopted by the City Council of the City of Waconia this 19th day of September, 2022

Kent Bloudek, Mayor

ATTEST:_____

Jackie Schulze, City Clerk

Ethan Nelson

From: Mark Fischer <markfischer11@gmail.com>
Sent: Tuesday, September 13, 2022 12:59 PM
To: Ethan Nelson
Subject: Re: Fischers

Hello Ethan, I trust your 2022 has been good so far? We have had multiple complications due to covid, building cost, builder availability and other circumstances. We would like to get a further extension to December 2023. I hope this will be ok, most sincerely

Mark

Mark Fischer

On Sep 8, 2021, at 4:34 PM, Mark Fischer <markfischer11@gmail.com> wrote:

Ethan,
Please request an extension to December 7th 2022

Mark Fischer

On Sep 8, 2021, at 4:32 PM, Ethan Nelson <enelson@waconia.org> wrote:

Mark,
You can request a longer period of time. One year has been the standard, so if you're looking for a longer period of time you will need to indicate a reason. Either way, I would simply have you respond to this email with a request for an extension to your variance. Request the date you need it extended to as well. I will use that to document the request and get it in front of the Council.
Thanks,
Ethan

From: Mark Fischer <markfischer11@gmail.com>
Sent: Wednesday, September 8, 2021 4:21 PM
To: Ethan Nelson <enelson@waconia.org>
Subject: Re: Fischers

Hi Ethan,
Thanks for your response. Is one year the maximum allowable? If so yes one year extension.

Best regards,
Mark

**CITY OF WACONIA
RESOLUTION 2020-272**

**A RESOLUTION APPROVING A VARIANCE
FOR THE PROPERTY LOCATED AT 479 LAKEVIEW TERRACE BOULEVARD**

WHEREAS, Mark and Claire Fischer (the “**Applicants**”), have submitted a Variance application for the property located at 479 Lakeview Terrace Boulevard (the “**Property**”) pursuant to Section 900.12 of the City Zoning Code; and

WHEREAS, the subject parcel is identified as PID# 752960010; and

WHEREAS, the City received a variance application from the applicants to allow improvements to their principal structure that would cause the property to exceed the 25% impervious surface maximum and further encroach within the 25 ft. minimum front yard setback allowed in the in the R-2, Single Family District and the Shoreland Overlay District; and

WHEREAS, the applicant is requesting the variance due to maintenance improvements that would require a 2nd floor staircase that conforms to building code.

WHEREAS, the Planning Commission, at their regular meeting on September 3rd, 2020, held the required public hearing and recommended approval of the Variance application for improvements to the principal structure for the property located at 479 Lakeview Terrace Boulevard via a 5-0 vote with the following conditions:

1. The applicant shall submit all necessary permits and meet all submission requirements contained within.
2. The stormwater plan shall be implemented and completed to the satisfaction of the Public Services Director and City Engineer.
3. Erosion control methods such as a silt fence shall be required to protect Lake Waconia.

WHEREAS, the City Council further finds and concludes:

- 1) The proposed improvements would not alter the essential character of the locality as the proposed improvements would continue the single-family residential use in a similar manner.
- 2) The proposed improvements would be used in a reasonable manner, specifically, the applicant is implementing a stormwater plan that would mitigate the increased hardcover.
- 3) The property has the unique circumstance due to the home existing within the front yard setback and building code requirements causing a further encroachment.
- 4) The variance is in harmony with the Comprehensive Plan because the applicant intends to preserve an older building while attempting to comply with stormwater requirements, City code and building code.

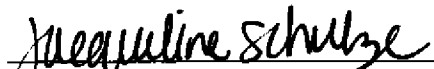
NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Waconia hereby approves the Variance application for Mark and Claire Fischer to construct improvements

to their principal structure for the property located at 479 Lakeview Terrace Boulevard subject to the conditions, findings and recommendations of the Waconia Planning Commission stated above.

Adopted by the City Council of the City of Waconia this 7th day of December, 2020.



Kent Bloudek, Mayor

ATTEST: 

Jackie Schulze, Assistant City Administrator

M/ Leo

S/ Erickson

Bloudek
Carrier
Erickson
Leo
Waldron

Aye
Aye
Aye
Aye
Aye



Carver County GIS, City of Waconia, Ayres 2019

02550100150200

ft

N

August 2020

Coordinate System:

WGS 1984 Web Mercator Auxiliary Sphere





REQUEST FOR CITY COUNCIL ACTION

Meeting Date:		September 19, 2022					
Item Name:		Retirement of Firefighter Tom Martino					
Originating Department:		Administration					
Presented by:		Jackie Schulze					
Previous Council Action (if any):							
Item Type (X only one):	Consent	X	Regular Session		Discussion Session		
RECOMMENDATIONS/COUNCIL ACTION/MOTION REQUESTED <i>(Include motion in proper format.)</i>							
Adopt Resolution 2022-251, Accepting Retirement of Firefighter Tom Martino							
EXPLANATION OF AGENDA ITEM <i>(Include a description of background, benefits, and recommendations.)</i>							
Earlier this month, we received Firefighter Tom Martino's notice of retirement. Tom has been a firefighter with the City of Waconia for 22 years. In his resignation letter, Firefighter Martino writes "I feel the department is on the right track having top quality leadership, experienced veterans, and with the new people coming in." Firefighter Martino was very involved in his time with the Fire Department and took on a leadership role planning the 2021 20th Anniversary of September 11 Ceremony. We sincerely appreciate Tom's 22 years with the Waconia Fire Department. Tom will be recognized publicly at a future City Council meeting this fall.							
Attachments:							
1. 22251res Martino_Retirement_Res_final.docx							
FINANCIAL IMPLICATIONS:				ADVISORY BOARD RECOMMENDATIONS:			
Funding Sources & Uses:							
Budget Information:				Planning Commission			
_____ Budgeted				Parks and Recreation Board			
_____ Non Budgeted				Safari Island Advisory Board			
_____ Amendment Required				Other			

**CITY OF WACONIA
RESOLUTION NO. 2022 - 251**

**RESOLUTION ACCEPTING
RETIREMENT OF FIREFIGHTER
TOM MARTINO**

WHEREAS, the City has received a notice of retirement from Tom Martino, Firefighter, after 22 years on the Fire Department; and

WHEREAS, the City has received the notice in accordance with its personnel policies to be effective as of September 30, 2022; and

NOW, THEREFORE, BE IT RESOLVED, that, the City Council hereby accepts the retirement of Tom Martino.

Adopted by the City Council of the City of Waconia this 19th day of September, 2022.

Kent Bloudek, Mayor

ATTEST: _____
Jackie Schulze, City Clerk



REQUEST FOR CITY COUNCIL ACTION

Meeting Date:		September 19, 2022			
Item Name:		Firefighter Resignation			
Originating Department:		Fire			
Presented by:		Jackie Schulze			
Previous Council Action (if any):					
Item Type (X only one):	Consent	☒ X	Regular Session		Discussion Session
RECOMMENDATIONS/COUNCIL ACTION/MOTION REQUESTED <i>(Include motion in proper format.)</i>					
Adopt Resolution 2022-252, Accepting Resignation of Probationary Firefighter Grace Hollingsworth					
EXPLANATION OF AGENDA ITEM <i>(Include a description of background, benefits, and recommendations.)</i>					
Probationary Firefighter Grace Hollingsworth has submitted her resignation, effective immediately. Grace started with the Fire Department in August of 2021 as a probationary firefighter, and has found that the position does not work with her new work schedule. We'd like to thank Grace for her service to the Waconia Fire Department over the last year. <u>Attachments:</u> 1. 22252res Firefighter_Resignation_Resolution_Hollingsworth.docx					
FINANCIAL IMPLICATIONS:			ADVISORY BOARD RECOMMENDATIONS:		
Funding Sources & Uses:					
Budget Information:			Planning Commission		
_____ Budgeted			Parks and Recreation Board		
_____ Non Budgeted			Safari Island Advisory Board		
_____ Amendment Required			Other		

**CITY OF WACONIA
RESOLUTION NO. 2022- 252**

**RESOLUTION ACCEPTING RESIGNATION OF
FIREFIGHTER GRACE HOLLINGSWORTH**

WHEREAS, the City has received a resignation letter from Firefighter Grace Hollingsworth; and

WHEREAS, the City has received the notice in accordance with its personnel policies to be effective immediately; and

WHEREAS, Firefighter Hollingsworth is resigning in good standing and eligible for rehire in the future; and

NOW, THEREFORE, BE IT RESOLVED, that, the City Council hereby accepts the resignation of Grace Hollingsworth.

Adopted by the City Council of the City of Waconia this 19th day of September, 2022.

Kent Bloudek, Mayor

Attest: _____
Jackie Schulze, City Clerk



REQUEST FOR CITY COUNCIL ACTION

Meeting Date:	September 19, 2022					
Item Name:	Consider the Issuance and Sale of \$18,290,000 General Obligation Bonds, Series 2022A-2022 Infrastructure Improvement Projects and Fire Station Construction					
Originating Department:	Finance					
Presented by:	Nicole Meyer					
Previous Council Action (if any):	- Resolution 2022-204: Resolution Providing for the Sale of \$18,020,000 General Obligation Bonds, Series 2022A – Approved July 18, 2022 - Resolution 2022-205: Resolution Calling a Public Hearing on the Intension to Issue General Obligation Capital Improvement Plan Bonds and Proposal to Adopt a Capital Improvement Plan Therefor – Approved July 18, 2022 - Resolution 2021-213: Resolution Calling a Public Hearing on Proposed Tax Abatements for a Portion of the 2022 Infrastructure Improvements – Approved July 18, 2022 - Resolution 2022-226: Resolution Approving Tax Abatements for 2022 Infrastructure Improvement Projects – Approved August 15, 2022 - Resolution 2022-227: Resolution Giving Preliminary Approval for the Issuance of the City’s General Obligation Capital Improvement Bonds – Approved August 15, 2022					
Item Type (X only one):	Consent	☐	Regular Session	X	Discussion Session	☐
RECOMMENDATIONS/COUNCIL ACTION/MOTION REQUESTED <i>(Include motion in proper format.)</i>						
Adopt Resolution 2022-253, Providing for the Issuance and Sale of \$18,290,000 General Obligation Bonds, Series 2022A, Pledging for the Security Thereof Net Revenues, Special Assessments, Tax Abatements and Levying a Tax for the Payment Thereof						
EXPLANATION OF AGENDA ITEM <i>(Include a description of background, benefits, and recommendations.)</i>						
On July 18, 2022, the City Council approved resolution 2022-204 providing for the sale of \$18,020,000 in General Obligation Bonds, Series 2022A. The bonds are to be issued to finance the 2022 infrastructure improvements projects and fire station construction. The City budgeted to issue bonds for these improvements. The final resolution for approval shows an increase in the bond amount to be issued as a result of the final bids received for the fire station construction project. A listing of the funding sources for this project is attached as "Exhibit A." With the Council’s approval of the call for sale of the bonds, City staff and Ehlers took the next steps in the issuance process which included a due diligence and Standard & Poor’s bond rating call. The bonds are being sold on September 19, 2022 - the day of the City Council meeting. Todd Hagen from Ehlers will attend the council meeting and make a presentation to the Council of the sale. An updated copy of the attached resolution will be provided at the meeting. The updated resolution will include details from the sale of the bonds.						
<u>Attachments:</u>						

1. [2022A Debt Issuance Exhibit A Cost Breakdowns.pdf](#)
2. [22253res Waconia 2022A Resolution for Council Packets.docx](#)

FINANCIAL IMPLICATIONS:

Funding Sources & Uses:

PIR Capital Project (103), Water Utility (601), Sewer Utility (602), and Storm Water Utility (655) Funds

Budget Information:

☒ Budgeted
☐ Non Budgeted
☐ Amendment Required

ADVISORY BOARD RECOMMENDATIONS:

Planning Commission

Parks and Recreation Board

Safari Island Advisory Board

Other

"Exhibit A"

Total 2022 Infrastructure Project Cost & Financing Breakdown

<u>Number</u>	<u>Project</u>	<u>Project Cost</u>	<u>Financing</u>
1	Street Reconstruction - 3rd/Maple Street - Street	\$ 1,876,960	Street Reconstruction - 429
1	Street Reconstruction - 3rd/Maple Street - Sidewalk	\$ 254,093	Tax Abatement - 469
1	Street Reconstruction - 3rd/Maple Street - Water	\$ 676,668	Water Bonds - 444/American Rescue Fund Act
1	Street Reconstruction - 3rd/Maple Street - Sewer	\$ 418,719	Sewer Bonds - 115/American Rescue Fund Act
1	Street Reconstruction - 3rd/Maple Street - Storm Water	\$ 407,224	Storm Water Bonds - 444
2	Infrastructure 2022 - Oak Avenue Improvements - Overlay	\$ 378,639	Tax Abatement - 469
2	Infrastructure 2022 - Oak Avenue Improvements - Retaining Wall	\$ 118,445	Tax Abatement - 469
2	Infrastructure 2022 - Oak Avenue Improvements - Storm Water	\$ 49,796	Storm Water Bonds - 444
2	Infrastructure 2022 - Oak Avenue Improvements - Trail	\$ 149,925	Tax Abatement - 469
3	Infrastructure 2022 - Dunsmore Drive Improvements - Street	\$ 225,290	Tax Abatement - 469
3	Infrastructure 2022 - Dunsmore Drive Improvements - Storm Water	\$ 33,675	Storm Water Bonds - 444
4	Construction of Fire Station Facility	\$ 14,500,000	Facility Bonds - 475/PIR Cash
Total 2022 Project Costs:		\$ 19,089,434	

Other Sources

<u>Number</u>	<u>Project</u>	<u>Project Cost</u>	<u>Financing</u>
1	Water/Sewer	\$ 375,000	American Rescue Fund Act
4	PIR Cash	\$ 500,000	Cash on Hand/Sales Tax Refund
Total Other Sources:		\$ 875,000	

EXTRACT OF MINUTES OF A MEETING
CITY COUNCIL OF THE
CITY OF WACONIA, MINNESOTA

HELD: September 19, 2022

Pursuant to due call, a regular or special meeting of the City Council of the City of Waconia, Carver County, Minnesota, was duly held at the City Hall on September 19, 2022, at 6:00 P.M., for the purpose, in part, of authorizing the issuance and awarding the sale of \$18,290,000 General Obligation Bonds, Series 2022A.

The following members were present:

and the following were absent:

Member _____ introduced the following resolution and moved its adoption:

RESOLUTION NO. 2022-253

RESOLUTION PROVIDING FOR THE ISSUANCE AND SALE OF \$18,290,000
GENERAL OBLIGATION BONDS, SERIES 2022A, PLEDGING FOR THE
SECURITY THEREOF NET REVENUES, SPECIAL ASSESSMENTS, TAX
ABATEMENTS AND LEVYING A TAX FOR THE PAYMENT THEREOF

A. WHEREAS, the City Council of the City of Waconia, Minnesota (the "City"), has heretofore determined and declared that it is necessary and expedient to issue \$18,290,000 General Obligation Bonds, Series 2022A (the "Bonds" or individually a "Bond"), pursuant to Minnesota Statutes, Chapter 475 and

1. Section 475.521 to finance the acquisition and betterment of a public safety facility (the "Capital Improvements");

2. Chapter 429 to finance the construction of various public improvements within the City (the "Improvements");

3. Chapter 469.1812 through 469.1815, particularly Section 469.1814 to finance public improvements (the "Tax Abatement Project");

4. Section 444.075 to finance improvements to the municipal water and storm sewer systems (the "Utility Projects");

5. Section 115.46 to finance improvements to the municipal sanitary sewer system (the "Sanitary Sewer Projects"); and

B. WHEREAS, on August 15, 2022, the City Council held a public hearing on the proposed issuance of general obligation capital improvement plan bonds and, pursuant to resolution approved and adopted the 2022 through 2026 Five-Year Capital Improvement Plan (the "Plan"), and approved the issuance of general obligation capital improvement plan bonds to

finance the acquisition and betterment of the Capital Improvements all pursuant to the Plan and in accordance with the provisions of Minnesota Statutes, Section 475.521; and

C. WHEREAS, no petition signed by voters equal to five percent of the votes cast in the City in the last general election requesting a vote on the issuance of the general obligation capital improvement plan bonds has been filed with the City Administrator within 30 days after the public hearing on the Plan and on the issuance of the general obligation capital improvement plan bonds; and

D. WHEREAS, the City has previously issued its General Obligation Capital Improvement Plan Bonds, Series 2015C in the original principal amount of \$4,320,000, dated December 15, 2015, pursuant to Minnesota Statutes, Section 475.521 (the "Outstanding CIP Bonds"); and

E. WHEREAS, the City hereby determines, in accordance with Minnesota Statutes, Section 475.521, Subd. 4, that the maximum principal and interest to become due in any year on the Outstanding CIP Bonds and the Capital Improvements Portion of the Bonds (hereinafter defined) issued by the City under Minnesota Statutes, Section 475.521, will be less than 0.16 percent of the estimated market value of property in the City; and

F. WHEREAS, the Improvements and all their components have been ordered prior to the date hereof, and have been or will be constructed by the City under contracts which the City has or will let, all pursuant to and in accordance with the applicable provisions of Minnesota Statutes, Chapter 429; and

G. WHEREAS, on August 15, 2022, following duly published notice thereof, the Council held a public hearing on the proposed abatement to finance the Tax Abatement Project and all persons who wished to speak or provide written information relative to the public hearing were afforded an opportunity to do so; and

H. WHEREAS, the City has heretofore established a tax abatement program (the "Program") pursuant to the provisions of Minnesota Statutes, Sections 469.1812 through 469.1815, with respect to providing for the abatement of property taxes for a period of ten (10) years on various properties in the City (the "Tax Abatements"), as described in the resolution adopted by the City Council on August 15, 2022, approving the Program (the "Tax Abatement Resolution"); and

I. WHEREAS, the amount of the property taxes abated are estimated to be at least equal to the principal amount of the Tax Abatement Portion of the Bonds (as hereinafter defined) and pursuant to the provisions of the Tax Abatement Resolution, funds are to be expended to provide money to pay for the Tax Abatement Project; and

J. WHEREAS, the City owns and operates a municipal water system (the "Water System"), a storm sewer system (the "Storm Sewer System", and together with the Water System, the "System") and a sanitary sewer system (the "Sanitary Sewer System") as separate revenue producing public utilities; and

K. WHEREAS, the net revenues of the Water System and the Sanitary Sewer System are pledged to the payment of the principal and interest of the City's outstanding \$1,654,000 original principal amount, of which a portion was designated the "Water Portion" and another portion was designated the "Sanitary Sewer Portion" of General Obligation Bonds, Series 2018A, dated September 12, 2018 (the "Outstanding Water and Sanitary Sewer Bonds"), and

L. WHEREAS, the net revenues of the System are pledged to the payment of the principal and interest of the City's outstanding (i) \$2,265,000 original principal amount, of which a portion was designated the "Utility Revenue Portion", of General Obligation Bonds, Series 2014A, dated June 12, 2014; (ii) \$9,650,000 original principal amount, of which a portion was designated the "Revenue Portion", of General Obligation Bonds, Series 2015A, dated July 9, 2015; (iii) \$4,515,000 original principal amount, of which a portion was designated the "Utility Revenue Portion", of General Obligation Bonds, Series 2019A, dated August 22, 2019; (iv) \$4,755,000 original principal amount, of which a portion was designated the "Water and Storm Sewer Portion", of General Obligation Bonds, Series 2020A, dated September 3, 2020; and (v) \$7,215,000 original principal amount, of which a portion was designated the "Utility Revenue Portion", of General Obligation Bonds, Series 2021A, dated December 2, 2021 (collectively, the "Outstanding System Bonds"); and

M. WHEREAS, the net revenues of the System and the Sanitary Sewer System are pledged to the payment of the principal and interest of the City's outstanding General Obligation Water and Sewer Revenue Refunding Bonds, Series 2020B, in the original principal amount of \$4,515,000, dated December 10, 2020 (the "Outstanding System and Sanitary Sewer Bonds"), and

N. WHEREAS, the City has retained Ehlers and Associates, Inc., in Roseville, Minnesota ("Ehlers"), as its independent municipal advisor for the sale of the Bonds and was therefore authorized to sell the Bonds by private negotiation in accordance with Minnesota Statutes, Section 475.60, Subdivision 2(9) and proposals to purchase the Bonds have been solicited by Ehlers; and

O. WHEREAS, the proposals set forth on Exhibit A attached hereto were received by the City Administrator, or designee, at the offices of Ehlers at 10:30 A.M. this same day pursuant to the Preliminary Official Statement for the Bonds, dated September 8, 2022; and

P. WHEREAS, it is in the best interests of the City that the Bonds be issued in book-entry form as hereinafter provided; and

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Waconia, Minnesota, as follows:

1. Acceptance of Proposal. The proposal of _____ (the "Purchaser"), to purchase the Bonds in accordance with the Preliminary Official Statement, at the rates of interest hereinafter set forth, and to pay therefor the sum of \$_____, plus interest accrued to settlement, is hereby found, determined and declared to be the most favorable proposal received and is hereby accepted and the Bonds are hereby awarded to the Purchaser. The Finance Director is directed to retain the deposit of the Purchaser.

2. Bond Terms.

(a) Original Issue Date; Denominations; Maturities; Term Bond Option. The Bonds shall be dated October 6, 2022, as the date of original issue and shall be issued forthwith on or after such date in fully registered form, shall be numbered from R-1 upward in the denomination of \$5,000 each or in any integral multiple thereof of a single maturity (the "Authorized Denominations") and shall mature on February 1 in the years and amounts as follows:

<u>Year</u>	<u>Amount</u>	<u>Year</u>	<u>Amount</u>
2024		2033	
2025		2034	
2026		2035	
2027		2036	
2028		2037	
2029		2038	
2030		2039	
2031		2040	
2032		2041	

As may be requested by the Purchaser, one or more term Bonds may be issued having mandatory sinking fund redemption and final maturity amounts conforming to the foregoing principal repayment schedule, and corresponding additions may be made to the provisions of the applicable Bond(s).

The Bonds, together with any outstanding bonds of the City that are subject to the City's net debt limit, do not exceed the City's net debt limit.

(b) Allocation. The aggregate principal amount of \$_____ maturing in each of the years and amounts hereinafter set forth are issued to finance the Capital Improvements (the "Capital Improvements Portion of the Bonds"). The aggregate principal amount of \$_____ maturing in each of the years and amounts hereinafter set forth are issued to finance the Improvements (the "Improvement Portion"). The aggregate principal amount of \$_____ maturing in each of the years and amounts hereinafter set forth are issued to finance the Tax Abatement Project (the "Tax Abatement Portion"). The aggregate principal amount of \$_____ maturing in each of the years and amounts hereinafter set forth are issued to finance the Utility Projects (the "Utility Revenue Portion"). The aggregate principal amount of \$_____ maturing in each of the years and amounts hereinafter set forth are issued to finance the Sanitary Sewer Projects (the "Sanitary Sewer Portion").

<u>Year</u>	<u>Capital Improvements Portion</u>	<u>Improvement Portion</u>	<u>Tax Abatement Portion</u>	<u>Utility Revenue Portion</u>	<u>Sanitary Sewer Portion</u>	<u>Total</u>
2024						
2025						

<u>Year</u>	<u>Capital Improvements Portion</u>	<u>Improvement Portion</u>	<u>Tax Abatement Portion</u>	<u>Utility Revenue Portion</u>	<u>Sanitary Sewer Portion</u>	<u>Total</u>
2026						
2027						
2028						
2029						
2030						
2031						
2032						
2033						
2034						
2035						
2036						
2037						
2038						
2039						
2040						
2041						

If Bonds are prepaid, the prepayments shall be allocated to the portions of debt service (and hence allocated to the payment of Bonds treated as relating to a particular portion of debt service) as provided in this paragraph. If the source of prepayment moneys is the general fund of the City, or other generally available source, including the levy of taxes, the prepayment may be allocated to any portion of debt service in such amounts as the City shall determine. If the source of the prepayment is special assessments pledged to and taxes levied for the Improvements, the prepayment shall be allocated to the Improvement Portion of debt service. If the source of a prepayment is Tax Abatements pledged to the Tax Abatement Project, the prepayments shall be allocated to the Tax Abatement Portion of debt service. If the source of a prepayment is excess net revenues of the System pledged to the Utility Projects, the prepayment shall be allocated to the Utility Revenue Portion of debt service.

(c) Book Entry Only System. The Depository Trust Company, a limited purpose trust company organized under the laws of the State of New York or any of its successors or its successors to its functions hereunder (the "Depository") will act as securities depository for the Bonds, and to this end:

(i) The Bonds shall be initially issued and, so long as they remain in book entry form only (the "Book Entry Only Period"), shall at all times be in the form of a separate single fully registered Bond for each maturity of the Bonds; and for purposes of complying with this requirement under paragraphs 5 and 10 Authorized Denominations for any Bond shall be deemed to be limited during the Book Entry Only Period to the outstanding principal amount of that Bond.

(ii) Upon initial issuance, ownership of the Bonds shall be registered in a bond register maintained by the Bond Registrar (as hereinafter defined) in the name of CEDE & CO., as the nominee (it or any nominee of the existing or a successor Depository, the "Nominee").

(iii) With respect to the Bonds neither the City nor the Bond Registrar shall have any responsibility or obligation to any broker, dealer, bank, or any other financial institution for which the Depository holds Bonds as securities depository (the "Participant") or the person for which a Participant holds an interest in the Bonds shown on the books and records of the Participant (the "Beneficial Owner"). Without limiting the immediately preceding sentence, neither the City, nor the Bond Registrar, shall have any such responsibility or obligation with respect to (A) the accuracy of the records of the Depository, the Nominee or any Participant with respect to any ownership interest in the Bonds, or (B) the delivery to any Participant, any Owner or any other person, other than the Depository, of any notice with respect to the Bonds, including any notice of redemption, or (C) the payment to any Participant, any Beneficial Owner or any other person, other than the Depository, of any amount with respect to the principal of or premium, if any, or interest on the Bonds, or (D) the consent given or other action taken by the Depository as the Registered Holder of any Bonds (the "Holder"). For purposes of securing the vote or consent of any Holder under this resolution, the City may, however, rely upon an omnibus proxy under which the Depository assigns its consenting or voting rights to certain Participants to whose accounts the Bonds are credited on the record date identified in a listing attached to the omnibus proxy.

(iv) The City and the Bond Registrar may treat as and deem the Depository to be the absolute owner of the Bonds for the purpose of payment of the principal of and premium, if any, and interest on the Bonds, for the purpose of giving notices of redemption and other matters with respect to the Bonds, for the purpose of obtaining any consent or other action to be taken by Holders for the purpose of registering transfers with respect to such Bonds, and for all purpose whatsoever. The Bond Registrar, as paying agent hereunder, shall pay all principal of and premium, if any, and interest on the Bonds only to the Holder or the Holders of the Bonds as shown on the bond register, and all such payments shall be valid and effective to fully satisfy and discharge the City's obligations with respect to the principal of and premium, if any, and interest on the Bonds to the extent of the sum or sums so paid.

(v) Upon delivery by the Depository to the Bond Registrar of written notice to the effect that the Depository has determined to substitute a new Nominee in place of the existing Nominee, and subject to the transfer provisions in paragraph 10 hereof, references to the Nominee hereunder shall refer to such new Nominee.

(vi) So long as any Bond is registered in the name of a Nominee, all payments with respect to the principal of and premium, if any, and interest on such Bond and all notices with respect to such Bond shall be made and given, respectively, by the Bond Registrar or City, as the case may be, to the Depository as provided in the Letter of Representations to the Depository required by the Depository as a condition to its acting as book-entry Depository for the Bonds (said Letter of Representations, together with any

replacement thereof or amendment or substitute thereto, including any standard procedures or policies referenced therein or applicable thereto respecting the procedures and other matters relating to the Depository's role as book-entry Depository for the Bonds, collectively hereinafter referred to as the "Letter of Representations").

(vii) All transfers of beneficial ownership interests in each Bond issued in book-entry form shall be limited in principal amount to Authorized Denominations and shall be effected by procedures by the Depository with the Participants for recording and transferring the ownership of beneficial interests in such Bonds.

(viii) In connection with any notice or other communication to be provided to the Holders pursuant to this resolution by the City or Bond Registrar with respect to any consent or other action to be taken by Holders, the Depository shall consider the date of receipt of notice requesting such consent or other action as the record date for such consent or other action; provided, that the City or the Bond Registrar may establish a special record date for such consent or other action. The City or the Bond Registrar shall, to the extent possible, give the Depository notice of such special record date not less than fifteen calendar days in advance of such special record date to the extent possible.

(ix) Any successor Bond Registrar in its written acceptance of its duties under this resolution and any paying agency/bond registrar agreement, shall agree to take any actions necessary from time to time to comply with the requirements of the Letter of Representations.

(d) Termination of Book-Entry Only System. Discontinuance of a particular Depository's services and termination of the book-entry only system may be effected as follows:

(i) The Depository may determine to discontinue providing its services with respect to the Bonds at any time by giving written notice to the City and discharging its responsibilities with respect thereto under applicable law. The City may terminate the services of the Depository with respect to the Bond if it determines that the Depository is no longer able to carry out its functions as securities depository or the continuation of the system of book-entry transfers through the Depository is not in the best interests of the City or the Beneficial Owners.

(ii) Upon termination of the services of the Depository as provided in the preceding paragraph, and if no substitute securities depository is willing to undertake the functions of the Depository hereunder can be found which, in the opinion of the City, is willing and able to assume such functions upon reasonable or customary terms, or if the City determines that it is in the best interests of the City or the Beneficial Owners of the Bond that the Beneficial Owners be able to obtain certificates for the Bonds, the Bonds shall no longer be registered as being registered in the bond register in the name of the Nominee, but may be registered in whatever name or names the Holder of the Bonds shall designate at that time, in accordance with paragraph 10. To the extent that the Beneficial Owners are designated as the transferee by the Holders, in accordance with paragraph 10, the Bonds will be delivered to the Beneficial Owners.

(iii) Nothing in this subparagraph (d) shall limit or restrict the provisions of paragraph 10.

(e) Letter of Representations. The provisions in the Letter of Representations are incorporated herein by reference and made a part of this resolution, and if and to the extent any such provisions are inconsistent with the other provisions of this resolution, the provisions in the Letter of Representations shall control.

3. Purpose. The Capital Improvements Portion of the Bonds shall provide funds to finance the acquisition and betterment of the Capital Improvements. The Improvement Portion of the Bonds shall provide funds to finance the Improvements. The Tax Abatement Portion of the Bonds shall provide funds to finance the Tax Abatement Project. The Utility Revenue Portion of the Bonds shall provide funds to finance the Utility Projects. The Sanitary Sewer Portion of the Bonds shall provide funds for the Sanitary Sewer Projects. The Improvements, the Tax Abatement Project, the Utility Projects and the Sanitary Sewer Projects are herein referred to together as the Project. The total cost of the Project which shall include all costs enumerated in Minnesota Statutes, Section 475.65, is estimated to be at least equal to the amount of the Bonds. The City covenants that it shall do all things and perform all acts required of it to assure that work on the Project proceeds with due diligence to completion and that any and all permits and studies required under law for the Project are obtained.

4. Interest. The Bonds shall bear interest payable semiannually on February 1 and August 1 of each year (each, an "Interest Payment Date"), commencing August 1, 2023, calculated on the basis of a 360-day year of twelve 30-day months, at the respective rates per annum set forth opposite the maturity years as follows:

<u>Maturity Year</u>	<u>Interest Rate</u>	<u>Maturity Year</u>	<u>Interest Rate</u>
2024		2033	
2025		2034	
2026		2035	
2027		2036	
2028		2037	
2029		2038	
2030		2039	
2031		2040	
2032		2041	

5. Redemption. All Bonds maturing on February 1, 2033 and thereafter, shall be subject to redemption and prepayment at the option of the City on February 1, 2032, and on any date thereafter at a price of par plus accrued interest. Redemption may be in whole or in part of the Bonds subject to prepayment. If redemption is in part, the maturities and the principal amounts within each maturity to be redeemed shall be determined by the City; and if only part of the Bonds having a common maturity date are called for prepayment, the specific Bonds to be prepaid shall be chosen by lot by the Bond Registrar. Bonds or portions thereof called for redemption shall be due and payable on the redemption date, and interest thereon shall cease to accrue from and after the redemption date. Mailed notice of redemption shall be given to the

paying agent and to each affected registered Holder of the Bonds not more than sixty (60) days and not fewer thirty (30) days prior to the date fixed for redemption.

To effect a partial redemption of Bonds having a common maturity date, the Bond Registrar prior to giving notice of redemption shall assign to each Bond having a common maturity date a distinctive number for each \$5,000 of the principal amount of such Bond. The Bond Registrar shall then select by lot, using such method of selection as it shall deem proper in its discretion, from the numbers so assigned to such Bonds, as many numbers as, at \$5,000 for each number, shall equal the principal amount of such Bonds to be redeemed. The Bonds to be redeemed shall be the Bonds to which were assigned numbers so selected; provided, however, that only so much of the principal amount of each such Bond of a denomination of more than \$5,000 shall be redeemed as shall equal \$5,000 for each number assigned to it and so selected. If a Bond is to be redeemed only in part, it shall be surrendered to the Bond Registrar (with, if the City or Bond Registrar so requires, a written instrument of transfer in form satisfactory to the City and Bond Registrar duly executed by the Holder thereof or the Holder's attorney duly authorized in writing) and the City shall execute (if necessary) and the Bond Registrar shall authenticate and deliver to the Holder of the Bond, without service charge, a new Bond or Bonds having the same stated maturity and interest rate and of any Authorized Denomination or Denominations, as requested by the Holder, in aggregate principal amount equal to and in exchange for the unredeemed portion of the principal of the Bond so surrendered.

6. Bond Registrar. Bond Trust Services Corporation, in Roseville, Minnesota, is appointed to act as bond registrar and transfer agent with respect to the Bonds (the "Bond Registrar"), and shall do so unless and until a successor Bond Registrar is duly appointed, all pursuant to any contract the City and Bond Registrar shall execute which is consistent herewith. The Bond Registrar shall also serve as paying agent unless and until a successor-paying agent is duly appointed. Principal and interest on the Bonds shall be paid to the registered holders (or record holders) of the Bonds in the manner set forth in the form of Bond and paragraph 12.

7. Form of Bond. The Bonds, together with the Bond Registrar's Certificate of Authentication, the form of Assignment and the registration information thereon, shall be in substantially the following form:

UNITED STATES OF AMERICA
STATE OF MINNESOTA
CARVER COUNTY
CITY OF WACONIA

R-_____

\$_____

GENERAL OBLIGATION BOND, SERIES 2022A

<u>Interest Rate</u>	<u>Maturity Date</u>	<u>Date of Original Issue</u>	<u>CUSIP</u>
_____%	February 1, 20__	October 6, 2022	930013

REGISTERED OWNER: CEDE & CO.

PRINCIPAL AMOUNT:

The City of Waconia, Carver County, Minnesota (the "Issuer"), certifies that it is indebted and for value received promises to pay to the registered owner specified above, or registered assigns, unless called for earlier redemption, in the manner hereinafter set forth, the principal amount specified above, on the maturity date specified above, and to pay interest thereon semiannually on February 1 and August 1 of each year (each, an "Interest Payment Date"), commencing August 1, 2023, at the rate per annum specified above (calculated on the basis of a 360-day year of twelve 30-day months) until the principal sum is paid or has been provided for. This Bond will bear interest from the most recent Interest Payment Date to which interest has been paid or, if no interest has been paid, from the date of original issue hereof. The principal of and premium, if any, on this Bond are payable upon presentation and surrender hereof at the principal office of Bond Trust Services Corporation, in Roseville, Minnesota (the "Bond Registrar"), acting as paying agent, or any successor paying agent duly appointed by the Issuer. Interest on this Bond will be paid on each Interest Payment Date by check or draft mailed to the person in whose name this Bond is registered (the "Holder" or "Bondholder") on the registration books of the Issuer maintained by the Bond Registrar and at the address appearing thereon at the close of business on the fifteenth day of the calendar month next preceding such Interest Payment Date (the "Regular Record Date"). Any interest not so timely paid shall cease to be payable to the person who is the Holder hereof as of the Regular Record Date, and shall be payable to the person who is the Holder hereof at the close of business on a date (the "Special Record Date") fixed by the Bond Registrar whenever money becomes available for payment of the defaulted interest. Notice of the Special Record Date shall be given to Bondholders not less than ten days prior to the Special Record Date. The principal of and premium, if any, and interest on this Bond are payable in lawful money of the United States of America. So long as this Bond is registered in the name of the Depository or its Nominee as provided in the Resolution hereinafter described, and as those terms are defined therein, payment of principal of, premium, if any, and interest on this Bond and notice with respect thereto shall be made as provided in the Letter of Representations, as defined in the Resolution, and surrender of this Bond shall not be required for payment of the redemption price upon a partial redemption of this Bond. Until termination of the book-entry only system pursuant to the Resolution, Bonds may only be registered in the name of the Depository or its Nominee.

Optional Redemption. All Bonds of this issue (the "Bonds") maturing on February 1, 2033 and thereafter, are subject to redemption and prepayment at the option of the Issuer on February 1, 2032, and on any date thereafter at a price of par plus accrued interest. Redemption may be in whole or in part of the Bonds subject to prepayment. If redemption is in part, the maturities and the principal amounts within each maturity to be redeemed shall be determined by the Issuer; and if only part of the Bonds having a common maturity date are called for prepayment, the specific Bonds to be prepaid shall be chosen by lot by the Bond Registrar. Bonds or portions thereof called for redemption shall be due and payable on the redemption date, and interest thereon shall cease to accrue from and after the redemption date. Mailed notice of redemption shall be given to the paying agent and to each affected registered holder of the Bonds not more than sixty (60) days and not fewer thirty (30) days prior to the date fixed for redemption.

Prior to the date on which any Bond or Bonds are directed by the Issuer to be redeemed in advance of maturity, the Issuer will cause notice of the call thereof for redemption identifying the Bonds to be redeemed to be mailed to the Bond Registrar and all Bondholders, at the addresses shown on the Bond Register. All Bonds so called for redemption will cease to bear interest on the specified redemption date, provided funds for their redemption have been duly deposited.

Selection of Bonds for Redemption; Partial Redemption. To effect a partial redemption of Bonds having a common maturity date, the Bond Registrar shall assign to each Bond having a common maturity date a distinctive number for each \$5,000 of the principal amount of such Bond. The Bond Registrar shall then select by lot, using such method of selection as it shall deem proper in its discretion, from the numbers assigned to the Bonds, as many numbers as, at \$5,000 for each number, shall equal the principal amount of such Bonds to be redeemed. The Bonds to be redeemed shall be the Bonds to which were assigned numbers so selected; provided, however, that only so much of the principal amount of such Bond of a denomination of more than \$5,000 shall be redeemed as shall equal \$5,000 for each number assigned to it and so selected. If a Bond is to be redeemed only in part, it shall be surrendered to the Bond Registrar (with, if the Issuer or Bond Registrar so requires, a written instrument of transfer in form satisfactory to the Issuer and Bond Registrar duly executed by the Holder thereof or the Holder's attorney duly authorized in writing) and the Issuer shall execute (if necessary) and the Bond Registrar shall authenticate and deliver to the Holder of the Bond, without service charge, a new Bond or Bonds having the same stated maturity and interest rate and of any Authorized Denomination or Denominations, as requested by the Holder, in aggregate principal amount equal to and in exchange for the unredeemed portion of the principal of the Bond so surrendered.

Issuance; Purpose; General Obligation. This Bond is one of an issue in the total principal amount of \$18,290,000, all of like date of original issue and tenor, except as to number, maturity, interest rate, denomination and redemption privilege, issued pursuant to and in full conformity with the Constitution and laws of the State of Minnesota and pursuant to a resolution adopted by the City Council on September 19, 2022 (the "Resolution"), for the purpose of providing money to finance the acquisition and betterment of a public safety facility and public improvement projects all within the jurisdiction of the Issuer. This Bond is payable out of the General Obligation Bonds, Series 2022A Fund of the Issuer. This Bond constitutes a general obligation of the Issuer, and to provide moneys for the prompt and full payment of its principal, premium, if

any, and interest when the same become due, the full faith and credit and taxing powers of the Issuer have been and are hereby irrevocably pledged.

Denominations; Exchange; Resolution. The Bonds are issuable solely in fully registered form in Authorized Denominations (as defined in the Resolution) and are exchangeable for fully registered Bonds of other Authorized Denominations in equal aggregate principal amounts at the office of the Bond Registrar, but only in the manner and subject to the limitations provided in the Resolution. Reference is hereby made to the Resolution for a description of the rights and duties of the Bond Registrar. Copies of the Resolution are on file in the office of the Bond Registrar.

Transfer. This Bond is transferable by the Holder in person or the Holder's attorney duly authorized in writing at the office of the Bond Registrar upon presentation and surrender hereof to the Bond Registrar, all subject to the terms and conditions provided in the Resolution and to reasonable regulations of the Issuer contained in any agreement with the Bond Registrar. Thereupon the Issuer shall execute and the Bond Registrar shall authenticate and deliver, in exchange for this Bond, one or more new fully registered Bonds in the name of the transferee (but not registered in blank or to "bearer" or similar designation), of an Authorized Denomination or Denominations, in aggregate principal amount equal to the principal amount of this Bond, of the same maturity and bearing interest at the same rate.

Fees upon Transfer or Loss. The Bond Registrar may require payment of a sum sufficient to cover any tax or other governmental charge payable in connection with the transfer or exchange of this Bond and any legal or unusual costs regarding transfers and lost Bonds.

Treatment of Registered Owners. The Issuer and Bond Registrar may treat the person in whose name this Bond is registered as the owner hereof for the purpose of receiving payment as herein provided (except as otherwise provided herein with respect to the Record Date) and for all other purposes, whether or not this Bond shall be overdue, and neither the Issuer nor the Bond Registrar shall be affected by notice to the contrary.

Authentication. This Bond shall not be valid or become obligatory for any purpose or be entitled to any security unless the Certificate of Authentication hereon shall have been executed by the Bond Registrar.

Not Qualified Tax-Exempt Obligation. This Bond has not been designated by the Issuer as a "qualified tax-exempt obligation" for purposes of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended.

IT IS HEREBY CERTIFIED AND RECITED that all acts, conditions and things required by the Constitution and laws of the State of Minnesota to be done, to happen and to be performed, precedent to and in the issuance of this Bond, have been done, have happened and have been performed, in regular and due form, time and manner as required by law; that the Issuer has covenanted and agreed with the Holders of the Bonds that it will impose and collect charges for the service, use and availability of its municipal water system and storm sewer system (together, the "System") at the times and in amounts necessary to produce net revenues, together with other sums pledged to the payment of the Utility Revenue Portion of the Bonds, as defined in the Resolution, adequate to pay all principal and interest when due on the Utility

Revenue Portion of the Bonds; and that the Issuer will levy a direct, annual, irrevocable ad valorem tax upon all of the taxable property of the Issuer, without limitation as to rate or amount, for the years and in amounts sufficient to pay the principal and interest on Utility Revenue Portion of the Bonds as they respectively become due, if the net revenues from the System, and any other sums irrevocably appropriated to the Debt Service Account are insufficient therefor; and that this Bond, together with all other debts of the Issuer outstanding on the date of original issue hereof and the date of its issuance and delivery to the original purchaser, does not exceed any constitutional or statutory limitation of indebtedness.

IN WITNESS WHEREOF, the City of Waconia, Carver County, Minnesota, by its City Council has caused this Bond to be executed on its behalf by the facsimile signatures of its Mayor and its City Administrator, the corporate seal of the Issuer having been intentionally omitted as permitted by law.

Date of Registration:

Registrable by:

BOND TRUST SERVICES
CORPORATION

Payable at:

BOND TRUST SERVICES
CORPORATION

BOND REGISTRAR'S
CERTIFICATE OF
AUTHENTICATION

CITY OF WACONIA,
CARVER COUNTY, MINNESOTA

This Bond is one of the Bonds
described in the Resolution
mentioned within.

/s/ Facsimile

Mayor

BOND TRUST SERVICES
CORPORATION
Roseville, Minnesota
Bond Registrar

/s/ Facsimile

City Administrator

By: _____

Authorized Signature

ABBREVIATIONS

The following abbreviations, when used in the inscription on the face of this Bond, shall be construed as though they were written out in full according to applicable laws or regulations:

TEN COM - as tenants in common

TEN ENT - as tenants by the entireties

JT TEN - as joint tenants with right of survivorship and not as tenants in common

UTMA - _____ as custodian for _____

(Cust)

(Minor)

under the _____ Uniform Transfers to Minors Act

(State)

Additional abbreviations may also be used though not in the above list.

ASSIGNMENT

For value received, the undersigned hereby sells, assigns and transfers unto _____ the within Bond and does hereby irrevocably constitute and appoint _____ attorney to transfer the Bond on the books kept for the registration thereof, with full power of substitution in the premises.

Dated: _____

Notice:

_____ The assignor's signature to this assignment must correspond with the name as it appears upon the face of the within Bond in every particular, without alteration or any change whatever.

Signature Guaranteed:

Signature(s) must be guaranteed by a national bank or trust company or by a brokerage firm having a membership in one of the major stock exchanges or any other "Eligible Guarantor Institution" as defined in 17 CFR 240.17 Ad-15(a)(2).

The Bond Registrar will not affect transfer of this Bond unless the information concerning the transferee requested below is provided.

Name and Address: _____

(Include information for all joint owners if the Bond is held by joint account.)

8. Execution. The Bonds shall be in typewritten form, shall be executed on behalf of the City by the signatures of its Mayor and City Administrator and be sealed with the seal of the City; provided, as permitted by law, both signatures may be photocopied facsimiles and the corporate seal has been omitted. In the event of disability or resignation or other absence of either officer, the Bonds may be signed by the manual or facsimile signature of the officer who may act on behalf of the absent or disabled officer. In case either officer whose signature or facsimile of whose signature shall appear on the Bonds shall cease to be such officer before the delivery of the Bonds, the signature or facsimile shall nevertheless be valid and sufficient for all purposes, the same as if the officer had remained in office until delivery.

9. Authentication. No Bond shall be valid or obligatory for any purpose or be entitled to any security or benefit under this resolution unless a Certificate of Authentication on such Bond, substantially in the form hereinabove set forth, shall have been duly executed by an authorized representative of the Bond Registrar. Certificates of Authentication on different Bonds need not be signed by the same person. The Bond Registrar shall authenticate the signatures of officers of the City on each Bond by execution of the Certificate of Authentication on the Bond and by inserting as the date of registration in the space provided the date on which the Bond is authenticated, except that for purposes of delivering the original Bonds to the Purchaser, the Bond Registrar shall insert as a date of registration the date of original issue of October 6, 2022. The Certificate of Authentication so executed on each Bond shall be conclusive evidence that it has been authenticated and delivered under this resolution.

10. Registration; Transfer; Exchange. The City will cause to be kept at the principal office of the Bond Registrar a bond register in which, subject to such reasonable regulations as the Bond Registrar may prescribe, the Bond Registrar shall provide for the registration of Bonds and the registration of transfers of Bonds entitled to be registered or transferred as herein provided.

Upon surrender for transfer of any Bond at the principal office of the Bond Registrar, the City shall execute (if necessary), and the Bond Registrar shall authenticate, insert the date of registration (as provided in paragraph 9) of, and deliver, in the name of the designated transferee or transferees, one or more new Bonds of any Authorized Denomination or Denominations of a like aggregate principal amount, having the same stated maturity and interest rate, as requested by the transferor; provided, however, that no Bond may be registered in blank or in the name of "bearer" or similar designation.

At the option of the Holder, Bonds may be exchanged for Bonds of any Authorized Denomination or Denominations of a like aggregate principal amount and stated maturity, upon surrender of the Bonds to be exchanged at the office of the Bond Registrar. Whenever any Bonds are so surrendered for exchange, the City shall execute (if necessary), and the Bond Registrar shall authenticate, insert the date of registration of, and deliver the Bonds which the Holder making the exchange is entitled to receive.

All Bonds surrendered upon any exchange or transfer provided for in this resolution shall be promptly canceled by the Bond Registrar and thereafter disposed of as directed by the City.

All Bonds delivered in exchange for or upon transfer of Bonds shall be valid general obligations of the City evidencing the same debt, and entitled to the same benefits under this resolution, as the Bonds surrendered for such exchange or transfer.

Every Bond presented or surrendered for transfer or exchange shall be duly endorsed or be accompanied by a written instrument of transfer, in form satisfactory to the Bond Registrar, duly executed by the Holder thereof or the Holder's attorney duly authorized in writing.

The Bond Registrar may require payment of a sum sufficient to cover any tax or other governmental charge payable in connection with the transfer or exchange of any Bond and any legal or unusual costs regarding transfers and lost Bonds.

Transfers shall also be subject to reasonable regulations of the City contained in any agreement with the Bond Registrar, including regulations which permit the Bond Registrar to close its transfer books between record dates and payment dates. The Finance Director is hereby authorized to negotiate and execute the terms of said agreement.

11. Rights Upon Transfer or Exchange. Each Bond delivered upon transfer of or in exchange for or in lieu of any other Bond shall carry all the rights to interest accrued and unpaid, and to accrue, which were carried by such other Bond.

12. Interest Payment; Record Date. Interest on any Bond shall be paid on each Interest Payment Date by check or draft mailed to the person in whose name the Bond is registered (the "Holder") on the registration books of the City maintained by the Bond Registrar and at the address appearing thereon at the close of business on the fifteenth day of the calendar month next preceding such Interest Payment Date (the "Regular Record Date"). Any such interest not so timely paid shall cease to be payable to the person who is the Holder thereof as of the Regular Record Date, and shall be payable to the person who is the Holder thereof at the close of business on a date (the "Special Record Date") fixed by the Bond Registrar whenever money becomes available for payment of the defaulted interest. Notice of the Special Record Date shall be given by the Bond Registrar to the Holders not less than ten days prior to the Special Record Date.

13. Treatment of Registered Owner. The City and Bond Registrar may treat the person in whose name any Bond is registered as the owner of such Bond for the purpose of receiving payment of principal of and premium, if any, and interest (subject to the payment provisions in paragraph 12) on, such Bond and for all other purposes whatsoever whether or not such Bond shall be overdue, and neither the City nor the Bond Registrar shall be affected by notice to the contrary.

14. Delivery; Application of Proceeds. The Bonds when so prepared and executed shall be delivered by the Finance Director to the Purchaser upon receipt of the purchase price, and the Purchaser shall not be obliged to see to the proper application thereof.

15. Fund and Accounts. There is hereby established a special fund to be designated "General Obligation Bonds, Series 2022A Fund" (the "Fund") to be administered and maintained by the Finance Director as a bookkeeping account separate and apart from all other funds maintained in the official financial records of the City. The Fund shall be maintained in the

manner herein specified until all of the Bonds and the interest thereon have been fully paid. The Operation and Maintenance Account heretofore established by the City for the Water System shall continue to be maintained in the manner heretofore provided by the City. The Operation and Maintenance Account heretofore established by the City for the Storm Sewer System shall continue to be maintained in the manner heretofore provided by the City. The Operation and Maintenance Account for the Water System and the Operation and Maintenance Account for the Storm Sewer System are referred to collectively, herein, as the "Operation and Maintenance Accounts"). All moneys remaining after paying or providing for the items set forth in the resolution(s) establishing the Operation and Maintenance Accounts shall constitute or are referred to as "net revenues" until the Utility Revenue Portion of the Bonds have been paid. In such records there shall be established accounts of the Fund for the purposes and in the amounts as follows:

(a) Construction Account. To the Construction Account there shall be credited the proceeds of the sale of the Bonds, plus any special assessments levied with respect to the Improvements and collected prior to completion of the Improvements and payment of the costs thereof. From the Construction Account there shall be paid all costs and expenses of making the Project, including the cost of any construction contracts heretofore let and all other costs incurred and to be incurred of the kind authorized in Minnesota Statutes, Section 475.65; and the moneys in the Construction Account shall be used for no other purpose except as otherwise provided by law; provided that the proceeds of the Bonds may also be used to the extent necessary to pay interest on the Bonds due prior to the anticipated date of commencement of the receipt of the collection of taxes or special assessments herein levied or covenanted to be levied; and provided further that if upon completion of the Project, there shall remain any unexpended balance in the Construction Account, the balance (other than any special assessments) may be transferred to the Debt Service Account provided that any funds attributable to the Improvement Portion of the Bonds may be transferred to the fund of any other improvement instituted pursuant to Minnesota Statutes, Chapter 429, and provided further that any special assessments credited to the Construction Account shall only be applied towards payment of the costs of the Improvements upon adoption of a resolution by the City Council determining that the application of the special assessments for such purpose will not cause the City to no longer be in compliance with Minnesota Statutes, Section 475.61, Subdivision 1.

(b) Debt Service Account. There shall be maintained five separate subaccounts in the Debt Service Account to be designated the "Capital Improvements Debt Service Subaccount", "Improvement Debt Service Subaccount", the "Tax Abatement Debt Service Subaccount", the "Utility Revenue Debt Service Subaccount" and the "Sanitary Sewer Debt Service Subaccount." There are hereby irrevocably appropriated and pledged to, and there shall be credited to the separate subaccounts of the Debt Service Account:

(i) Capital Improvements Debt Service Subaccount. To the Capital Improvements Debt Service Subaccount there shall be credited: (A) all collections of all taxes which herein or hereafter levied for the payment of the principal and interest on the Capital Improvements Portion of the Bonds; (B) a pro rata share of all funds remaining in the Construction Account after completion of the Project and payment of the costs thereof; (C) all investment earnings on funds held in the Capital Improvements Debt Service Subaccount; and (D) any and all other moneys which are properly available and

are appropriated by the governing body of the City to the Capital Improvements Debt Service Subaccount. The Capital Improvements Debt Service Subaccount shall be used solely to pay the principal and interest and any premium for redemption of the Capital Improvements Portion of the Bonds and any other general obligation bonds of the City hereafter issued by the City and made payable from said subaccount as provided by law.

(ii) Improvement Debt Service Subaccount. To the Improvement Debt Service Subaccount there shall be credited: (A) all collections of special assessments herein covenanted to be levied with respect to the Improvements and either initially credited to the Construction Account and not already spent as permitted above and required to pay any principal and interest due on the Improvement Portion of the Bonds or collected subsequent to the completion of the Improvements and payment of the costs thereof; (B) collections of all taxes herein and hereinafter levied for the payment of the Improvement Portion of the Bonds and interest thereon; (C) a pro rata share of all funds remaining in the Construction Account after completion of the Improvements and payment of the costs thereof; (E) all investment earnings on funds held in the Improvement Debt Service Subaccount; and (D) any and all other moneys which are properly available and are appropriated by the governing body of the City to the Improvement Debt Service Subaccount. The Improvement Debt Service Subaccount shall be used solely to pay the principal and interest and any premium for redemption of the Improvement Portion of the Bonds and any other general obligation bonds of the City hereafter issued by the City and made payable from said subaccount as provided by law.

(iii) Tax Abatement Debt Service Subaccount. To the Tax Abatement Improvement Debt Service Subaccount there shall be credited: (A) Tax Abatements in an amount sufficient to pay the annual principal payments on the Tax Abatement Portion of the Bonds; (B) collections of all taxes hereinafter levied for the payment of the Tax Abatement Portion of the Bonds and interest thereon; (C) a pro rata share of all funds remaining in the Construction Account after completion of the Project and payment of the costs thereof; (D) all investment earnings on funds held in the Tax Abatement Debt Service Subaccount; and (E) any and all other moneys which are properly available and are appropriated by the governing body of the City to the Tax Abatement Debt Service Subaccount. The Tax Abatement Debt Service Subaccount shall be used solely to pay the principal and interest and any premium for redemption of the Tax Abatement Portion of the Bonds and any other general obligation bonds of the City hereafter issued by the City and made payable from said subaccount as provided by law.

(iv) Utility Revenue Debt Service Subaccount. To the Utility Revenue Debt Service Subaccount there shall be credited: (A) the net revenues of the System not otherwise pledged and applied to the payment of other obligations of the City, in an amount, together with other funds which may herein or hereafter from time to time be irrevocably appropriated to the Utility Revenue Debt Service Subaccount, sufficient to meet the requirements of Minnesota Statutes, Section 475.61 for the payment of the principal and interest of the Utility Revenue Portion of the Bonds; (B) any collections of all taxes which may hereafter be levied in the event that the net revenues of the System and other funds herein pledged to the payment of the principal and interest on the Utility Revenue Portion of the Bonds are insufficient therefore; (C) a pro rata share of all funds

remaining in the Construction Account after completion of the Project and payment of the costs thereof; (D) all investment earnings on funds held in the Utility Revenue Debt Service Subaccount; and (E) any and all other moneys which are properly available and are appropriated by the governing body of the City to the Utility Revenue Debt Service Subaccount. The Utility Revenue Debt Service Subaccount shall be used solely to pay the principal and interest and any premium for redemption of the Utility Revenue Portion of the Bonds and any other general obligation bonds of the City hereafter issued by the City and made payable from said subaccount as provided by law.

(v) Sanitary Sewer Debt Service Subaccount. To the Sanitary Sewer Debt Service Subaccount there shall be credited: (A) any collections of all taxes which herein or hereafter levied for the payment of the principal and interest on the Sanitary Sewer Portion of the Bonds; (B) a pro rata share of all funds remaining in the Construction Account after completion of the Project and payment of the costs thereof; (C) all investment earnings on funds held in the Sanitary Sewer Debt Service Subaccount; and (D) any and all other moneys which are properly available and are appropriated by the governing body of the City to the Sanitary Sewer Debt Service Subaccount. The Sanitary Sewer Debt Service Subaccount shall be used solely to pay the principal and interest and any premium for redemption of the Sanitary Sewer Portion of the Bonds and any other general obligation bonds of the City hereafter issued by the City and made payable from said subaccount as provided by law.

No portion of the proceeds of the Bonds shall be used directly or indirectly to acquire higher yielding investments or to replace funds which were used directly or indirectly to acquire higher yielding investments, except (1) for a reasonable temporary period until such proceeds are needed for the purpose for which the Bonds were issued and (2) in addition to the above in an amount not greater than the lesser of five percent of the proceeds of the Bonds or \$100,000. To this effect, any proceeds of the Bonds and any sums from time to time held in the Construction Account, Operation and Maintenance Accounts or Debt Service Account (or any other City account which will be used to pay principal or interest to become due on the bonds payable therefrom) in excess of amounts which under then applicable federal arbitrage regulations may be invested without regard to yield shall not be invested at a yield in excess of the applicable yield restrictions imposed by said arbitrage regulations on such investments after taking into account any applicable "temporary periods" or "minor portion" made available under the federal arbitrage regulations. Money in the Fund shall not be invested in obligations or deposits issued by, guaranteed by or insured by the United States or any agency or instrumentality thereof if and to the extent that such investment would cause the Bonds to be "federally guaranteed" within the meaning of Section 149(b) of the Internal Revenue Code of 1986, as amended (the "Code").

16. Covenants Relating to the Capital Improvements Portion of the Bonds.

(a) Tax Levy. To provide moneys for payment of the principal and interest on the Capital Improvements Portion of the Bonds there is hereby levied upon all of the taxable property in the City a direct annual ad valorem tax which shall be spread upon the tax rolls and collected with and as part of other general property taxes in the City for the years and in the amounts as follows:

Year of Tax Levy

Year of Tax Collection

Amount

See Attached Schedule in Exhibit B

(b) Coverage Test. The tax levies are such that if collected in full they, together with other revenues herein pledged for the payment of the Capital Improvements Portion of the Bonds, will produce at least five percent in excess of the amount needed to meet when due the principal and interest payments on the Capital Improvements Portion of the Bonds. The tax levies shall be irrevocable so long as any of the Capital Improvements Portion of the Bonds are outstanding and unpaid, provided that the City reserves the right and power to reduce the levies in the manner and to the extent permitted by Minnesota Statutes, Section 475.61, Subdivision 3.

17. Covenants Relating to the Improvement Portion of the Bonds.

(a) Special Assessments. It is hereby determined that no less than twenty percent of the cost to the City of each Improvement financed hereunder within the meaning of Minnesota Statutes, Section 475.58, Subdivision 1(3), shall be paid by special assessments to be levied against every assessable lot, piece and parcel of land benefited by any of the Improvements. The City hereby covenants and agrees that it will let all construction contracts not heretofore let within one year after ordering each Improvement financed hereunder unless the resolution ordering the Improvement specifies a different time limit for the letting of construction contracts. The City hereby further covenants and agrees that it will do and perform as soon as they may be done all acts and things necessary for the final and valid levy of such special assessments, and in the event that any such special assessment be at any time held invalid with respect to any lot, piece or parcel of land due to any error, defect, or irregularity in any action or proceedings taken or to be taken by the City or the City Council or any of the City officers or employees, either in the making of the special assessments or in the performance of any condition precedent thereto, the City and the City Council will forthwith do all further acts and take all further proceedings as may be required by law to make the special assessments a valid and binding lien upon such property.

The special assessments have heretofore been authorized. Subject to such adjustments as are required by conditions in existence at the time the assessments are levied, it is hereby determined that the assessments shall be payable in equal, consecutive, annual installments, including both principal and interest, with interest at a rate per annum set forth below:

<u>Improvement Designation</u>	<u>Amount</u>	<u>Levy Years</u>	<u>Collection Years</u>	<u>Rate</u>
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See Attached Schedule in Exhibit B

At the time the assessments are in fact levied the City Council shall, based on the then-current estimated collections of the assessments, make any adjustments in any ad valorem taxes required to be levied in order to assure that the City continues to be in compliance with Minnesota Statutes, Section 475.61, Subdivision 1.

(b) Tax Levy. To provide moneys for payment of the principal and interest on the Improvement Portion of the Bonds there is hereby levied upon all of the taxable property in the City a direct annual ad valorem tax which shall be spread upon the tax rolls and collected with and as part of other general property taxes in the City for the years and in the amounts as follows:

<u>Year of Tax Levy</u>	<u>Year of Tax Collection</u>	<u>Amount</u>
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See Attached Schedule in Exhibit B

(c) Coverage Test. The tax levies are such that if collected in full they, together with estimated collections of special assessments and other revenues herein pledged for the payment of the Improvement Portion of the Bonds, will produce at least five percent in excess of the amount needed to meet when due the principal and interest payments on the Improvement Portion of the Bonds. The tax levies shall be irrevocable so long as any of the Bonds are outstanding and unpaid, provided that the City reserves the right and power to reduce the levies in the manner and to the extent permitted by Minnesota Statutes, Section 475.61, Subdivision 3.

18. Covenants Relating to the Tax Abatement Portion of the Bonds.

(a) Tax Abatements; Use of Tax Abatements. The Council has adopted the Tax Abatement Resolution and has thereby approved the Tax Abatements, including the pledge thereof to the payment of principal on the Tax Abatement Portion of the Bonds. As provided in the Tax Abatement Resolution, the estimated total amount of the Tax Abatements, if received as estimated for the full maximum term thereof, is \$1,200,000 and therefore the principal amount of the Tax Abatement Portion of the Bonds does not exceed the maximum projected amount of the Tax Abatements. The Council hereby confirms the Tax Abatement Resolution, which is hereby incorporated as though set forth herein.

(b) Tax Levy. To provide funds, together with the Tax Abatements for payment of the interest on the Tax Abatement Portion of the Bonds, there is hereby levied upon all of the taxable property in the City a direct annual ad valorem tax which shall be spread upon the tax rolls and collected with and as part of other general property taxes in the City for the years and in the amounts as follows:

<u>Year of Tax Levy</u>	<u>Year of Tax Collection</u>	<u>Amount</u>
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See Attached Schedule in Exhibit B

(c) Coverage Test. The tax levies are such that if collected in full they, together with estimated collections of Tax Abatements, will produce at least five percent in excess of the amount needed to meet when due the principal and interest payments on the Tax Abatement Portion of the Bonds. The tax levies shall be irrevocable so long as any of the Tax Abatement Portion of the Bonds are outstanding and unpaid, provided that the City reserves the right and power to reduce the levies in the manner and to the extent permitted by Minnesota Statutes, Section 475.61, Subdivision 3.

19. Covenants Relating to the Sanitary Sewer Portion of the Bonds.

(a) Tax Levy. To provide moneys for payment of the principal and interest on the Sanitary Sewer Portion of the Bonds there is hereby levied upon all of the taxable property in the City a direct annual ad valorem tax which shall be spread upon the tax rolls and collected with and as part of other general property taxes in the City for the years and in the amounts as follows:

<u>Year of Tax Levy</u>	<u>Year of Tax Collection</u>	<u>Amount</u>
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See Attached Schedule in Exhibit B

(b) Coverage Test. The tax levies are such that if collected in full they will produce at least five percent in excess of the amount needed to meet when due the principal and interest payments on the Sanitary Sewer Portion of the Bonds. The tax levies shall be irrevocable so long as any of the Sanitary Sewer Portion of the Bonds are outstanding and unpaid, provided that the City reserves the right and power to reduce the levies in the manner and to the extent permitted by Minnesota Statutes, Section 475.61, Subdivision 3.

20. Covenants Relating to the Utility Revenue Portion of the Bonds.

(a) Sufficiency of Net Revenues. It is hereby found, determined and declared that the net revenues of the System are sufficient in amount to pay when due the principal of and interest on the Utility Revenue Portion of the Bonds and the Outstanding System Bonds and a sum at least five percent in excess thereof. The net revenues of the Water System and the Sanitary Sewer System are sufficient to pay when due the principal and interest on the Outstanding Water and Sanitary Sewer Bonds and a sum at least five percent in excess thereof. The net revenues of the System and the Sanitary Sewer System are sufficient to pay when due the principal and interest on the Outstanding System and Sanitary Sewer Bonds and a sum at least five percent in excess thereof. The net revenues of the System are hereby pledged on a parity lien with the Outstanding System Bonds, the Outstanding Water and the Sanitary Sewer Bonds, and the Outstanding System and Sanitary Sewer Bonds and shall be applied for that purpose, but solely to the extent required to meet, together with other pledged sums, the principal and interest requirements of the Utility Revenue Portion of the Bonds as the same become due. Nothing contained herein shall be deemed to preclude the City from making further pledges and appropriations of the net revenues of the System for the payment of other or additional obligations of the City, provided that it has first been determined by the City Council that the estimated net revenues of the System will be sufficient in addition to all other sources, for the payment of the Utility Revenue Portion of the Bonds and such additional obligations and any such pledge and appropriation of the net revenues may be made superior or subordinate to, or on a parity with the pledge and appropriation herein.

(b) Excess Net Revenues. Net revenues in excess of those required for the foregoing may be used for any proper purpose.

(c) Covenant to Maintain Rates and Charges. In accordance with Minnesota Statutes, Section 444.075, the City hereby covenants and agrees with the Holders of the Utility Revenue

Portion of the Bonds that it will impose and collect charges for the service, use, availability and connection to the System at the times and in the amounts required to produce net revenues adequate to pay all principal and interest when due on the Utility Revenue Portion of the Bonds. Minnesota Statutes, Section 444.075, Subdivision 2, provides as follows: "Real estate tax revenues should be used only, and then on a temporary basis, to pay general or special obligations when the other revenues are insufficient to meet the obligations."

21. General Obligation Pledge. For the prompt and full payment of the principal and interest on the Bonds, as the same respectively become due, the full faith, credit and taxing powers of the City shall be and are hereby irrevocably pledged. If the net revenues of the System appropriated and pledged to the payment of principal and interest on the Utility Revenue Portion of the Bonds, together with other funds irrevocably appropriated to the Utility Revenue Debt Service Subaccount herein established, shall at any time be insufficient to pay such principal and interest when due, the City covenants and agrees to levy, without limitation as to rate or amount an ad valorem tax upon all taxable property in the City sufficient to pay such principal and interest as it becomes due. If the balance in the Debt Service Account is ever insufficient to pay all principal and interest then due on the Bonds and any other bonds payable therefrom, the deficiency shall be promptly paid out of any other funds of the City which are available for such purpose, and such other funds may be reimbursed with or without interest from the Debt Service Account when a sufficient balance is available therein.

22. Continuing Disclosure. The City is the sole obligated person with respect to the Bonds. The City hereby agrees, in accordance with the provisions of Rule 15c2-12 (the "Rule"), promulgated by the Securities and Exchange Commission (the "Commission") pursuant to the Securities Exchange Act of 1934, as amended, and a Continuing Disclosure Undertaking (the "Undertaking") hereinafter described to:

(a) Provide or cause to be provided to the Municipal Securities Rulemaking Board (the "MSRB") by filing at www.emma.msrb.org in accordance with the Rule, certain annual financial information and operating data in accordance with the Undertaking. The City reserves the right to modify from time to time the terms of the Undertaking as provided therein.

(b) Provide or cause to be provided to the MSRB notice of the occurrence of certain events with respect to the Bonds in not more than ten (10) business days after the occurrence of the event, in accordance with the Undertaking.

(c) Provide or cause to be provided to the MSRB notice of a failure by the City to provide the annual financial information with respect to the City described in the Undertaking, in not more than ten (10) business days following such occurrence.

(d) The City agrees that its covenants pursuant to the Rule set forth in this paragraph and in the Undertaking is intended to be for the benefit of the Holders of the Bonds and shall be enforceable on behalf of such Holders; provided that the right to enforce the provisions of these covenants shall be limited to a right to obtain specific enforcement of the City's obligations under the covenants.

The Mayor and City Administrator or any other officer of the City authorized to act in their place (the "Officers") are hereby authorized and directed to execute on behalf of the City the Undertaking in substantially the form presented to the City Council subject to such modifications thereof or additions thereto as are (i) consistent with the requirements under the Rule, (ii) required by the Purchaser of the Bonds, and (iii) acceptable to the Officers.

23. Defeasance. When all Bonds have been discharged as provided in this paragraph, all pledges, covenants and other rights granted by this resolution to the registered holders of the Bonds shall, to the extent permitted by law, cease. The City may discharge its obligations with respect to any Bonds which are due on any date by irrevocably depositing with the Bond Registrar on or before that date a sum sufficient for the payment thereof in full; or if any Bond should not be paid when due, it may nevertheless be discharged by depositing with the Bond Registrar a sum sufficient for the payment thereof in full with interest accrued to the date of such deposit. The City may also discharge its obligations with respect to any prepayable Bonds called for redemption on any date when they are prepayable according to their terms, by depositing with the Bond Registrar on or before that date a sum sufficient for the payment thereof in full, provided that notice of redemption thereof has been duly given. The City may also at any time discharge its obligations with respect to any Bonds, subject to the provisions of law now or hereafter authorizing and regulating such action, by depositing irrevocably in escrow, with a suitable banking institution qualified by law as an escrow agent for this purpose, cash or securities described in Minnesota Statutes, Section 475.67, Subdivision 8, bearing interest payable at such times and at such rates and maturing on such dates as shall be required, without regard to sale and/or reinvestment, to pay all amounts to become due thereon to maturity or, if notice of redemption as herein required has been duly provided for, to such earlier redemption date.

24. Compliance With Reimbursement Bond Regulations. The provisions of this paragraph are intended to establish and provide for the City's compliance with United States Treasury Regulations Section 1.150-2 (the "Reimbursement Regulations") applicable to the "reimbursement proceeds" of the Bonds, being those portions thereof which will be used by the City to reimburse itself for any expenditure which the City paid or will have paid prior to the Closing Date (a "Reimbursement Expenditure").

The City hereby certifies and/or covenants as follows:

(a) Not later than sixty days after the date of payment of a Reimbursement Expenditure, the City (or person designated to do so on behalf of the City) has made or will have made a written declaration of the City's official intent (a "Declaration") which effectively (i) states the City's reasonable expectation to reimburse itself for the payment of the Reimbursement Expenditure out of the proceeds of a subsequent borrowing; (ii) gives a general and functional description of the property, project or program to which the Declaration relates and for which the Reimbursement Expenditure is paid, or identifies a specific fund or account of the City and the general functional purpose thereof from which the Reimbursement Expenditure was to be paid (collectively the "Project"); and (iii) states the maximum principal amount of debt expected to be issued by the City for the purpose of financing the Project; provided, however, that no such Declaration shall necessarily have been made with respect to: (i) "preliminary expenditures" for the Project, defined in the Reimbursement Regulations to include engineering or architectural,

surveying and soil testing expenses and similar prefatory costs, which in the aggregate do not exceed twenty percent of the "issue price" of the Bonds, and (ii) a *de minimis* amount of Reimbursement Expenditures not in excess of the lesser of \$100,000 or five percent of the proceeds of the Bonds.

(b) Each Reimbursement Expenditure is a capital expenditure or a cost of issuance of the Bonds or any of the other types of expenditures described in Section 1.150-2(d)(3) of the Reimbursement Regulations.

(c) The "reimbursement allocation" described in the Reimbursement Regulations for each Reimbursement Expenditure shall and will be made forthwith following (but not prior to) the issuance of the Bonds, and not later than three years after the later of (i) the date of the payment of the Reimbursement Expenditure, or (ii) the date on which the Project to which the Reimbursement Expenditure relates is first placed in service.

(d) Each such reimbursement allocation will be made in a writing that evidences the City's use of Bond proceeds to reimburse the Reimbursement Expenditure and, if made within 30 days after the Bonds are issued, shall be treated as made on the day the Bonds are issued.

Provided, however, that the City may take action contrary to any of the foregoing covenants in this paragraph upon receipt of an opinion of its Bond Counsel for the Bonds stating in effect that such action will not impair the tax-exempt status of the Bonds.

25. Certificate of Registration. The City Administrator is hereby directed to file a certified copy of this resolution with the County Auditor of Carver County, Minnesota, together with such other information as the Auditor shall require, and to obtain the County Auditor's certificate that the Bonds have been entered in the County Auditor's Bond Register and the tax levy required by law has been made.

26. Records and Certificates. The officers of the City are hereby authorized and directed to prepare and furnish to the Purchaser, and to the attorneys approving the legality of the issuance of the Bonds, certified copies of all proceedings and records of the City relating to the Bonds and to the financial condition and affairs of the City, and such other affidavits, certificates and information as are required to show the facts relating to the legality and marketability of the Bonds as the same appear from the books and records under their custody and control or as otherwise known to them, and all such certified copies, certificates and affidavits, including any heretofore furnished, shall be deemed representations of the City as to the facts recited therein.

27. Negative Covenant as to Use of Bond Proceeds and Project. The City hereby covenants not to use the proceeds of the Bonds or to use the Project, or to cause or permit them to be used, or to enter into any deferred payment arrangements for the cost of the Project, in such a manner as to cause the Bonds to be "private activity bonds" within the meaning of Sections 103 and 141 through 150 of the Code.

28. Tax-Exempt Status of the Bonds; Rebate. The shall comply with requirements necessary under the Code to establish and maintain the exclusion from gross income under Section 103 of the Code of the interest on the Bonds, including without limitation (a) requirements relating to temporary periods for investments, (b) limitations on amounts invested

at a yield greater than the yield on the Bonds, and (c) the rebate of excess investment earnings to the United States. The City expects to satisfy the 24-month expenditure exemption for gross proceeds of the Bonds as provided in Section 1.148-7(d)(1) of the Regulations. The Mayor, Finance Director and/or City Administrator are hereby authorized and directed to make such elections as to arbitrage and rebate matters relating to the Bonds as they deem necessary, appropriate or desirable in connection with the Bonds, and all such elections shall be, and shall be deemed and treated as, elections of the City.

29. Not Designation of Qualified Tax-Exempt Obligations. The City will not designate the Bonds as "qualified tax exempt obligations" for purposes of Section 265(b)(3) of the Code.

30. Severability. If any section, paragraph or provision of this resolution shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this resolution.

31. Official Statement. The Official Statement relating to the Bonds prepared and distributed by Ehlers is hereby approved and the officers of the City are authorized in connection with the delivery of the Bonds to sign such certificates as may be necessary with respect to the completeness and accuracy of the Official Statement.

32. Payment of Issuance Expenses. The City authorizes the Purchaser to forward the amount of Bond proceeds allocable to the payment of issuance expenses to Wells Fargo Bank, San Francisco, California, on the closing date for further distribution as directed by Ehlers.

33. Headings. Headings in this resolution are included for convenience of reference only and are not a part hereof, and shall not limit or define the meaning of any provision hereof.

The motion for the adoption of the foregoing resolution was duly seconded by member _____ and, after a full discussion thereof and upon a vote being taken thereon, the following voted in favor thereof:

and the following voted against the same:

Whereupon the resolution was declared duly passed and adopted.

STATE OF MINNESOTA
COUNTY OF CARVER
CITY OF WACONIA

I, the undersigned, being the duly qualified and acting City Administrator of the City of Waconia, Minnesota, do hereby certify that I have compared the attached and foregoing extract of minutes with the original thereof on file in my office, and that the same is a full, true and complete transcript of the minutes of a meeting of the City Council, duly called and held on the date therein indicated, insofar as such minutes relate to authorizing the issuance and awarding the sale of \$18,290,000 General Obligation Bonds, Series 2022A.

WITNESS my hand on September 19, 2022.

City Administrator

EXHIBIT A

PROPOSALS

[To be supplied by Ehlers & Associates, Inc.]

EXHIBIT B

TAX LEVY SCHEDULES

[To be supplied by Ehlers & Associates, Inc.]



REQUEST FOR CITY COUNCIL ACTION

Meeting Date:	September 19, 2022
Item Name:	After-the-Fact Variance request by Gregory & Kelly Payette - 144 Maple Terrace
Originating Department:	Community Development
Presented by:	Lane Braaten
Previous Council Action (if any):	

Item Type (X only one):	Consent		Regular Session	X	Discussion Session	
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RECOMMENDATIONS/COUNCIL ACTION/MOTION REQUESTED (Include motion in proper format.)

Adopt Resolution 2022-254 denying the after-the-fact variance to allow impervious surface exceeding the 35% maximum allowed in the Planned Unit Development (PUD) District for the property located at 144 Maple Terrace.

EXPLANATION OF AGENDA ITEM (Include a description of background, benefits, and recommendations.)

BACKGROUND

Applicant: Gregory and Kelly Payette

Owner: Gregory and Kelly Payette

Address: 144 Maple Terrace

PID# 754430790

Zoning: PUD, Planned Unit Development District

REQUEST:

The City has received a Variance application from Gregory and Kelly Payette (the “applicants”) requesting approval of an after-the-fact variance to exceed the 35% hardcover maximum allowed in the PUD, Planned Unit Development District. The existing hardcover improvements cover 36.1% of the subject property.

APPLICABLE ORDINANCE PROVISIONS:

1. Section 900.12 – Administration, Enforcement and Procedures, Subd. 4 – Variances

VARIANCE REVIEW CRITERIA:

Waconia City Code Section 900.12, Subd. 4 and Minnesota State Statute 462.357, Subd. 6 establishes criteria to be considered when contemplating the issuance of a Variance in terms of “practical difficulty” as follows: “Variances shall only be permitted when they are in harmony with the general purposes and intent of the ordinance and when the terms of the Variance are consistent with the Comprehensive Plan.” So a City evaluating a Variance application should make findings as to:

1. Is the Variance in harmony with the purposes and intent of the ordinance?
2. Is the Variance consistent with the Comprehensive Plan?
3. Does the proposal put the property to use in a reasonable manner?
4. Are there unique circumstances to the property not created by the landowner?
5. Will the Variance, if granted, alter the essential character of the locality?

State Statute specifically notes that economic considerations alone cannot create a practical difficulty. Whereas, practical difficulties exist only when the three statutory factors are met (1. Reasonableness, 2. Uniqueness, and 3. Essential character).

VARIANCE ANALYSIS AND PLANNING CONSIDERATIONS:

Table 1.1 below indicates the pertinent information regarding existing, required, and proposed lot requirements for the property as indicated in the PUD, Planned Unit Development District for the Shores of Lake Waconia East Site. The analysis of this variance submittal is based on the information provided on the attached survey and applicant site plan.

Table 1.1	Lot Requirements - Planned Unit Development District - Shores of Lake Waconia East Site	Conditions approved via initial building permit issuance for the new home on the property	Existing Conditions
Typical Lot Width	65 ft.	65 ft.	65 ft.
Lot Area		8,775 sq. ft.	8,775 sq. ft.
Maximum Impervious Surface	35%	31.2%	36.1%
Front Yard Setback	25 ft.	25 ft.	25 ft.
Side Yard Setback	5 ft. w/min. 15 ft. between houses	Conforming	Conforming
Rear Yard Setback	30 ft.	Conforming	Conforming

PLANNING CONSIDERATIONS:

1. M/I Homes was issued a new home construction permit in May of 2021 to allow construction of the home at 144 Maple Terrace. The new home construction checklist was reviewed by City staff at the time of building permit issuance and the setbacks and hardcover calculations are included on the attached Certificate of Survey that was submitted with the building permit.
2. The subject property is located within the Shores of Lake Waconia residential subdivision, which was approved by the City Council in 2019 with very specific lot requirements based on the request of the developer and considered when reviewing the overall stormwater and utility plans.
3. The applicants have installed a new front walkway and a rear patio at their home, which has caused the property to exceed the 35% hardcover maximum allowed in the PUD, Planned Unit Development District for the Shores of Lake Waconia East Site. As the improvements have already been installed the applicants are requesting an after-the-fact variance to allow the improvements to stay in their current location and configuration.
4. Based on the measurements of the patio and new walkway provided by the applicant, they are currently over the allowed hardcover maximum by 97.75 sq. ft.
5. The after-the-fact variance application was submitted in response to staff following up on a complaint filed with our office.
6. The City Council should review the information and determine if the request meets all of the variance criteria stated above.
7. The applicants have submitted staff reports from three previous variance applications reviewed by the City. Staff has attached said applications with a past land use report cover page to differentiate the application in front of the Council for 144 Maple Terrace and the previous applications. Please note that past practices may be instructive, but it does not replace the need to meet the variance criteria for each and every individual variance request. In evaluating a variance request, cities are not bound by decisions made for prior variance requests.

PUBLIC NOTICE/COMMENT

The notice was published in the WACONIA PATRIOT August 18th, 2022, and posted at Waconia City. Individual notices were mailed to all property owners within 350 feet of the subject parcel. The public hearing comments received have been attached to this report for review and consideration.

RECOMMENDATION

The Planning Commission, at their regular meeting on September 1st, 2022, held the required public hearing, reviewed the pertinent information, and recommended denial of the proposed after-the-fact variance application via a 3-2 vote. As such, staff has attached a draft resolution of denial for review and consideration by the City Council.

Attachments:

1. [22254res_Variance_Denial_144_Maple_Terrace.docx](#)
2. [Location Map.pdf](#)
3. [Public Hearing Notice.pdf](#)
4. [Applicant Statement.pdf](#)
5. [Applicant Site Plan.pdf](#)
6. [Storm Water Plan.pdf](#)
7. [Certificate of Survey submitted with New Home Construction Permit.pdf](#)
8. [Public Hearing Comments.pdf](#)
9. [Past Land Use Reports Attachment.pdf](#)

FINANCIAL IMPLICATIONS:

Funding Sources & Uses:

Budget Information:

_____ Budgeted

_____ Non Budgeted

_____ Amendment Required

ADVISORY BOARD RECOMMENDATIONS:

Planning Commission

Parks and Recreation Board

Safari Island Advisory Board

Other

**CITY OF WACONIA
RESOLUTION 2022-254**

**A RESOLUTION DENYING AN AFTER-THE-FACT VARIANCE
FOR THE PROPERTY LOCATED AT 144 MAPLE TERRACE**

WHEREAS, Gregory and Kelly Payette (the “**Applicants**”), have submitted an after-the-fact Variance application for the property located at 144 Maple Terrace (the “**Property**”) pursuant to Section 900.12 of the City Zoning Code; and

WHEREAS, the subject parcel is described as Lot 10, Block 8, Shores of Lake Waconia, Carver County, Minnesota and identified as PID# 754430790; and

WHEREAS, the City received a variance application from the Applicants to allow a hardcover maximum of 36.1% versus the 35% maximum allowed in the Planned Unit Development District for the Shores of Lake Waconia East Site; and

WHEREAS, the Planning Commission, at their regular meeting on September 1st, 2022, held the required public hearing and recommended denial of the Variance application to exceed the hardcover maximum for the property located at 144 Maple Terrace via a 3-2 vote; and

WHEREAS, the City Council finds and concludes:

- 1) The hardcover installed by the applicants exceeds the 35% maximum allowed in the Shores of Lake Waconia East Site and the Council does not find anything unique about the subject property to allow for approval of the requested variance. In fact, the existing circumstances that require a variance were created by the landowner when the new front walkway and rear patio were installed on the property.

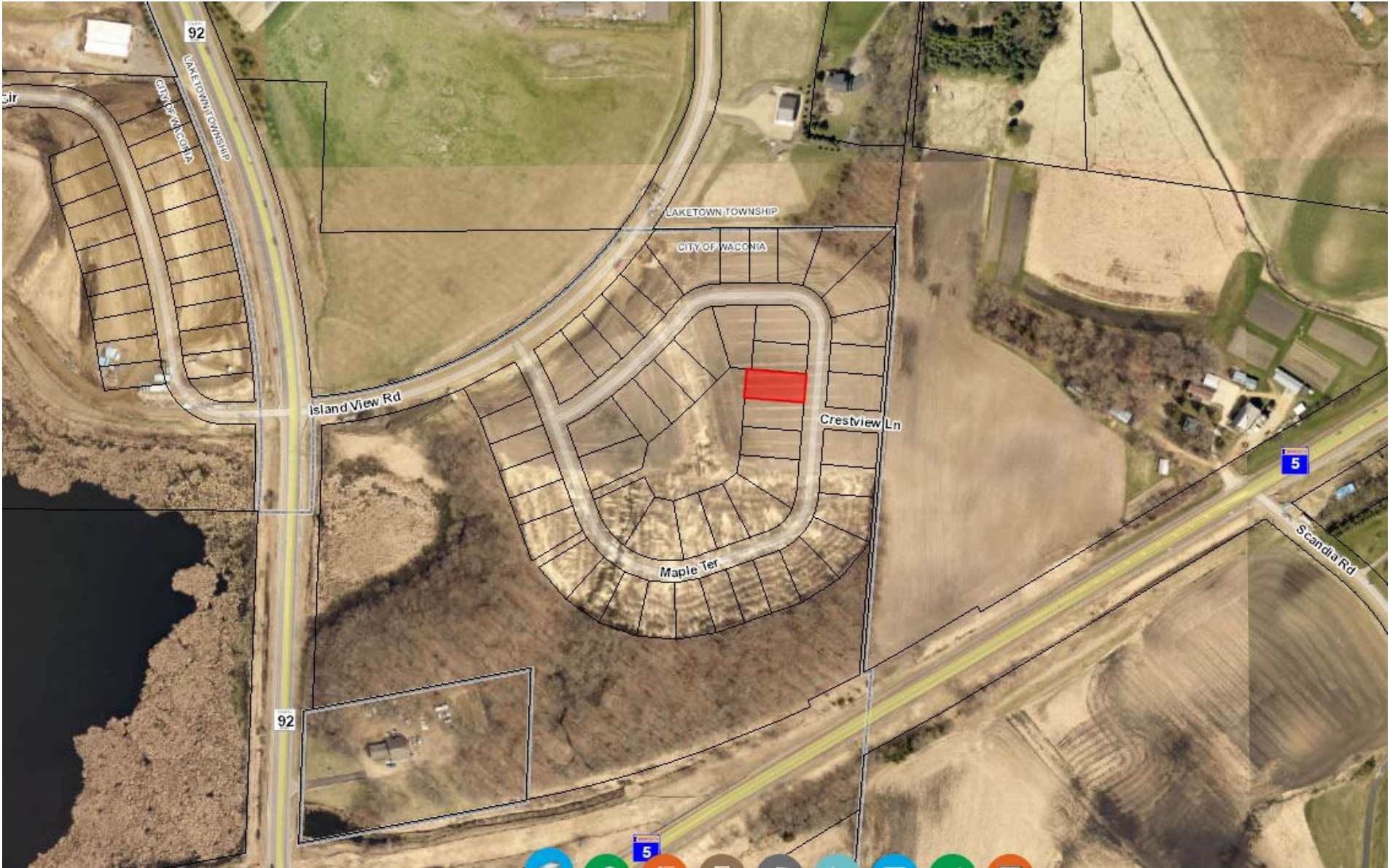
NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Waconia hereby denies the after-the-fact Variance application for Gregory and Kelly Payette to exceed the hardcover maximum for the property located at 144 Maple Terrace subject to the conditions, findings and recommendations of the Waconia Planning Commission stated above.

Adopted by the City Council of the City of Waconia this 19th day of September, 2022.

Kent Bloudek, Mayor

ATTEST: _____
Jackie Schulze, City Clerk

Location Map—144 Maple Terrace



CITY OF WACONIA, MN
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Planning Commission of the City of Waconia, MN, will hold a public hearing on Thursday, September 1st, 2022, at 6:30 p.m., at the Waconia City Hall, 201 South Vine Street, Waconia, MN, to consider an after-the-fact variance from the City's hardcover/impervious surface maximum for the property located at 144 Maple Terrace (PID# 754430790).

The applicants, Gregory and Kelly Payette, are requesting approval of an after-the-fact variance to allow impervious surface exceeding the 35% maximum allowed in the Planned Unit Development (PUD) District associated with their property.

Pertinent information pertaining to this request is available at City Hall. Interested persons may submit written or oral comments pertaining to this matter any time prior to the hearing, or at the hearing on September 1st, 2022. Written comments will be distributed to the Planning Commission for review and consideration. Please submit written comments by mail, email or in person as follows:

Mail/in person: Attention: Lane L. Braaten, 201 South Vine Street, Waconia, MN 55387

Email: lbraaten@waconia.org

By: WACONIA PLANNING COMMISSION

ATTEST: Lane L. Braaten, Community Development Director

(Published in the August 18th, 2022, Waconia Patriot newspaper)

Greg and Kelly Payette
144 Maple Terrace
Waconia, Minnesota 55387

Dear Waconia Planning Commission and Waconia City Council
Members,

We are asking for a variance on the overall permeable surface at our residence; 144 Maple Terrace, Waconia, Minnesota.

After not seeing that a permit required on the Waconia City site for a patio or change in a walkway or any residential ordinances pertaining to permeable – non permeable surface guidelines, we had a back patio installed 385 sq ft and a front walk installed totaling 104 sq ft.

It was 3 weeks later that we were contacted by Lane Braaten due to a complaint by a neighbor in our subdivision. As I explained to Lane during our initial call there is no permit required by the city on the Waconia City site for either project (I currently have permits for my deck, basement and sod watering) but he stated that we did need to stay within the percentage of permeable surface or file for a variance. After further discussion with Lane and again during Lane's visit to my house, we again spoke about the lack of information when it pertains to patios, walkways or permeable vs impermeable surfaces ordinances and codes within the city or subdivisions on the Waconia City website. He reiterated that both he and the City are aware and that there are discussion were happening in the City prior to the complaint about my property and our addition of a patio and walk.

We would like to have our variance granted as it was not our intention to violate any ordinance(s) or not file for a needed permit. We have done everything reasonable as it pertains to following the law, published ordinances and filing proper permits when it comes to adding additions to our home at 144 Maple Terrace. Thank you for your considerations and we look forward to your decisions.

Regards,

Greg and Kelly Payette

Greg and Kelly Payette
144 Maple Terrace

Lot is 8775 sq ft

Allowable Coverage is 35% or 3071 sq ft

Current Coverage is 37.4% or 3284 sq ft

Circumstances:

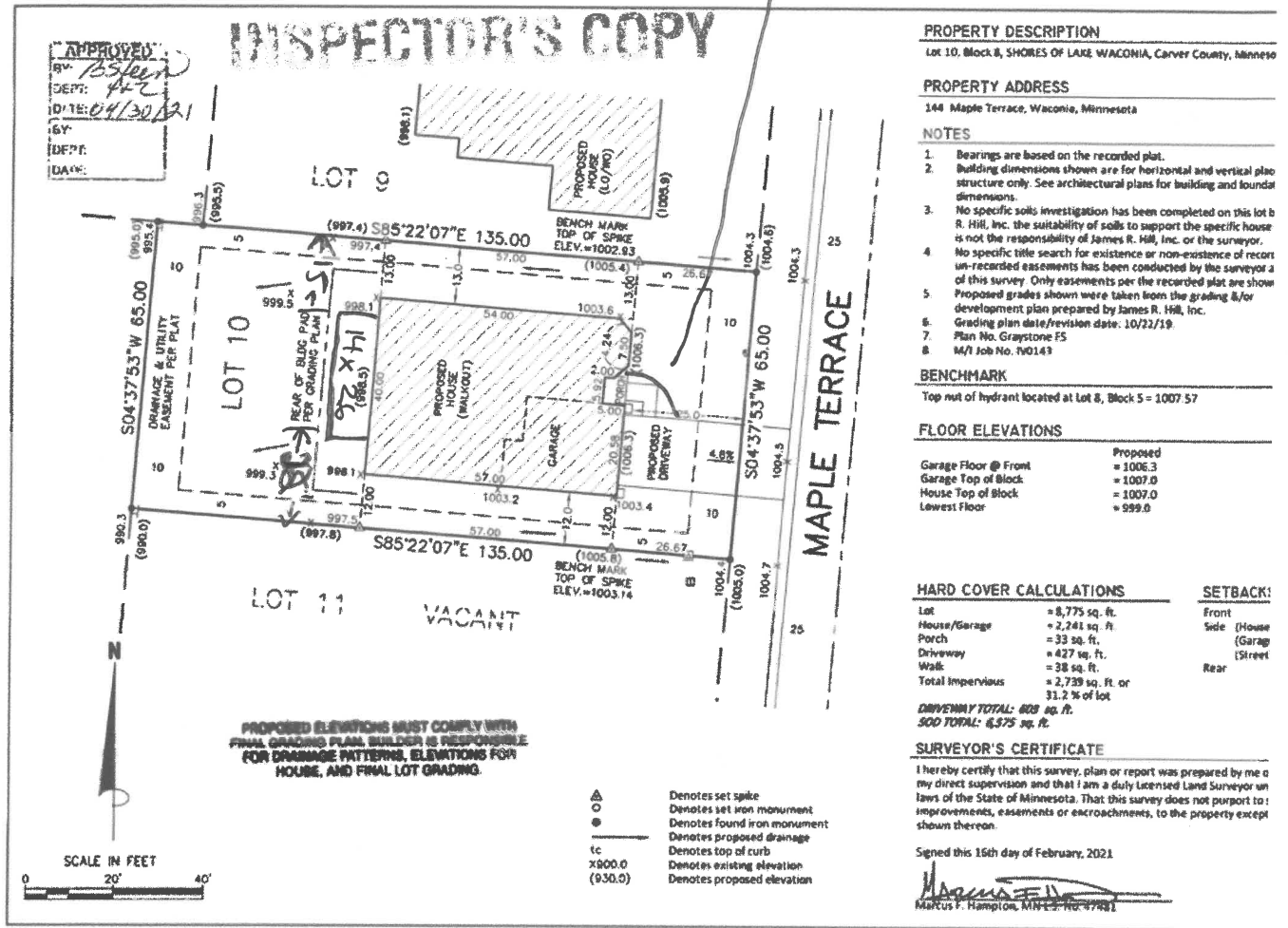
1. No published or accessible ordinance currently on Waconia City website to direct citizens.
2. No permit currently on Waconia City website required for cement work.
3. Resident shows that they follow protocols for City permitting
 - a. 2 current and one closed permit
4. Does not affect neighbor's property lines:
 - a. Patio sits back 15 ft on one side and 22 from other with
5. Neighbors within 350 ft have all signed letter stating that they are in favor of approving the variance. They all understand the permeable vs impermeable piece now because of our situation.

ASK:

Approve Variance of 2.4% and please put a note on the City Website on surface coverage

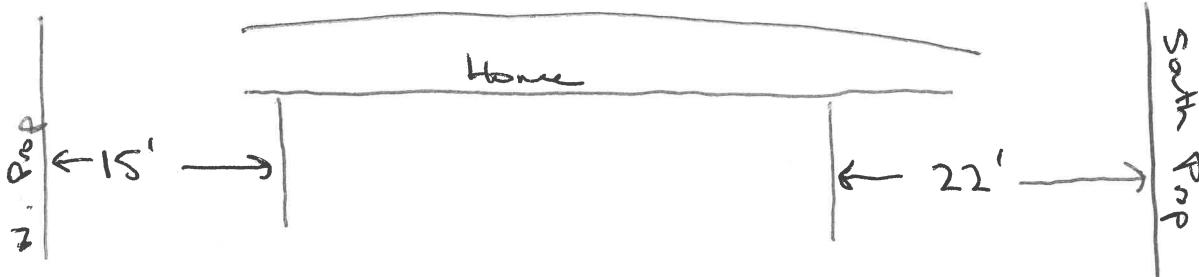
Applicant Site Plan

Removed old
walk inside
Drainage
38 Sq Ft



FRONT WALK -  = 104 SQ FT NEW
- 38 SQ FT "old walk
66 SQ FT

REAR Patio - $14 \times 26 = 364 \text{ SQ FT}$



Greg and Kelly Payette

144 Maple Terrace

Waconia, MN

Storm water plan for after-the-fact variance request for 1.7% over the allowable non permeable surface in the Island View estates subdivision.

The Storm water plan was designed by the Assistant agronomy and turf manager at Minnesota Valley Country Club in Bloomington, MN. He considered our soil type, the topography of the home within the lot, The installation of footings for the deck and the installation of our patio and walkway when designing the already installed storm water mitigation features and what will be added in 2023.

Run off, Filtration, Erosion and Water Conservation

- Erosion:
 - None noted
- Conservation:
 - Water from downspouts will be spread out thru permeable piping and pop up versus gutter spout directed towards retention pond. This approach will reuse rainwater and decrease the need for sprinkler system for grass, shrubbery and trees.
- Pollution filtration
 - Water will be filtered thru grass, flower gardens, and retaining wall system prior to entering road drainage and rear retention pond.

Installed before sod, patio, deck and final grading by builder:

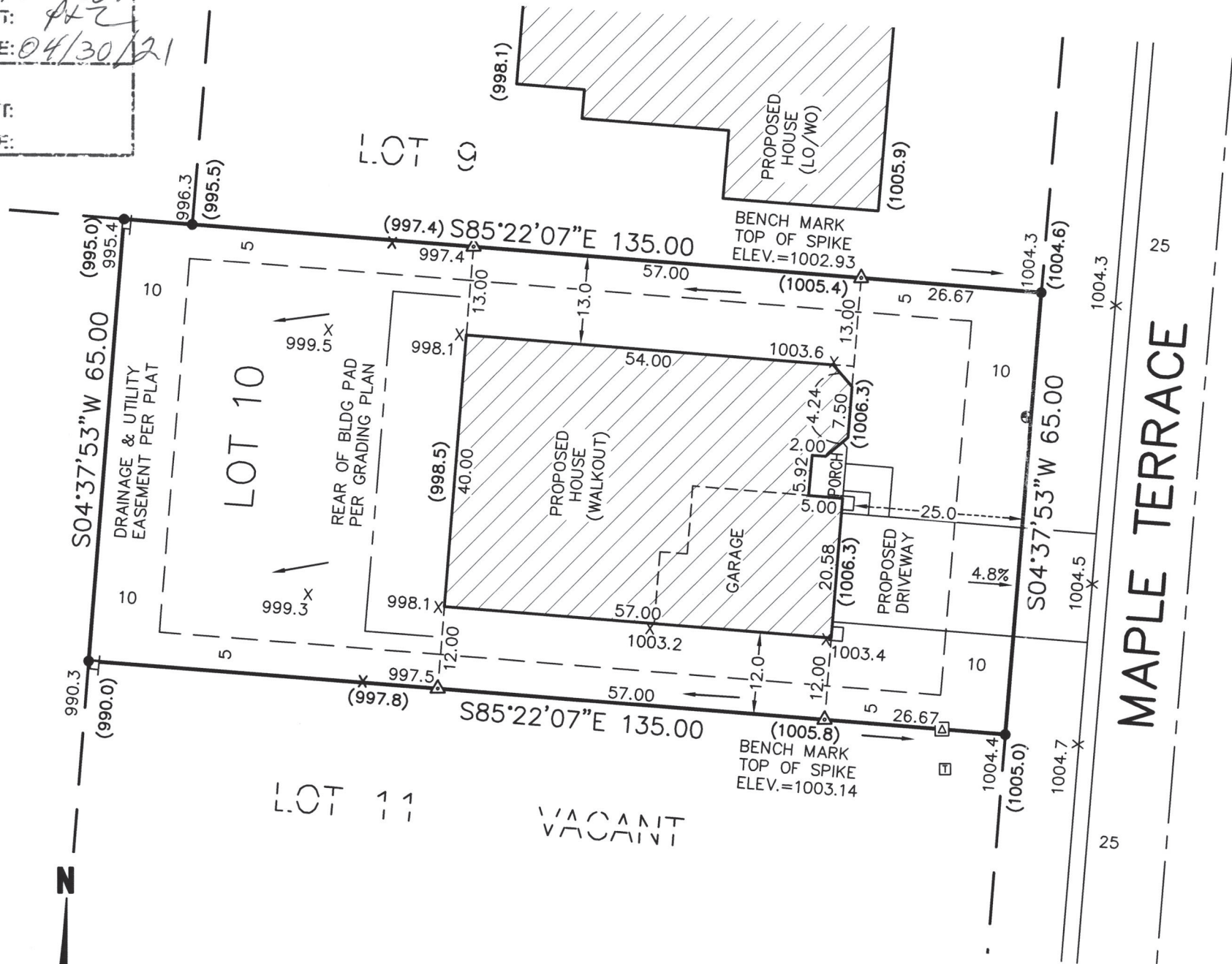
Gutter and Down Spouts

- Front and Rear:
 - Plumbed underground using permeable 6-inch permeable pipe with ground level pop up and 6 inches of clean rock around underground pipes, extending 3-4 feet from house.
- Filtration-Conservation:
 - Rainwater will exit permeable pipe and pop-up before proceeding thru grass using topography to make its way to tree's and retaining wall filtration in back and then thru natural wetlands and to retention pond
 - 4 down spouts on house
 - 2 down spouts from **Under decking**
- Front Yard:
 - Front garden 20 x 14 raised garden Black dirt and wood chips.
 - 8 ft fat Albert Spruce.
 - Left and Right house gardens, various bush and flowers, wood chips. Builder installed
 - 15-foot flowering carb apple front, South of Driveway and Maple Terrace. Builder installed, 24" mulch matt

- Back yard:
 - 20-foot Sycamore 4 ft from property line and 2-foot from natural alley between yards to wick and absorb run off, 24-Inch Mulch Mat. North side, Builder installed
 - 20-foot Maple 4 ft from property line and 2-foot from natural alley between yards to wick and absorb run off, 24-inch Mulch Mat. South side, Builder installed
 - 48 ft long by 37 inches tall retaining wall, 15 feet from wetlands designation markers.
 - 18 inches of clean ½ inch stone and 6-inch permeable drainpipe behind wall to filter water after coming thru the Garden and clean stone before entering wetlands area and retention pond.
 - 40ft long by 5ft wide garden in-front of wall
 - Native decorative grasses, perennials and 2-5ft Dwarf Alberta Spruces
 - Underdecking – downspouts are plumbed underground and pop up 3 feet from edge of patio
- **2023 Plan:**
 - 3–4-foot gardens extending down both side of home
 - Various bushes and plants
 - Black dirt and Woodchips
 - Front 20-14 garden additional perennial flowers and plants

INSPECTOR'S COPY

APPROVED
BY: *B. Steen*
DEPT: *PL*
DATE: *04/30/21*
BY:
DEPT:
DATE:



PROPOSED ELEVATIONS MUST COMPLY WITH
FINAL GRADING PLAN. BUILDER IS RESPONSIBLE
FOR DRAINAGE PATTERNS, ELEVATIONS FOR
HOUSE, AND FINAL LOT GRADING.

- △ Denotes set spike
○ Denotes set iron monument
● Denotes found iron monument
→ Denotes proposed drainage
tc Denotes top of curb
X900.0 Denotes existing elevation
(930.0) Denotes proposed elevation

PROPERTY DESCRIPTION

Lot 10, Block 8, SHORES OF LAKE WACONIA, Carver County, Minnesota

PROPERTY ADDRESS

144 Maple Terrace, Waconia, Minnesota

NOTES

- Bearings are based on the recorded plat.
- Building dimensions shown are for horizontal and vertical placement of structure only. See architectural plans for building and foundation dimensions.
- No specific soils investigation has been completed on this lot by James R. Hill, Inc. the suitability of soils to support the specific house proposed is not the responsibility of James R. Hill, Inc. or the surveyor.
- No specific title search for existence or non-existence of recorded or un-recorded easements has been conducted by the surveyor as a part of this survey. Only easements per the recorded plat are shown.
- Proposed grades shown were taken from the grading &/or development plan prepared by James R. Hill, Inc.
- Grading plan date/revision date: 10/22/19.
- Plan No. Graystone FS
- M/I Job No. IV0143

BENCHMARK

Top nut of hydrant located at Lot 8, Block 5 = 1007.57

FLOOR ELEVATIONS

	Proposed
Garage Floor @ Front	= 1006.3
Garage Top of Block	= 1007.0
House Top of Block	= 1007.0
Lowest Floor	= 999.0

HARD COVER CALCULATIONS

Lot	= 8,775 sq. ft.
House/Garage	= 2,241 sq. ft.
Porch	= 33 sq. ft.
Driveway	= 427 sq. ft.
Walk	= 38 sq. ft.
Total Impervious	= 2,739 sq. ft. or 31.2 % of lot

DRIVEWAY TOTAL: 603 sq. ft.

SOD TOTAL: 6,575 sq. ft.

SETBACKS

Front	= 25'
Side (House)	= 5'
(Garage)	= 5'
(Street)	= 15'
Rear	= 30'

SURVEYOR'S CERTIFICATE

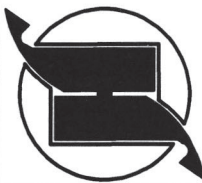
I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota. That this survey does not purport to show all improvements, easements or encroachments, to the property except as shown thereon.

Signed this 16th day of February, 2021

Marcus F. Hill
Marcus F. Hill, MN L.S. No. 47481

James R. Hill, Inc.

PLANNERS / ENGINEERS / SURVEYORS
2999 WEST C.R. 42, SUITE 100, BURNSVILLE, MN 55306
PHONE: 952.890.6044
www.jrhinc.com



CERTIFICATE OF SURVEY

FOR
M/HOMES

Lot 10, Block 8, SHORES OF LAKE WACONIA,
Carver County, Minnesota

DRAWN BY
JCB

DATE
2/16/2021

REVISIONS

CAD FILE
410218.dwg

PROJECT NO.
410218

SHEET 1 OF 1

Greg and Kelly Payette
144 Maple Terrace
Waconia, Minnesota 55387

Waconia Planning Committee and City Council,

We have been informed by Mr. and Mrs. Payette of their request for a variance on both the front walkway and rear patio as it pertains to the total square footage exceeding the 35% non permeable surface covering.

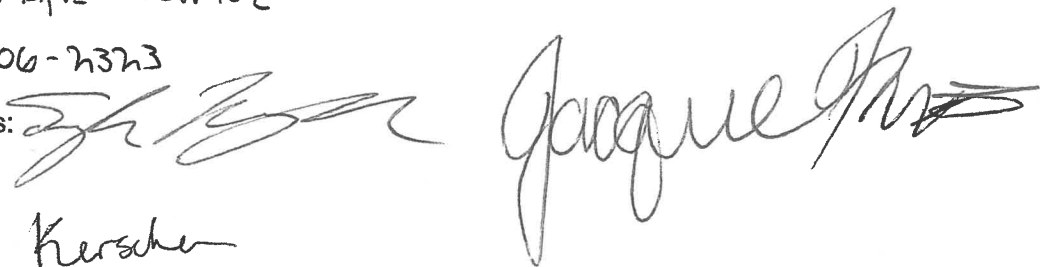
If I am able to attend the Planning Committee meeting on September 1, 2022 and the City Council meeting on September 19, 2022 to voice my approval and answer any questions I will. If I am not able to attend please take my signature as my acceptance of Greg and Kelly Payette's request for the variance as filed on 7/27/22 with the City of Waconia.

Name: Tyler Krieger

Address: 146 Maple Terrace

Phone: 952-406-2323

Owners Signature's:

Two handwritten signatures are shown. The first is a cursive signature of Tyler Krieger, and the second is a cursive signature of Jacquie Krieger.

Name: Taylor Kerscher

Address: 147 Maple Terrace

Phone: 262-354-2226

Owners Signature's:

A handwritten signature of Taylor Kerscher in cursive.

Name: Stacey Dormann

Address: 145 Maple Terr

Phone: 320 266 6519

Owners Signature's:

A handwritten signature of Stacey Dormann in cursive.

Name: Paul Van Overbeke
Address: 158 Maple Terrace
Phone: 952-406-1716

Owners Signature's: 

Name: Carrie Van Overbeke
Address: 158 Maple Terrace
Phone: ~~952-841-8954~~ 952-761-8954
Owners Signature's: 

Name: Blake Vetter
Address: 142 Maple Terr
Phone: 612-616-6189
Owners Signature's: 

Lane Braaten

From: dale worm <daleworm8975@msn.com>
Sent: Tuesday, August 23, 2022 8:15 AM
To: Lane Braaten; dale worm
Subject: Notice of Public Hearing - Regarding 144 Maple Terrace - Impervious Surface

Lane,

I live at 133 Maple Terrace. After receiving the public hearing notice I reviewed the Declaration of covenants, conditions and restrictions that I asked for and received before we purchased our home. I see nothing in this document regarding the matter in the public hearing. I was aware of this restriction only because there was only one lot that my one story home would fit on with a 3 car garage. I was told at that time that the development across County Rd 92 was given a variance to go to 45%. And that M/I Home also petitioned for that same variance but was denied.

I believe the variance given to the neighboring development sets a precedent by the city. Therefore I believe the city should not only grant the residents at 144 Maple Terrace the variance it should also be grant to all 50 lots at this time.

I also believe the city and planning commission are 80% responsible for this even being an issue. Approval was given to the developer with postage stamp lot sizes and streets that are too narrow. Allowing this and not changing setbacks and pervious surface requirements does not make sense. My neighbor and myself had to reduce the size of our decks during construction as they were too close to the back lot line. Not sure but am guessing this happen to many other residents as well. All the back lots either back up to a woods owned by the city or the center pond. I can't see why the back lot line requirement which was established for much larger lots years ago wasn't changed for this development and others with similar densities.

I have signed Mr and Mrs Payette's petition and I am asking that they be given their variance. As stated above I would also petition that all 50 lots are included in the variance. Adding a patio under a deck is what 99% of home owners do and should be expected. Any requirement to do so with a pervious material should have been listed in the covenants.

Thank You,
Dale Worm
133 Maple Terrace

Lane Braaten

From: Marten, Christine <Christine.Marten@bsci.com>
Sent: Friday, August 26, 2022 7:07 AM
To: Lane Braaten
Subject: PID: 754430790

Good Morning,

I am writing to you regarding the notice I received in the mail this week regarding property 144 Maple Terrace. For what it is worth my husband and I, who live at 169 Maple Terrace, believe that our neighbors should be granted after the fact approval. Although we are not familiar with Greg & Kelly we do live in the block and have no concern with the hardcover they have completed. We believe it looks well done and that they should not need to make changes. If there is anything we can do to help them grant approval please let me know.

Thank you for your time and attention.

Christine Marten
Principal Financial Analyst
Interventional Cardiology | Stents
Boston Scientific | Maple Grove, MN



Lane Braaten

From: Diane Johnson <youvegotdiane@gmail.com>
Sent: Friday, August 26, 2022 5:09 PM
To: Lane Braaten
Subject: Re: 144 Maple Terrace

Dear Lane,

I see no reason that the after- the- fact variance shouldn't be allowed for Greg and Kelly Payette at 144 Maple Terrace. Diane Johnson 168 Maple Terrace 618-972-2983

On Fri, Aug 26, 2022 at 9:29 AM Lane Braaten <LBraaten@waconia.org> wrote:

Diane,

Thanks for the email. Please see the link below to the Planning Commission packet, which includes the information you have requested below. Please let me know if you have any questions or comments.

<https://www.waconia.org/505/Agendas-Minutes>

Lane L Braaten

Community Development Director

City of Waconia

201 South Vine Street

Waconia, MN 55387

Office: 952-442-2184

Direct: 952-442-3106

www.waconia.org



The City of Waconia now has some limited Residential over the counter permits available via ePermits.

For more information on this, please go to: www.waconia.org/epermits

From: Diane Johnson <youvegottdiane@gmail.com>

Sent: Wednesday, August 24, 2022 8:11 PM

To: Lane Braaten <LBraaten@waconia.org>

Subject: 144 Maple Terrace

I received your letter about the public hearing of the above property. Do I need to go to City Hall to see the information on this matter. Or is there an easier way to find out this info?

Thank you. Diane Johnson 168 Maple Terrace

8/29/22

Lane Braaten

RE: 144 Maple Terrace

Lane,

After seeing Mr. Payette going around our neighborhood, badmouthing the city of Waconia and trying to recruit families to side with him, threatening with lawyers, threatening to go after people-his own neighbors, we have decided to reach out to you.

When I say we, I am referencing 20 families in our neighborhood that have gotten together to discuss this issue. We are writing this anonymously as we don't need to be involved with lawyers nor threatened by him, but we have all talked about how clear the city of Waconia portrays their "hard cover" rule, how easy it is to call the city of Waconia and verifying any questions and most importantly it was mentioned several times in the building process with MI Homes that every house in this neighborhood was at, or VERY close to their max for hard/impervious surface limit. Several of us have overheard Mr. Payette stating that MI Homes never gives this info out, which is completely false, and MI Homes also gives a plat drawing of each lot with the buyer's packet which states the hard cover percentage.

We are siding with the city of Waconia as no homeowner should be able "to do whatever they want to do", as we all should have to abide by the laws and regulations laid out. We agree that the concrete needs to be taken out to comply, as many families have stated that they are waiting for the "verdict" to see if he is given a "free pass", on this to see if they will install concrete pads in their back yards as well.

Regards,

Anonymous families of IslandView Estates

Lane Braaten

From: Spencer Mertes <snberget@gmail.com>
Sent: Thursday, September 1, 2022 5:20 PM
To: Lane Braaten
Subject: Gregory and kelly Paulette

Hello,

I might be a little late but we've been out of town. We are writing to approve the the after the fact variance for their yard/front entry walkway.

We live at 139 Maple Terrace, Waconia MN 55387

Sincerely,
Joe and Spencer Mertes
--

Spencer Mertes
320.905.0252

Lane Braaten

From: Alicia Wright <wrighthanover@yahoo.com>
Sent: Monday, September 12, 2022 4:12 PM
To: Lane Braaten
Subject: 144 Maple Terr

Mr. Braaten,

We wanted to reach out to you regarding the issue at 144 Maple Terr. We had the pleasure of speaking with Greg Payette today as we had not met previously. He explained to me the variance they are asking for and also provided a copy of the anonymous letter that was submitted objecting to their request.

We wanted to let you know that we have never been approached by either side regarding this issue. We have not been asked by any other neighbors to come together to discuss this issue and we certainly have not been threatened with legal action or otherwise. We have lived at Island View Estates since April of 2021 and are very close with many of our neighbors. We can honestly say we have never had this issue come up as a topic of conversation.

For what its worth, Greg Payette was very friendly and courteous during our conversation and in no way did we feel pressured to send this.

We can also confirm his claim that M/I did not discuss with us during our purchasing process the hard cover rules or that we may be close to our hard surface limit. Our personal opinion that a lot of communication from M/I was and continues to be poor to this day. Obviously we cannot speak to anyone else's experience with M/I besides our own.

We have no objections to the Payette's request for a variance.

If you have any questions or concerns, please feel free to contact us.

Alicia Wright
Nate Hanover

103 Maple Terr
Waconia, MN 55387

Lane Braaten

From: Dan Spillum <dan.spillum@gmail.com>
Sent: Monday, September 12, 2022 5:14 PM
To: Lane Braaten
Subject: Island view Hard Cover issues

Hi Mr. Braaten,

Appears several residents are confused with the impervious percentage limitation of 35% for our lots in Island View Estates. My phone nderstanding is if a home includes a 3rd car garage, most likely the hard cover is already at the 35% at move in. For a homeowner with a walk out lot, there should have been very open communication to the fact that the homeowner would not be allowed to add a patio or any other hard surfaces.

The letter I've attached is beyond reasonable for someone in the neighborhood to have written! How would a neighbor even know the lot size and hard cover % for 144 Maple Terrace?

The 35% agreed to with M&I is what it is but M&I's models of homes available for build maxed out the lots up front. Seems clear communication lacked up front on this issue.

From the City of Waconia's standpoint, it would be reasonable for your planning commission to have a 5% variance flexibility on a case by case basis. I believe many homes have installed rear patios for their walkouts and anyone with a 3rd garage stall would be exceeding the 35%. I haven't heard of any variances be issued in this neighborhood?

Sorry to ramble but I am fully aware of the issue at 144 and do not agree with planning commission's handling of their variance and I for sure do not give any credibility to the anonymous letter/complaint attached.

Dan Spillum
111 Maple Terrace

8/29/22

Lane Braaten

RE: 144 Maple Terrace

LBraaten@waconia.org

Planning Commissioner

Lane,

After seeing Mr. Payette going around our neighborhood, badmouthing the city of Waconia and trying to recruit families to side with him, threatening with lawyers, threatening to go after people his own neighbors, we have decided to reach out to you.

When I say we, I am referencing 20 families in our neighborhood that have gotten together to discuss this issue. We are writing this anonymously as we don't need to be involved with lawyers nor threatened by him, but we have all talked about how clear the city of Waconia portrays their "hard cover" rule, how easy it is to call the city of Waconia and verifying any questions and most importantly it was mentioned several times in the building process with MI Homes that every house in this neighborhood was at, or VERY close to their max for hard/impervious surface limit. Several of us have overheard Mr. Payette stating that MI Homes never gives this info out, which is completely false, and MI Homes also gives a plat drawing of each lot with the buyer's packet which states the hard cover percentage.

We are siding with the city of Waconia as no homeowner should be able "to do whatever they want to do", as we all should have to abide by the laws and regulations laid out. We agree that the concrete needs to be taken out to comply, as many families have stated that they are waiting for the "verdict" to see if he is given a "free pass", on this to see if they will install concrete pads in their back yards as well.

Regards,

Anonymous families of IslandView Estates

Sent from my iPhone

Lane Braaten

From: Spencer Mertes <snberget@gmail.com>
Sent: Monday, September 12, 2022 5:26 PM
To: Lane Braaten
Subject: 144 Maple Terrace

Hi Lane,

We are emailing again to let you know we have seen the anonymous letter from the island view estates neighborhood, and are NOT one of the 20 families. We live at 139 Maple Terrace in Waconia and we are OK with the sidewalk/front entrance to the Payette's home. We do not believe Mr. Payette is threatening or harassing anyone in our neighborhood. I have personally seen him out and about on a walk and he and his wife are very friendly with us and many others.

Best regards,
Joe & Spencer Mertes

--

Spencer Mertes
320.905.0252

September 13, 2022

Lane,

After receiving the "Anonymous" letter you forwarded on to us we had no other choice but to go door to door and give each neighbor a copy of the letter. 100% of the people we spoke to were very upset that someone would use their names in a letter anonymously. We spent over 10 hours of our time this past weekend and Monday speaking to the neighbors who were home. Our goal here is to show that this letter is ENTIRELY FALSE and a misrepresentation of us and our neighbors. We were able to speak to most of them as you can see from the attached. They have signed stating they had NO part of this letter and were never informed of the 35%. One family was aware of the 35% because they wanted a larger home on a wooded lot. It is sad this is what this has come to for a 1% variance.

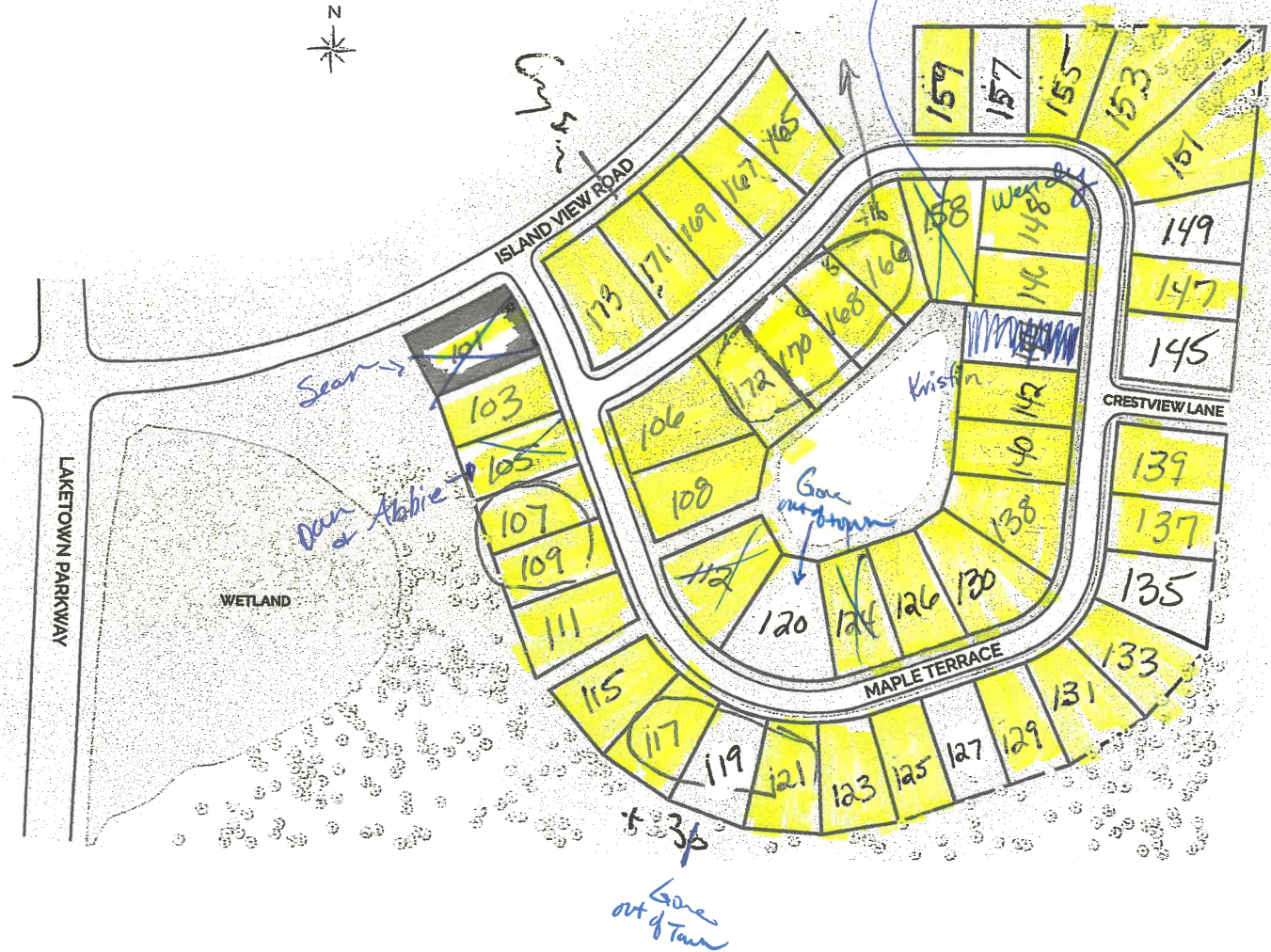
Thank you
Kelly and Greg

A handwritten signature in cursive script, appearing to read "Kelly and Greg", with a long horizontal flourish extending to the right.

Island View Estates

SET Back - 15' → Between
Front 25' min
Rear 30' dup min

* City Guidelines



All neighbors who
have signed
attached letter

ll



M/I builds quality homes in Columbus/Cincinnati, OH; Indianapolis, IN; Chicago, IL; Charlotte/Raleigh, NC; Tampa/Orlando/Sarasota, FL; Austin/Dallas/Ft. Worth/Houston/San Antonio, TX; Minneapolis/St. Paul, MN and Detroit, MI.

Site map is for illustration purposes only. Plat is not to scale and may vary from actual conditions. See New Home Consultant for details.



8/29/22

Lane Braaten

RE: 144 Maple Terrace

Lane,

After seeing Mr. Payette going around our neighborhood, badmouthing the city of Waconia and trying to recruit families to side with him, threatening with lawyers, threatening to go after people-his own neighbors, we have decided to reach out to you.

When I say we, I am referencing 20 families in our neighborhood that have gotten together to discuss this issue. We are writing this anonymously as we don't need to be involved with lawyers nor threatened by him, but we have all talked about how clear the city of Waconia portrays their "hard cover" rule, how easy it is to call the city of Waconia and verifying any questions and most importantly it was mentioned several times in the building process with MI Homes that every house in this neighborhood was at, or VERY close to their max for hard/impervious surface limit. Several of us have overheard Mr. Payette stating that MI Homes never gives this info out, which is completely false, and MI Homes also gives a plat drawing of each lot with the buyer's packet which states the hard cover percentage.

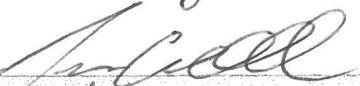
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Regards,

Anonymous families of IslandView Estates

Houses on Maple Terrace, Waconia MN

House #	Print Name/ phone #	Did M&I make you aware of Impervious surface limit (Yes or No)	Signature	Date	I am NOT part of the above 20 mentioned in above (or attached) letter
146	952-406-2323 Tyler Krueger	NO		9-11	True
148	Steven Mathistad 752-216-5098	NO		9/11	True
151	Daniel Olson 952-216-2323	NO		9/11	True
103	Alicia Wright 612-297-7236	NO		9/12	True
170	NEIL RICE 2407-259-9560	NO		9/12	True

House #	Print Name/ phone #	Did M&I make you aware of Impervious surface limit (Yes or No)	Signature	Date	I am NOT part of the above 20 mentioned in above (or attached) letter
169	Cristine Marten 218-329-1422	NO		9/12/22	CM
168	Diane Johnson 618912-2983	NO	Diane Johnson	9/12/22	DJ
167	JAKE CRANDELL 715 545 3096	NO		9/12/22	JSC
165	Nadia Smith 763-607-0255	NO	Nadia Smith	9/12/22	NS
159	Olivia Hart 202-389-8037	NO	Olivia Hart	9/12/22	OH
166	Marc Robison 714914-9353	NO	Marc Robison	9/12/22	MR
108	Doug Flinth 507-320-5210	Yes	Doug Flinth	9/12/22	DF
112	Rick STALBERGER	NO	Rick Stalberger	9/12/22	RS
124	Evelyn Thomson	NO	Evelyn Thomson	9/12/22	ET
101	Sean Williams	NO	Sean Williams	9/12/22	SW
105	Dan Bachman 515-710-5113	unaware	Dan Bachman	9/12/22	DB
158	Paul VanOverbeke	no	Paul VanOverbeke	9/12/22	PV

8/29/22

Lane Braaten

RE: 144 Maple Terrace

Lane,

After seeing Mr. Payette going around our neighborhood, badmouthing the city of Waconia and trying to recruit families to side with him, threatening with lawyers, threatening to go after people-his own neighbors, we have decided to reach out to you.

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Regards,

Anonymous families of IslandView Estates

Houses on Maple Terrace, Waconia MN

House #	Print Name/ phone #	Did M&I make you aware of Impervious surface limit (Yes or No)	Signature	Date	I am NOT part of the above 20 mentioned in above (or attached) letter
173	Paul Tensen 612-425-8328	No		9-10-22	True
171	Tony Van 507-250-5902	No		9/10/22	True
107	Stacey Kopeland 678-1613-2146	NO	Stacey Kopeland	9/10/22	True
109	Greg Gunderson 715-441-6567	No		9/10/22	True
115	Pat + Marnie Olson 612-875-8770	No	Marnie Olson	9/10/22	True
117	Beth + Dave 612-802-3059	NO	Beth Buel	9/10/22	True

Houses on Maple Terrace, Waconia MN

House #	Print Name/ phone #	Did M&I make you aware of Impervious surface limit (Yes or No)	Signature	Date	I am NOT part of the above 20 mentioned in above (or attached) letter
125	Tyler Magee 952-049-1590	No	Tyler Magee	9/10/22	X
126	Wynne Wood 126 Maple	no	Wynne Wood	9/10/22	X
140	Jaime Sanchez 612-710-0839	no	Jaime Sanchez	9/10/22	X
172	Cheryl Douglas 952-484-6781	no	Cheryl Douglas	9/11/22	X
106	Doug Green	NO	Doug Green	9/11/22	X
111	Dana & Randy Spillman 612-549-5071	NO	Dana & Randy Spillman	9/11/22	X
129	GERRY KIRBY	NO	Gerry Kirby	9/11/22	X
130	Marti / Wynne Carolyn	NO	Marti / Wynne Carolyn	9/11/22	X
123	Drew / Ruth Pederson	NO	Drew / Ruth Pederson	9/11/22	X
121	Paul Buchholz	NO	Paul Buchholz	9/11/22	X
131	Mike J Szabla	NO	Mike J Szabla	9/11/22	X
133	Dale Worn	NO	Dale Worn	9/11/22	X
138	Marvin Evers	No	Marvin Evers	9/11/22	X
137	Dale Schuster Melissa	NO	Dale Schuster Melissa	9/11/22	X
139	Spencer & Joanna	NO	Spencer & Joanna	9/10/22	X
147	Kyleigh + Taylor	No	Kyleigh + Taylor	9/12/22	X
153	Raj Sudhe	NO	Raj Sudhe	9/12/22	X

Houses on Maple Terrace, Waconia MN

House #	Print Name/ phone #	Did M&I make you aware of Impervious surface limit (Yes or No)	Signature	Date	I am NOT part of the above 20 mentioned in above (or attached) letter
215	215-215-215	Yes	[Signature]	10/10/10	

155	Jennifer ⁴ Kattelsohn 952-797-2707	no	Jamie Kattelsohn	9-12-22	no
142	Blake + Krista 612-612-6159	no	Bleed	9/12/2022	no

8/29/22

Lane Braaten

RE: 144 Maple Terrace

LBraaten@waconia.org

Planning Commissioner

Lane,

After seeing Mr. Payette going around our neighborhood, badmouthing the city of Waconia and trying to recruit families to side with him, threatening with lawyers, threatening to go after people-his own neighbors, we have decided to reach out to you.

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Regards,

Anonymous families of IslandView Estates

*If google City Council members of Waconia
Here's a tab to send email, which
will go to all council members.*

Past Land Use Reports

Submitted by the Applicants for review and consideration in relation to their
after-the-fact variance submittal for 144 Maple Terrace



REQUEST FOR CITY COUNCIL ACTION

Meeting Date:	June 18 th , 2018					
Item Name:	Steep Slope Alteration Permit and Variance request by Jeff Hoxie for the property located at 308 Lake Street West					
Originating Department:	Community Development					
Presented by:	Ethan Nelson, Assistant Planner					
Previous Council Action (if any):						
Item Type (X only one):	Consent		Regular Session	☒	Discussion Session	

RECOMMENDATIONS/COUNCIL ACTION/MOTION REQUESTED (Include motion in proper format.)

Adopt Resolution 2018-126 approving the Steep Slope Alteration Permit and Variance applications to allow improvements within a steep slope for the property located at 308 Lake Street West

EXPLANATION OF AGENDA ITEM (Include a description of background, benefits, and recommendations.)

BACKGROUND

Applicant: Jeff Hoxie

Owner: Tom & Pamela Kurtz

Address: 308 Lake Street West

PID# 750504620

Zoning: R-4, Mixed Residential District

Special District: Shoreland Overlay District

REQUEST:

The City has received a Steep Slope Alteration Permit and Variance application from Jeff Hoxie (the "applicant") on behalf of Tom and Pamela Kurtz (the "owners") to allow improvements within a steep slope on the subject property. In addition to the steep slope permit, that applicant is also requesting a variance to allow the aforementioned improvements to exceed the 25' front yard setback (setback from Lake Street) and the 25% impervious surface maximum. Specifically, the applicant is requesting approval to construct a new home and additional improvements that are partially within the slope. The Steep Slope Permit is necessary as the average slope is approximately 35% in the Shoreland Overlay District.

APPLICABLE ORDINANCE PROVISIONS:

1. Section 900.05 – District Regulations, Subd. 2.D – R-4, Mixed Residential District
2. Section 900.06 – Supplementary Regulations, Subd. 7 – Shoreland Overlay District
3. Section 900.06 – Supplementary Regulations, Subd. 8 – Environmental Protection Regulations
4. Section 900.12 – Administration, Enforcement and Procedures, Subd. 4 – Variances
5. Section 900.12 – Administration, Enforcement and Procedures, Subd. 11 – Land Alterations

DEFINITIONS:

Sensitive Resource Management – The preservation and management of areas unsuitable for development in their natural stage due to constraints such as shallow soils over groundwater to bedrock, highly erosive or expansive soils, steep slopes, susceptibility to flooding or occurrence of flora or fauna in the need of special protection. level of a lake, pond, or flowage; and, 300 feet from a river or stream, whichever is greater. The limits of shorelands may be reduced whenever the waters involved are bounded by topographic divides which extend landward from the waters for lesser distances and when approved by the Commissioner.

Intensive Vegetation Clearing: - The complete removal of trees or shrubs in a contiguous patch, strip, row or block.

Shore Impact Zone – Land located between the ordinary high water level of a public water and a line parallel to it at a setback of 50% of the structure setback.

Shoreland – Land located within the following distances from public water; 1,000 feet from the ordinary high water level of a

lake, pond, or flowage; and, 300 feet from a river or stream, whichever is greater. The limits of shorelands may be reduced whenever the waters involved are bounded by topographic divides which extend landward from the waters for lesser distances and when approved by the Commissioner.

Steep Slope - Land where agricultural activity or development is either not recommended or described as poorly suited due to slope steepness and the soil characteristics, as mapped and described in available county soil surveys or other technical reports, unless appropriate design and construction techniques and farming practices are used in accordance with the provisions of these regulations. Where specific information is not available, steep slopes are lands having average slopes over 12% as measured over horizontal distances of 50 feet or more, that are not bluffs.

Hardcover Surface - Any structure or material that substantially reduces or prevents the infiltration of storm water into the ground including, but not limited to, buildings, other structures, and driveways and parking areas surface with any type of pavement or gravel.

STEEP SLOPE ALTERATION PERMIT PROCEDURES:

The City Code requires, prior to the commencement of any development on a steep slope, an application for a permit shall be made to the City for review and approval by the Planning Commission and City Council. Steep Slopes, as defined in the Shoreland Overlay District, are slopes exceeding 12% over a distance of 50 feet or more, which are not bluffs. Properties outside of the Shoreland Overlay District are also required to get approval of a Steep Slope Alteration Permit prior to commencement of any work for slopes of 18% or more.

The Shoreland Overlay District states *“Local government officials must evaluate the possible soil erosion impacts and development visibility from public waters before issuing a permit for construction of sewage treatment systems, roads, driveways, structures or other improvements on steep slopes. When determined necessary, conditions must be attached to issued permits to prevent erosion and to preserve existing vegetation screening of structures, vehicles, and other facilities as viewed from the surface of the public waters, assuming summer, leaf-on vegetation.”*

Shoreland alterations are allowed per Ordinance as long as the applicant is not intensively clearing the vegetation on the steep slope, the structures on the property are reasonably screened as viewed from the water, pesticide use is minimized on the property, grading and or filling are done in a way as not to detrimentally affect the lake or neighboring properties, and exposure of bare ground is limited and methods to control soil erosion are put in place.

ENVIRONMENTAL PROTECTION REGULATIONS:

“Land alteration is the process of changing the existing landscape by excavating, filling, or grading... ..no land shall be altered, excavated, filled or graded and no vegetation removed without first obtaining a permit from the City.”

VARIANCE REVIEW CRITERIA:

Waconia City Code Section 900.12, Subd. 4 and Minnesota State Statue 462.357, Subd. 6 establishes criteria to be considered when contemplating the issuance of a Variance in terms of “practical difficulty” as follows: “Variances shall only be permitted when they are in harmony with the general purposes and intent of the ordinance and when the terms of the Variance are consistent with the Comprehensive Plan.” So a City evaluating a Variance application should make findings as to:

1. Is the Variance in *harmony* with the purposes and intent of the ordinance?
2. Is the Variance *consistent* with the Comprehensive Plan?
3. Does the proposal put the property to use in a *reasonable* manner?
4. Are there *unique circumstances* to the property not created by the landowner?
5. Will the Variance, if granted, alter the *essential character* of the locality?

State Statute specifically notes that economic considerations alone cannot create a practical difficulty. Whereas, practical difficulties exist only when the three statutory factors are met (1. Reasonableness, 2. Uniqueness, and 3. Essential character).

VARIANCE ANALYSIS AND PLANNING CONSIDERATIONS:

The applicant is proposing to demolish and rebuild a new home and improvements on the property located at 308 Lake Street West. Table 1.1 below indicates the existing, required, and proposed lot requirements for the property as indicated in the R-4, Mixed Residential District and the Shoreland Overlay District. The analysis of this variance submittal is based on the information provided on the attached survey.

Table 1.1

	Lot Requirements R-4 & Shoreland	Existing Conditions	Proposed Conditions
Lot Area	7,850sq. ft. min.	13,110 sq. ft.	13,110 sq. ft.
Front Yard Setback/Right-of- Way Setback	25'	21.1'	21'
Rear Yard Setback	75'	170'	133'
West Side Interior Yard Setback	5'	3.4'	7.9'
Right Side Yard Interior Setback	5'	3.4'	5'
Impervious Surface	25%	28.5%	26.5%*

1. The table above indicates that the lot area is conforming. The applicant is proposing to bring side yard setbacks into conformance, while the front yard setback is reduced by approximately 0.1 feet. The applicant is also proposing to reduce the impervious surface from 28.5% to 26.5%*. This decrease continues to exceed the maximum allowed in the Shoreland Overlay District by 2.5%*.
2. The existing impervious surface square footage of 3,739 sq. ft. consists of the existing house, boathouse, patio pavers, driveway and sidewalk, which exceeds the maximum impervious surface allowed (28.5%).
3. The proposed new construction will result in an overall lot coverage of 3,471 sq. ft. The afore-mentioned square footage does not include the proposed pervious paver driveway (679 sq. ft.) or the pervious paver walkway to the home (51 sq. ft.).

*The proposed new construction contains 766 sq. ft. of permeable pavers. This area is not included into the impervious surface calculations. If no credit were to be given for the pervious pavers, the overall impervious surface percentage would increase to 32.2%. The City Council should consider if the use of pervious pavers are an acceptable stormwater mitigation tool that should allow the applicant additional hardcover surface on the subject parcel.

PLANNING CONSIDERATIONS:

1. The permeable pavers are currently proposed as 100% pervious surface. The DNR has recommended that pervious pavers never be considered at 100% credit because actual green space is necessary in the Shoreland (see attached comments).
2. The DNR has also recommended that if pervious pavers are given some credit, mitigation be provided such as additional area dedicated to plantings other than turf grass.
3. The current slope is 35% and rises approximately 17 feet, therefore is not considered a bluff.
4. The proposed porch, stairs and part of the rear portion of the proposed house are within the slope. The proposed improvements would lower the elevation to 986 feet.
5. A retaining wall and fence along the east property line is proposed to be removed. Clarification how the wall will be removed without adverse impacts to the neighboring property owner will be necessary. If the neighboring property is impacted the applicant shall provide an agreement or written approval from the neighboring property owner(s) allowing temporary construction access for the project.
6. The maximum allowable driveway width at the connection to Lake Street is 24'. The permeable pavers are recommended by staff to extend to the concrete curb.
7. Consideration should be given to requiring/recommending additional trees or plantings on the property including restoration of native vegetation in the shore impact zone.
8. The City of Waconia does not currently have standards in place to indicate the specific credit to be associated with any pervious paver installation. With that said, if the Commission and Council determine the pervious paver system an acceptable means of stormwater mitigation in this situation, the City Engineer shall review the final plans for the pervious paver system and insure that the system is installed correctly.

PUBLIC NOTICE/COMMENT

The notice was published in the WACONIA PATRIOT on May 24th, 2018 and posted at Waconia City Hall. Individual notices were mailed to all property owners within 350 feet of the subject parcel. The DNR was contacted via email and their comments have been included in the Planning Considerations above. As of the date and time of this report the City has not received any public comments regarding the proposed Variance.

RECOMMENDATION

The Planning Commission, at their regular meeting on June 7th, 2018, recommended approval of the Steep Slope Alteration Permit and Variance Application via a 5-0 vote.

If the City Council chooses to approve the steep slope permit and variance for Jeff Hoxie, the Planning Commission and staff would recommend the approval upon the following conditions:

1. A rock construction entrance is required.
2. The maximum allowable driveway width at the connection to Lake Street is 24'.
3. The permeable paver driveway shall extend to the concrete curb or concrete apron.
4. The permeable paver detail shall include draitile and fabric in the design plans. The final plans shall be submitted to the City Engineer for review and approval.
5. Disturbed turf areas shall be restored with sod or seed within 5 days of inactivity. The disturbed areas should also include an erosion control blanket.
6. The silt fence shall be type heavy duty and include the patio removal area closer to the lakeshore.
7. Inlet protection is needed in the downstream drainage structures on Lake Street.
8. A maintenance agreement shall be necessary to ensure permeable surfaces continue to allow water to infiltrate in perpetuity.
9. Submittal of final grading plans and necessary agreements with property owner to the east to insure the removal of the retaining wall and fence does not have a negative impact on surrounding properties.

ATTACHMENTS:

1. Resolution (2 Pages)
2. Applications (7 Pages)
3. Public Hearing Notice (1 Page)
4. Architectural Plans (4 Pages)
5. Certificate of Survey – Existing (1 Page)
6. Certificate of Survey - Proposed (1 Page)
7. Proposed Permeable Paver Design Sheet (1 Page)
8. DNR Comments (2 Pages)
9. Site Photographs – Existing Conditions (8 Pages)

FINANCIAL IMPLICATIONS:

Funding Sources & Uses:

Budget Information:

Budgeted

Non Budgeted

Amendment Required

ADVISORY BOARD RECOMMENDATIONS:

Planning Commission

Parks and Recreation Board

Safari Island Advisory Board

Other

**Recommended approval via a 5-0
vote on May 3rd, 2018**

**CITY OF WACONIA
RESOLUTION 2018-126**

**A RESOLUTION APPROVING A STEEP SLOPE PERMIT AND VARIANCE
FOR THE PROPERTY LOCATED AT 308 LAKE STREET WEST**

WHEREAS, Jeff Hoxie (the “**Applicant**”), has submitted a Steep Slope Permit and Variance application on behalf of Tom & Pamela Kurtz (the “**Owners**”) for the property located at 308 Lake Street West (the “**Property**”) pursuant to Section 900.12 of the City Zoning Code; and

WHEREAS, the subject parcel is described as Lot 2, Block 52, CITY LOTS OF WACONIA and identified as PID# 750504620; and

WHEREAS, City Code requires a Steep Slope Alteration Permit application be made to the City for review and approval by the Planning Commission and City Council prior to any work commencing on a steep slope; and

WHEREAS, the Applicant is proposing the build a new home and improvements that extend into a steep slope with an average slope of 35%; and

WHEREAS, the existing impervious surface for the Property is currently 28.5% and the proposed plan reduces the impervious surface and replaces portions of impervious surfaces with a permeable paver system; and

WHEREAS, the front yard setback is currently 21.1’ and the proposed plans indicate a setback of 21’ from the Lake Street right-of-way. City Ordinance requires a minimum 25’ setback; and

WHEREAS, the Planning Commission, at their regular meeting on June 7th, 2018, voted 5-0 to recommend approval of the Steep Slope Land Alteration Permit and Variance application for the property located at 308 Lake Street West with the following conditions:

1. A rock construction entrance is required.
2. The maximum allowable driveway width at the connection to Lake Street is 24’.
3. The permeable paver driveway shall extend to the concrete curb or concrete apron.
4. The permeable paver detail shall include draitile and fabric in the design plans. The final plans shall be submitted to the City Engineer for review and approval.
5. Disturbed turf areas shall be restored with sod or seed within 5 days of inactivity. The disturbed areas should also include an erosion control blanket.
6. The silt fence shall be type heavy duty and include the patio removal area closer to the lakeshore.
7. Inlet protection is needed in the downstream drainage structures on Lake Street.
8. A maintenance agreement shall be necessary to ensure permeable surfaces continue to allow water to infiltrate in perpetuity.
9. Submittal of final grading plans and necessary agreements with property owner to the east to insure the removal of the retaining wall and fence does not have a negative impact on surrounding properties.

WHEREAS, the City Council further finds and concludes:

- 1) The applicant is proposing to reduce the existing 28.5% impervious surface by removing hardcover and the use of permeable pavers to help mitigate stormwater runoff.
- 2) The proposed new home and improvements are a reasonable use for the property within the Shoreland Overlay District.
- 3) The proposed setback and impervious surface is consistent with the neighborhood.
- 4) The Council finds that the variance will not alter the essential character of the locality because the use which the property is put will remain consistent with applicable zoning ordinances.
- 5) The property and the request are unique in that the existing structures were already over the allowed impervious surface and exceeded the minimum front yard setback requirements.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Waconia hereby approves the Steep Slope Alteration Permit and Variance application for Jeff Hoxie for the property located at 308 Lake Street West subject to the conditions, findings and recommendations of the Waconia Planning Commission stated above.

Adopted by the City Council of the City of Waconia this 18th day of June, 2018.

James P. Sanborn, Mayor

ATTEST: _____
Susan MH Arntz, City Administrator

M/ _____

S/ _____

Ayers	_____
Bloudek	_____
Carrier	_____
Erickson	_____
Sanborn	_____



CITY OF WACONIA
201 South Vine Street
Waconia, MN 55387
Phone: (952) 442-2184 Ext. 2
Fax (952) 442-2135
www.waconia.org

STEEP SLOPE ALTERATION PERMIT

Prior to the commencement of any development on a steep slope (18% of greater), an application for a permit shall be made to the City for review and approval by the Planning Commission and City Council.

Shoreland Overlay Zone

Where specific information is not available, steep slopes are lands having average slopes over 12%, as measured over horizontal distances of 50 feet or more, that are not bluffs.

Present zoning classification: R-4

Existing use of property: Single Family Home

THE FOLLOWING INFORMATION MUST BE SUBMITTED IN ORDER TO PROCESS THE APPLICATION

1. The time period over which the construction will take place.
2. The mapping and description of soil types, locations and erosion potential.
3. A topographic map showing existing contours.
4. A map showing the proposed or altered topography.
5. A description of vegetation and the amount of disturbance proposed.
6. Plans showing how the steep slopes will be developed, retained, and protected.
7. Erosion control plans.
8. Payment of application fee (\$125 Residential, \$250 Non-Residential) and \$500 deposit. Additional consulting review fees may apply, such as civil engineering and legal counsel.

Applicant's Signature: [Signature]

Date: 5/2/18

Printed Name: Self Hoxie



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Waconia, MN 55387
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Fax (952) 442-2135
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APPLICANT INFORMATION

1. Owner's Name: Tom & Pam Kurtz
2. Address of Property: 308 Lake St W
3. PID Number: 750504620
4. Legal Description: City lots of Waconia lot 2 Block 52
5. Applicant's Name: Jeff Hoxie - Hoxie Homes + Remodeling LLC
6. Mailing Address: 2103 Diamond Point Waconia, MN 55387
7. Daytime Phone(s): 952-457-4275
8. Email Address: jeff@hoxiehomes.com

The City will distribute copies & appropriate information to applicant via email

OFFICE USE ONLY

Date Received: 5/3/18

Fee: \$ 125⁰⁰ + 500 escrow
Receipt #: 0294081



CITY OF WACONIA
201 South Vine Street
Waconia, MN 55387
Phone: (952) 442-2184 Ext. 2
Fax (952) 442-2135
www.waconia.org

VARIANCE

APPLICANT INFORMATION

1. Owner's Name: Tom & Pam Kurtz
2. Address of Property: 308 Lake St W
3. Legal Description: City lots of Waconia lot 2 Block 52
4. Applicant's Name: Hoxie Homes & Remodeling LLC - Jeff Hoxie
5. Mailing Address: 2103 Diamond Point Waconia, MN 55387
6. Daytime Phone(s): 952-457-4275
7. Email Address: jeff@hoxiehomes.com

The City will distribute copies & appropriate information to applicant via email

OFFICE USE ONLY

Date Received: 5/3/18

Fee: \$ 125⁰⁰
Receipt #: 0294081



CITY OF WACONIA
201 South Vine Street
Waconia, MN 55387
Phone: (952) 442-2184 Ext. 2
Fax (952) 442-2135

VARIANCE APPLICATION

1. Present Zoning: R-4
2. Existing use of Property: Single Family Home
3. Has request for a variance on this property been sought previously? If so, when? - No -

IMPORTANT

Subd. 4. Variances

- A. No variance shall be granted to allow a use not permitted under the terms of this Ordinance in the district involved. In granting a variance the Board may prescribe appropriate conditions in conformity with this Ordinance. When such conditions are made part of the terms under which the variance is granted, violation of the conditions is a violation of this Ordinance. A variance shall not be granted by the Board unless it conforms to the following standards:
1. Special conditions and circumstances exist which are peculiar to the land, structure, or building involved and do not result from the actions of the petitioner.
 2. Literal interpretation of the provisions of this Ordinance would deprive the petitioner of rights commonly enjoyed by other properties in the same district under the terms of this Ordinance.
 3. Granting the variance requested will not confer on the applicant any special privilege that is denied by this Ordinance to other lands, structures, or buildings in the same district.
 4. The proposed variance will not impair an adequate supply of light and air to adjacent property, or unreasonably diminish or impair established property values within the surrounding area, or in any other respect impair the public health, safety, or welfare of the residents of the City.
 5. FINANCIAL SAVINGS WILL NOT CONSTITUTE A HARDSHIP.

THE FOLLOWING INFORMATION MUST BE FURNISHED IN ORDER TO PROCESS THE APPLICATION

1. A letter from the applicant(s) which should address the following:
 - Explain (in detail) the variance you are requesting (giving distances where appropriate).
 - Conditions or peculiar difficulties to the structure or land, which makes a variance necessary.
 - Why do you feel a variance should be granted in this instance?
2. Payment of application fee (\$125 residential; \$275 non-residential)
3. Non-residential variance requests are required to submit an escrow payment in the amount of \$1,000.00.

****Additional information may be requested by staff, based on the proposal. Additional consulting review fees may apply, such as civil engineering and legal counsel.**

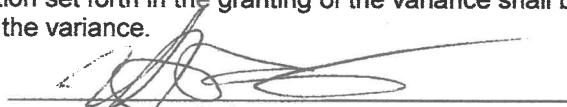
4. Scaled site plan with north arrow indicating existing structures and proposed additions or modification to structures.
5. Show all distances of buildings and structures from property lines.
6. Show any unique features to property associated with variance request (i.e. trees, ravines, steep slopes, etc.).

The Planning Commission may or may not hold a public hearing on the request (based on the amount of the variance requested). The Planning Commission should make a recommendation to the City Council within sixty (60) days. If they do not, the City Council may proceed without the Planning Commission's recommendation.

The City Council may approve, approve with conditions, or deny the variance. If a variance is denied the applicant cannot resubmit a variance request for that same property until six (6) months has lapsed. If a variance is approved, it should be made use of within one (1) year or it will become void.

A violation of any condition set forth in the granting of the variance shall be a violation of the zoning ordinance and automatically terminate the variance.

Applicant's Signature:



Date:

5/2/18

Printed Name:

Jeff Hoxie



To whom it may concern,

The owners (Tom & Pam Kurtz) of 308 Lake Street West request a review of the variance application to allow for a new home on their property. Existing zoning is R4. Owners are requesting a 3 part variance.

1. To allow development of their new home on and within a steep slope in the Shoreland Overlay District. Definition of a steep slope is more than 12% grade (6 feet rise over 50 foot run). The average slope of the property is 14% from edge of lake to the street. Within the property the hillside does reach a max slope of 35%. We are asking for this variance as it is a typical slope for all properties along Lake Street West and the new home will add value to the area. We would like to start construction in June and be finished by December of 2018.
2. To allow the garage of the new home to be within the front property setback. The variance would allow the new garage of the home to be 21' back from the property line instead of the minimum requirement of 25'. This location is exactly where the current home sits today and it lines up with the 3 adjacent properties to the West. The current home to the East is only 4.4' from the front property line.
3. To allow the property to have an impervious area of 26.5% versus the allotted 25%. Currently the property is at 28.5%. We would make a 2% improvement from current conditions while using permeable pavers for the driveway and sidewalk surface. We would also remove the impervious patio from the lakeside.

In trying to design the new home for Tom & Pam we were repeatedly challenged by the elevation change within the property and overall width of the property. Tom & Pam are a family of 5 with soon to be their 4th driver. They currently do not have a garage and can only park 2 cars in the driveway. The biggest change from their existing home to this new proposed home is the addition of a 3 car garage and an additional bedroom.

1. We looked at moving the home closer to the road to avoid the steep slope area and have even less impervious area. This however does takes away the ability to park in the driveway and moves the home even further into the front setback.
2. We looked at moving the home out of the front yard setback but this adds impervious area and puts us further into the steep slope area.

2103 Diamond Point
Waconia, Mn 55387
952-457-4275
jeff@hoxiehomes.com



3. We will be removing the existing retaining walls neighboring the property as well as the lakeside patio to allow for more permeable area.
4. While using permeable pavers for the driveway we could continue those pavers into the front street easement also increasing the permeable area in front of the property.
5. We lowered the LFE to 986 (3' lower than existing) to help grading into neighboring properties and also lowering the steep slope area.
6. Current steep slope area has clay soil with a layer of black dirt, a few concrete retaining walls and intermixed grass and small plantings. We propose to remove the retaining walls and have a nice even slope towards the lake while planting grass on the entire area.

We feel this variance will give the Kurtz family:

1. a comfortable and comparable home similar to other properties on Lake Street
2. no special privilege from anyone else on Lake Street
3. does not interfere with neighboring properties
4. adding value to the neighboring properties
5. lowering the overall impervious area of the current property

Thank you,

A handwritten signature in black ink, appearing to read 'Jeff Hoxie', is written over a horizontal line.

Jeff Hoxie

Hoxie Homes & Remodeling LLC

2103 Diamond Point
Waconia, Mn 55387
952-457-4275
jeff@hoxiehomes.com

CITY OF WACONIA, MN
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Planning Commission of the City of Waconia, MN, will hold a public hearing on June 7th, 2018 at 6:30 p.m., at the Waconia City Hall, 201 South Vine Street, Waconia, MN, to consider a Variance to exceed the minimum front yard setback and maximum impervious surface allowed in the Shoreland Overlay District.

The applicant, Jeff Hoxie, has proposed a Variance to construct a home and other improvements that would cause the property exceed the minimum 25' front yard setback and to exceed the 25% impervious surface maximum allowed in the Shoreland Overlay District.

Pertinent information pertaining to this request is available at City Hall. Interested persons may submit written or oral comments pertaining to this matter any time prior to the hearing, or at the hearing on June 7th, 2018. Written comments will be distributed to the Planning Commission for review and consideration. Please submit written comments by mail, email or in person as follows:

Mail/in person: Ethan Nelson, 201 South Vine Street, Waconia, MN 55387
Email: enelson@waconia.org

By: WACONIA PLANNING COMMISSION
ATTEST: Ethan Nelson, Assistant Planner

(Published in the May 24th, 2018 Waconia Patriot newspaper)

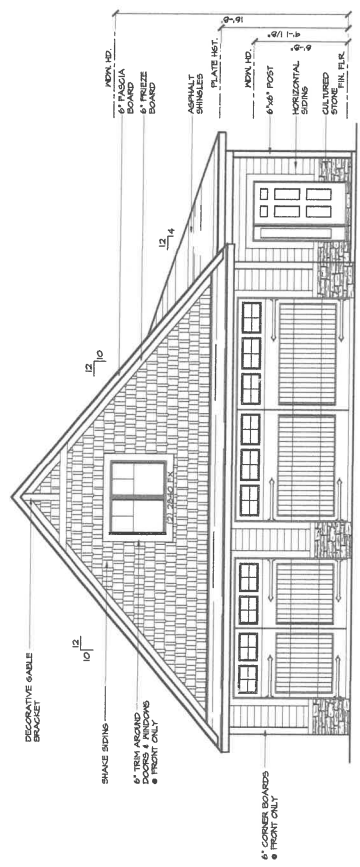
GENERAL NOTES:
 1. ALL WORK SHALL BE DONE IN ACCORDANCE WITH INTERNATIONAL BUILDING CODES AND LOCAL CODES.
 2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS.
 3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY INSURANCE.
 4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY BONDS.
 5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY NOTICES.
 6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY APPROVALS.
 7. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY RECORDS.
 8. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY AS-BUILT DRAWINGS.
 9. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PHOTOGRAPHS.
 10. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY SURVEY DATA.
 11. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY UTILITY LOCATIONS.
 12. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY EROSION CONTROL MEASURES.
 13. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY WEEDING AND MAINTENANCE.
 14. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY FENCING AND SIGNS.
 15. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY TRAFFIC CONTROL MEASURES.
 16. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY NEIGHBOR NOTICES.
 17. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY COMMUNITY MEETINGS.
 18. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PUBLIC HEARINGS.
 19. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY CITY COUNCIL APPROVALS.
 20. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY CITY COMMISSIONER APPROVALS.
 21. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY CITY CLERK RECORDS.
 22. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY CITY ARCHIVE RECORDS.
 23. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY CITY HISTORIC RECORDS.
 24. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY CITY LEGAL RECORDS.
 25. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY CITY POLICE RECORDS.
 26. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY CITY FIRE DEPARTMENT RECORDS.
 27. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY CITY HEALTH DEPARTMENT RECORDS.
 28. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY CITY SOCIAL SERVICES RECORDS.
 29. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY CITY HUMAN SERVICES RECORDS.
 30. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY CITY EDUCATION RECORDS.
 31. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY CITY CULTURAL RECORDS.
 32. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY CITY RECREATION RECORDS.
 33. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY CITY PARKS RECORDS.
 34. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY CITY ZONING RECORDS.
 35. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY CITY PLANNING RECORDS.
 36. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY CITY ENGINEERING RECORDS.
 37. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY CITY ARCHITECTURAL RECORDS.
 38. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY CITY LANDSCAPE RECORDS.
 39. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY CITY TREE RECORDS.
 40. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY CITY BIODIVERSITY RECORDS.
 41. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY CITY CLIMATE RECORDS.
 42. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY CITY ENERGY RECORDS.
 43. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY CITY WATER RECORDS.
 44. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY CITY WASTE RECORDS.
 45. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY CITY TRANSPORTATION RECORDS.
 46. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY CITY INFRASTRUCTURE RECORDS.
 47. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY CITY UTILITIES RECORDS.
 48. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY CITY TELECOMMUNICATIONS RECORDS.
 49. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY CITY MEDIA RECORDS.
 50. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY CITY ARTS RECORDS.
 51. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY CITY MUSIC RECORDS.
 52. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY CITY THEATRE RECORDS.
 53. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY CITY FILM RECORDS.
 54. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY CITY VIDEO RECORDS.
 55. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY CITY PHOTOGRAPHY RECORDS.
 56. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY CITY JOURNALISM RECORDS.
 57. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY CITY WRITING RECORDS.
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 71. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY CITY HERITAGE RECORDS.
 72. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY CITY LANDSCAPE RECORDS.
 73. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY CITY GARDEN RECORDS.
 74. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY CITY PARKS RECORDS.
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 76. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY CITY SPORTS RECORDS.
 77. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY CITY ARTS RECORDS.
 78. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY CITY MUSIC RECORDS.
 79. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY CITY THEATRE RECORDS.
 80. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY CITY FILM RECORDS.
 81. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY CITY VIDEO RECORDS.
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 100. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY CITY GARDEN RECORDS.

Kurtz Residence

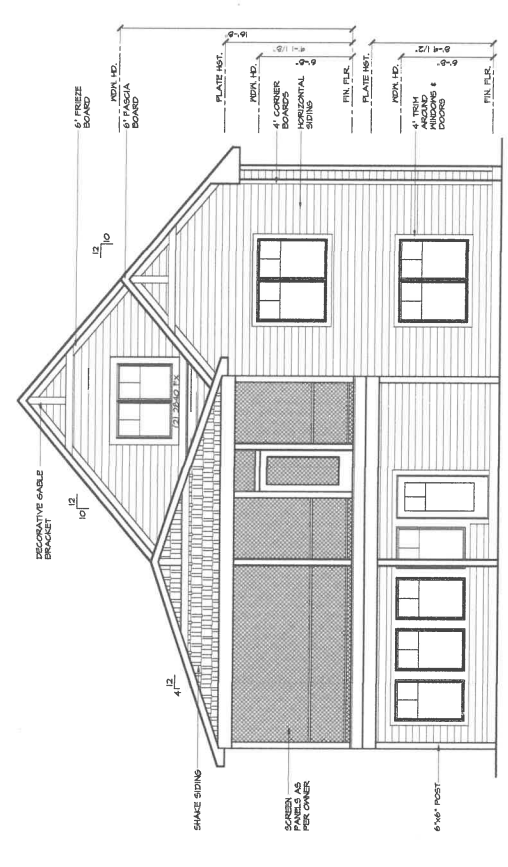
PLAN NUMBER	C-2017-220
SQUARE FOOTAGE	1,414
DATE	1/14/14
DESIGNED BY	DAVID B. BROWN
DRAWN BY	DAVID B. BROWN
CHECKED BY	DAVID B. BROWN
DATE SUBMITTED	1/14/14
DATE REVIEWED	1/14/14
DATE APPROVED	1/14/14

SHEET INDEX
1 - EXTERIOR ELEVATIONS
2 - EXTERIOR ELEVATIONS
3 - BASEMENT FOUNDATION
4 - ROOF PLAN AND SECTION

1 of 4



Front Elevation
 SCALE: 1/4" = 1'-0"

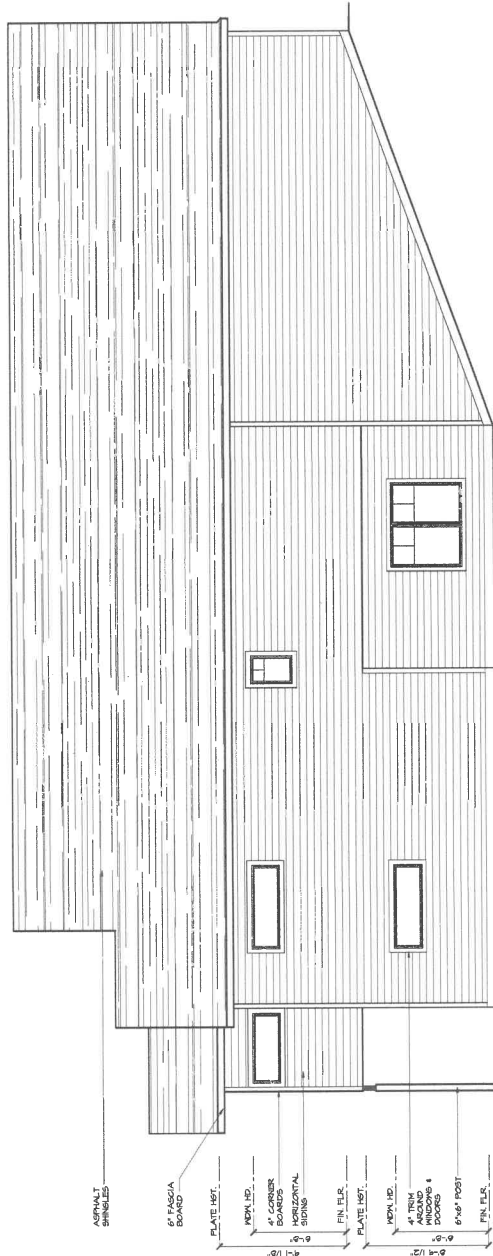


Rear Elevation
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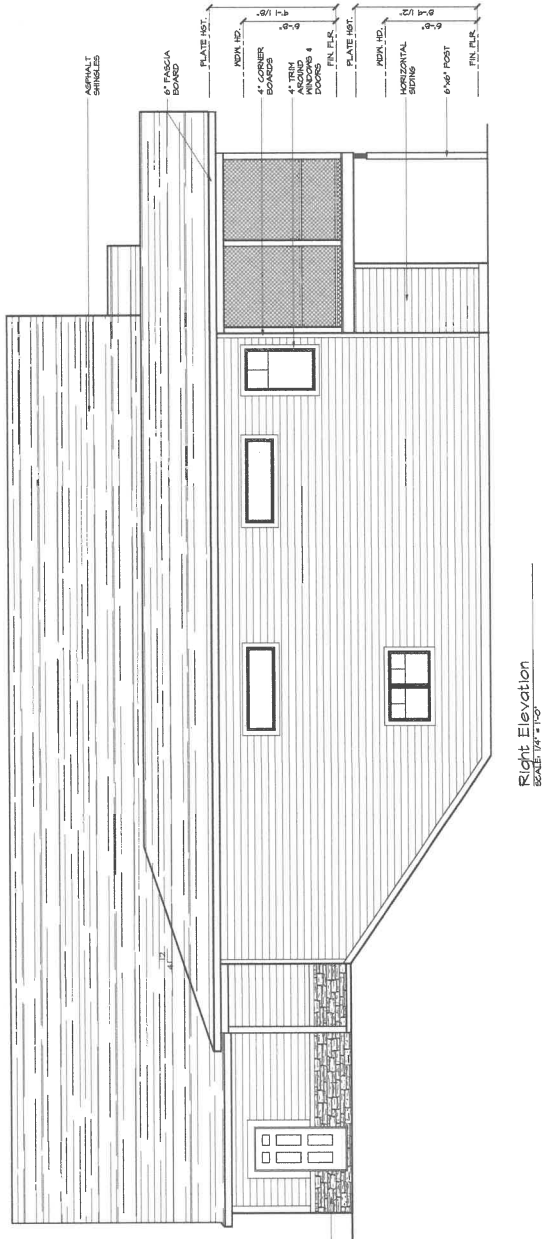
Kurtz Residence

PLAN NUMBER:
 C-2017-220
 DRAWN BY:
 J.E.
 CHECKED BY:
 J.E.
 DATE:
 08/01/00

2 of 4



Left Elevation
SCALE: 1/4" = 1'-0"



Right Elevation
SCALE: 1/4" = 1'-0"

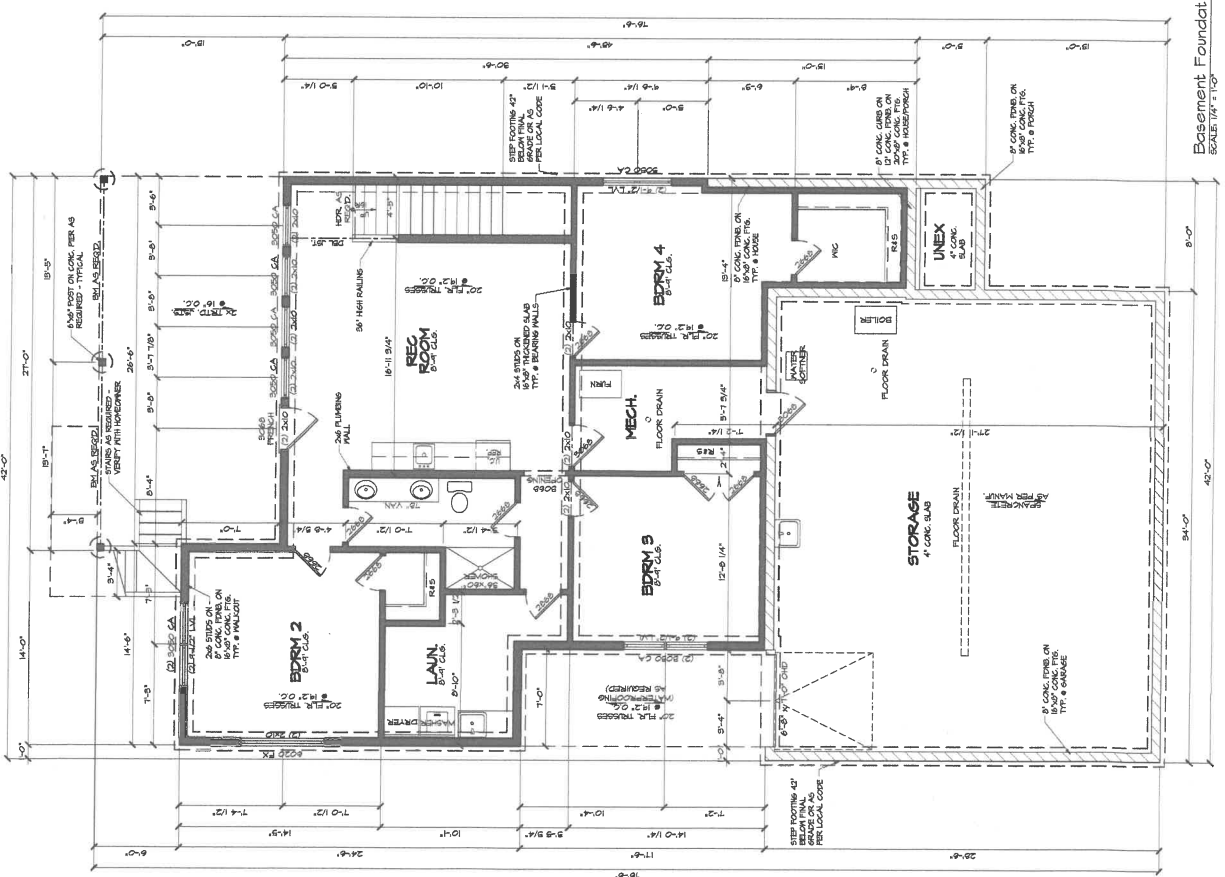
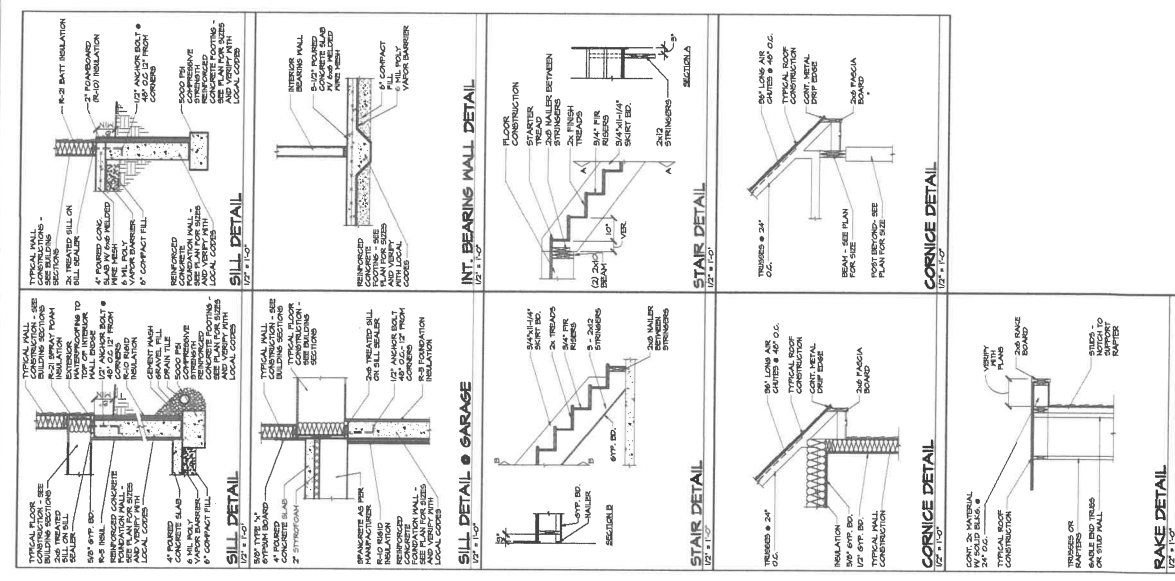


1201 Main Street, Suite 100
St. Paul, MN 55102
(612) 291-1234
www.mes.com

Kurtz Residence

PLAN NUMBER	C-2017-220
OWNER	MR. & MRS. KURTZ
DATE	10/1/17
DESIGNED BY	ME
CHECKED BY	ME
DATE REVISION	10/1/17

3 of 4

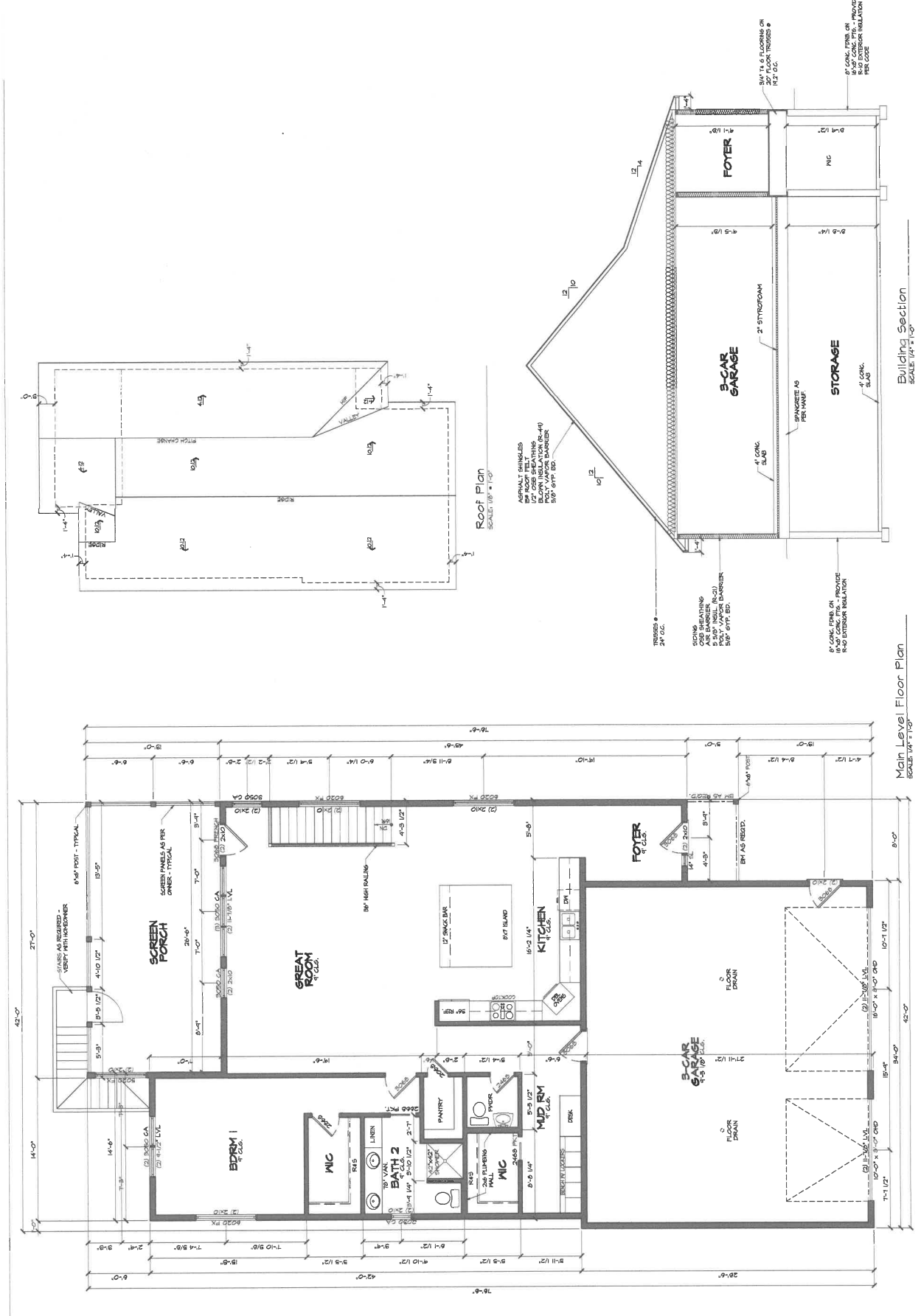


Basement Foundation Plan
SCALE 1/4\"/>

Kurtz Residence

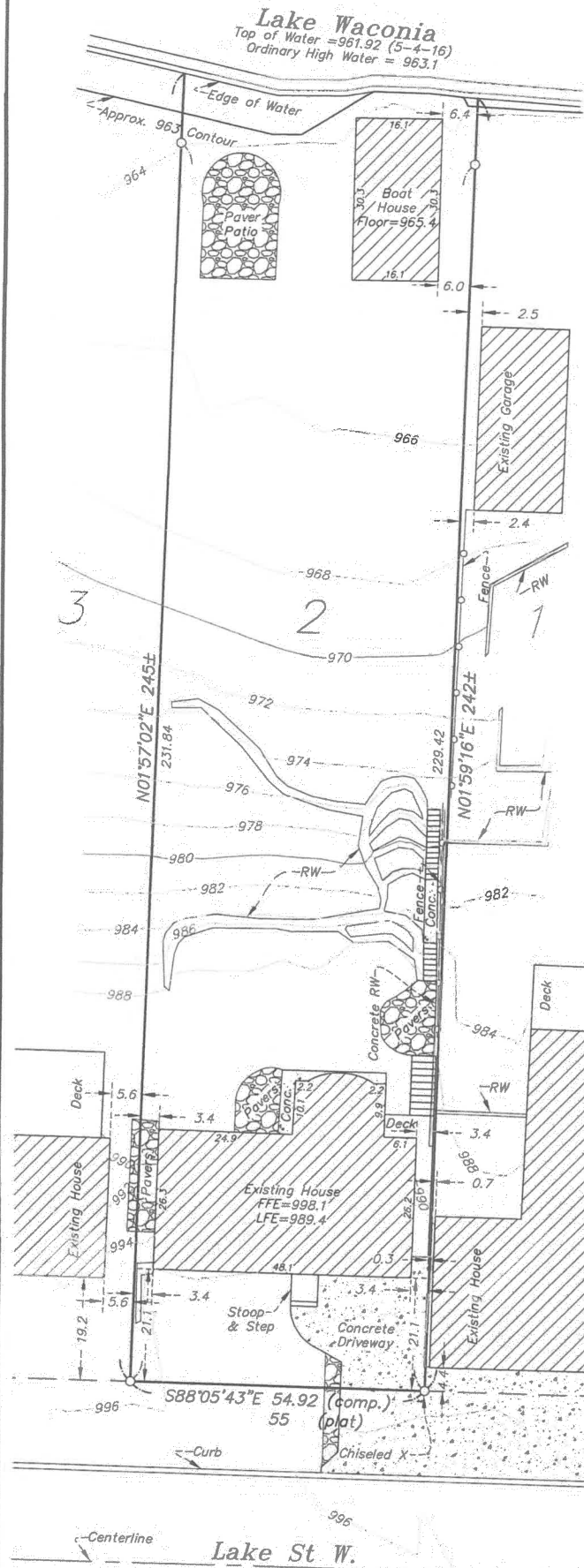
PLAN NUMBER	DATE	BY	CHK
01	12/20	JL	ML
02	1/10	JL	ML
03	2/10	JL	ML
04	3/10	JL	ML
05	4/10	JL	ML
06	5/10	JL	ML
07	6/10	JL	ML
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100	3/18	JL	ML

4 of 4



Certificate of Survey

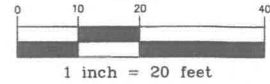
Prepared for:
Hoxie Homes



Legend

- Found Iron Monument
- Set Iron Monument (LS 14700)
- RW Retaining Wall

SCALE



Address: 308 Lake Street W
Waconia, MN 55387

Description (supplied by client)

Lot 2, Block 52, CITY LOTS OF WACONIA,
according to the recorded plat thereof,
Carver County, Minnesota. Subject to any
and all easements of record.

Existing Hardcover	(sq. ft.)
House	1,446
Boat House	489
Deck & Steps	158
Concrete Driveway	443
Pavers	612
Concrete & Steps (rear)	127
Stoop & Steps	30
Retaining Walls	434
	<u>3,739</u>

Lot Area	13,110
Total Hardcover	28.5%

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

Paul B. Schoborg
Paul B. Schoborg

Registration No. 14700
Date: APRIL 11 2018

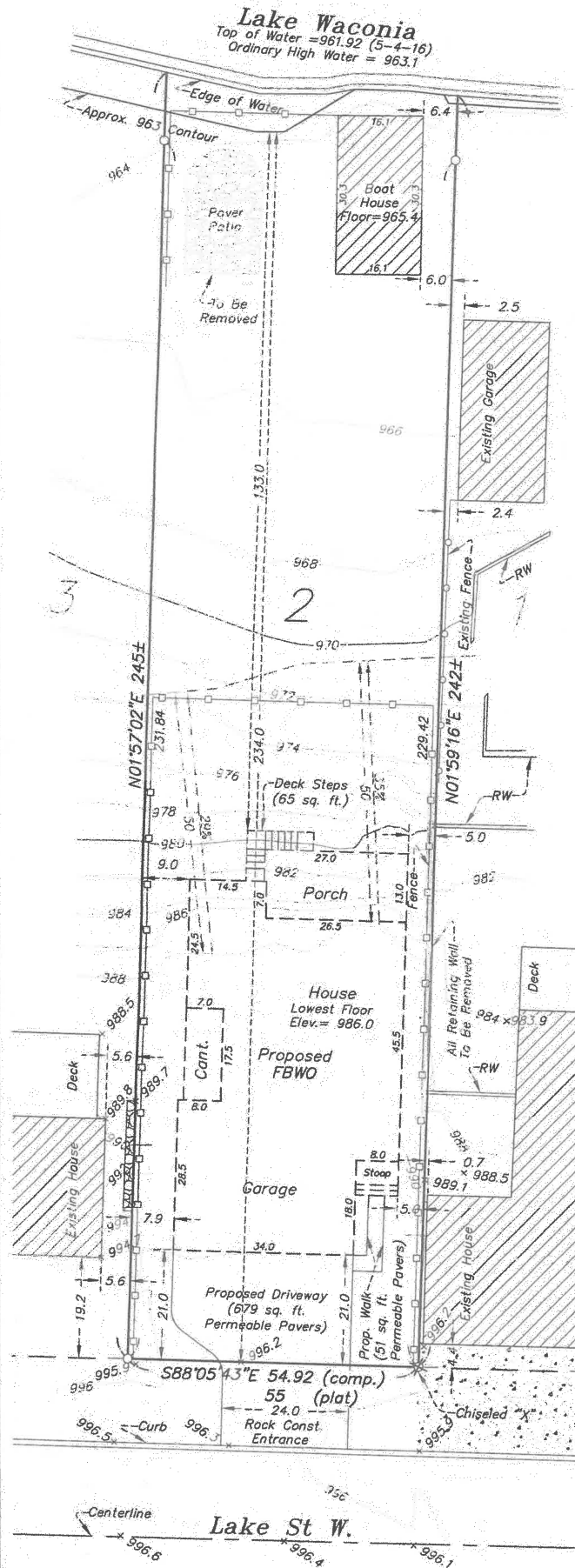
SCHOBORG
LAND SERVICES
INC.

763-972-3221 8997 Co. Rd. 13 SE
www.schoborgland.com Delano, MN 55328

Bearings based on assumed datum.

Building Permit Survey

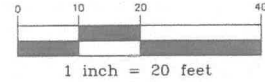
Prepared for:
Hoxie Homes



Legend

- Found Iron Monument
- Set Iron Monument (LS 14700)
- RW Retaining Wall
- x 000.0 Existing Elevation
- Proposed Silt Fence

SCALE



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Waconia, MN 55387

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Concrete Driveway	443
Pavers	612
Concrete & Steps (rear)	127
Stoop & Steps	30
Retaining Walls	434
	3,739
Lot Area	13,110
Total Hardcover	28.5%

Proposed Hardcover	(sq. ft.)
FBWO House/Garage	2,467
Cantilever (-17.5)	105
Porch	347
Stoop	52
Existing Boat House	489
	3,460
Lot Area	13,110
Total Hardcover	26.4%

Average Slope
(from Front to Back of Lot): 14%

Job Number:	8184
Book/Page:	LL
Survey Date:	4-27-16, 5-04-16,
	3-1-17
Drawing Name:	hoxie.dwg
Drawn by:	DMS
Revisions:	3-1-17, 4-11-18
	5-02-18, 5-23-18 (city requests)

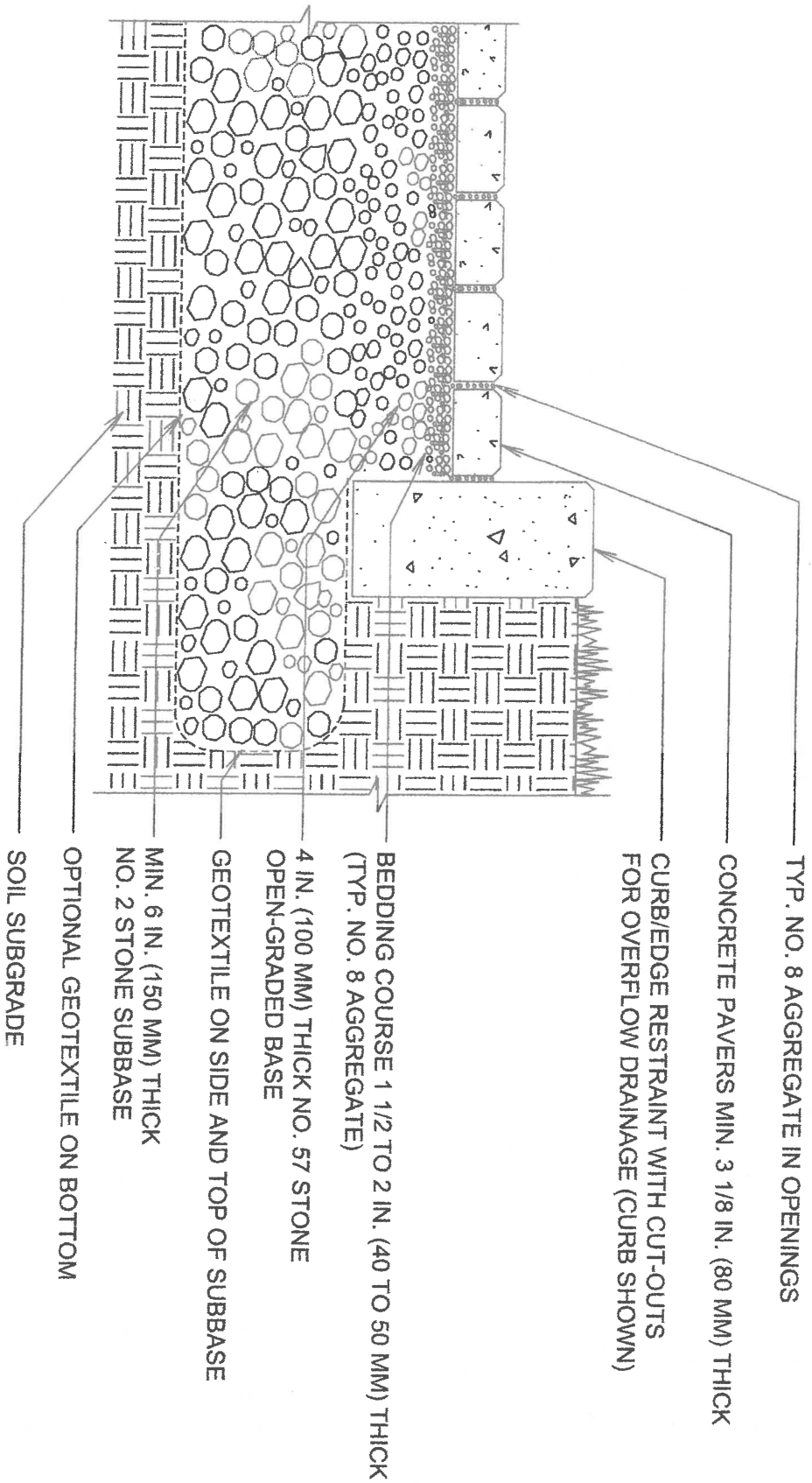
I hereby certify that this certificate of survey was prepared by me
or under my direct supervision and that I am a duly Registered
Land Surveyor under the laws of the State of Minnesota.

Paul B. Schoborg
Paul B. Schoborg

Registration No. 14700
Date: July 23, 2016

**SCHOBORG
LAND SERVICES
INC.**

763-972-3221 8997 Co. Rd. 13 SE
Waconia, MN 55387
www.schoborgland.com



NOTES:

1. 2 3/8 IN. (60 MM) THICK PAVERS MAY BE USED IN PEDESTRIAN APPLICATIONS.
2. NO. 2 STONE SUBBASE THICKNESS VARIES WITH DESIGN. CONSULT ICPI PERMEABLE INTERLOCKING CONCRETE PAVEMENT MANUAL.

PERMEABLE PAVEMENT WITH FULL EXFILTRATION TO SOIL SUBGRADE

DRAWING NO.

ICPI-68

SCALE

NO SCALE

Ethan Nelson

From: Skancke, Jennie (DNR) <jennie.skancke@state.mn.us>
Sent: Wednesday, May 23, 2018 11:24 AM
To: Ethan Nelson
Cc: Petrik, Daniel (DNR); Lane Braaten
Subject: RE: 308 Lake Street West Variance Public Hearing

Thanks Ethan,

We recommend that pervious pavers never be considered at 100% credit. We ask for a limit to impervious in the shoreland not only for water to infiltrate but because actual green space is necessary in shoreland, to provide habitat and other benefits. Pervious pavers do not provide the same benefits as green space. If pervious pavers are given some credit we ask that mitigation be provided such as additional area dedicated to the planting of something other than turf grass.

Finally, we'd ask that the City consider adopting something in the ordinance specifically addressing pervious pavers. The City of Chanhassen has a very strong standard if you'd like an example to provide to council.

http://chanhassen.granicus.com/MetaViewer.php?view_id=1&event_id=395&meta_id=22000.

Thanks,
Jennie

Jennie Skancke

South and West Metro Area Hydrologist | Ecological and Water Resources

Minnesota Department of Natural Resources

1200 Warner Rd

St. Paul, MN, 55106

Phone: 651-259-5790

Email: Jennie.Skancke@state.mn.us



From: Ethan Nelson [mailto:enelson@waconia.org]
Sent: Wednesday, May 23, 2018 10:55 AM
To: Skancke, Jennie (DNR) <jennie.skancke@state.mn.us>
Subject: 308 Lake Street West Variance Public Hearing

Hi Jennie,

I have another variance application for your review for our upcoming public hearing on June 7th, 2018. See attachments and let me know if you have any comments. I will be out of the office starting Friday, so if you cannot get your comments back to me by tomorrow afternoon can you copy Lane Braaten into the email as well to ensure any potential comments you may have are attached to our report? If you have any specific questions let me know tomorrow otherwise Lane can always answer your questions too.

The Variances are a 21' front yard setback as opposed to the required 25' setback and a proposed 26.5%* impervious surface versus the existing 28.5%.

*There are proposed permeable pavers for the driveway and sidewalk. The credit for these have not been calculated and are currently proposed at 100%. Staff is in process of determining an appropriate credit to apply so the current impervious surface may increase.

If you need any additional info or material let me know.

Thanks!

Ethan Nelson

Assistant Planner

City of Waconia

201 South Vine Street

Waconia, MN 55387

Office: 952-442-2184

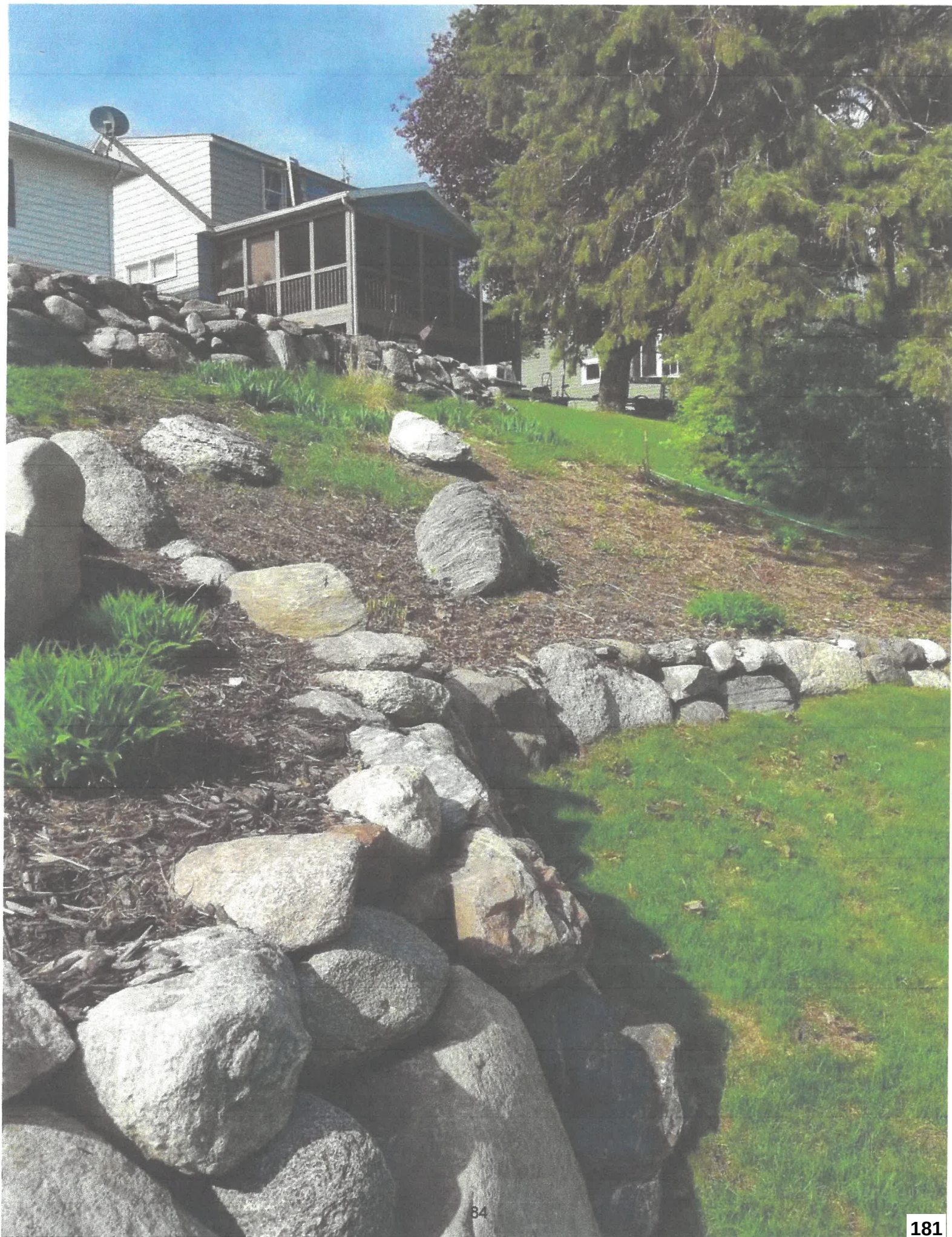
Direct: 952-442-3110

www.waconia.org













REQUEST FOR CITY COUNCIL ACTION

Meeting Date:	December 3 rd , 2018					
Item Name:	CONTINUED - Steep Slope Alteration Permit and Variance request by Ross Reichenberger for the property located at 304 Main Street East					
Originating Department:	Community Development					
Presented by:	Ethan Nelson, Assistant Planner					
Previous Council Action (if any):	Discussion Tabled on September 17 th , 2018					
Item Type (X only one):	Consent		Regular Session	<u>X</u>	Discussion Session	

RECOMMENDATIONS/COUNCIL ACTION/MOTION REQUESTED (Include motion in proper format.)

Adopt Resolution 2018-230 denying the Steep Slope Alteration Permit and Variance applications to allow construction of a 576 square foot accessory structure and improvements within a steep slope, the road right-of-way, the 15' side street setback, the bluff impact zone, and to exceed the 25% maximum impervious surface allowed in the Shoreland Overlay District for the property located at 304 Main Street East.

Adopt Resolution 2018-231 approving the Steep Slope Alteration Permit and Variance applications to reconstruct a 224 square foot accessory structure in the same location and size as the previous structure, which was destroyed by fire.

EXPLANATION OF AGENDA ITEM (Include a description of background, benefits, and recommendations.)

Applicant: Ross Reichenberger
Owner: Ross & Colleen Reichenberger
Address: 304 Main Street East
PID# 750504260
Zoning: R-2, Single Family Residential District
Special District: Shoreland Overlay District

BACKGROUND

During the regular City Council meeting on September 17th, 2018 the Council considered the Steep Slope Alteration Permit and Variance applications to construct an accessory structure in the rear yard of the Reichenberger property located at 304 Main Street East. A motion for denial was made and left open when the agenda item was tabled. Staff was instructed to draft a resolution that would allow construction of an accessory structure within the existing footprint of the original shed structure on the property, which existed prior to the fire.

PLANNING CONSIDERATIONS/CLARIFICATION

1. City Code Section 900.06 Supplementary Regulations states that "any accessory structure in excess of 144 square feet that is detached from the principal structure shall provide driveway access to a public street. Any such driveway shall: 1) be no less than 10 feet wide **and made from a bituminous, concrete or other driveway surface approved by the City**". Improvement of the driveway surface was a recommended condition of approval when the application requesting a 576 square foot accessory structure was reviewed by the Planning Commission. The original shed structure was 224 square feet, therefore, based on our current ordinances the structure would require an improved driveway surface. The Council should discuss this ordinance and provide staff direction pertaining to whether this requirement should be included in the conditions of approval.
2. The applicant proposed to remove approximately 527 square feet of impervious surface indicated on the Certificate of Survey as "Exist Gravel to be Grass" based upon the anticipated approval of a 576 square foot accessory structure. The Council should discuss if the applicant should still be required to remove the 527 square feet of gravel surface as proposed if the 224 square foot structure is approved.

RECOMMENDATION

The Council should review the Planning Considerations above and provide direction to staff. Based on the direction of the City Council, staff has included a draft resolution denying the Steep Slope Alteration Permit and Variance Application for the proposed 576 square foot accessory structure and a draft resolution approving a Variance and Steep Slope Permit for the replacement of the 224 square foot structure, which is consistent with the size of the previous detached accessory structure on the subject property.

ATTACHMENTS:

1. Draft Denial Resolution (2 Pages)
2. Draft Approval Resolution (3 Pages)

FINANCIAL IMPLICATIONS:

Funding Sources & Uses:

Budget Information:

Budgeted

Non Budgeted

Amendment Required

ADVISORY BOARD RECOMMENDATIONS:

Planning Commission

**Recommended denial via a 4-1
vote on September 6th, 2018**

Parks and Recreation Board

Safari Island Advisory Board

Other

**CITY OF WACONIA
RESOLUTION 2018-230**

**A RESOLUTION DENYING A STEEP SLOPE PERMIT AND VARIANCE
FOR THE PROPERTY LOCATED AT 304 MAIN STREET EAST**

WHEREAS, Ross Reichenberger (the “**Applicant**”), has submitted a Steep Slope Alteration Permit and Variance application for the property located at 304 Main Street East (the “**Property**”) pursuant to Section 900.12 of the City Zoning Code; and

WHEREAS, the subject parcel is described as Lot 14, Block 42, CITY LOTS OF WACONIA and identified as PID# 750504260; and

WHEREAS, the Applicant is proposing to construct a 576 sq. ft. accessory structure in the Shoreland Overlay District and the R-2, Single Family District, and

WHEREAS, the Applicant’s proposed structure and improvements are to be located within the bluff impact zone, which is prohibited in the Shoreland Overlay District; and

WHEREAS, the proposed structure also partially extends into a steep slope. City Code requires a Steep Slope Alteration Permit application be made to the City for review and approval by the Planning Commission and City Council prior to any work commencing on a steep slope; and

WHEREAS, the existing impervious surface for the Property is currently 43.81% and the proposed plan reduces the impervious surface to 41.77% versus the 25% impervious surface maximum allowed in the Shoreland Overlay District; and

WHEREAS, the side street setback is currently 0 ft. and the proposed plans indicate a setback of 0 ft. from the Oak Street right-of-way. City Ordinance requires a 15 ft. minimum setback from the side street in the R-2, Single Family District; and

WHEREAS, the proposed structure extends into the road right-of-way. City Ordinance prohibits encroachment into the road right-of-way; and

WHEREAS, the Planning Commission, at their regular meeting on September 6th, 2018, held the required public hearing and recommended denial of the Steep Slope Land Alteration Permit and Variance application for the property located at 304 Main Street East via a 4-1 vote.

WHEREAS, the City Council initially discussed the application on September 17th, 2018. The Council tabled the application and instructed staff to draft an additional resolution approving the reconstruction of the original structure in its original size and location; and

WHEREAS, the City Council further finds and concludes:

- 1) The expansion of the proposed accessory structure within the side street setback does not put the property to use in a reasonable manner.
- 2) The proposed 41.77% impervious surface on the lot is not in harmony with the purposes and intent of the Shoreland Overlay District.
- 3) The request to construct improvements within the road right-of-way is not consistent with the Comprehensive Plan or City Ordinance requirements.

- 4) The proposed accessory structure's construction within the bluff impact zone would negatively alter the essential character of the locality.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Waconia hereby denies the Steep Slope Alteration Permit and Variance application for Ross Reichenberger for the property located at 304 Main Street East subject to the conditions, findings and recommendations of the Waconia Planning Commission stated above.

Adopted by the City Council of the City of Waconia this 3rd day of December, 2018.

James P. Sanborn, Mayor

ATTEST: _____
Susan MH Arntz, City Administrator

M/ _____

S/ _____

Ayers	_____
Bloudek	_____
Carrier	_____
Erickson	_____
Sanborn	_____

**CITY OF WACONIA
RESOLUTION 2018-231**

**A RESOLUTION APPROVING A STEEP SLOPE PERMIT AND VARIANCE
FOR THE PROPERTY LOCATED AT 304 MAIN STREET EAST**

WHEREAS, Ross Reichenberger (the “**Applicant**”), has submitted a Steep Slope Alteration Permit and Variance application for the property located at 304 Main Street East (the “**Property**”) pursuant to Section 900.12 of the City Zoning Code; and

WHEREAS, the subject parcel is described as Lot 14, Block 42, CITY LOTS OF WACONIA and identified as PID# 750504260; and

WHEREAS, in the winter of 2016, a fire destroyed the Applicant’s accessory structure; and

WHEREAS, the Applicant was not able to rebuild the structure to its legal non-conforming status within State Statutes and City code requirements; and

WHEREAS, the Applicant is proposing to construct a 224 sq. ft. accessory structure in the Shoreland Overlay District and the R-2, Single Family District, and

WHEREAS, the accessory structure is proposed to be built within the existing footprint of the previously demolished structure and not dimensionally expanded in any way; and

WHEREAS, the Applicant’s proposed structure and improvements are to be located within the bluff impact zone, which is prohibited in the Shoreland Overlay District; and

WHEREAS, the proposed structure also partially extends into a steep slope. City Code requires a Steep Slope Alteration Permit application be made to the City for review and approval by the Planning Commission and City Council prior to any work commencing on a steep slope; and

WHEREAS, the existing impervious surface for the Property is currently 43.81% and the proposed plan reduces the impervious surface to 37.67% versus the 25% impervious surface maximum required in the Shoreland Overlay District; and

WHEREAS, the side street setback is currently 0 ft. and the proposed plans indicate a setback of 0 ft. from the Oak Street right-of-way. City Ordinance requires a 15 ft. minimum setback from the side street in the R-2, Single Family District; and

WHEREAS, the proposed structure extends into the road right-of-way. City Ordinance prohibits encroachment into the road right-of-way; and

WHEREAS, the Planning Commission, at their regular meeting on September 6th, 2018, held the required public hearing and recommended denial of the Steep Slope Land Alteration Permit and Variance application requesting the construction of a 576 square foot accessory structure for the property located at 304 Main Street East via a 4-1 vote; and

WHEREAS, the Planning Commission recommended the City Council consider allowing the applicant to rebuild an accessory structure consistent with the previous shed size and location, which existed prior to the fire; and



REQUEST FOR PLANNING COMMISSION ACTION

Meeting Date: October 3rd, 2019
Item Name: PUBLIC HEARING - Variance request by John Rosenau for the property located at 1538 Basswood Court
Originating Department: Community Development
Presented by: Ethan Nelson, Assistant Planner
Previous Commission Action (if any):

RECOMMENDATIONS/ACTION/MOTION REQUESTED (Include motion in proper format.)

Open the Public Hearing

Close the Public Hearing

Motion recommending either approval or denial of the Variance application to exceed the 35% maximum impervious surface allowed in the R-1, Single Family District for the property located at 1538 Basswood Court.

EXPLANATION OF AGENDA ITEM (Include a description of background, benefits, and recommendations.)

BACKGROUND

Applicant: John Rosenau

Owner: Katie Warner

Address: 1538 Basswood Court

PID# 753230410

Zoning: R-1, Single Family Residential District

Request

REQUEST:

The City has received a Variance application from John Rosenau (the "applicant") to allow improvements at 1538 Basswood Court (the "Subject Property") that exceed the impervious surface maximum within the R-1, Single Family Residential District. Specifically, the applicant is requesting approval to allow a 224 sq. ft. porch addition. The addition would increase the impervious surface coverage on the parcel to 37.15% versus the 35% impervious surface maximum allowed in the district.

APPLICABLE ORDINANCE PROVISIONS:

1. Section 900.05 – District Regulations, Subd. 2.A – R-1, Single-Family Residential District
2. Section 900.12 – Administration, Enforcement and Procedures, Subd. 4 – Variances

DEFINITIONS:

Hardcover Surface - Any structure or material that substantially reduces or prevents the infiltration of storm water into the ground including, but not limited to, buildings, other structures, and driveways and parking areas surface with any type of pavement or gravel.

EXISTING CONDITIONS

The Subject Property is located in the Interlaken Woods 2nd Addition development. The development was reviewed and approved by the City Council on March 2nd, 2015. The property was reviewed by City staff and permitted to be developed on October 24th, 2015.

VARIANCE REVIEW CRITERIA:

Waconia City Code Section 900.12, Subd. 4 and Minnesota State Statute 462.357, Subd. 6 establishes criteria to be considered when contemplating the issuance of a Variance in terms of "practical difficulty" as follows: "Variances shall only be permitted when they are in harmony with the general purposes and intent of the ordinance and when the terms of the Variance are consistent with the Comprehensive Plan." So a City evaluating a Variance application should make findings as to:

1. Is the Variance in *harmony* with the purposes and intent of the ordinance?
2. Is the Variance *consistent* with the Comprehensive Plan?
3. Does the proposal put the property to use in a *reasonable* manner?
4. Are there *unique circumstances* to the property not created by the landowner?
5. Will the Variance, if granted, alter the *essential character* of the locality?

State Statute specifically notes that economic considerations alone cannot create a practical difficulty. Whereas, practical difficulties exist only when the three statutory factors are met (1. Reasonableness, 2. Uniqueness, and 3. Essential character).

VARIANCE ANALYSIS AND PLANNING CONSIDERATIONS:

The applicant is proposing to remove a patio space in the rear yard and construct a 224 sq. ft. porch addition on the property located at 1538 Basswood Court. Table 1.1 below indicates the existing, required, and proposed lot requirements for the property as indicated in the R-1, Single Family Residential District. The analysis of this variance submittal is based on the information provided on the attached survey. The numbers in red detail the changes in which the variances are required.

Table 1.1

	Lot Requirements R-1 & PUD	Existing Conditions	Proposed Conditions
Lot Area	10,000 sq. ft. min.	10,271 sq. ft.	10,271 sq. ft.
Front Yard Setback/Right-of- Way Setback	25'	25.5'	25.5'
Rear Yard Structure Setback	30'	65.5'	49.5'
West Side Interior Yard Setback	7.5'	7.59'	7.59'
Right Side Yard Interior Setback	7.5'	8.36'	8.36'
Impervious Surface	35%	36.47%*	37.15%

*The existing impervious surface of 36.47% impervious surface resulted from the installation of a rear patio. Excluding the patio area the property would be conforming with an impervious surface coverage of 34.97%.

PLANNING CONSIDERATIONS:

1. The Interlaken Woods development is currently zoned PUD, Planned Unit Development District, which allows reduced side yard setbacks and lot sizing. The development was allowed 35% hardcover per parcel.
2. The property currently has a rear yard patio. The patio is proposed to be removed and a 14x16 four season porch addition is proposed in its place.
3. A 29 sq. ft. sidewalk was not included in the existing or proposed survey. The property would have 34.97% hardcover with this area included.
4. There is a patio area shown on the existing survey, which was included in the building permit submittal for the new home construction. The new home permit was issued as the plans appeared to conform with City Code requirements. The patio causes the site to exceed the 35% maximum allowed and therefore should not have been allowed as part of the original building permit issuance.



JOHN ROSENAU | OWNER
WACONIA MN
PH 612.327.9996
john@wildprairiehomes.net

Address: 1538 Basswood Court
Client: Katie Warner
Contractor: John Rosenau at Wild Prairie Homes

This letter is being provided along with the Variance Application to provide the additional information as requested.

Explain the variance you are requesting:

- We are requesting a hard surface variance to exceed the city ordinance of 35%.

Conditions or peculiar difficulties to the structure or land, which makes a variance necessary:

- The homeowner would like to remove an existing concrete patio and add on an elevated 14 'x 16' four season porch to host family gatherings. The homeowner is already at 34.7% hard surface cover, so adding any additional structures will push her over 35%.

•

Why do you feel a variance should be granted in this instance:

- There is currently an existing concrete patio that will be removed to build the new four season porch. We are only requesting to increase the hard surface cover by an additional 128 square feet.
- The homeowner has had intentions of adding a four season porch ever since purchasing the home and was never advised that she had already reached her maximum hard surface allowance.
- Being the porch will be elevated, these improvements will add more ground surface, which will improve water run-off.
- This porch will not block anyone's view as it backs up to a wooded area.
- The porch will be built to match the existing structure (roofing and siding materials).

WILD PRAIRIE HOMES

Roofing – Siding – Decks – Porches – Basements – Remodels - Additions



Approved 2.15%

REQUEST FOR CITY COUNCIL ACTION

Meeting Date:	October 21, 2019					
Item Name:	Variance – 1538 Basswood Court – John Rosenau					
Originating Department:	Community Development					
Presented by:	Ethan Nelson, Assistant Planner					
Previous Council Action (if any):						
Item Type (X only one):	Consent		Regular Session	☒	Discussion Session	

RECOMMENDATIONS/COUNCIL ACTION/MOTION REQUESTED (Include motion in proper format.)

Adopt Resolution No. 2019-212 approving the Variance application to allow construction of a 224 sq. ft. porch addition for the property located at 1538 Basswood Court.

EXPLANATION OF AGENDA ITEM (Include a description of background, benefits, and recommendations.)

BACKGROUND

Applicant: John Rosenau

Owner: Katie Warner

Address: 1538 Basswood Court

PID# 753230410

Zoning: R-1, Single Family Residential District

REQUEST:

The City has received a Variance application from John Rosenau (the “applicant”) to allow improvements at 1538 Basswood Court (the “Subject Property”) that exceed the impervious surface maximum within the R-1, Single Family Residential District. Specifically, the applicant is requesting approval to allow a 224 sq. ft. porch addition. The addition would increase the impervious surface coverage on the parcel to 37.15% versus the 35% impervious surface maximum allowed in the district.

APPLICABLE ORDINANCE PROVISIONS:

1. Section 900.05 – District Regulations, Subd. 2.A – R-1, Single-Family Residential District
2. Section 900.12 – Administration, Enforcement and Procedures, Subd. 4 – Variances

DEFINITIONS:

Hardcover Surface - Any structure or material that substantially reduces or prevents the infiltration of storm water into the ground including, but not limited to, buildings, other structures, and driveways and parking areas surface with any type of pavement or gravel.

EXISTING CONDITIONS

The Subject Property is located in the Interlaken Woods 2nd Addition development. The development was reviewed and approved by the City Council on March 2nd, 2015. The property was reviewed by City staff and permitted to be developed on October 24th, 2015.

VARIANCE REVIEW CRITERIA:

Waconia City Code Section 900.12, Subd. 4 and Minnesota State Statute 462.357, Subd. 6 establishes criteria to be considered when contemplating the issuance of a Variance in terms of “practical difficulty” as follows: “Variances shall only be permitted when they are in harmony with the general purposes and intent of the ordinance and when the terms of the Variance are consistent with the Comprehensive Plan.” So a City evaluating a Variance application should make findings as to:

1. Is the Variance in *harmony* with the purposes and intent of the ordinance?
2. Is the Variance *consistent* with the Comprehensive Plan?
3. Does the proposal put the property to use in a *reasonable* manner?
4. Are there *unique circumstances* to the property not created by the landowner?
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State Statute specifically notes that economic considerations alone cannot create a practical difficulty. Whereas, practical difficulties exist only when the three statutory factors are met (1. Reasonableness, 2. Uniqueness, and 3. Essential character).

VARIANCE ANALYSIS AND PLANNING CONSIDERATIONS:

The applicant is proposing to remove a patio space in the rear yard and construct a 224 sq. ft. porch addition on the property located at 1538 Basswood Court. Table 1.1 below indicates the existing, required, and proposed lot requirements for the property as indicated in the R-1, Single Family Residential District. The analysis of this variance submittal is based on the information provided on the attached survey. The numbers in red detail the changes in which the variances are required.

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*The existing impervious surface of 36.47% impervious surface resulted from the installation of a rear patio. Excluding the patio area the property would be conforming with an impervious surface coverage of 34.97%.

PLANNING CONSIDERATIONS:

1. The Interlaken Woods development is currently zoned PUD, Planned Unit Development District, which allows reduced side yard setbacks and lot sizing. The development was allowed 35% hardcover per parcel.
2. The property currently has a rear yard patio. The patio is proposed to be removed and a 14x16 four season porch addition is proposed in its place.
3. A 29 sq. ft. sidewalk was not included in the existing or proposed survey. The property would have 34.97% hardcover with this area included.
4. There is a patio area shown on the existing survey, which was included in the building permit submittal for the new home construction. The new home permit was issued as the plans appeared to conform with City Code requirements. The patio causes the site to exceed the 35% maximum allowed and therefore should not have been allowed as part of the original building permit issuance.

PUBLIC NOTICE/COMMENT

The notice was published in the WACONIA PATRIOT on September 19th, 2019 and posted at Waconia City Hall. Individual notices were mailed to all property owners within 350 feet of the subject parcel. As of the date and time of this report the City has not received any public comments regarding the proposed Variance.

RECOMMENDATION

The Planning Commission, at their regular meeting on October 3rd, 2019, recommended approval of the Variance via a 4-0 vote.

If the City Council chooses to approve the variance application for John Rosenau, the Planning Commission and staff would recommend the approval upon the following conditions:

1. The applicant shall submit a stormwater mitigation plan satisfactory to the requirements of the City Engineer.

ATTACHMENTS:

1. Draft Resolution (2 Pages)
2. Location Map (1 Page)
3. Variance Letter (1 Page)
4. Public Hearing Notice (1 Page)
5. Certificate of Survey – Existing (1 Page)
6. Certificate of Survey - Proposed (1 Page)
7. Site Photographs – Existing Conditions (7 Pages)
8. Variance Application (3 Pages)
9. Stormwater Mitigation Plan (1 Page)

<i>FINANCIAL IMPLICATIONS:</i>		<i>ADVISORY BOARD RECOMMENDATIONS:</i>	
Funding Sources & Uses:			
Budget Information:		Planning Commission	Recommended approval via a 4-0 vote on October 3rd, 2019
	Budgeted	Parks and Recreation Board	
	Non Budgeted	Safari Island Advisory Board	
	Amendment Required	Other	



REQUEST FOR CITY COUNCIL ACTION

Meeting Date:		September 19, 2022				
Item Name:		Airport Road Addition Preliminary and Final Plat				
Originating Department:		Community Development				
Presented by:		Lane Braaten				
Previous Council Action (if any):						
Item Type (X only one):	Consent		Regular Session	X	Discussion Session	
RECOMMENDATIONS/COUNCIL ACTION/MOTION REQUESTED <i>(Include motion in proper format.)</i>						
Adopt Resolution 2022-255 approving the Preliminary and Final Plat applications for the Airport Road Addition.						
EXPLANATION OF AGENDA ITEM <i>(Include a description of background, benefits, and recommendations.)</i>						
<u>BACKGROUND:</u> Applicants: Carver County and the Kirsch Family Owners: Carver County and the Kirsch Family Address(es) & PID#s: 8065 Paradise Lane (PID# 750180300), 9350 Airport Road (PID# 070191700), 9120 Airport Road (PID# 070193000), and PID#s 750181000, 070191600, and 070191200. Carver County Public Works and the Kirsch Family have been working on a land swap to preserve the needed right-of-way for the future County Road 92 corridor proposed to extend south from State Hwy. 5. A portion of the properties described above are located within the City of Waconia and the remaining property is located within Laketown Township. The City Council adopted Resolution 2022-87 extending subdivision authority over the properties located within the township to help facilitate the proposed land swap. <u>REQUEST:</u> The city has received a Preliminary Plat and Final Plat application from Carver County and the Kirsch Family titled Airport Road Addition. Specifically, the applicants are requesting to plat the subject properties identified above into fourteen (14) outlots. <u>APPLICABLE ORDINANCE PROVISIONS:</u> Section 1000 – Subdivision Ordinance <u>PUBLIC NOTICE/COMMENT</u> The notice was published in the WACONIA PATRIOT on August 18th, 2022 and posted at Waconia City Hall. Individual notices were mailed to all property owners within 350 feet of the subject parcel. The public hearing comments received have been attached to this report for review and consideration. <u>CONCLUSION / RECOMMENDATION</u> The Planning Commission, at their regular meeting on September 1st, 2022, held the required public hearing, reviewed the pertinent information, and recommended approval of the preliminary and final plat applications titled Airport Road Addition via a 5-0 vote. If the City Council approves the Airport Road Addition Preliminary and Final Plat, the Planning Commission and staff would recommend the approval with the following conditions: 1. The Airport Road Preliminary Plat and Final Plat shall be completed as approved and as conditionally revised by the Planning Commission and the City Council. 2. All indirect costs related to the permitting, review, and plans associated with engineering and administrative costs shall be paid by the applicant/owner. 3. Future platting and/or development of the property/properties shall be subject to the applicable park dedication						

requirements.

Attachments:

1. [22255res_Approving_Airport_Road_Addn_Prelim_and_Final_Plat.doc](#)
2. [Location Map.pdf](#)
3. [Public Hearing_Preliminary & Final Plat_Airport Road Addition.pdf](#)
4. [Airport Road Preliminary Plat.pdf](#)
5. [Airport Road Final Plat.pdf](#)
6. [Public Hearing Comments.pdf](#)

FINANCIAL IMPLICATIONS:

Funding Sources & Uses:

Budget Information:

_____ Budgeted
_____ Non Budgeted
_____ Amendment Required

ADVISORY BOARD RECOMMENDATIONS:

Planning Commission

Parks and Recreation Board

Safari Island Advisory Board

Other

**CITY OF WACONIA
RESOLUTION NO. 2022-255**

**RESOLUTION APPROVING THE AIRPORT ROAD ADDITION
PRELIMINARY & FINAL PLAT**

WHEREAS, Carver County and the Kirsch Family (the “Applicants”) have submitted a preliminary plat application titled Airport Road Addition consisting of fourteen (14) outlots pursuant to Chapter 1000 of the Waconia Code of Ordinances; and

WHEREAS, the Applicants have also submitted a final plat application for the Airport Road Addition plat pursuant to Chapter 1000 of the Waconia Code of Ordinances; and

WHEREAS, the subject properties are identified as 8065 Paradise Lane (PID# 750180300), 9350 Airport Road (PID# 070191700), 9120 Airport Road (PID# 070193000), and PID#s 750181000, 070191600, and 070191200; and

WHEREAS, the Planning Commission conducted a public hearing for the Airport Road Addition Preliminary and Final Plat applications on September 1st, 2022, and received all public comment; and

WHEREAS, the Planning Commission and staff have reviewed the preliminary and final plat applications and recommend approval of the Airport Road Addition Preliminary and Final Plat consisting of fourteen (14) outlots subject to the following conditions:

1. The Airport Road Preliminary Plat and Final Plat shall be completed as approved and as conditionally revised by the Planning Commission and the City Council.
2. All indirect costs related to the permitting, review, and plans associated with engineering and administrative costs shall be paid by the applicant/owner.
3. Future platting and/or development of the property/properties shall be subject to the applicable park dedication requirements.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Waconia hereby approves the Airport Road Addition Preliminary and Final Plat subject to the findings noted above.

Adopted by the City Council of the City of Waconia this 19th day of September, 2022.

Kent Bloudek, Mayor

Attest: _____
Jackie Schulze, City Clerk



CITY OF WACONIA, MN
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Planning Commission of the City of Waconia, MN, will hold a public hearing on September 1st, 2022, at 6:30 p.m., at the Waconia City Hall, 201 South Vine Street, Waconia, MN, to consider a Preliminary and Final Plat application by Carver County and the Kirsch Family for the properties described as follows:

8065 PARADISE LANE (PID# 750180300), 9350 AIRPORT ROAD (PID# 070191700), 9120
AIRPORT ROAD (PID# 070193000), and PID #s 750181000, 070191600, and 070191200,
CARVER COUNTY, MINNESOTA

The proposed Preliminary and Final Plat titled Airport Road Addition includes approximately 274.91 acres of land south Highway 5 and east of Laketown Elementary School and proposes the subdivision of the properties into fourteen (14) outlots.

Pertinent information pertaining to this request is available at the City Hall. Interested persons may submit written or oral comments pertaining to this matter any time prior to the hearing, or at the hearing on Thursday, September 1st, 2022. Written comments will be distributed to the Planning Commission for review and consideration. Please submit written comments by mail, email or in person as follows:

Mail/in person: Lane L. Braaten, 201 South Vine Street, Waconia, MN 55387
Email: lbraaten@waconia.org

By: WACONIA PLANNING COMMISSION

ATTEST: Lane L. Braaten, Community Development Director

(Published in the August 18th, 2022, Waconia Patriot newspaper)

PRELIMINARY PLAN

FOR

AIRPORT ROAD ADDITION

WACONIA, MN

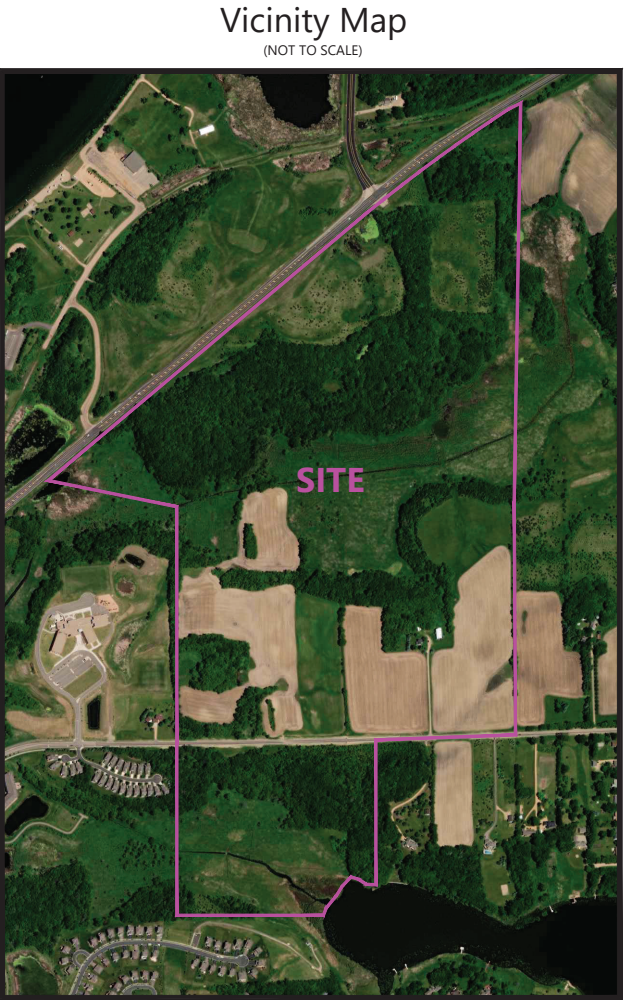
PREPARED FOR:
CARVER COUNTY PUBLIC WORKS
11360 HIGHWAY 212, SUITE 1
COLOGNE, MN 55322
CONTACT: LUKE KRANZ
PHONE: 952-361-1015
EMAIL: LKRANZ@CO.CARVER.MN.US

PREPARED BY:
Westwood

Phone (952) 937-5150 12701 Whitewater Drive, Suite #300
Fax (952) 937-5822 Minnetonka, MN 55343
Toll Free (888) 937-5150 westwoodps.com

Westwood Professional Services, Inc.

PROJECT NUMBER: 0033942.00
CONTACT: MATHEW J. WELINSKI

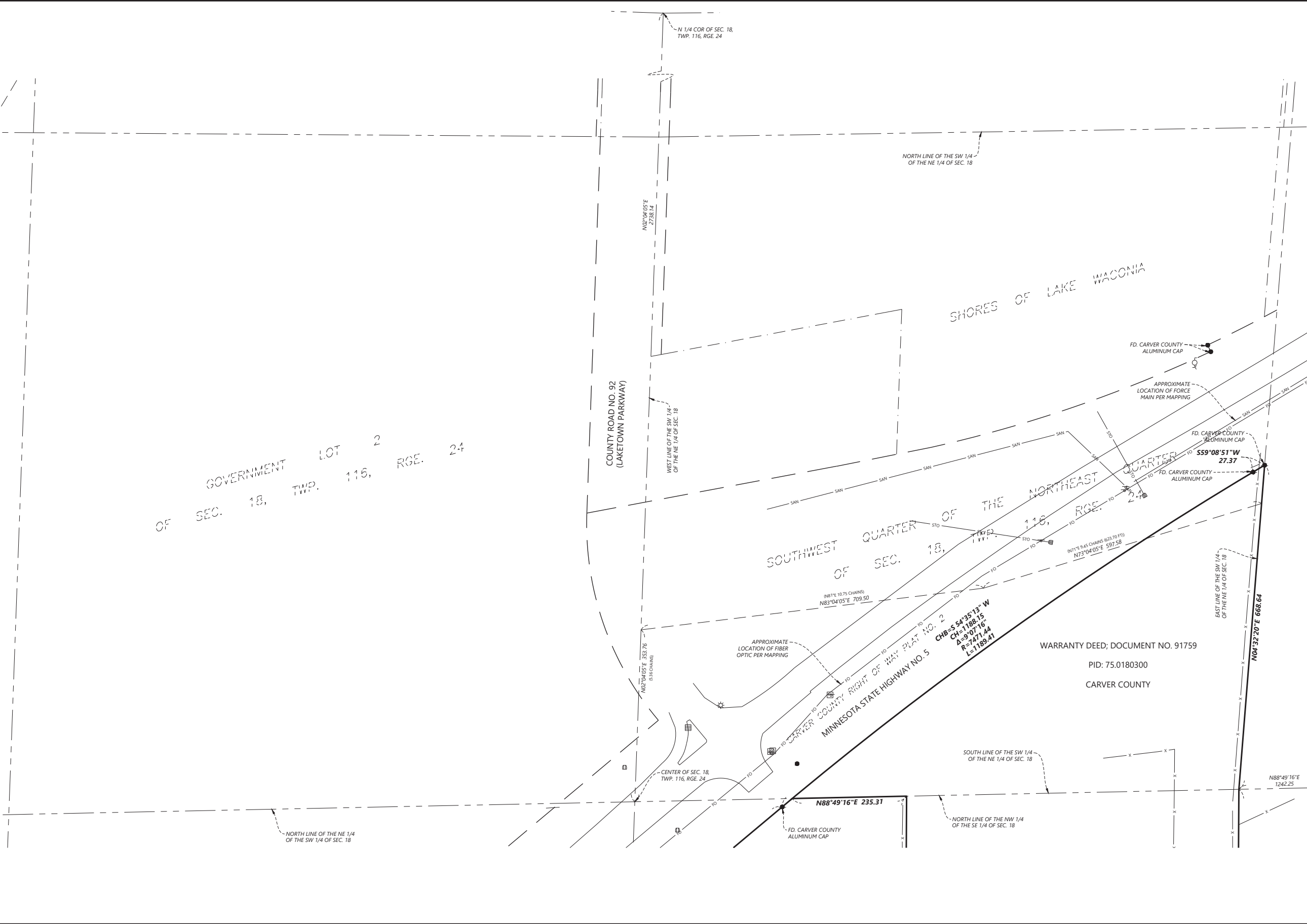


SHEET INDEX

Sheet List Table	
SHEET NUMBER	SHEET TITLE
1	COVER
2	EXISTING CONDITIONS
3	EXISTING CONDITIONS
4	EXISTING CONDITIONS
5	EXISTING CONDITIONS
6	EXISTING CONDITIONS
7	PRELIMINARY PLAT

PRELIMINARY PLAN
FOR
AIRPORT ROAD ADDITION
WACONIA, MN

INITIAL SUBMITTAL DATE: 08/03/2022 SHEET: 1 OF 7



Call 48 Hours before digging:
811 or call811.com
Common Ground Alliance

LEGAL DESCRIPTION

Warranty Deed; Document No. 605575

That part of Government Lot 3, Section 19, Township 116 North, Range 24 West, described as follows:
Commencing at the southwest corner of Government Lot 3, Section 19, Township 116, Range 24; thence North on the westerly line of said Lot 3 to a point which is 712 feet South of the northeast corner of said Lot 3; thence northeasterly to a point on the east line of said Lot 3 which is 648 feet South of the northeast corner of said Lot 3; thence South along the east line of said Lot to shore of lake; thence southwesterly along said shore line to the south line of said Lot 3; thence West to the place of beginning, Carver County, Minnesota.

Warranty Deed; Document No. 586777

Beginning at the Northwest corner of Lot 3, Section 19, Township 116 North, Range 24 West, running thence Easterly a distance of 1945 feet, more or less, to a point 651 feet East of the Northwest corner of Lot 2 in said section; thence Southerly 1255 feet, more or less, to the shore of Reitz Lake; thence Westerly along the shore of said Lake to the West line of said Lot 2; thence North along the West line of said Lot 2 to a point 648 feet South of the North line of said Lot 2; thence West to a point on the West line of said Lot 3 which is 712 feet South of the point of beginning; thence North along the West line of said Lot 3 to the point of beginning, containing 37.8 acres, more or less.

EXCEPT the following described parcel of land; That part of Government Lot 2, Section 19, Township 116, Range 24, Carver County, Minnesota, commencing at the Northwest corner of said Government Lot 2; thence Easterly along the North line of said Government Lot, 270.43 feet to the actual point of beginning; thence continue Easterly, along said North line, 380.57 feet to a point 651.00 feet East of said Northwest corner; thence Southerly 1255.00 feet to the shore of Reitz Lake; thence Westerly, along said shore to its intersection with a line drawn Southerly from the actual point of beginning; thence Northerly, along last described line, to the actual point of beginning.

Warranty Deed; Document No. 183788

The Southeast Quarter of the Southwest Quarter of Section 18 and the Northeast Quarter of the Northwest Quarter of Section 19, Township 116 North, Range 24 West.

Warranty Deed; Document No. 250808

Southwest Quarter of the Southeast Quarter (SW1/4 of SE1/4) of Section 18, Township 116 North, Range 24 West.

AND

Northwest Quarter of the Northeast Quarter (NW1/4 of NE1/4) Section 19, Township 116 North, Range 24 West, according to the Government Survey thereof, Carver County, Minnesota.

Warranty Deed; Document No. 91759

That part of the Southwest Quarter of the Northeast Quarter (SW 1/4 of NE 1/4) of Section 18, Township 116, Range 24, lying South of the right-of-way of the M. & St. L. Ry. Co., described as follows: Commencing at the center post of Section 18 aforesaid; thence North along quarter section line 5.36 chains to the M. & St. L. right-of-way; thence North 81 degrees East along said right-of-way 10.75 chains; thence North 71 degrees East along said right-of-way 9.45 chains to the East line of the Southwest Quarter of the Northeast Quarter (SW 1/4 of NE 1/4) of said Section 18; thence South 10 chains to the East and West Quarter Section line; thence West along said line 18.88 chains to the place of beginning.

Also, the East 10.35 chains of the Northwest Quarter of the Southeast Quarter (NW 1/4 of SE 1/4) of said Section 18.

Also, Government Lot Two (2), Section 18, Township 116, Range 24, excepting therefrom 6 acres of land as follows:

Commencing at the Northwest (NW) corner of the Northeast Quarter of the Southwest Quarter (NE 1/4 of SW 1/4) of said Section 18, running thence West along the quarter section line 11.0 chains to the shore of Clearwater Lake; thence North 46 degrees East along the shore of said Lake 11.06 chains; thence South 53 1/2 degrees East 11.75 chains to the place of beginning. Also excepting the right-of-way of the M. & St. L. Ry. Co. across said Lot 2, containing 3.55 acres. Also excepting 2.9 acres sold to Rauven & Klatt as recorded in Book 18 of Deeds, page 294, records of the Register of Deeds in and for Carver County, Minnesota.

Warranty Deed; Document No. 252072

All of Government Lot 3, Section 18, Township 116, Range 24, lying easterly and southeasterly of the easterly and southeasterly right-of-way line of the railroad corridor formerly owned by the Chicago & North Western Transportation Company.

All of the Southwest Quarter of the Southwest Quarter of Section 18, Township 116, Range 24, lying easterly and southeasterly of the easterly and southeasterly right-of-way line of the railroad corridor formerly owned by the Chicago & North Western Transportation Company, and lying northerly of a line which commences at a point on the east line of said Southwest Quarter of the Southwest Quarter distant 500.00 feet northerly of the southeast corner thereof; thence North 81 degrees 30 minutes West (the east line of the Southwest Quarter of the Southwest Quarter has an assumed bearing of North) to the easterly right-of-way of said railroad corridor and there terminating.

The Northeast Quarter of the Southwest Quarter of Section 18, Township 116, Range 24.

All of the Northwest Quarter of the Southeast Quarter of Section 18, Township 116, Range 24, lying west of the East 10.35 chains thereof.



1" = 100'



NOT FOR CONSTRUCTION

DESIGNED: _____
CHECKED: _____
DRAWN: _____
HORIZONTAL SCALE: 1"=100.00' OR 10'
VERTICAL SCALE: 1"=20' OR 10'

INITIAL ISSUE: 08/03/2022
REVISIONS:
1. _____
2. _____
3. _____
4. _____
5. _____

PREPARED FOR:

CARVER COUNTY PUBLIC WORKS

11360 HIGHWAY 212, SUITE 1
COLOGNE, MN 55322

I HEREBY CERTIFY THAT THIS PLAN 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

MATHEW J. WELINSKI
DATE: 08/03/2022 LICENSE NO. 53596

AIRPORT ROAD ADDITION

WACONIA, MN

Westwood

Phone (952) 937-5150 12701 Whitewater Drive, Suite #300
Fax (952) 937-5822 Minnetonka, MN 55343
Toll Free (888) 937-5150 westwoodps.com
Westwood Professional Services, Inc.

EXISTING CONDITIONS

SHEET NUMBER:

2

OF

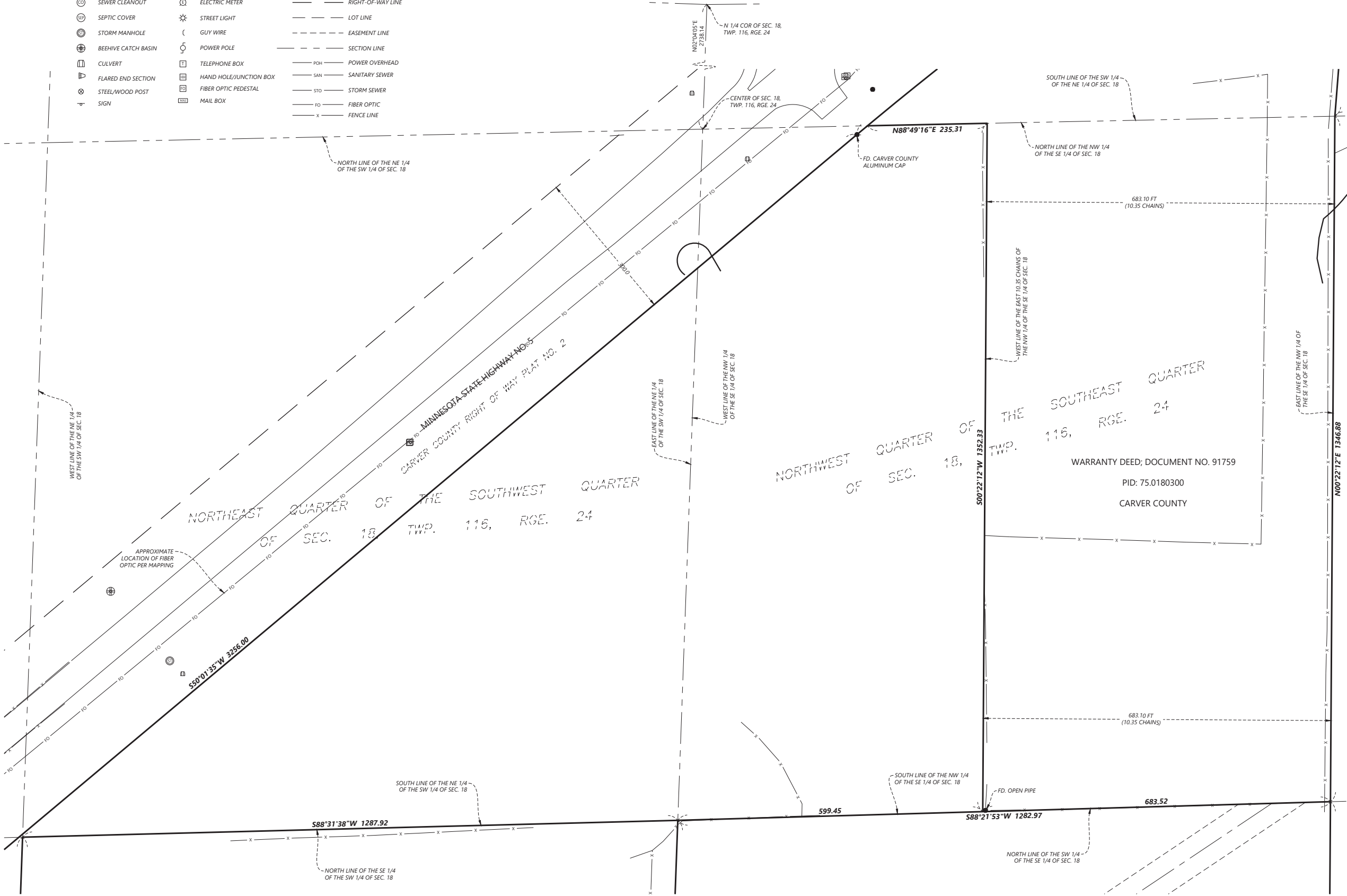
7

PROJECT NUMBER: 0033942.00

DATE: 08/03/2022

LEGEND

	SANITARY MANHOLE		ELECTRIC BOX		BOUNDARY LINE
	SEWER CLEANOUT		ELECTRIC METER		RIGHT-OF-WAY LINE
	SEPTIC COVER		STREET LIGHT		LOT LINE
	STORM MANHOLE		GUY WIRE		EASEMENT LINE
	BEEHIVE CATCH BASIN		POWER POLE		SECTION LINE
	CULVERT		TELEPHONE BOX		POWER OVERHEAD
	FLARED END SECTION		HAND HOLE/JUNCTION BOX		SANITARY SEWER
	STEEL/WOOD POST		FIBER OPTIC PEDESTAL		STORM SEWER
	SIGN		MAIL BOX		FIBER OPTIC
					FENCE LINE



LEGAL DESCRIPTION

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Commencing at the southwest corner of Government Lot 3, Section 19, Township 116 North, Range 24; thence North on the westerly line of said Lot 3 to a point which is 712 feet South of the northwest corner of said Lot 3; thence northeasterly to a point on the east line of said Lot 3 which is 648 feet South of the northeast corner of said Lot 3; thence South along the east line of said Lot to shore of lake; thence southwesterly along said shore line to the south line of said Lot 3; thence West to the place of beginning. Carver County, Minnesota.

Warranty Deed; Document No. 586777
Beginning at the Northwest corner of Lot 3, Section 19, Township 116 North, Range 24 West, running thence Easterly a distance of 1945 feet, more or less, to a point 651 feet East of the Northwest corner of Lot 2 in said section; thence Southerly 1255 feet, more or less, to the shore of Reitz Lake; thence Westerly along the shore of said Lake to the West line of said Lot 2; thence North along the West line of said Lot 2 to a point 648 feet South of the North line of said Lot 2; thence West to a point on the West line of said Lot 3 which is 712 feet South of the point of beginning; thence North along the West line of said Lot 3 to the point of beginning, containing 37.8 acres, more or less.
EXCEPT the following described parcel of land: That part of Government Lot 2, Section 19, Township 116 North, Range 24, Carver County, Minnesota, commencing at the Northwest corner of said Government Lot 2; thence Easterly along the North line of said Government Lot, 270.43 feet to the actual point of beginning; thence continue Easterly, along said North line, 380.57 feet to a point 651.00 feet East of said Northwest corner; thence Southerly 1255.00 feet to the shore of Reitz Lake; thence Westerly, along said shore to its intersection with a line drawn Southerly from the actual point of beginning; thence Northerly, along last described line, to the actual point of beginning.

Warranty Deed; Document No. 183788
The Southeast Quarter of the Southwest Quarter of Section 18 and the Northeast Quarter of the Northwest Quarter of Section 19, Township 116 North, Range 24 West.

Warranty Deed; Document No. 250808
Southwest Quarter of the Southeast Quarter (SW1/4 of SE1/4) of Section 18, Township 116 North, Range 24 West.
AND
Northwest Quarter of the Northeast Quarter (NW1/4 of NE1/4) Section 19, Township 116 North, Range 24 West, according to the Government Survey thereof, Carver County, Minnesota.

Warranty Deed; Document No. 91759
That part of the Southwest Quarter of the Northeast Quarter (SW 1/4 of NE 1/4) of Section 18, Township 116 North, Range 24, lying South of the right-of-way of the M. & St. L. Ry. Co., described as follows: Commencing at the center post of Section 18 aforesaid; thence North along quarter section line 5.36 chains to the M. & St. L. right-of-way; thence North 81 degrees East along said right-of-way 10.75 chains; thence North 71 degrees East along said right-of-way 9.45 chains to the East line of the Southwest Quarter of the Northeast Quarter (SW 1/4 of NE 1/4) of said Section 18; thence South 10 chains to the East and West Quarter Section line; thence West along said line 18.88 chains to the place of beginning.

Also, the East 10.35 chains of the Northwest Quarter of the Southeast Quarter (NW 1/4 of SE 1/4) of said Section 18.

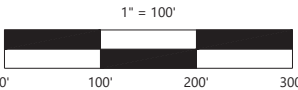
Also, Government Lot Two (2), Section 18, Township 116 North, Range 24, excepting therefrom 6 acres of land as follows:
Commencing at the Northwest (NW) corner of the Northeast Quarter of the Southwest Quarter (NE 1/4 of SW 1/4) of said Section 18, running thence West along the quarter section line 11.0 chains to the shore of Clearwater Lake; thence North 46 degrees East along the shore of said Lake 11.06 chains; thence South 53 1/2 degrees East 11.75 chains to the place of beginning. Also excepting the right-of-way of the M. & St. L. Ry. Co. across said Lot 2, containing 3.55 acres. Also excepting 2.9 acres sold to Rauen & Klatt as recorded in Book 18 of Deeds, page 294, records of the Register of Deeds in and for Carver County, Minnesota.

Warranty Deed; Document No. 252072
All of Government Lot 3, Section 18, Township 116 North, Range 24, lying easterly and southeasterly of the easterly and southeasterly right-of-way line of the railroad corridor formerly owned by the Chicago & North Western Transportation Company.

All of the Southwest Quarter of the Southwest Quarter of Section 18, Township 116 North, Range 24, lying easterly and southeasterly of the easterly and southeasterly right-of-way line of the railroad corridor formerly owned by the Chicago & North Western Transportation Company, and lying northerly of a line which commences at a point on the east line of said Southwest Quarter of the Southwest Quarter distant 500.00 feet northerly of the southeast corner thereof; thence North 81 degrees 30 minutes West (the east line of the Southwest Quarter of the Southwest Quarter has an assumed bearing of North) to the easterly right-of-way of said railroad corridor and there terminating.

The Northeast Quarter of the Southwest Quarter of Section 18, Township 116 North, Range 24.

All of the Northwest Quarter of the Southeast Quarter of Section 18, Township 116 North, Range 24, lying west of the East 10.35 chains thereof.



DESIGNED: _____
CHECKED: _____
DRAWN: _____
HORIZONTAL SCALE: 1"=100.000001'
VERTICAL SCALE: 2"=10.00'

INITIAL ISSUE: 08/03/2022
REVISIONS:
1. _____
2. _____
3. _____
4. _____
5. _____

PREPARED FOR:
CARVER COUNTY PUBLIC WORKS
11360 HIGHWAY 212, SUITE 31
COLOGNE, MN 55322

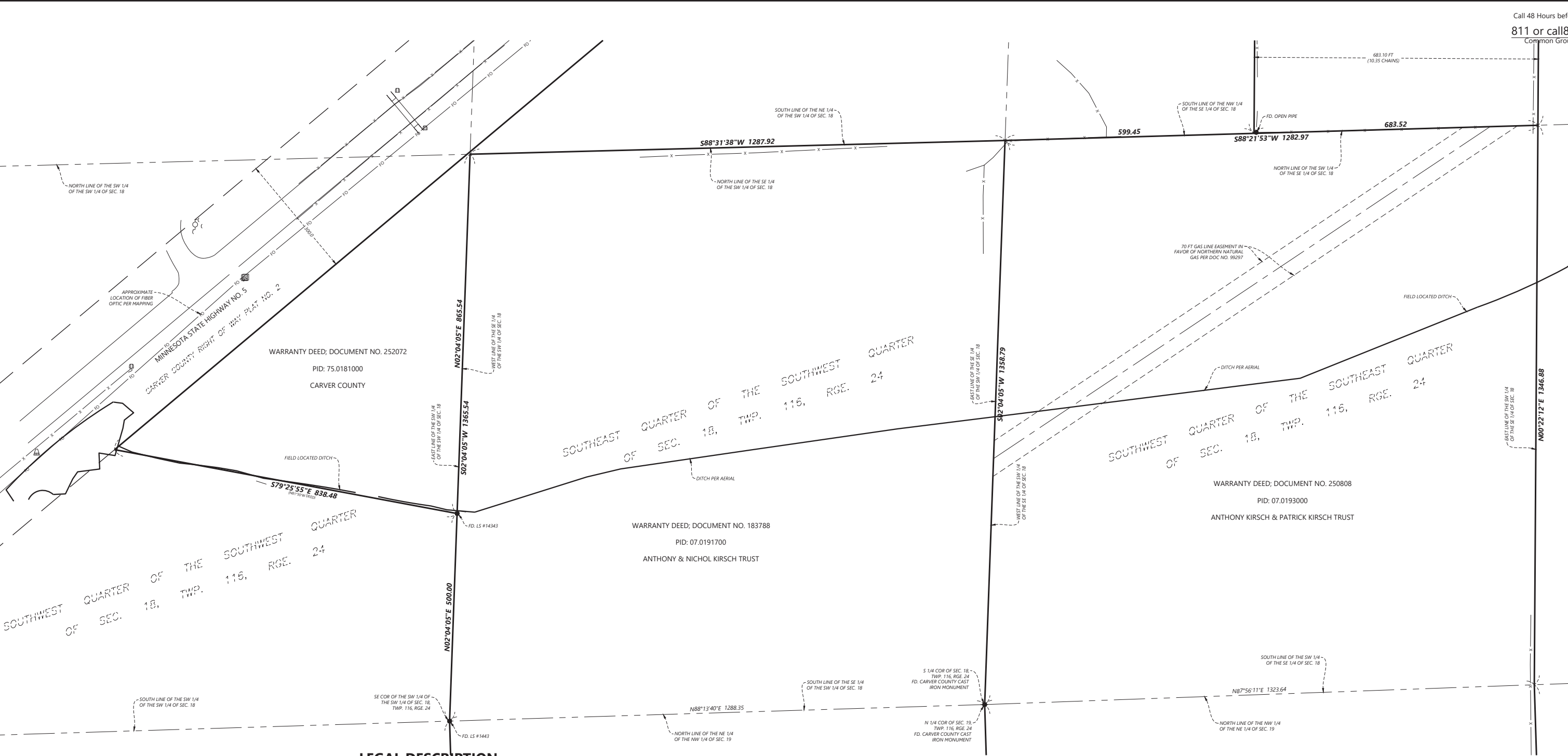
I HEREBY CERTIFY THAT THIS PLAN WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA
MATHEW J. WELINSKI
DATE: 08/03/2022 LICENSE NO. 53596

AIRPORT ROAD ADDITION
WACONIA, MN

Westwood
Phone (952) 937-5150 12701 Whitewater Drive, Suite #300
Fax (952) 937-5822 Minnetonka, MN 55343
Toll Free (888) 937-5150 westwoodps.com
Westwood Professional Services, Inc.

EXISTING CONDITIONS

SHEET NUMBER: 3 OF 7
PROJECT NUMBER: 0033942.00 DATE: 08/03/2022



LEGEND

⊙	SANITARY MANHOLE	⊞	ELECTRIC BOX	— — — — —	BOUNDARY LINE
⊙	SEWER CLEANOUT	⊞	ELECTRIC METER	— — — — —	RIGHT-OF-WAY LINE
⊙	SEPTIC COVER	⊞	STREET LIGHT	— — — — —	LOT LINE
⊙	STORM MANHOLE	⊞	GUY WIRE	- - - - -	EASEMENT LINE
⊕	BEEHIVE CATCH BASIN	⊞	POWER POLE	— — — — —	SECTION LINE
⊞	CULVERT	⊞	TELEPHONE BOX	— — — — —	POH ——— POWER OVERHEAD
⊞	FLARED END SECTION	⊞	HAND HOLE/JUNCTION BOX	— — — — —	SAN ——— SANITARY SEWER
⊞	STEEL/WOOD POST	⊞	FIBER OPTIC PEDESTAL	— — — — —	STO ——— STORM SEWER
⊞	SIGN	⊞	MAIL BOX	— — — — —	FO ——— FIBER OPTIC
				— — — — —	FENCE LINE

LEGAL DESCRIPTION

Warranty Deed; Document No. 605575

That part of Government Lot 3, Section 19, Township 116 North, Range 24 West, described as follows:
Commencing at the southwest corner of Government Lot 3, Section 19, Township 116, Range 24; thence North on the westerly line of said Lot 3 to a point which is 712 feet South of the northwest corner of said Lot 3; thence northeasterly to a point on the east line of said Lot 3 which is 648 feet South of the northeast corner of said Lot 3; thence South along the east line of said Lot to shore of lake; thence southwesterly along said shore line to the south line of said Lot 3; thence West to the place of beginning, Carver County, Minnesota.

Warranty Deed; Document No. 586777

Beginning at the Northwest corner of Lot 3, Section 19, Township 116 North, Range 24 West, running thence Easterly a distance of 1945 feet, more or less, to a point 651 feet East of the Northwest corner of Lot 2 in said section; thence Southerly 1255 feet, more or less, to the shore of Reitz Lake; thence Westerly along the shore of said Lake to the West line of said Lot 2; thence North along the West line of said Lot 2 to a point 648 feet South of the North line of said Lot 2; thence West to a point on the West line of said Lot 3 which is 712 feet South of the point of beginning; thence North along the West line of said Lot 3 to the point of beginning, containing 37.8 acres, more or less.
EXCEPT the following described parcel of land; That part of Government Lot 2, Section 19, Township 116, Range 24, Carver County, Minnesota, commencing at the Northwest corner of said Government Lot 2; thence Easterly along the North line of said Government Lot, 270.43 feet to the actual point of beginning; thence continue Easterly, along said North line, 380.57 feet to a point 651.00 feet East of said Northwest corner; thence Southerly 1255.00 feet to the shore of Reitz Lake; thence Westerly, along said shore to its intersection with a line drawn Southerly from the actual point of beginning; thence Northerly, along last described line, to the actual point of beginning.

Warranty Deed; Document No. 183788

The Southeast Quarter of the Southwest Quarter of Section 18 and the Northeast Quarter of the Northwest Quarter of Section 19, Township 116 North, Range 24 West.

Warranty Deed; Document No. 250808

Southwest Quarter of the Southeast Quarter (SW1/4 of SE1/4) of Section 18, Township 116 North, Range 24 West.

AND
Northwest Quarter of the Northeast Quarter (NW1/4 of NE1/4) Section 19, Township 116 North, Range 24 West, according to the Government Survey thereof, Carver County, Minnesota.

Warranty Deed; Document No. 91759

That part of the Southwest Quarter of the Northeast Quarter (SW 1/4 of NE 1/4) of Section 18, Township 116, Range 24, lying South of the right-of-way of the M. & St. L. Ry. Co., described as follows: Commencing at the center post of Section 18 aforesaid; thence North along quarter section line 5.36 chains to the M. & St. L. right-of-way; thence North 81 degrees East along said right-of-way 10.75 chains; thence North 71 degrees East along said right-of-way 9.45 chains to the East line of the Southwest Quarter of the Northeast Quarter (SW 1/4 of NE 1/4) of said Section 18; thence South 10 chains to the East and West Quarter Section line; thence West along said line 18.88 chains to the place of beginning.

Also, the East 10.35 chains of the Northwest Quarter of the Southeast Quarter (NW 1/4 of SE 1/4) of said Section 18.

Also, Government Lot Two (2), Section 18, Township 116, Range 24, excepting therefrom 6 acres of land as follows:

Commencing at the Northwest (NW) corner of the Northeast Quarter of the Southwest Quarter (NE 1/4 of SW 1/4) of said Section 18, running thence West along the quarter section line 11.0 chains to the shore of Clearwater Lake; thence North 46 degrees East along the shore of said Lake 11.06 chains; thence South 53 1/2 degrees East 11.75 chains to the place of beginning. Also excepting the right-of-way of the M. & St. L. Ry. Co. across said Lot 2, containing 3.55 acres. Also excepting 2.9 acres sold to Rouen & Klatt as recorded in Book 18 of Deeds, page 294, records of the Register of Deeds in and for Carver County, Minnesota.

Warranty Deed; Document No. 252072

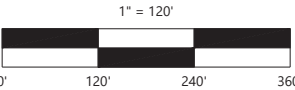
All of Government Lot 3, Section 18, Township 116, Range 24, lying easterly and southeasterly of the easterly and southeasterly right-of-way line of the railroad corridor formerly owned by the Chicago & North Western Transportation Company.

All of the Southwest Quarter of the Southwest Quarter of Section 18, Township 116, Range 24, lying easterly and southeasterly of the easterly and southeasterly right-of-way line of the railroad corridor formerly owned by the Chicago & North Western Transportation Company, and lying northerly of a line which commences at a point on the east line of said Southwest Quarter of the Southwest Quarter distant 500.00 feet northerly of the southeast corner thereof; thence North 81 degrees 30 minutes West (the east line of the Southwest Quarter of the Southwest Quarter has an assumed bearing of North) to the easterly right-of-way of said railroad corridor and there terminating.

The Northeast Quarter of the Southwest Quarter of Section 18, Township 116, Range 24.

All of the Northwest Quarter of the Southeast Quarter of Section 18, Township 116, Range 24, lying west of the East 10.35 chains thereof.

Call 48 Hours before digging:
811 or call811.com
Common Ground Alliance



NOT FOR CONSTRUCTION

PREPARED FOR:

CARVER COUNTY PUBLIC WORKS

11360 HIGHWAY 212, SUITE 1
COLOGNE, MN 55322

I HEREBY CERTIFY THAT THIS PLAN 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

MATHEW J. WELINSKI
DATE: 08/03/2022 LICENSE NO. 53596

AIRPORT ROAD ADDITION

WACONIA, MN

Westwood

Phone (952) 937-5150 12701 Whitewater Drive, Suite #300
Fax (952) 937-5822 Minnetonka, MN 55343
Toll Free (888) 937-5150 westwoodps.com
Westwood Professional Services, Inc.

EXISTING CONDITIONS

PROJECT NUMBER: 0033942.00

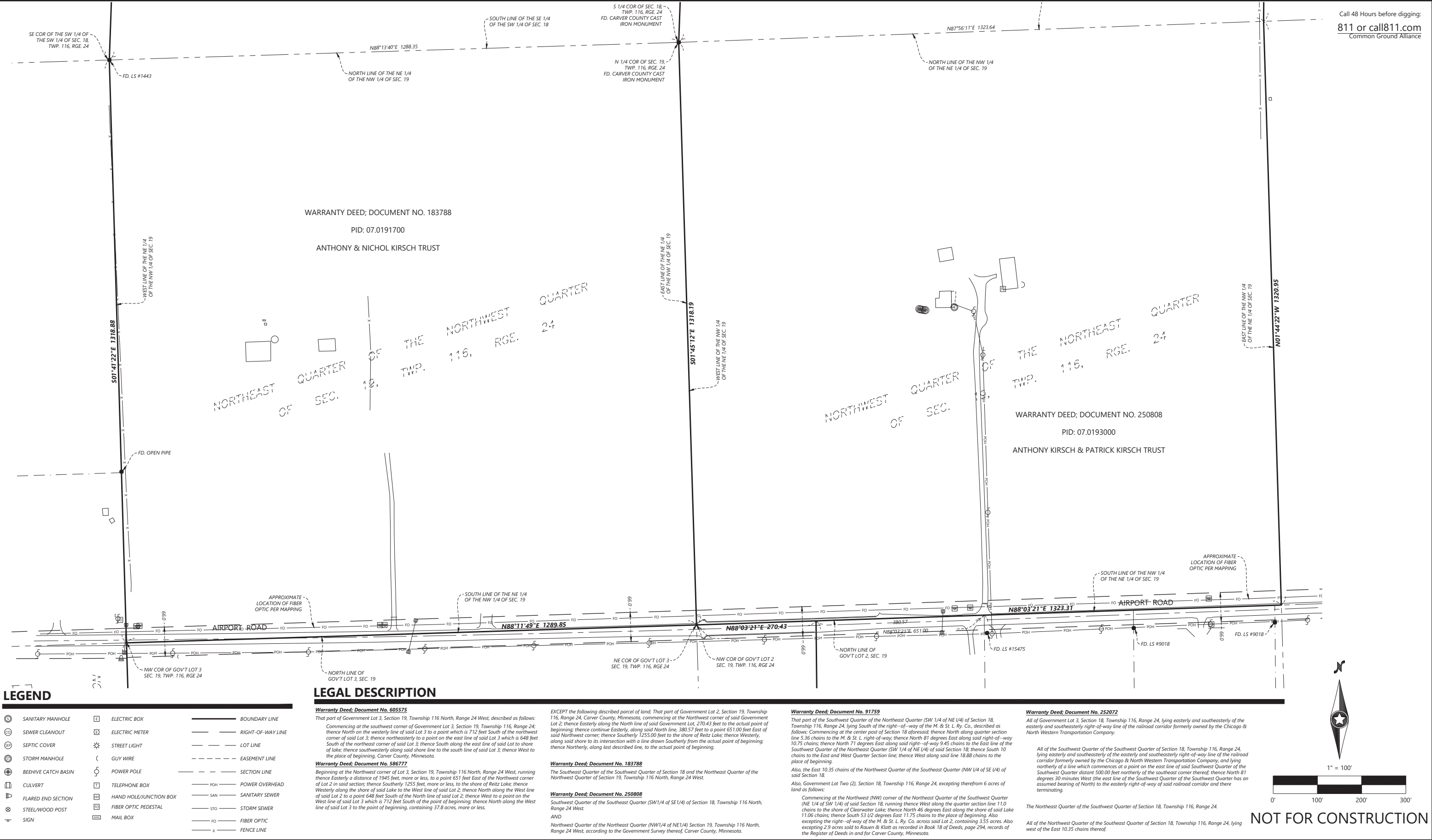
SHEET NUMBER:

4

OF

7

DATE: 08/03/2022



DESIGNED: _____
CHECKED: _____
DRAWN: _____
HORIZONTAL SCALE: 1"=100.000000'
VERTICAL SCALE: 2"=10.00'

INITIAL ISSUE: 08/03/2022
REVISIONS:
1. _____
2. _____
3. _____
4. _____
5. _____

PREPARED FOR:

CARVER COUNTY PUBLIC WORKS

11360 HIGHWAY 212, SUITE 3
COLOGNE, MN 55322

I HEREBY CERTIFY THAT THIS PLAN 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

MATHEW J. WELINSKI
DATE: 08/03/2022 LICENSE NO. 53596

AIRPORT ROAD ADDITION

WACONIA, MN

Westwood

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Fax (952) 937-5822 Minnetonka, MN 55343
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Westwood Professional Services, Inc.

EXISTING CONDITIONS

PROJECT NUMBER: 0033942.00

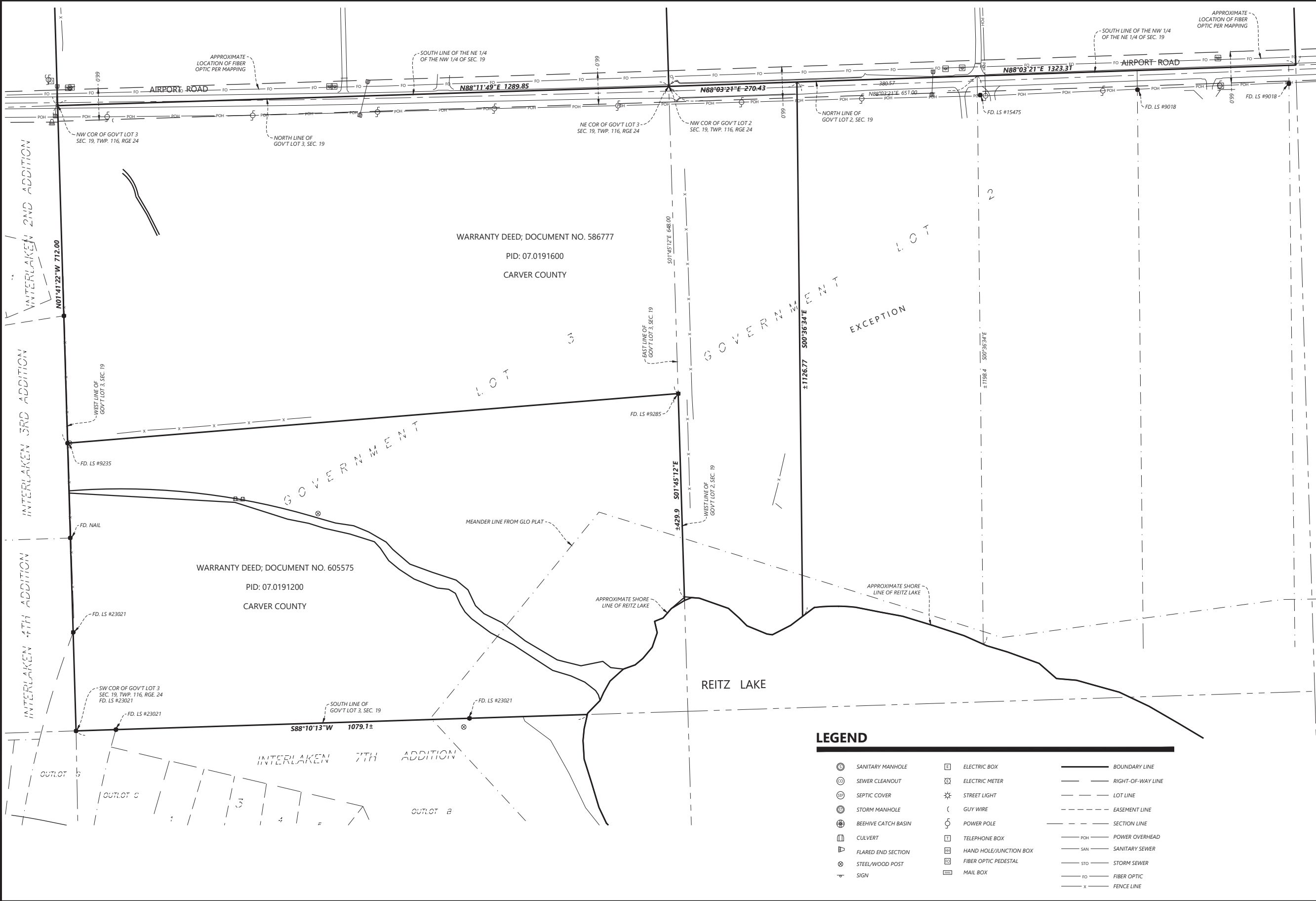
SHEET NUMBER:

5

OF

7

DATE: 08/03/2022



Call 48 Hours before digging:
811 or call811.com
Common Ground Alliance

LEGAL DESCRIPTION

Warranty Deed; Document No. 605575
That part of Government Lot 3, Section 19, Township 116 North, Range 24 West, described as follows:
Commencing at the southwest corner of Government Lot 3, Section 19, Township 116, Range 24; thence North on the westerly line of said Lot 3 to a point which is 712 feet South of the northeast corner of said Lot 3; thence northeasterly to a point on the east line of said Lot 3 which is 648 feet South of the northeast corner of said Lot 3; thence South along the east line of said Lot 3 to shore of lake; thence southwesterly along said shore line to the south line of said Lot 3; thence West to the place of beginning, Carver County, Minnesota.

Warranty Deed; Document No. 586777
Beginning at the Northwest corner of Lot 3, Section 19, Township 116 North, Range 24 West, running thence Easterly a distance of 1945 feet, more or less, to a point 651 feet East of the Northwest corner of Lot 2 in said section; thence Southerly 1255 feet, more or less, to the shore of Reitz Lake; thence Westerly along the shore of said Lake to the West line of said Lot 2; thence North along the West line of said Lot 2 to a point 648 feet South of the North line of said Lot 2; thence West to a point on the West line of said Lot 3 which is 712 feet South of the point of beginning; thence North along the West line of said Lot 3 to the point of beginning, containing 37.8 acres, more or less.

Warranty Deed; Document No. 183788
The Southeast Quarter of the Southwest Quarter of Section 18 and the Northeast Quarter of the Northwest Quarter of Section 19, Township 116 North, Range 24 West.

Warranty Deed; Document No. 250808
Southwest Quarter of the Southeast Quarter (SW1/4 of SE1/4) of Section 18, Township 116 North, Range 24 West.
AND
Northwest Quarter of the Northeast Quarter (NW1/4 of NE1/4) Section 19, Township 116 North, Range 24 West, according to the Government Survey thereof, Carver County, Minnesota.

Warranty Deed; Document No. 91759
That part of the Southwest Quarter of the Northeast Quarter (SW 1/4 of NE 1/4) of Section 18, Township 116, Range 24, lying South of the right-of-way of the M. & St. L. Ry. Co., described as follows: Commencing at the center post of Section 18 aforesaid; thence North along quarter section line 5.36 chains to the M. & St. L. right-of-way; thence North 81 degrees East along said right-of-way 10.73 chains; thence North 71 degrees East along said right-of-way 9.45 chains to the East line of the Southwest Quarter of the Northeast Quarter (SW 1/4 of NE 1/4) of said Section 18; thence South 10 chains to the East and West Quarter Section line; thence West along said line 18.88 chains to the place of beginning.

Also, the East 10.35 chains of the Northwest Quarter of the Southeast Quarter (NW 1/4 of SE 1/4) of said Section 18.

Also, Government Lot Two (2), Section 18, Township 116, Range 24, excepting therefrom 6 acres of land as follows:
Commencing at the Northwest (NW) corner of the Northeast Quarter of the Southwest Quarter (NE 1/4 of SW 1/4) of said Section 18, running thence West along the quarter section line 11.0 chains to the shore of Clearwater Lake; thence North 46 degrees East along the shore of said Lake 11.06 chains; thence South 53 1/2 degrees East 11.75 chains to the place of beginning. Also excepting the right-of-way of the M. & St. L. Ry. Co. across said Lot 2, containing 3.55 acres. Also excepting 2.9 acres sold to Rau & Klatt as recorded in Book 18 of Deeds, page 294, records of the Register of Deeds in and for Carver County, Minnesota.

Warranty Deed; Document No. 252072
All of Government Lot 3, Section 18, Township 116, Range 24, lying easterly and southeasterly of the easterly and southeasterly right-of-way line of the railroad corridor formerly owned by the Chicago & North Western Transportation Company.

All of the Southwest Quarter of the Southwest Quarter of Section 18, Township 116, Range 24, lying easterly and southeasterly of the easterly and southeasterly right-of-way line of the railroad corridor formerly owned by the Chicago & North Western Transportation Company, and lying northerly of a line which commences at a point on the east line of said Southwest Quarter of the Southwest Quarter distant 500.00 feet northerly of the southeast corner thereof; thence North 81 degrees 30 minutes West (the east line of the Southwest Quarter of the Southwest Quarter has an assumed bearing of North) to the easterly right-of-way of said railroad corridor and there terminating.

The Northeast Quarter of the Southwest Quarter of Section 18, Township 116, Range 24.

All of the Northwest Quarter of the Southeast Quarter of Section 18, Township 116, Range 24, lying west of the East 10.35 chains thereof.

1" = 100'

NOT FOR CONSTRUCTION

DESIGNED: _____

CHECKED: _____

DRAWN: _____

HORIZONTAL SCALE: 100'

VERTICAL SCALE: 20' OR 10'

INITIAL ISSUE: 08/03/2022

REVISIONS:

△	_____
△	_____
△	_____
△	_____
△	_____

PREPARED FOR:

CARVER COUNTY PUBLIC WORKS

11360 HIGHWAY 212, SUITE 1
COLOGNE, MN 55322

I HEREBY CERTIFY THAT THIS PLAN 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

MATHEW J. WELINSKI
DATE: 08/03/2022 LICENSE NO. 53596

AIRPORT ROAD ADDITION

WACONIA, MN

Westwood

Phone (952) 937-5150 12701 Whitewater Drive, Suite #300
Fax (952) 937-5822 Minnetonka, MN 55343
Toll Free (888) 937-5150 westwoodps.com
Westwood Professional Services, Inc.

SHEET NUMBER:
6 OF **7**

EXISTING CONDITIONS

PROJECT NUMBER: 0033942.00 DATE: 08/03/2022

AIRPORT ROAD ADDITION

EXISTING PID AREAS

PID	OWNERSHIP	GROSS AREA
070191600	CARVER COUNTY	26.82 AC
070191200	CARVER COUNTY	18.35 AC
070191700	KIRSCH	79.22 AC
070193000	KIRSCH	80.51 AC
750180300	CARVER COUNTY	28.611 AC
750181000	CARVER COUNTY	41.40 AC

GROSS SITE AREA

TOTAL GROSS SITE ARE = 274.91 ACRES

OUTLOT TABLE

OUTLOT	OWNERSHIP	GROSS AREA
A	COUNTY	13.70 AC
B	COUNTY	16.36 AC
C	KIRSCH	13.09 AC
D	COUNTY	1.53 AC
E	COUNTY	0.91 AC
F	KIRSCH	50.27 AC
G	KIRSCH	19.26 AC
H	COUNTY	4.22 AC
I	COUNTY	46.52 AC
J	COUNTY	34.65 AC
K	KIRSCH	61.38 AC
L	COUNTY	1.92 AC
M	COUNTY	1.82 AC
N	COUNTY	9.28 AC

PREPARED FOR:

CARVER COUNTY PUBLIC WORKS

11360 HIGHWAY 212, SUITE 1
COLOGNE, MN 55322

I HEREBY CERTIFY THAT THIS PLAN 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

MATHEW J. WELINSKI
DATE: 08/03/2022 LICENSE NO. 53596

AIRPORT ROAD ADDITION

WACONIA, MN

Westwood

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Fax (952) 937-5822 Minnetonka, MN 55343
Toll Free (888) 937-5150 westwoodps.com
Westwood Professional Services, Inc.

PRELIMINARY PLAT

PROJECT NUMBER: 0033942.00

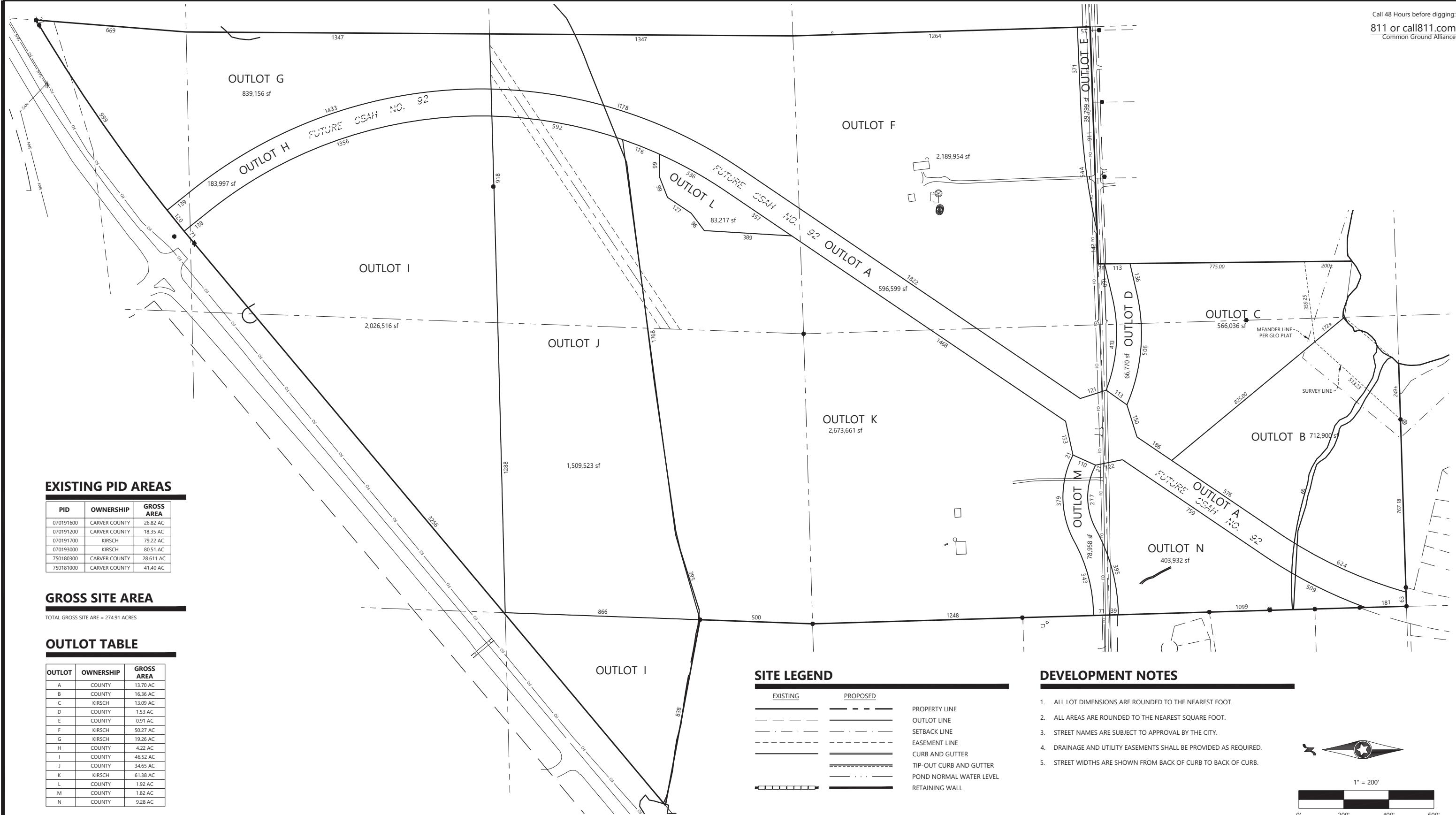
SHEET NUMBER:

7

OF

7

DATE: 08/03/2022



NOT FOR CONSTRUCTION

AIRPORT ROAD ADDITION

PLAT FILE NO.
C.R. DOC. NO.

KNOW ALL PERSONS BY THESE PRESENTS: That the County of Carver, a body of politic and corporate under the laws of the State of Minnesota, owner of the following described property situated in the County of Carver, State of Minnesota, to wit:

That part of Government Lot 3, Section 19, Township 116 North, Range 24 West, described as follows:

Commencing at the southwest corner of Government Lot 3, Section 19, Township 116, Range 24; thence North on the westerly line of said Lot 3 to a point which is 712 feet South of the northwest corner of said Lot 3; thence northeasterly to a point on the east line of said Lot 3 which is 648 feet South of the northeast corner of said Lot 3; thence South along the east line of said Lot to shore of lake; thence southwesterly along said shore line to the south line of said Lot 3; thence West to the place of beginning, Carver County, Minnesota.

AND

Beginning at the Northwest corner of Lot 3, Section 19, Township 116 North, Range 24 West, running thence Easterly a distance of 1945 feet, more or less, to a point 651 feet East of the Northwest corner of Lot 2 in said section; thence Southerly 1255 feet, more or less, to the shore of Reitz Lake; thence Westerly along the shore of said Lake to the West line of said Lot 2; thence North along the West line of said Lot 2 to a point 648 feet South of the North line of said Lot 2; thence West to a point on the West line of said Lot 3 which is 712 feet South of the point of beginning; thence North along the West line of said Lot 3 to the point of beginning, containing 37.8 acres, more or less.

EXCEPT the following described parcel of land; That part of Government Lot 2, Section 19, Township 116, Range 24, Carver County, Minnesota, commencing at the Northwest corner of said Government Lot 2; thence Easterly along the North line of said Government Lot, 270.43 feet to the actual point of beginning; thence continue Easterly, along said North line, 380.57 feet to a point 651.00 feet East of said Northwest corner; thence Southerly 1255.00 feet to the shore of Reitz Lake; thence Westerly, along said shore to its intersection with a line drawn Southerly from the actual point of beginning; thence Northerly, along last described line, to the actual point of beginning.

AND

That part of the Southwest Quarter of the Northeast Quarter, the Northwest Quarter of the Southeast Quarter, Government Lot 3 and the Northeast Quarter of the Southwest Quarter, all in Section 18, Township 116, Range 24, Carver County, Minnesota lying southeasterly of the southeasterly right of way line of the Carver County Right of Way Plat No. 9.

TOGETHER WITH

That part of the Southwest Quarter of the Southwest Quarter of Section 18, Township 116, Range 24, lying southeasterly of the southeasterly right of way line of the Carver County Right of Way Plat No. 9 and northeasterly of the following described line:
Commencing at the southeast corner of said Southwest Quarter of the Southwest Quarter; thence North 02 degrees 04 minutes 05 seconds East, assumed bearing along the east line of said Southwest Quarter of the Southwest Quarter, a distance of 500.00 feet to the point of beginning of the line to be described; thence North 79 degrees 25 minutes 55 seconds West, a distance of 838.48 feet more or less to said southeasterly right of way line of the Carver County Right of Way Plat No. 9 and said line there terminating.

KNOW ALL PERSONS BY THESE PRESENTS: That Catherine A. Seck, Kerik K. Seck, Anthony A. Kirsch Revocable Trust and Nichol E. Kirsch Revocable Trust, owners of the following described property situated in the County of Carver, State of Minnesota, to wit:

The Southeast Quarter of the Southwest Quarter of Section 18 and the Northeast Quarter of the Northwest Quarter of Section 19, Township 116 North, Range 24 West.

KNOW ALL PERSONS BY THESE PRESENTS: That Anthony A. Kirsch and Patrick L. Kirsch Revocable Trust, owners of the following described property situated in the County of Carver, State of Minnesota, to wit:

Southwest Quarter of the Southeast Quarter (SW1/4 of SE1/4) of Section 18, Township 116 North, Range 24 West.

AND

Northwest Quarter of the Northeast Quarter (NW1/4 of NE1/4) Section 19, Township 116 North, Range 24 West, according to the Government Survey thereof, Carver County, Minnesota.

Have caused the same to be surveyed and platted as **AIRPORT ROAD ADDITION** and do hereby donate and dedicate to the public for public use forever the public ways and also dedicates the easements as shown on this plat for drainage and utility purposes only.

In witness whereof said the County of Carver, a body of politic and corporate under the laws of the State of Minnesota, has caused these presents to be signed by its proper officers this _____ day of _____, 20_____.

COUNTY OF CARVER

By _____
Gayle Degler, Board Chair

STATE OF MINNESOTA
COUNTY OF _____

The foregoing instrument was acknowledged before me this _____ day of _____, 20_____, by Gayle Degler, Board Chair of the County of Carver, a body of politic and corporate under the laws of the State of Minnesota, on behalf of the county.

(Signature) (Name Printed)

Notary Public, _____ County, Minnesota

My Commission Expires _____

In witness whereof said Catherine A. Seck and Kerik K. Seck, wife and husband, have hereunto set their hands this _____ day of _____, 20_____.

Catherine A. Seck Kerik K. Seck

STATE OF MINNESOTA
COUNTY OF _____

The foregoing instrument was acknowledged before me this _____ day of _____, 20_____, by Catherine A. Seck and Kerik K. Seck, wife and husband.

(Signature) (Name Printed)

Notary Public, _____ County, Minnesota

My Commission Expires _____

In witness whereof said Anthony A. Kirsch and Nichol E. Kirsch, Trustees of the Anthony A. Kirsch Revocable Trust, dated May 29, 2002, have hereunto set their hands this _____ day of _____, 20_____.

Anthony A. Kirsch, Trustee of the Anthony A. Kirsch Revocable Trust Nichol E. Kirsch, Trustee of the Anthony A. Kirsch Revocable Trust
dated May 29, 2002 dated May 29, 2002

STATE OF MINNESOTA
COUNTY OF _____

The foregoing instrument was acknowledged before me this _____ day of _____, 20_____, by Anthony A. Kirsch and Nichol E. Kirsch, Trustees of the Anthony A. Kirsch Revocable Trust, dated May 29, 2002.

(Signature) (Name Printed)

Notary Public, _____ County, Minnesota

My Commission Expires _____

In witness whereof said Nichol E. Kirsch and Anthony A. Kirsch, Trustees of the Nichol E. Kirsch Revocable Trust, dated May 29, 2002, have hereunto set their hands this _____ day of _____, 20_____.

Nichol E. Kirsch, Trustee of the Nichol E. Kirsch Revocable Trust Anthony A. Kirsch, Trustee of the Nichol E. Kirsch Revocable Trust
dated May 29, 2002 dated May 29, 2002

STATE OF MINNESOTA
COUNTY OF _____

The foregoing instrument was acknowledged before me this _____ day of _____, 20_____, by Nichol E. Kirsch and Anthony A. Kirsch, Trustees of the Nichol E. Kirsch Revocable Trust, dated May 29, 2002.

(Signature) (Name Printed)

Notary Public, _____ County, Minnesota

My Commission Expires _____

AIRPORT ROAD ADDITION

PLAT FILE NO.
C.R. DOC. NO.

In witness whereof said Anthony A. Kirsch and Nichol E. Kirsch, husband and wife, have hereunto set their hands this _____ day of _____, 20_____.

Anthony A. KirschNichol E. Kirsch

STATE OF MINNESOTA
COUNTY OF _____
The foregoing instrument was acknowledged before me this _____ day of _____, 20_____, by Anthony A. Kirsch and Nichol E. Kirsch, husband and wife.

(Signature)(Name Printed)

Notary Public, _____ County, Minnesota

My Commission Expires _____

In witness whereof said Patrick L. Kirsch, Trustee of the Patrick L. Kirsch Revocable Trust, dated December 21, 1999, has hereunto set his hands this _____ day of _____, 20_____.

Patrick L. Kirsch, Trustee of the Patrick L. Kirsch Revocable Trust
dated December 21, 1999

STATE OF MINNESOTA
COUNTY OF _____
The foregoing instrument was acknowledged before me this _____ day of _____, 20_____, by Patrick L. Kirsch, Trustee of the Patrick L. Kirsch Revocable Trust, dated December 21, 1999.

(Signature)(Name Printed)

Notary Public, _____ County, Minnesota

My Commission Expires _____

I, Mathew J. Welinski, do hereby certify that this plat was prepared by me or under my direct supervision; that I am a duly Licensed Land Surveyor in the State of Minnesota; that this plat is a correct representation of the boundary survey; that all mathematical data and labels are correctly designated on this plat; that all monuments depicted on this plat have been, or will be correctly set within one year; that all water boundaries and wet lands, as defined in Minnesota Statutes, Section 505.01, Subd. 3, as of the date of this certificate are shown and labeled on this plat; and all public ways are shown and labeled on this plat.

Dated this _____ day of _____, 20_____.

Mathew J. Welinski, Licensed Land Surveyor
Minnesota License No. 53596

STATE OF MINNESOTA
COUNTY OF HENNEPIN
This instrument was acknowledged before me on _____ by Mathew J. Welinski, Licensed Land Surveyor.

(Signature)(Name Printed)

Notary Public, _____ County, Minnesota

My Commission Expires _____

CITY COUNCIL, CITY OF WACONIA, MINNESOTA
This plat of **AIRPORT ROAD ADDITION** was approved and accepted by the City Council of the City of Wacoina, Minnesota at a regular meeting thereof held this _____ day of _____, 20_____, and said plat is in compliance with the provisions of Minnesota Statutes, Section 505.03, Subd. 2. And also by Extension of Subdivision Authority within Laketown Township per City Resolution No. 2022-87 and recorded as Document Number A745557, Carver County, Minnesota.

City Council, City of Waconia, Minnesota

By: _____By: _____

COUNTY SURVEYOR, Carver County, Minnesota
Pursuant to Chapter 395, Minnesota Laws of 1971, this plat has been approved this _____ day of _____, 20_____.

Brian E. Praske, County Surveyor

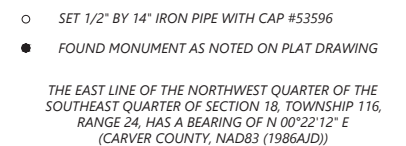
COUNTY AUDITOR, Carver County, Minnesota
I hereby certify that taxes payable in 20____ and prior years have been paid for land described on this plat. Dated this _____ day of _____, 20__.

Crystal Campos, County Auditor

COUNTY RECORDER, Carver County, Minnesota
I hereby certify that this plat of **AIRPORT ROAD ADDITION** was filed this _____ day of _____, 20_____, at _____ o'clock _____M., as Document No. _____.

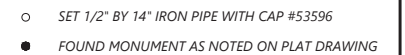
Kaaren Lewis, County Recorder

PLAT FILE NO.
C.R. DOC. NO.



MATCH LINE "A"
(SEE SHEET 3 OF 5 SHEETS)

C.R. DOC. NO.



SCALE IN FEET

0 150 300 450

SCALE: 1 INCH = 150 FEET

Westwood
Professional Services, Inc.

PLAT FILE NO.
C.R. DOC. NO.



Lane Braaten

From: John Dahl <johntdahl@gmail.com>
Sent: Thursday, September 1, 2022 2:44 PM
To: Lane Braaten
Subject: Preliminary and Final Plat Planning for the Airport Road Addition

Hello Lane and the Waconia Planning Commission,

Thank you for the letter of notification regarding the proposed development south of Hwy 5, and the opportunity for comment. I am writing this letter to urge you to consider a plan to transfer or purchase the land owned by Carver County (especially the area south of Airport Road) and incorporate it into the neighboring parkland that has already been established. During covid and post covid pandemic, I witnessed that this area received a greater push by citizens looking to get out of their house and go for walks. The recent pandemic showed us the value of having access to outdoor and recreational areas.

I have lived in and around the Carver County Area for most of my life and the pace that I have seen development and the disappearance of our natural habitat is alarming. I do understand, especially with today's economics and land values, the pressure that you must be under to monetize these assets and to fully realize their economic value. However, when thinking about going this route, please consider the intrinsic value this property brings to the whole community.

The Carver County owned property (south of Airport Rd) dissects Interlaken Park that lies on its western and southern border. Currently, the trails that have already been established feel incomplete. By acquiring this acreage (or through other means of protection), it would allow for a future trail system that could connect the "dead end" trails found in Interlaken / Reitz Lake to the south and the trail near Firesteed Ridge to the west. Two thirds of the land that is south of Airport Rd. would be considered lowland / marsh habitat and holds a variety of wildlife from deer, turkey and coyote to sandhill cranes, redtail hawk and osprey. It is a wonderful location for viewing wildlife. The wooded area boarding the south is hilly and heavily wooded and is a wonderful compliment to the marsh to its south. There is great potential for mountain bike, cross country ski and walking trails or being left alone as a nature preserve. The new dock on Reitz Lake would be better utilized if a trail from those already established along Airport Rd. would connect to it. This connection would allow the citizens from the north and west to gain easier access to the lake and better complete the trail corridor to the south of Airport Road.

Another point I would like to make is the idea to connect or create a trail corridor from the Reitz Lake / Interlaken Park trail system north to Lake Waconia Regional Park. A large barrier to utilizing our regional park is the fact that the safest way to get there is by car (when coming from south of Hwy 5). With young children, it is not appealing to drive bikes or walk through the many intersections, (especially @ Main & Hwy 5) as well as ride alongside busy streets (Main Street to Old Beach Road). This future green corridor would connect the neighborhoods along Sparrow Ave (with the trail that currently runs under Hwy 10 / Engler) with that of the Interlaken neighborhood and then to the north to Laketown Elementary and on to the Waconia Regional Park. This trail system could utilize the already existing tunnel under Hwy 5 and would connect Lake Waconia with Reitz Lake. This option is still available to us if we plan for it with the land that is available.

I am in awe of those who had the foresight and perseverance to protect lands such as that found in the Three Rivers Park district. The pressures that we feel today were also felt by those who owned the land prior to it being protected. I know that I am not alone in the desire for green space and hope that you will consider the benefits that trail corridors provide to our city. By selling or parceling off this land without consideration to the importance of green space and nature corridors, we lose out on a wonderful opportunity that lies before us.

Thank you,

John Dahl
1154 Interlaken Pkwy North
Waconia, MN

Lane Braaten

From: THOMAS JESSEN <tjessen@outlook.com>
Sent: Thursday, September 1, 2022 4:06 PM
To: Lane Braaten
Cc: PRECHT, Mark and Judy; Loren and Deborah HAAKE; JEURISSEN, Dick and Kathy; DRAPCHO, Joe and Shirley
Subject: Airport Road Addition Road project notification violation

City of Waconia

To whom it may concern:

This email is to make notice that the 9-1-22 meeting is in violation of MN Statutes 462.357 Subd. 3. Requiring written notification to ALL property owners within 350 feet of related properties. Barely a fraction of the 23 homes at the Interlaken Cottage homes received written notification of this intended September 1, 2022 meeting. We are a large number of the properties surrounding this affected property and do not feel proper notice was given to voice our opinions and concerns over some very important issues.

Some of those are:

1. Noise reduction
2. Safety issues
3. Concern for the Lake impact.
4. The wetlands
5. The dangerous road mound that exists to the east of the crest of Airport Road
6. Sidewalks
7. The types of zoning and their impact on the quiet enjoyment of our current properties
8. The views and woodlands
9. Other unknown issues to be explained.

All 23 homes here own common property that borders directly to the county owned property to the east of us. We wish to be heard as this will have a dramatic impact on the value of our properties.

Sincerely

Thomas Jessen
Vice President
Interlaken Cottage Homes
947 Firesteed Ridge
Waconia, MN 55387

612-845-8073



REQUEST FOR CITY COUNCIL ACTION

Meeting Date:		September 19, 2022					
Item Name:		Approve Survey and Topographical Work					
Originating Department:		Public Services					
Presented by:		Craig Eldred					
Previous Council Action (if any):		March 7, Res; 2022-73: City Engineer to Prepare Regional Solicitation Applications for Trunk Highway Five, Phase II Improvements & Note City Administrator as Administrator of Grant					
Item Type (X only one):	Consent	☐	Regular Session	☐	Discussion Session	☒	X
RECOMMENDATIONS/COUNCIL ACTION/MOTION REQUESTED <i>(Include motion in proper format.)</i>							
Adopt Resolution 2022-256; Approval of Survey & Topographical Work For Trunk Highway Five Corridor, CIP Project 132-B							
EXPLANATION OF AGENDA ITEM <i>(Include a description of background, benefits, and recommendations.)</i>							
As Council Members are aware we continue to work on preparing for future improvement planning and efforts to find outside sources of funding for the future Trunk Highway Five, Phase II Improvement Project. Previous to this request Council authorized submittal of a Regional Solicitation Application. Recent Work Session discussions surrounded this effort as well. In effort to better plan and enhance future funding requests staff are requesting the ability to complete survey and topographical work within the corridor. Focus of this work is to obtain data and information to be as accurate as possible for cost delivery of the work and improvements as necessary. Attached, once again is the proposed layout and staff will provide further details of items for delivery of the project Staff recommends approval of this request allowing for data gathering and planning of the programmed improvements for fiscal year 2026. Attachments: 1. 22256res Survey__Topogaphical_Work_TH_5_CIP_Project_132-B.doc 2. TH 5 Phase II Layout.pdf							
FINANCIAL IMPLICATIONS:				ADVISORY BOARD RECOMMENDATIONS:			
Funding Sources & Uses: PIR, Water & Sewer							
Budget Information:				Planning Commission			
☒ Budgeted				Parks and Recreation Board			
☐ Non Budgeted				Safari Island Advisory Board			
☐ Amendment Required				Other			

**CITY OF WACONIA
RESOLUTION NO. 2022-256**

**RESOLUTION AUTHORIZING APPROVAL OF SURVEY & TOPOGRAPHICAL WORK FOR
TRUNK HIGHWAY 5 CORRIDOR, CIP PROJECT 132-B**

WHEREAS, one of the City’s Priorities “Infrastructure – managing, maintaining, and improving our current and future physical assets”; and

WHEREAS, defining actual improvements & costs for the Trunk Highway 5 corridor will assist in further funding submittals; and

WHEREAS, the efforts will support in defining unforeseen needs in advance of submitting and detailing outside funding opportunities.

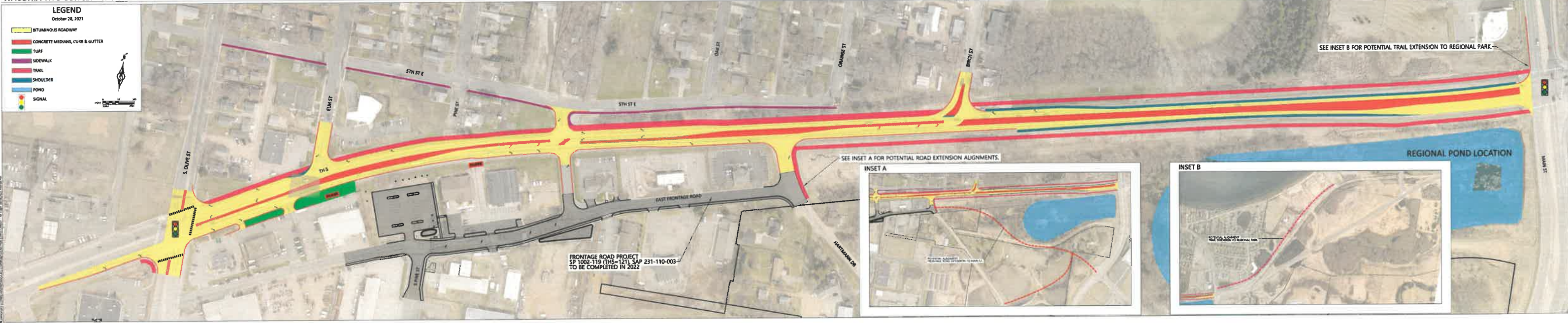
NOW, THEREFORE, BE IT RESOLVED That the City Council of the City of Waconia hereby authorizes approval of survey & topographical work for Trunk Highway 5 Corridor, CIP Project 132-B.

Adopted by the City Council of the City of Waconia this 19th day of September, 2022.

Kent Bloudek, Mayor

Attest: _____
Jackie Schulze, City Clerk

WACONIA TH 5 CONCEPTUAL VISUALIZATION





REQUEST FOR CITY COUNCIL ACTION

Meeting Date:		September 19, 2022					
Item Name:		Revolving Loan Request by Bode Gray's, LLC					
Originating Department:		Finance					
Presented by:		Nicole Meyer					
Previous Council Action (if any):							
Item Type (X only one):	Consent		Regular Session	X	Discussion Session		
RECOMMENDATIONS/COUNCIL ACTION/MOTION REQUESTED <i>(Include motion in proper format.)</i>							
Adopt Resolution 2022-257, Approving the Revolving Loan Request for Bode Gray's, LLC							
EXPLANATION OF AGENDA ITEM <i>(Include a description of background, benefits, and recommendations.)</i>							
City staff received a revolving loan application from Greg and Bria James along with Jared and Trisha DeWolf on behalf of Bode Gray's, LLC. The partnership is working to remodel and renovate the former VFW building to become a full service restaurant in downtown Waconia. The project includes new electrical, HVAC, plumbing, and roof replacement. The group has secured funding with HomeTown Bank and a grant with the Carver County CDA based on their initial bids. However, after demolition occurred on site, they have found there will be additional costs for the improvements that need to be made. The request for revolving loan funds is for these additional costs related to asbestos removal, architect and engineering fees, and an entire roof replacement instead of the initial repair that was budgeted. The total construction costs are estimated to be \$1,337,539 based on initial bids received by their contractors. Staff reviewed the loan application and supporting documentation to generate the following business summary and overview: - Financial projections support the debt coverage. - The property being improved is located in the business districts identified in the loan policy. - Security for the loan has been offered with a 2nd mortgage on the property located at 125 1st Street West. - The interest rate for the loan is determined by the final loans to value of the property. If the total loans to value for all mortgages and small business loans is less than 80%, the interest rate will be determined by the Wall Street Journal prime rate plus 1% based on the City's policy. The total interest rate today would be 6.50%. Staff will review this information with the applicant and HomeTown Bank to determine the final interest rate before closing. According to all the information received by the loan applicant, staff recommends approval of a \$149,900 revolving loan for a term of ten (10) years with the following conditions: - The revolving loan of \$149,900 is amortized for ten (10) years according to the RLF policy with the interest rate being calculated based on the final loan to value. - Execution of the required loan closing documents to include, but not limited to, promissory note, personal guaranty, loan agreement, mortgage on real property, and direct payment authorization. - Payment of the application fee of 1% of the total loan amount. Attachments: 22257res_rlf_loan_new (2).doc							
FINANCIAL IMPLICATIONS:				ADVISORY BOARD RECOMMENDATIONS:			
Funding Sources & Uses: Revolving Loan Fund (202)							
Budget Information:				Planning Commission			

☐	Budgeted	Parks and Recreation Board	
☒	Non Budgeted	Safari Island Advisory Board	
☐	Amendment Required	Other	

**CITY OF WACONIA
RESOLUTION NO. 2022-257**

RESOLUTION APPROVING THE REVOLVING LOAN REQUEST BODE GRAY’S, LLC

WHEREAS, the City of Waconia (the “City”) desires to promote general economic prosperity of the community; and

WHEREAS, the City has developed policies for the administration of a revolving loan fund; and

WHEREAS, Bode Gray’s, LLC (the “Applicant”), desires to remodel and renovate the building located at 125 1st Street West in downtown Waconia to a full service restaurant; and

WHEREAS, the applicant has applied for a \$149,900 loan for construction activities; this including asbestos removal, architect and engineering fees, and roof replacement instead of repair; and

WHEREAS, the total project costs for construction and equipment are estimated to be \$1,337,539; and

WHEREAS, the business is located in the business districts identified in the loan policy; and

WHEREAS, the application substantially meets the policy requirements of the revolving loan program regarding financial projections to fund the debt; and

WHEREAS, the applicant meets the policy requirements regarding pledged security with a mortgage on real property; and

WHEREAS, staff is recommending that the revolving loan request submitted by Bode Gray’s, LLC be funded provided that:

1. The revolving loan of \$149,900 is amortized for ten (10) years according to the RLF policy with the interest rate being calculated based on the final loan to value.
2. Execution of the required loan closing documents to include, but not limited to, promissory note, personal guaranty, loan agreement, mortgage on real property, and direct payment authorization.
3. Payment of the application fee of 1% of the total loan amount.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of Waconia hereby approves the revolving loan request for Bode Gray’s, LLC subject to the provisions recommend.

Adopted by the City Council of Waconia, Minnesota this 19th day of September, 2022.

Kent Bloudek, Mayor

ATTEST: _____
Jackie Schulze, City Clerk



REQUEST FOR CITY COUNCIL ACTION

Meeting Date:	September 19, 2022
Item Name:	Approve Feasibility Report and Call Public Hearing
Originating Department:	Public Services
Presented by:	Craig Eldred
Previous Council Action (if any):	August 15, 2022; Approval of Acknowledgement and Agreement for Services With American Engineering Testing, INC. for 2023 & 2024 Infrastructure Improvement Project, CIP Project 128 & 129

Item Type (X only one):	Consent		Regular Session	X	Discussion Session	
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RECOMMENDATIONS/COUNCIL ACTION/MOTION REQUESTED *(Include motion in proper format.)*

Adopt Resolution 2022-258; Approval of Receiving Feasibility Report & Calling Public Hearing on 2023 Improvement Project, CIP Project 128

EXPLANATION OF AGENDA ITEM *(Include a description of background, benefits, and recommendations.)*

Focus of this agenda item is for Council Members to receive the 2023 Improvement Project Feasibility Report and Call for a Public Hearing for October 17th, 2023 as part of a regularly schedule City Council Meeting. To date several steps and or processes have occurred regarding the processes for this improvement project;

1. Virtual Public Meeting
2. Authorization of Feasibility Report & Benefit Evaluations once the Feasibility Report is Approved
3. Public Meetings held at City Hall for Public Input
4. Layout and Scope of Project, with City Council approval
5. Acknowledgement of Site Survey's with American Engineering Testing, Inc.
6. Completion of Feasibility Study for presentation this evening

Attached with this memo Council Members will find a Feasibility Report describing the programmed design improvements as approved, costs for said improvements, images of individual improvements, costs associated for said improvements, information on funding processes for the programmed improvements, City Standard Assessment Policy and Geotechnical Reports. Staff and Engineering will present information surrounding the programmed improvements and answer questions regarding said improvements.

If approved by Council staff and or Engineer's will notice the impacted parcel owner's of the planned Public Hearing to be held on October 17th, 2023 at City Hall at the regularly schedule City Council Meeting at 6:00 p.m. In addition, staff will work with our City Attorney to implement the previously approved Parcel Benefit Analysis, and through this period be working on individual site visits with American Engineering Testing programmed to start in early October.

In order for this process to continue, a majority approval must occur for continuation of this improvement effort. In this situation all Council Member and the Mayor must vote in favor due to the current Council Member vacancy. Keep in mind there will be three more meetings for Council consideration to move this project forward for construction.

1. Public Hearing & Order Improvements
2. Approval of Plans & Order Ad for Bid
3. Award of Bid as Received

Attachments: 1. 22258_Res_No_2_Receiving_FS__Calling_PH.docx 2. Downtown Reconstruction Phase 1 Feasibility Study - Reduced Size.pdf		
FINANCIAL IMPLICATIONS: Funding Sources & Uses: Bonds, PIR, Assessment by Policy		ADVISORY BOARD RECOMMENDATIONS:
Budget Information: ☒ Budgeted _____ Non Budgeted _____ Amendment Required	Planning Commission	
	Parks and Recreation Board	
	Safari Island Advisory Board	
	Other	

CITY OF WACONIA
RESOLUTION NO. 2022-258
RESOLUTION APPROVAL OF RECEIVING FEASIBILITY REPORT &
CALLING HEARING ON 2023 IMPROVEMENT PROJECT, CIP
PROJECT 128

WHEREAS, pursuant to resolution of the council adopted May 16, 2022, a report has been prepared by the City Engineer with reference to the proposed Downtown Reconstruction, Phase 1 project, the street, drainage and utility improvements of the following:

- Main Street W from Maple Street S to approximately 100 feet east of Olive Street S
- Olive Street S from Main Street W to First Street W
- Stormwater reuse treatment and storage located in the alley north of Main Street W & west of Olive Street N

WHEREAS, the report provides information regarding whether the proposed improvements are necessary, cost-effective, and feasible; whether they should best be made as proposed or in connection with some other improvement; the estimated cost of the improvements as recommended; and a description of the methodology used to calculate individual assessments for affected parcels.

NOW THEREFORE, BE IT RESOLVED By the City Council of the City of Waconia:

1. The council will consider the improvement of such streets and utilities in accordance with the report and the assessment of abutting property for all or a portion of the cost of the improvements pursuant to Minnesota Statutes, Chapter 429 at an estimated total cost of the improvement of \$5,784,500.
2. A public hearing shall be held on such proposed improvements on October 17, 2022, in the council chambers of the city hall at 6:00 p.m. and the clerk shall give mailed and published notice of such hearing and improvement as required by law.

Adopted by the City Council of the City of Waconia this 19th day of September, 2022.

Kent Bloudek, Mayor

Attest:

Jackie Schulze, Clerk

FEASIBILITY STUDY

FOR

DOWNTOWN RECONSTRUCTION, PHASE 1

PROJECT

CITY OF WACONIA, MN



SEPTEMBER 2022

PREPARED BY:
BOLTON & MENK, INC.
2638 SHADOW LANE SUITE 200
CHASKA, MN 55318



Real People. Real Solutions.

2638 Shadow Lane
Suite 200
Chaska, MN 55318-1172

Ph: (952) 448-8838
Fax: (952) 448-8805
Bolton-Menk.com

September 14, 2022

City of Waconia
Attn: Shane Fineran
201 South Vine Street
Waconia, MN 55387

RE: Downtown Reconstruction, Phase 1 Project

Honorable Mayor and City Council Members:

Pursuant to your request we have prepared a Feasibility Study for project components to be included in the Downtown Reconstruction, Phase 1 Project. These components include the following:

- Street reconstruction, sidewalk reconstruction, sanitary sewer, watermain, and storm sewer replacements of Main Street from Maple Street to Olive Street and of Olive Street from Main Street to First Street.
- Constructing a new stormwater reuse system consisting of an underground storage chamber in the alley north of Main Street and associated drainage and distribution systems.

This report includes maps and drawings indicating the proposed improvements and a proposed method of financing and funding. I am available to discuss this report and this proposed project at your convenience.

Respectfully Submitted,
Bolton & Menk, Inc.

Jake S. Saulsbury, P.E.

Enclosure

FEASIBILITY STUDY
FOR
DOWNTOWN RECONSTRUCTION, PHASE 1 PROJECT
CITY OF WACONIA, MINNESOTA

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.



Jake S. Saulsbury, P.E.

Date: September 14, 2022

Registration No. 42713

TABLE OF CONTENTS

SUMMARY & CONCLUSIONS	1
A. Study Scope.....	1
B. Estimated Costs, Funding, and Financing	2
C. Overall Feasibility and Cost Effectiveness.....	2
SECTION 1 - INTRODUCTION	1
A. Impetus	1
B. Report Organization	1
SECTION 2 - STREET AND UTILITY RECONSTRUCTION	2
A. Street Improvements.....	2
B. Storm Sewer Improvements	3
C. Sidewalk Improvements	4
D. Sanitary Sewer Improvements.....	4
E. Watermain Improvements	5
SECTION 3 - STORMWATER REUSE IMPROVEMENTS	7
A. Stormwater Reuse System.....	7
SECTION 4 - FINANCING / FUNDING	8
A. Financing.....	8
B. Funding.....	8
C. Street / Storm / Sidewalk Reconstruction.....	10
D. Sanitary Sewer.....	11
E. Watermain	13
F. Stormwater Reuse Improvements	15
G. Overall Cost Summary	15
H. Assessments	15

APPENDIX A – ITEMIZED COST ESTIMATES

APPENDIX B – CITY ASSESSMENT POLICY

APPENDIX C – GEOTECHNICAL REPORT

FIGURES & TABLES

FIGURES

DESCRIPTION

Figure 1.1	Project Location Map
Figure 2.1	Street & Sidewalk Reconstruction
Figure 2.2	Typical Street Sections
Figure 2.3-2.4	Truck Turning Movements
Figure 2.5	Storm Sewer Reconstruction
Figure 2.6	Sanitary Sewer Reconstruction
Figure 2.7	Watermain Reconstruction
Figure 3.1	Reuse Drainage Area & Underground Storage Locations
Figure 4.1	Proposed Assessment Map

TABLES

DESCRIPTION

Table 4.1	Preliminary Assessment Roll
Table 4.2	Bond Debt Service & Proposed Funding Sources
Appendix A	Itemized Cost Estimates

SUMMARY & CONCLUSIONS

A. STUDY SCOPE

It is proposed that improvements to the infrastructure be constructed or reconstructed to provide the public with a sustainable system of roads, utilities, and pedestrian facilities to augment the City with good water quality, greater connectivity among residents, safer traveling for vehicles and pedestrians, and a healthier quality of life. This study investigates the feasibility of the proposed improvements, provides recommendations for design, provides related project cost estimates, and recommends a proposed method for financing and funding the project. The location of these improvements is shown on Figure No. 1.1 and consists of the following project components:

- Reconstruction of West Main Street (from South Maple Street to South Olive Street) and South Olive Street (from West Main Street to West First Street):
 - Removal and reconstruction of the entire 80-foot road right-of-way of Main Street and the entire 66-foot road right-of-way of Olive Street.
 - Reconstruction of the streets to the City's truck route section.
 - Replacement of the sanitary sewer system, including service laterals.
 - Replacement and upsizing of the water system, including replacement of hydrants, gate valves, and services.
 - Replacement and expansion of the existing storm sewer system, including the addition of stormwater treatment.
 - Reconstruction of the existing sidewalks along Main Street and Olive Street.
- Construction of a stormwater reuse system on Main Street and in the alley to the north of Main Street.

Several options for the footprint of Main Street were shared online and at Open Houses. After gathering input and reviewing the options, the City Council elected the footprint that generally consists of the following:

- Maintain 60-degree angled parking on the north side of Main Street.
- Maintain parallel parking on the south side of Main Street.
- Reduce the total roadway width (curb to curb) by approximately 3 feet.

- Increase the total sidewalk width by approximately 3 feet (primarily on the north side).
- Add bumpouts consistent with findings from the previous Downtown Master Plan and consistent with previous projects in the downtown area.

The contents of this Feasibility Study and the widths of the roadway, parking areas, and sidewalks contained herein reflect this City Council direction discussed above.

B. ESTIMATED COSTS, FUNDING, AND FINANCING

Estimated project costs for each of the project components are provided in Appendix A. The project costs are summarized as follows:

1.) Street and Utility Reconstruction	\$4,593,500
2.) Storm Water Reuse System	<u>\$1,191,000</u>
	\$5,784,500

The proposed method of financing for the Downtown Reconstruction, Phase 1 Project is through the sale of a combined bond consisting of a Chapter 429 General Obligation Bond, a Chapter 115 Sanitary Sewer Revenue Bond, and a Chapter 444 Water and Storm Water Revenue Bond. The Chapter 429 Bond would be used for the street/storm sewer reconstruction. The Chapter 115 Bond would be used for the sanitary sewer reconstruction. The Chapter 444 Bond would be used for the watermain reconstruction and miscellaneous drainage improvements. PIR Capital Improvement cash would be used for the sidewalk improvements. This proposed method will be discussed further with the Finance Director and the City's Financial Consultant.

C. OVERALL FEASIBILITY AND COST EFFECTIVENESS

All improvements addressed within this report are feasible from a technical standpoint. This study addresses issues with failing or non-existent infrastructure including street pavement, storm sewer, watermain, sanitary sewer, and sidewalk facilities. The improvements are necessary to provide safe and adequate infrastructure, and represent cost effective solutions for doing so. Detailed cost estimates for all project components have been completed and are located in Appendix A.

SECTION 1 - INTRODUCTION

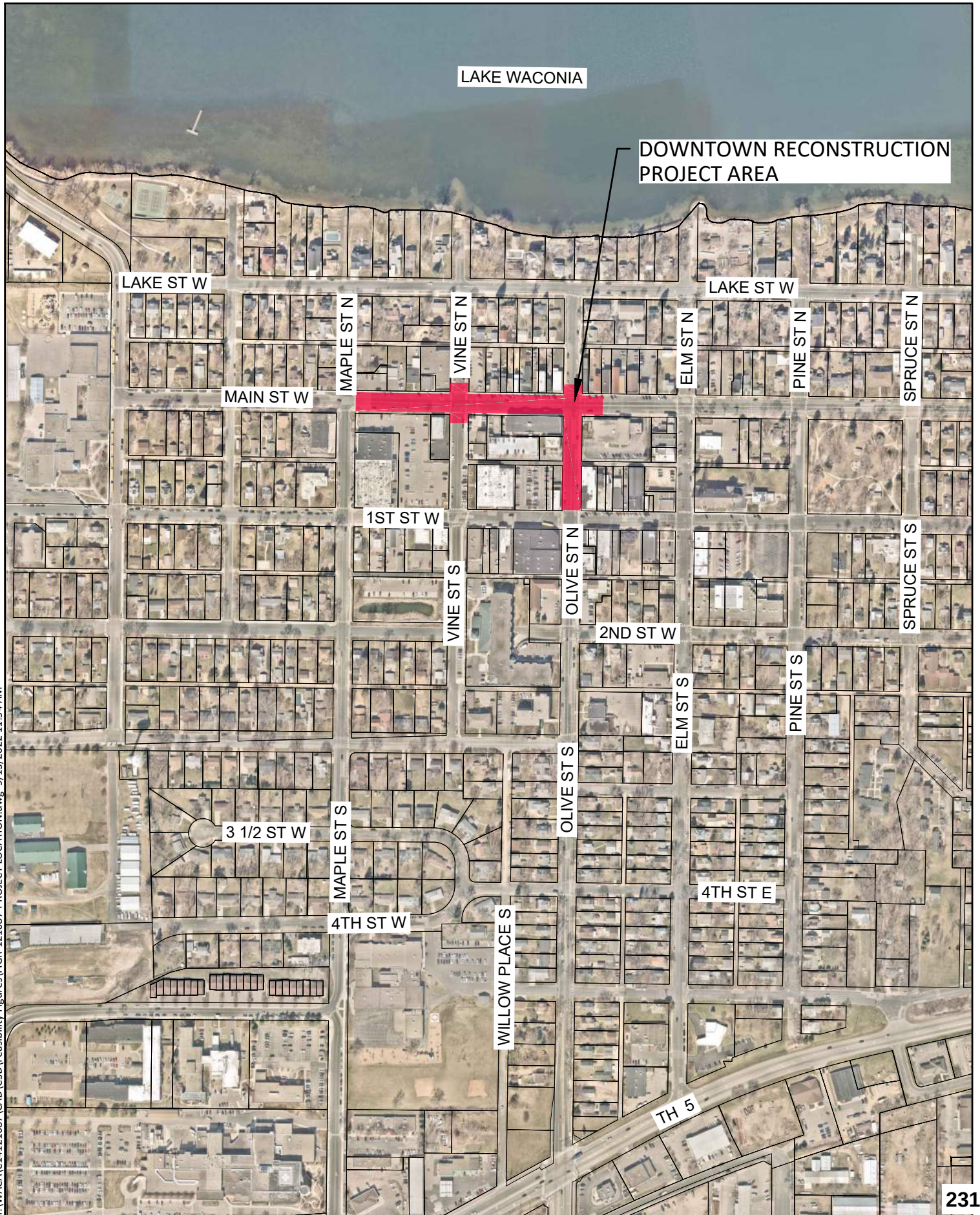
A. IMPETUS

The impetus for this report is a request from the City of Waconia to evaluate the feasibility of planned improvements for the upcoming year. Figure No. 1.1 shows the proposed project location for the Downtown Reconstruction, Phase 1 Project.

B. REPORT ORGANIZATION

To address the various projects in an orderly manner, this report is organized into four (4) sections, shown below:

- Section 1 - Introduction
- Section 2 - Street and Utility Reconstruction
- Section 3 - Stormwater Reuse Improvements
- Section 4 - Financing / Funding



SECTION 2 - STREET AND UTILITY RECONSTRUCTION

A. STREET IMPROVEMENTS

Figure No. 2.1 indicates the proposed street improvements on Main Street and Olive Street. The street improvements include removal of the existing road sections on each of the highlighted roads and rebuilding them to current city truck route standards, including replacement of existing curb and gutter sections. Adjustments in street widths are recommended as outlined below:

Proposed Road Widths (Back of Curb-to-Back of Curb)

Road	To	From	Existing Width	Proposed Width	Road Section
Main Street	Maple St.	Olive St.	≈ 63.0'	60.0'	Truck
Olive Street	Main St.	1st St.	≈ 51.0'	44.0'	Truck

Main Street is proposed to be narrowed by approximately 3.0-feet overall. The road is proposed to be narrowed approximately 4.0-feet south on the north side of the road and expanded 1.0-feet south on the south side of the road. Proposed parking on the north side of the road will be angled parking stalls. Proposed parking on the south side will be parallel parking stalls. Olive Street is proposed to be narrowed by approximately 7.0-feet. The road is proposed to be narrowed approximately 3.5-feet on each side of the road. The proposed road width of Olive Street is consistent with previously constructed improvements along Olive Street, Vine Street and Maple Street in recent years. Parking is proposed to be parallel parking stalls on both sides of the road.

Construction of a standard truck route section includes three lifts of bituminous pavement (6.5"), aggregate base (12.0"), and select granular borrow (12.0") underlain by geotextile fabric. The section is constructed on top of a compacted subgrade. The typical section for the City standard truck route section is shown on Figure No. 2.2. The results of the soils investigation indicate poor soils could be encountered near the west end of Main Street. To provide a suitable subgrade and to support the proposed utility work, additional select granular borrow and a layer of stabilizing aggregate will likely be needed in these areas.

The 12” of select granular borrow and these additional materials are considered extra section items and are therefore not considered to be assessable.

Curb bumpouts are proposed at the intersection of Main Street and Vine Street, and the intersection of Main Street and Olive Street. These bumpouts would approximately match the existing bumpouts at the intersection of Main Street and Maple Street. Bumpouts are beneficial to reduce pedestrian crossing distances where a wide street footprint is proposed. By implementing these bumpouts, the pedestrian crossing distance is reduced from approximately 60 feet to approximately 34 feet on Main Street. The bumpouts also provide a location for potential rain gardens and other stormwater treatment systems. Truck turning movements have been analyzed for these proposed bumpouts. Very large trucks, WB-62s, will need to encroach into both driving lanes in order to avoid dragging trailers over the bumpout curbs if taking a right turn. These truck turning movements along with the turning movements for the city’s largest fire truck are shown on Figure 2.3 and 2.4.

The phasing for construction will generally fall into two large stages, one being Main Street from Maple Street to Olive Street, the other Olive Street from Main Street to First Street. Within these larger phases, there will be many smaller scale phases to help keep adequate parking, pedestrian access, and business access available at all times. The smaller phases will be continually changing as the work progresses from utilities to street construction and will be adjusted as necessary. Figures will be created during final design and the construction process to show where parking and business access will be available during certain phases.

B. STORM SEWER IMPROVEMENTS

The existing storm sewer systems on Main Street and Olive Street will be removed and reconstructed as shown on Figure No. 2.5. The existing drainage patterns will primarily be maintained. The majority of stormwater on Main Street and Olive Street will be routed through proposed storm sewer infrastructure to the Stormwater Reuse System located in the alley north of Main Street.

Additional stormwater treatment will be required in order to meet the Carver County Watershed Management Organization’s rules. A combination of rain gardens and pervious pavers will achieve the required treatment volumes. Either of these treatment systems on their own would not meet the requirements for this project. The proposed rain gardens

would be located near or in the bumpouts, in a similar fashion to previous projects that have been constructed nearby. The pervious pavers are planned to be constructed in the city's parking lot on the south side of Main Street that enters the lower level of the parking ramp. The extent of the pavers to be constructed will need to be further analyzed to determine if the project intends to meet minimum requirements or to create extra stormwater credits above and beyond minimums.

The total estimated cost for the proposed street and storm sewer reconstruction improvements is \$2,643,202. Of this amount, \$387,045 is considered assessable. Itemized cost estimates are provided in Appendix A of this report. Financing and funding for the entire project is discussed in Section 4.

C. SIDEWALK IMPROVEMENTS

The proposed sidewalk reconstruction locations are also shown on Figure 2.1. The current sidewalk along the north side of Main Street is proposed to be reconstructed and expanded to a width of 12-feet. The current sidewalk along the south side of Main Street is proposed to be reconstructed to a width of 6 feet from Maple Street to Vine Street, and a width of 8-feet from Vine Street to Olive Street. The current sidewalk along the both sides of Olive Street is proposed to be reconstructed in the same location to a width of 9-feet to 13-feet depending on building locations. All existing and proposed pedestrian ramps will be constructed to Americans with Disabilities Act (ADA) standards to provide adequate access to all users.

The total estimated cost of the sidewalk improvements is \$459,756 which is not considered an assessable cost. An itemized cost is provided in Appendix A of this report. Financing and funding for the entire project is discussed in Section 4.

D. SANITARY SEWER IMPROVEMENTS

The sanitary sewer improvements consist of reconstruction of sewer main, manholes, and sewer services on Main Street and Olive Street, as shown on Figure 2.6. The sewer reconstruction consists of replacing the old and deteriorated, clay sewer system with an 8-inch PVC sewer main and with sewer services from the main to the existing buildings. The sewer will connect to the sewer line on Maple Street and ultimately flow to the L-52 Lift Station. Sanitary manholes will be reconstructed and new sewer will be stubbed out of the intersections and connected to the existing pipes east of the Main Street and Olive Street intersection.

The total estimated cost for all of the sanitary sewer improvements is \$507,202. Of this amount, \$207,083 is considered assessable. Itemized cost estimates are provided in Appendix A. Financing and funding is discussed in Section 4.

E. WATERMAIN IMPROVEMENTS

Figure No. 2.7 indicates the proposed watermain improvements. The existing watermain consists of 6-inch mains on Main Street and Olive Street. The existing system is aging and is susceptible to breakages and leaks. Breakages and leaks result in high maintenance and repair costs, service disruptions, and saturation of the street subgrade. Therefore, the proposed improvements include removing and replacing the entire watermain system within the street right-of-way and upsizing to an 8-inch main. Replacement includes the mainline, gate valves, hydrants, and services. The proposed work includes connecting to the new main installed at the Main Street and Maple Street intersection installed at part of the 2014 Infrastructure Improvement Project. The watermain reconstruction will stop short of the intersection of Olive Street and First Street in order to not impact that intersection. The new watermain will be stubbed out to the east of the Main Street and Olive Street intersection and connected to the existing pipes so the intersection will not need to be reconstructed again with future adjacent projects.

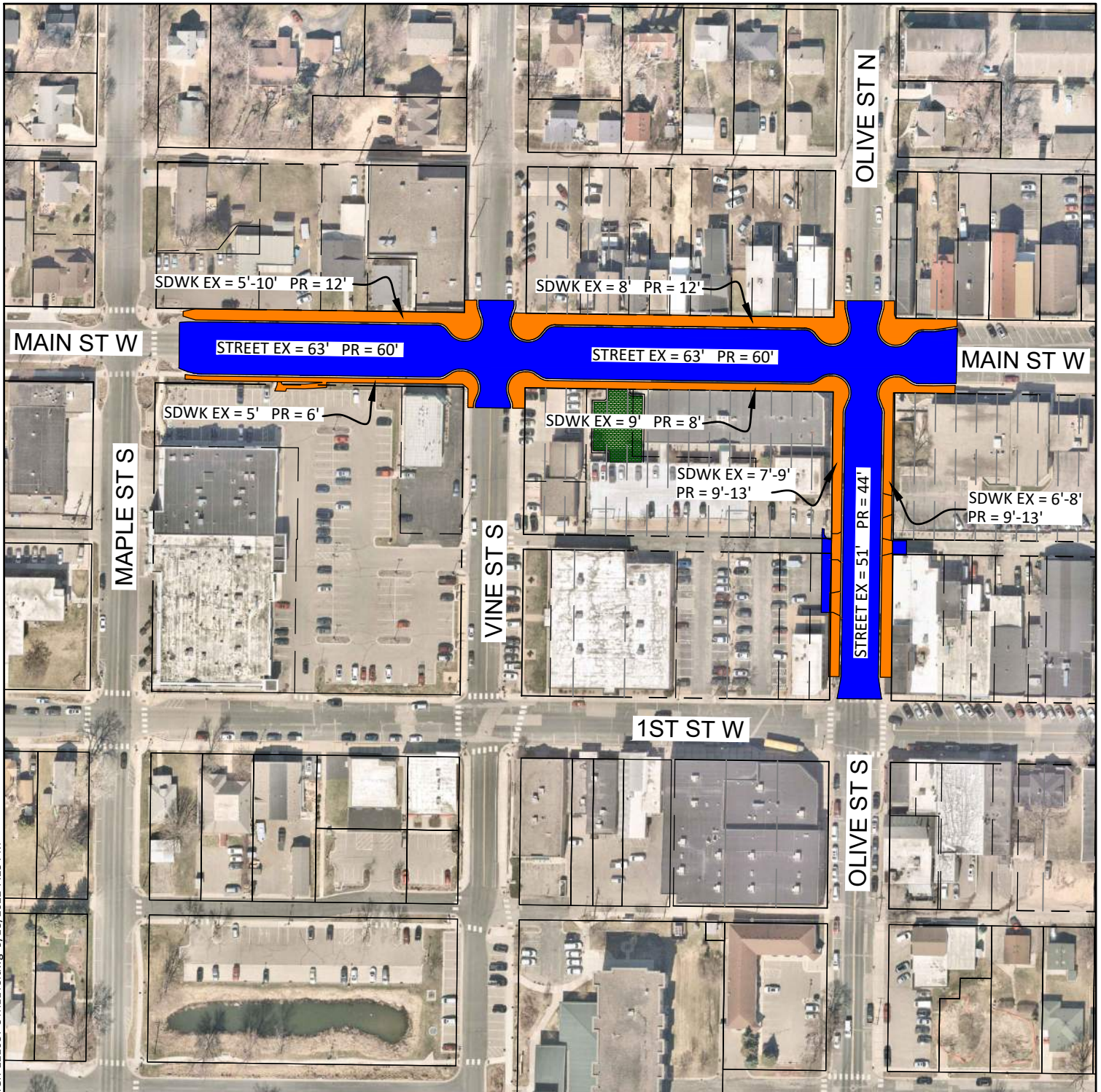
Water services along Main Street will be constructed into the buildings that are adjacent to the road. This will involve connecting inside the buildings and extra work to bore through the foundation walls and make any necessary adjustments to interior connections. Curb stops will be constructed within the city right-of-way for future operation and maintenance needs as standard practice.

The proposed pipe material is polyvinyl chloride pipe (PVC). This pipe is more resistant to corrosion from the in-place clay soils. Previous geotechnical evaluations on adjacent projects included soil resistivity testing to determine how corrosive the in-place soils are. These tests resulted in resistivity values showing the in-place soil to be moderately corrosive. To protect the watermain against corrosion, the following steps will be taken during construction:

- All hydrants and gate valves will be manufactured and secured utilizing stainless steel bolts.
- All fittings will be coated with fusion bonded epoxy.

- All ductile iron pipe, fittings, valves, valve boxes, and hydrant risers will be wrapped in polyethylene encasement material and provided with cathodic protection.

The total estimated cost for all of the watermain improvements is \$983,243. Of this amount, \$266,114 is considered assessable. Itemized cost estimates are provided in Appendix A. Financing and funding is discussed in Section 4.

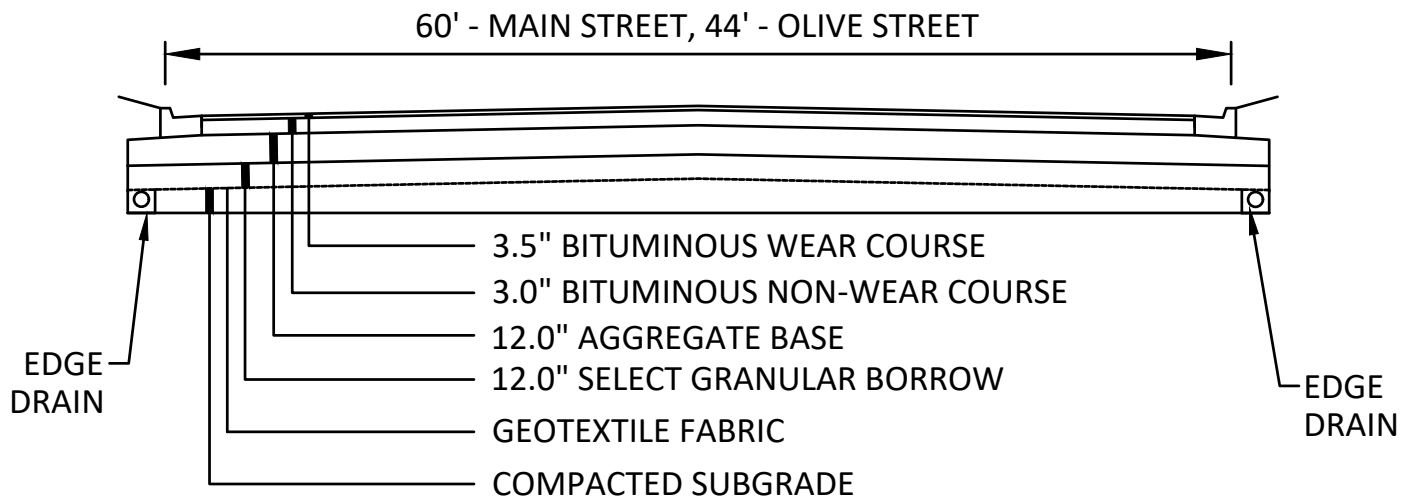


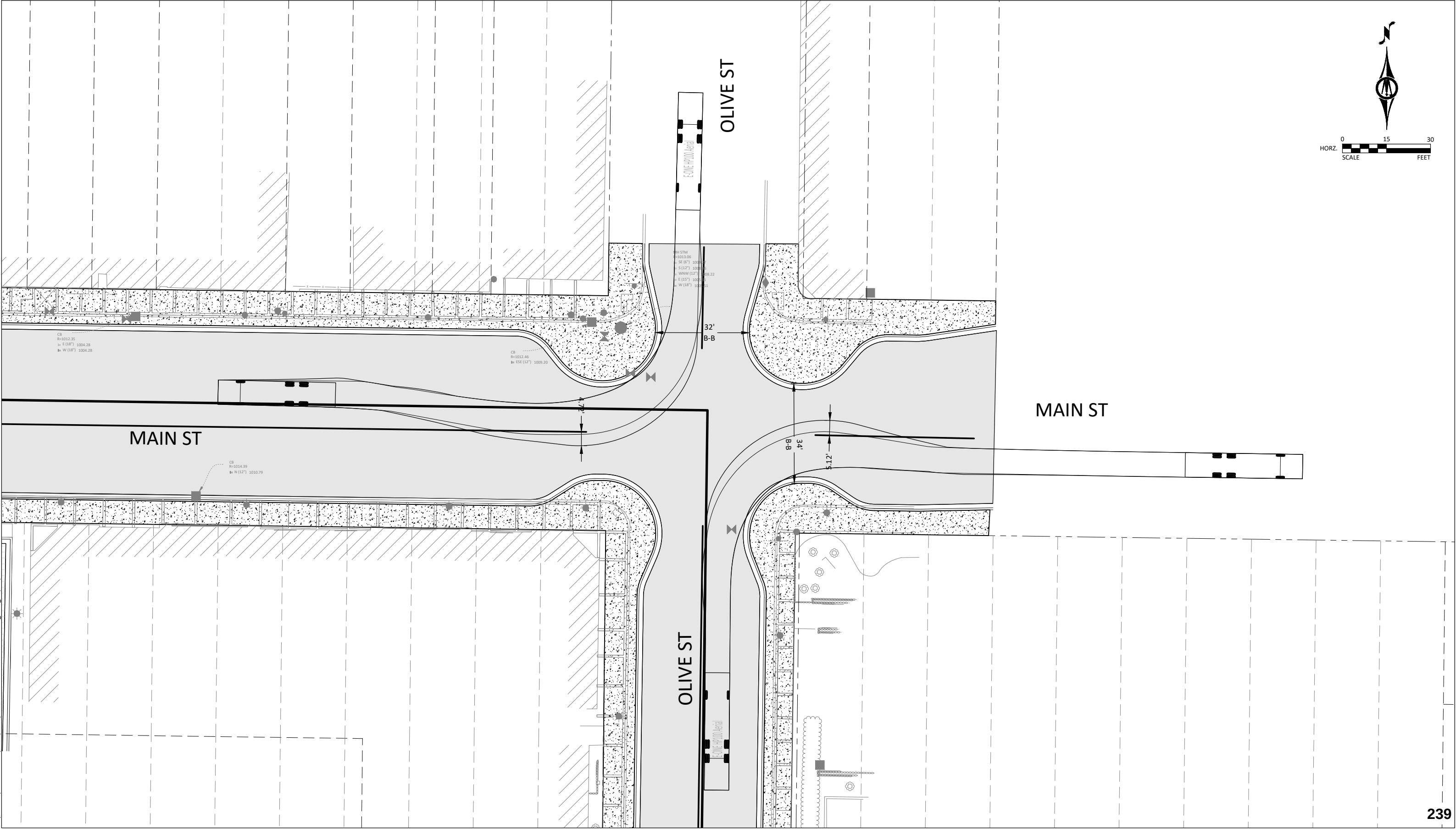
LEGEND

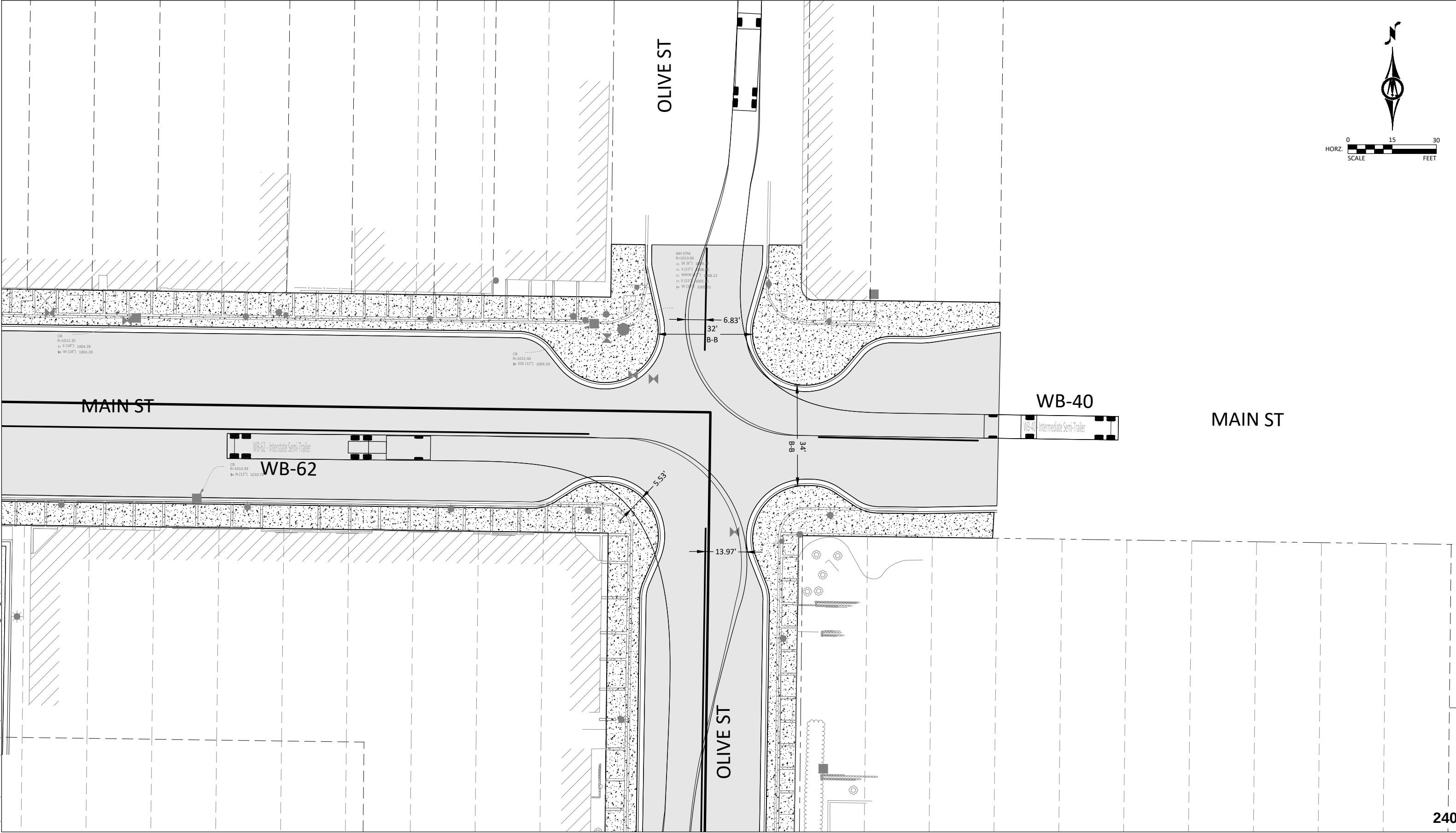
-  PROPOSED STREET RECONSTRUCTION
-  PROPOSED SIDEWALK RECONSTRUCTION



STREET SECTION (TRUCK SECTION)
NOT TO SCALE









LEGEND

- << — << — EXISTING STORM SEWER
- << — << — CONSTRUCT STORM SEWER
- CONSTRUCT MANHOLE
- CONSTRUCT CATCH BASIN





LEGEND

- EXISTING SANITARY SEWER
- REPLACE SANITARY SEWER
- REPLACE SANITARY SERVICE
- REPLACE MANHOLE





LEGEND

- | — | — | EXISTING WATERMAIN
- | — | — | REPLACE WATERMAIN
- | — | — | REPLACE WATER SERVICE
- ★ ✕ HYDRANTS AND VALVES



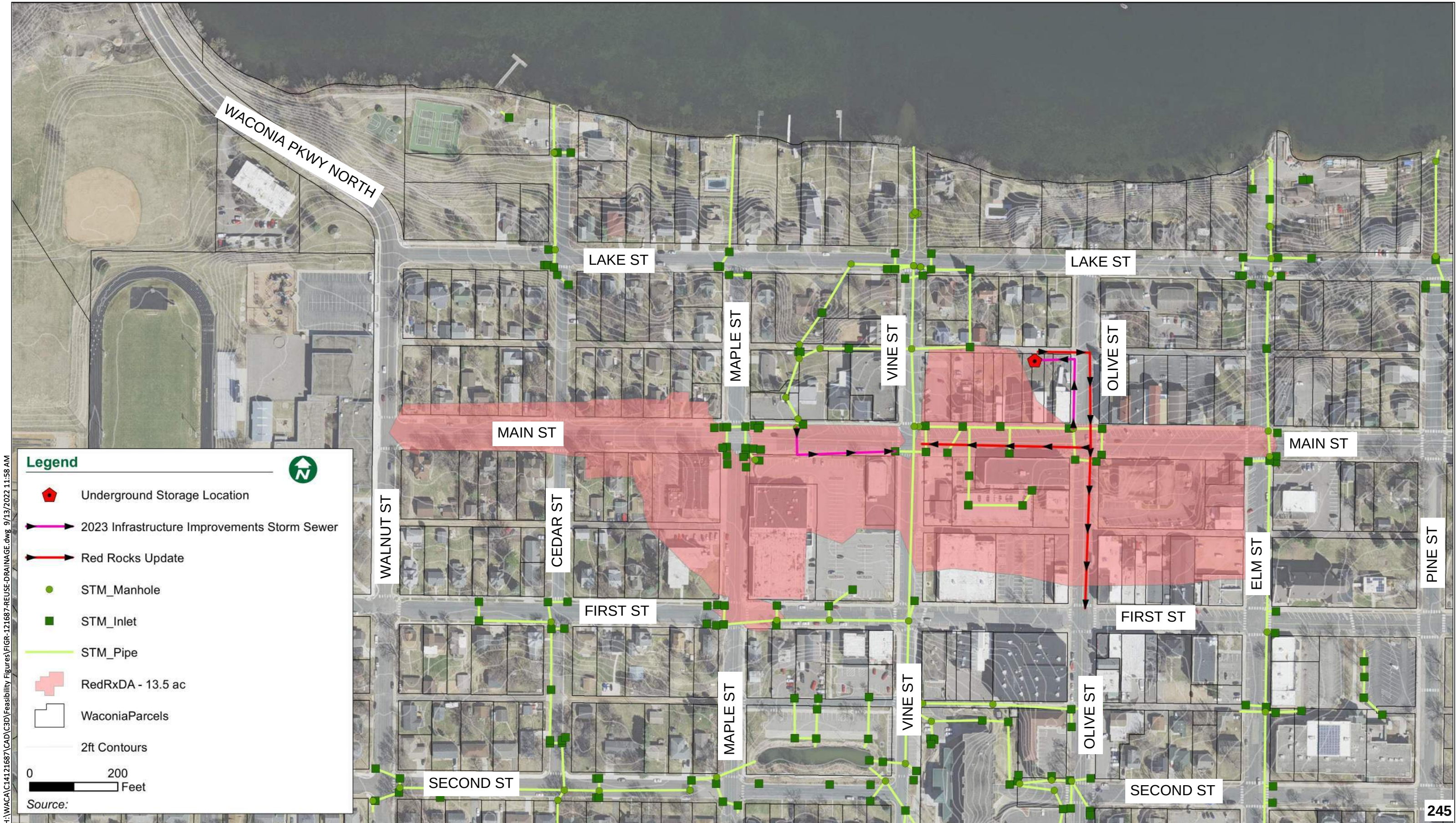
SECTION 3 - STORMWATER REUSE IMPROVEMENTS

A. STORMWATER REUSE SYSTEM

Over the past few years, the drainage system in the downtown area has been analyzed in order to develop potential improvement options that will improve management of stormwater runoff and the quality of discharge to Lake Waconia. As part of the downtown analysis, a piece of this study falls within the limits of the Downtown Reconstruction, Phase 1 Project. The most efficient and cost-effective way to construct this portion of the reuse system is in conjunction with the planned street and utility improvements. The overall project is shown in Figure No. 3.1.

The purpose of this proposed reuse system is to reduce the volume of stormwater runoff allowed to discharge untreated to Lake Waconia while also reducing the volume of potable water currently being utilized for irrigation. This will be done by capturing runoff from a 13.5-acre drainage area, that consists of 12.8 acres of impervious surface, and storing it in an underground chamber system to be utilized for irrigation in green spaces along Main Street and 1st Street. The stored water will receive Sodium Hypochlorite treatment prior to being utilized for irrigation. Lake Waconia is currently listed on the MPCA impaired waters list for mercury in fish tissue and fish bioassessment. This project will improve water quality for Lake Waconia. The project will also provide a benefit to the aquifers utilized for the city's drinking water by reducing the usage of potable water for irrigation.

The total estimated cost for all of the reuse system is \$1,191,050 which is not considered an assessable cost. An itemized cost estimate is provided in Appendix A. Financing and funding is discussed in Section 4.



SECTION 4 - FINANCING / FUNDING

A. FINANCING

The proposed method of financing for the Downtown Reconstruction, Phase 1 Project is through the sale of a combined bond consisting of a Chapter 429 General Obligation Bond, a Chapter 115 Sanitary Sewer Revenue Bond, and a Chapter 444 Water and Storm Water Revenue Bond. The Chapter 429 Bond would be used for the street/storm sewer reconstruction. The Chapter 115 Bond would be used for the sanitary sewer reconstruction. The Chapter 444 Bond would be used for the watermain reconstruction and miscellaneous drainage improvements. PIR Capital Improvement cash would be used for the sidewalk improvements.

It is recommended that the City discuss financing options in more detail with their Financial Consultant. Combining the financing of this project with other possible planned improvements or planned equipment purchases should also be evaluated and discussed.

The total estimated project cost is \$5,784,454. The detailed cost estimates for individual project components are located in Appendix A. The estimates consist of the estimated construction cost based on recent construction bid prices, a 10% allowance for contingencies, and a 30% allowance for bidding, surveying, engineering, construction staking, construction administration, and inspection costs.

B. FUNDING

There are different funding sources proposed to be used to service the bond debt including: special assessments, new special debt levy, stormwater funds, sewer funds, water funds, and PIR funds. The City has funds available in the various fund accounts to service the debt. And if necessary, the City also has funds available in the general fund to service the debt.

The following sections provide a cost apportionment and funding source summary for the various project components.

Also, to date the following grant funds have been received or are being pursued:

- \$10,000 2022 CCWMO Cost Share Grant (Approved)

- \$50,000 2023 CCWMO Cost Share Grant (Anticipated to be approved at January Carver County Board Meeting)
- \$200,000 2023 Watershed-Based Implementation Funding (Pending, Grant Application Submitted in May)
- \$250,000 2023 Clean Water Fund Grant (Pending, Grant Application Submitted in August 2022)

C. STREET / STORM / SIDEWALK RECONSTRUCTION

The total project costs are apportioned as follows:

Item	Cost / FF	City Cost or Assessment	Recommended Funding Source
Sidewalk Construction Cost			
Sidewalk Construction Cost	\$459,756	City	PIR Funds
Total Project Cost:	\$459,756		
Street / Storm Reconstruction Costs			
Extra Section Depth / Width Cost	\$1,664,904	City	New Special Debt Levy
Street / Storm Reconstruction Cost	\$978,298		
Total Street / Storm Reconstruction Cost:	\$2,643,202		
Assessment Calculations			
Standard Street Section Cost	\$978,298		
City Contribution (50%)	\$489,149	City	New Special Debt Levy
Assessable Eligible Portion (50%)	\$489,149		
Total Front Footage	2,079.32		
Corner Lot Front Footage (Feet)	440.00		
Assessment Basis Front Footage (Feet)	1,639.32		
Assessable Cost Per Front Foot	\$298.39		
Non-Assessable Front Footage (Feet)	342.19		
Non-Assessable Cost	\$102,105	City	New Special Debt Levy
City Front Footage (Feet)	183.66		
City Front Footage Cost	\$54,802		
Assessment Front Footage (Feet)	1,297.13		
Total Assessed Amount	\$387,045	Assessment	Special Assessments
Total City Cost:	\$2,715,914		
Total Assessed Amount:	\$387,045		
Total Project Cost:	\$3,102,959		

D. SANITARY SEWER

The sanitary sewer proposed for reconstruction services commercial properties. Commercial properties are converted to equivalent residential units (ERUs) based on the previous 12 month's water usage. Three properties exceed the normal water usage for a typical single-family home. These properties and their ERU calculations are as follows:

Property Owner	Property Address	Annual Water Usage (gal)	Daily Water Usage (gal)	Daily Usage / ERU (gal)	*ERUs
James Rentals LLC	140 Main Street W	304,000	833	275	3.0
Vici Scheuble	112 Main Street W	178,000	488	275	1.5
First Natl Bank of Waconia	53 Main Street W	311,000	852	275	3.0

* ERUs are rounded down to the nearest 0.5 units

On previous projects the portion of the sanitary sewer cost that was assessed consisted of 50 percent of the typical project sanitary sewer cost. Costs related to soil corrections, extra depth, and oversizing are isolated as City costs and not included in the assessment calculations. For this project, there are costs included for soil corrections but there is no extra depth or oversizing.

Based on the information and recommendations above, the total project costs for the sanitary sewer component of the proposed project are apportioned as follows:

Item	Cost / Units	City Cost or Assessment	Recommended Funding Source
Total Sanitary Sewer Project Costs			
Typical Sanitary Sewer Project Cost	\$414,166		
City Contribution Cost	\$93,036	City	Sewer Fund
Total Project Cost:	\$507,202		
Assessment Calculations			
Assessment Eligible Portion	\$414,166		
City Contribution (50%)	\$207,083	City	Sewer Fund
Assessable Eligible Portion (50%)	\$207,083		
Sanitary Sewer Units	23.5		
Assessment Per Unit	\$8,812.04		
Assessable Units	23.5		
Non-Assessable Units	0		
Non-Assessable Cost	\$0	City	Sewer Fund
Total Assessed Amount	\$207,083	Assessment	Special Assessments
Total City Cost:	\$300,119		
Total Assessed Amount:	\$207,083		
Total Project Cost:	\$507,202		

E. WATERMAIN

The watermain proposed for reconstruction services commercial properties. Same as with the sanitary sewer, multi-family properties are converted to equivalent residential units (ERUs) based on the previous 12 month's water usage. Three properties exceed the normal water usage for a typical single-family home. These properties and their ERU calculations are as follows:

Property Owner	Property Address	Annual Water Usage (gal)	Daily Water Usage (gal)	Daily Usage / ERU (gal)	*ERUs
James Rentals LLC	140 Main Street W	304,000	833	275	3.0
Vici Scheuble	112 Main Street W	178,000	488	275	1.5
First Natl Bank of Waconia	53 Main Street W	311,000	852	275	3.0

* ERUs are rounded down to the nearest 0.5 units

On previous projects, the portion of the watermain cost that was assessed consisted of 50 percent of the standard water system cost. Costs related to soil corrections, looping, and oversizing are isolated as City costs and not included in the assessment calculations. For this project, there are costs included for soil corrections and looping but there is no oversizing.

The total project costs for this component of the proposed project are apportioned as follows:

Item	Cost / Units	City Cost or Assessment	Recommended Funding Source
Total Watermain Project Costs			
City Contribution Cost	\$451,015	City	Water Fund
Standard Water System Costs	\$532,228		
Total Project Cost:	\$983,243		
Assessment Calculations			
Assessment Eligible Portion	\$532,228		
City Contribution (50%)	\$266,114	City	Water Fund
Assessable Eligible Portion (50%)	\$266,114		
Watermain Units	24.5		
Assessment Per Unit	\$10,861.80		
Assessable Units	24.5		
Non-Assessable Units	0		
Non-Assessable Cost	\$0	City	Water Fund
Total Assessed Amount	\$266,114	Assessment	Special Assessments
Total City Cost:	\$717,129		
Total Assessed Amount:	\$266,114		
Total Project Cost:	\$983,243		

F. STORMWATER REUSE IMPROVEMENTS

The costs associated with the Stormwater Reuse improvements are non-assessable costs and are proposed to be funded with various City funds. The total estimated project cost is \$1,191,050.

Itemized cost estimates are provided in Appendix A of this report.

G. OVERALL COST SUMMARY

In summary, a portion of the street and utility reconstruction work will be assessed to benefitting property owners and the remaining work is recommended to be paid by the City. The overall costs for all project components are summed as follows:

Item	Cost	Recommended Funding Source
Assessed Amount (Per Policy)	\$860,242	Special Assessments
Street & Utility Reconstruction (City Cost)	\$3,733,162	Combined Bond Funds & PIR Capital Improvement Funds
Stormwater Reuse Improvements	\$1,191,050	Stormwater Funds & Grant Funds
<i>Total Overall Project Cost:</i>	<i>\$5,784,454</i>	

H. ASSESSMENTS

The assessable portion of the street and utility reconstruction work is proposed to be assessed to the benefitting properties in accordance with current City policy as follows:

- Street Reconstruction - 50% Assessed on a Front Footage Basis of Standard City Residential Street
- Storm Sewer Reconstruction - 50% Assessed on a Front Footage Basis
- Sanitary Sewer Reconstruction - 50% Assessed on a Unit Basis
- Watermain Reconstruction - 50% Assessed on a Unit Basis

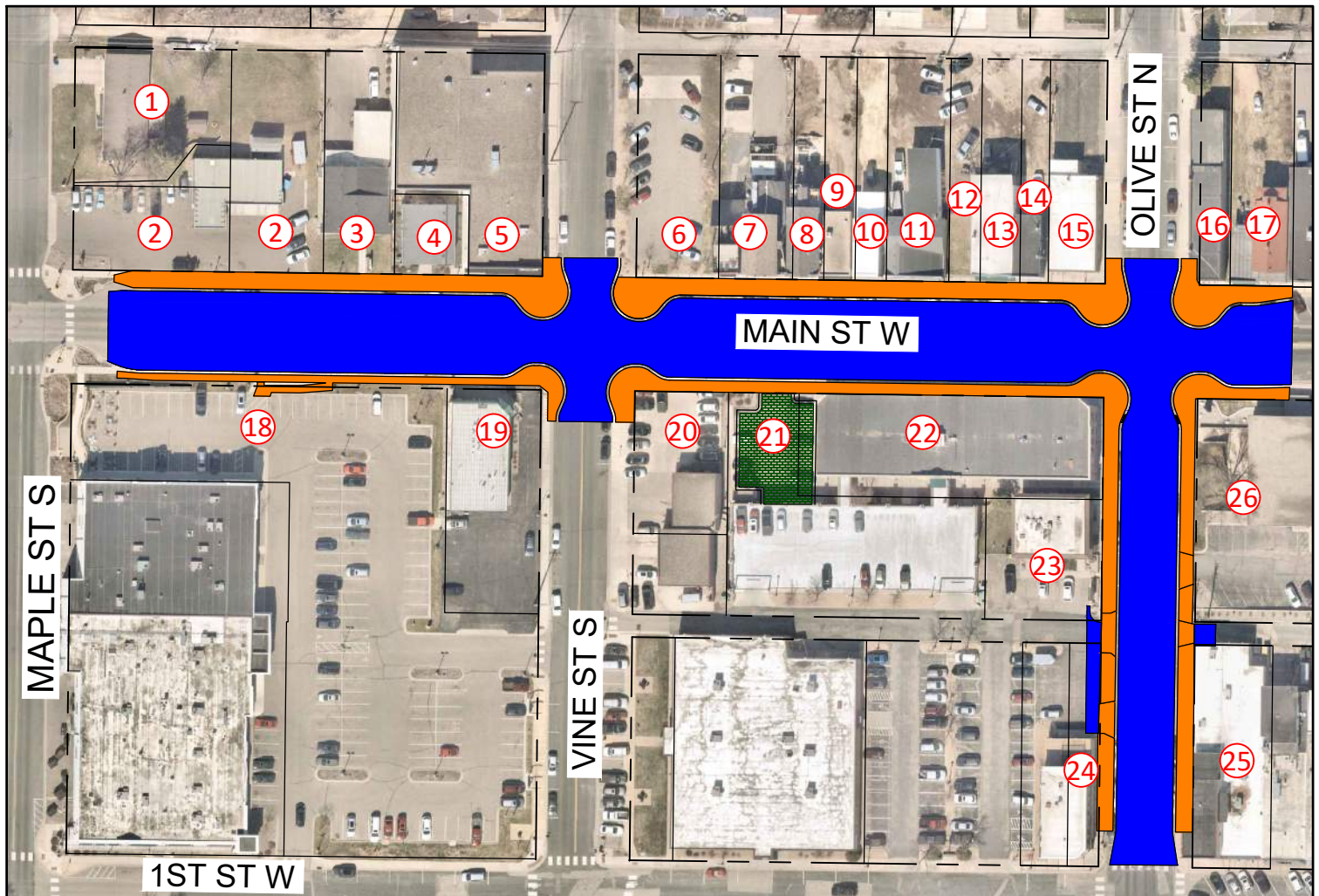
Some of the project components would not be assessed. These project components include the following:

- Extra Depth and Width of Street Reconstruction
- Sidewalk Reconstruction

- Stormwater Treatment
- Sanitary Sewer & Watermain Soil Corrections

The current estimated assessable percentage of the street and utility reconstruction project is 18.7%. The current estimated assessable percentage of the total project, including the reuse system is 14.9%. The minimum required assessable percentage for a Chapter 429 bond is 20.0%. Consistent with City policy and previous assessment projects, appraisals will be conducted to determine the special benefit amounts. The assessments will be capped at these amounts as determined by the appraisal process. This process is anticipated to considerably lower the assessments and reduce the assessable percentage of the project. Therefore, as discussed in the previous section, a combined bond approach is recommended in order meet all statutory requirements.

A copy of the current City assessment policy is included in Appendix B of this report for reference. To follow is an assessment area map (Figure 4.1), a preliminary assessment roll (Table 4.1) for the street reconstruction project area, and debt service and proposed funding sources (Tables 4.2).



PROP. NO.	OWNER	PROPERTY ADDRESS	P.I.D.
1	KELLIE MOUNTAIN	17 N MAPLE STREET	750503540
2	MAPLE & MAIN LLC	246 MAIN ST W	750503530 / 750503520
3	GAIL D & LUANN K SCHUETTE	222 MAIN ST W	750503510
4	HUDINSKI LLC	212 MAIN ST W	750503501
5	HUDINSKI LLC	200 MAIN ST W	750503481
6	HUDINSKI LLC	N/A	750503740
7	JAMES RENTALS LLC	140 MAIN ST W	750503731
8	JAMES RENTALS LLC	136 MAIN ST W	750503700
9	PAMELA K HUCKY	132 MAIN ST W	750503690
10	ROSS MEUFFELS	128 MAIN ST W	750503670
11	LEIVERMANN PARTNERS LLP	124 MAIN ST W	750503660
12	VICI L SCHEUBLE	116 MAIN ST W	750503640
13	VICI L SCHEUBLE	112 MAIN ST W	750503620
14	L S MANAGEMENT LLC	104 MAIN ST W	750503590
15	RYAN SUDHEIMER	100 MAIN ST W	750503610
16	MARY ANN & RONALD C EVERSON	56 MAIN ST W	750503880
17	DAVID R III & PEGGY C PHILP	48 MAIN ST W	750503860
18	WACONIA CITY	217 MAIN ST W	750503030
19	STATEWIDE GAS INVESTMENTS LLC	201 MAIN ST W	750503040
20	CHARLES H & JULIE STEINHAGEN	155 MAIN ST W	750502840
21	WACONIA CITY	141 MAIN ST W	750502860
22	MAIN STREET EXCHANGE LLC	101 MAIN ST W	750502900
23	AMBLARD ESTATES LLC	24 OLIVE ST S	750502930
24	JNIN LLC	100 1ST ST W	750502780
25	44W FIRST STREET LLC	44 1ST ST W	750502700
26	FIRST NATL BANK OF WACONIA	53 MAIN ST W	750502720



TABLE 4.1 - PRELIMINARY ASSESSMENT ROLL - MAIN STREET / OLIVE STREET
DOWNTOWN RECONSTRUCTION, PHASE 1 PROJECT
9/14/2022

PROP. NO.	OWNER	PROPERTY ADDRESS	P.I.D.	OWNER ADDRESS			F/F	*STREET ASSESSMENT	WATERMAIN UNITS	WATERMAIN ASSESSMENT	SANITARY SEWER UNITS	SANITARY SEWER ASSESSMENT	TOTAL ASSESSMENT	**ANNUAL ASSESSMENT PAYMENT
1	KELLIE MOUNTAIN	17 N MAPLE STREET	750503540	17 N MAPLE STREET	WACONIA, MN	55387	0.00	\$0.00	1.0	\$10,861.80	0.0	\$0.00	\$10,861.80	\$1,406.65
2	MAPLE & MAIN LLC	246 MAIN ST W	750503530 / 750503520	5555 SYLVAN LN	EXCELSIOR, MN	55331	88.00	\$26,257.91	1.0	\$10,861.80	1.0	\$8,812.04	\$45,931.75	\$5,948.37
3	GAIL D & LUANN K SCHUETTE	222 MAIN ST W	750503510	11623 COUNTY ROAD 13 SE	WATERTOWN, MN	55388-8231	50.00	\$14,919.27	1.0	\$10,861.80	1.0	\$8,812.04	\$34,593.10	\$4,479.97
4	HUDINSKI LLC	212 MAIN ST W	750503501	3650 BIG WOODS BLVD	CHASKA, MN	55318-9235	52.00	\$15,516.04	1.0	\$10,861.80	1.0	\$8,812.04	\$35,189.87	\$4,557.25
5	HUDINSKI LLC	200 MAIN ST W	750503481	3650 BIG WOODS BLVD	CHASKA, MN	55318-9235	26.00	\$7,758.02	1.0	\$10,861.80	1.0	\$8,812.04	\$27,431.86	\$3,552.55
6	HUDINSKI LLC	N/A	750503740	3650 BIG WOODS BLVD	CHASKA, MN	55318-9235	29.00	\$8,653.17	0.0	\$0.00	0.0	\$0.00	\$8,653.17	\$1,120.63
7	JAMES RENTALS LLC	140 MAIN ST W	750503731	300 W LAKE ST	WACONIA, MN	55387-1016	52.00	\$15,516.04	3.0	\$32,585.39	3.0	\$26,436.13	\$74,537.55	\$9,652.95
8	JAMES RENTALS LLC	136 MAIN ST W	750503700	300 W LAKE ST	WACONIA, MN	55387-1016	22.00	\$6,564.48	1.0	\$10,861.80	1.0	\$8,812.04	\$26,238.32	\$3,397.98
9	PAMELA K HUCKY	132 MAIN ST W	750503690	132 MAIN ST W	WACONIA, MN	55387-1022	22.00	\$6,564.48	1.0	\$10,861.80	1.0	\$8,812.04	\$26,238.32	\$3,397.98
10	ROSS MEUFFELS	128 MAIN ST W	750503670	128 MAIN ST W	WACONIA, MN	55387-1022	22.00	\$6,564.48	1.0	\$10,861.80	1.0	\$8,812.04	\$26,238.32	\$3,397.98
11	LEIVERMANN PARTNERS LLP	124 MAIN ST W	750503660	124 MAIN ST W	WACONIA, MN	55387-1022	44.00	\$13,128.95	1.0	\$10,861.80	1.0	\$8,812.04	\$32,802.79	\$4,248.11
12	VICI L SCHEUBLE	116 MAIN ST W	750503640	715 OLD BEACH LN	WACONIA, MN	55387	22.00	\$6,564.48	0.0	\$0.00	0.0	\$0.00	\$6,564.48	\$850.13
13	VICI L SCHEUBLE	112 MAIN ST W	750503620	715 OLD BEACH LN	WACONIA, MN	55387	28.00	\$8,354.79	1.5	\$16,292.69	1.5	\$13,218.06	\$37,865.55	\$4,903.76
14	L S MANAGEMENT LLC	104 MAIN ST W	750503590	425 LAKE ST	WACONIA, MN	55387-1019	20.00	\$5,967.71	1.0	\$10,861.80	1.0	\$8,812.04	\$25,641.54	\$3,320.70
15	RYAN SUDHEIMER	100 MAIN ST W	750503610	11855 COUNTY ROAD 152	COLOGNE, MN	55322-9140	20.00	\$5,967.71	1.0	\$10,861.80	1.0	\$8,812.04	\$25,641.54	\$3,320.70
16	MARY ANN & RONALD C EVERSON	56 MAIN ST W	750503880	11030 NORTH SHORE RD	WACONIA, MN	55387-9659	10.83	\$3,231.51	1.0	\$10,861.80	1.0	\$8,812.04	\$22,905.35	\$2,966.35
17	DAVID R III & PEGGY C PHILP	48 MAIN ST W	750503860	10720 NORTH SHORE RD	WACONIA, MN	55387-9658	44.00	\$13,128.95	1.0	\$10,861.80	1.0	\$8,812.04	\$32,802.79	\$4,248.11
18	WACONIA CITY	217 MAIN ST W	750503030	201 VINE ST S	WACONIA, MN	55387-1337	132.00	\$39,386.86	0.0	\$0.00	0.0	\$0.00	\$39,386.86	\$5,100.78
19	STATEWIDE GAS INVESTMENTS LLC	201 MAIN ST W	750503040	201 MAIN ST W	WACONIA, MN	55387-1025	33.00	\$9,846.72	1.0	\$10,861.80	1.0	\$8,812.04	\$29,520.55	\$3,823.05
20	CHARLES H & JULIE STEINHAGEN	155 MAIN ST W	750502840	8075 AIRPORT RD	WACONIA, MN	55387-9631	32.00	\$9,548.33	1.0	\$10,861.80	1.0	\$8,812.04	\$29,222.17	\$3,784.40
21	WACONIA CITY	141 MAIN ST W	750502860	201 VINE ST S	WACONIA, MN	55387-1337	51.66	\$15,414.58	0.0	\$0.00	0.0	\$0.00	\$15,414.58	\$1,996.26
22	MAIN STREET EXCHANGE LLC	101 MAIN ST W	750502900	13911 RIDGEDALE DR	MINNETONKA, MN	55305-4739	143.03	\$42,678.05	1.0	\$10,861.80	1.0	\$8,812.04	\$62,351.89	\$8,074.85
23	AMBLARD ESTATES LLC	24 OLVIE ST S	750502930	PO BOX 144	WACONIA, MN	55387	85.28	\$25,446.30	1.0	\$10,861.80	1.0	\$8,812.04	\$45,120.14	\$5,843.26
24	JNIN LLC	100 1ST ST W	750502780	4671 FABLE HILL WAY N	HUGO, MN	55038	78.50	\$23,423.25	0.0	\$0.00	0.0	\$0.00	\$23,423.25	\$3,033.42
25	44W FIRST STREET LLC	44 1ST ST W	750502700	8925 HIGHVIEW CT	VICTORIA, MN	55386	78.50	\$23,423.25	0.0	\$0.00	0.0	\$0.00	\$23,423.25	\$3,033.42
26	FIRST NATL BANK OF WACONIA	53 MAIN ST W	750502720	PO BOX 80615	INDIANAPOLIS, IN	46280	111.33	\$33,219.24	3.0	\$32,585.39	3.0	\$26,436.13	\$92,240.75	\$11,945.60

*Cost per FF = \$298.39 (Original Calculation)

**Based on a 5.00% Interest Rate and a 10 Year Term.

	<u>Totals:</u>
TOTAL FRONT FOOTAGE:	2,079.32
CORNER LOT CREDIT:	440.00
ASSESSMENT BASIS FRONT FOOTAGE:	1,639.32
NON-ASSESSABLE FRONT FOOTAGE:	342.19
ASSESSMENT FRONT FOOTAGE:	1,297.13

TABLE 4.2
DEBT SERVICE & PROPOSED FUNDING SOURCES
FOR
DOWNTOWN RECONSTRUCTION, PHASE 1 PROJECT

9/14/2022

PROPOSED PROJECTS	TOTALS				DEBT SERVICE / FUNDING SOURCE							RECOMMENDED FINANCING OPTION
	TOTAL PROJECT COST	TOTAL ASSESS. AMOUNT	TOTAL CITY COST	TOTAL ASSESS. %	TOTAL DEBT SERVICE	DEBT SVC ASSMT REVENUE	DEBT SVC GENERAL/ PIR FUND	DEBT SVC STM WTR FUND	DEBT SVC SEWER FUND	DEBT SVC WATER FUND	TOTAL REVENUE	
STREET & UTILITY RECONSTRUCTION	\$4,593,404	\$860,242	\$3,733,162	18.7%	\$566,325	\$106,060	\$260,807	\$74,041	\$37,002	\$88,416	\$566,325	\$5,900,000 Combined Bond
STORMWATER REUSE	\$1,191,050	\$0	\$1,191,050	0.0%	\$146,846	\$0	\$0	\$146,846	\$0	\$0	\$146,846	
TOTALS:	\$5,784,454	\$860,242	\$4,924,212	14.9%	\$713,171	\$106,060	\$260,807	\$220,887	\$37,002	\$88,416	\$713,171	

Notes:

- 1.) All Debt Service Projections are Based on a 10-Year Bond At 4.0%.
- 2.) Actual Assessment Revenue Debt Service Will Be Based On Interest Rate 1.0% Above Bonding Cost (=4.0% + 1.0% = 5.0%) With a 10-Year Term.

APPENDIX A

ITEMIZED COST ESTIMATES

**ESTIMATED PROJECT COST
FOR
Downtown Reconstruction Phase 1
9/14/2022**

STREET RECONSTRUCTION (ASSESSABLE)

ITEM NO.	BID ITEM	UNIT	EST QTY	UNIT PRICE	TOTAL
1	MOBILIZATION	LUMP SUM	1	\$30,000.00	\$30,000.00
2	REMOVE CONCRETE CURB & GUTTER	LIN FT	2,335	\$3.50	\$8,172.50
3	REMOVE BITUMINOUS PAVEMENT	SQ YD	8,052	\$2.50	\$20,130.00
4	REMOVE CONCRETE DRIVEWAY/WALK	SQ FT	17,909	\$1.25	\$22,386.25
5	REMOVE BITUMINOUS DRIVEWAY	SQ FT	4,268	\$4.25	\$18,139.00
6	REMOVE DRAINAGE STRUCTURE	EACH	19	\$750.00	\$14,250.00
7	REMOVE DRAINAGE PIPE	LIN FT	1,152	\$27.00	\$31,104.00
8	COMMON EXCAVATION (EV)	CU YD	3,819	\$27.00	\$103,113.00
9	GEOTEXTILE FABRIC	SQ YD	5,610	\$2.00	\$11,220.00
10	AGGREGATE BASE CLASS 5 (CV) - 8" DEPTH	TON	2,420	\$25.00	\$60,500.00
11	CONCRETE CURB & GUTTER (B618)	LIN FT	2,982	\$20.00	\$59,640.00
12	BITUMINOUS NON-WEAR COURSE - 3.0" DEPTH	TON	634	\$90.00	\$57,060.00
13	BITUMINOUS WEAR COURSE - 1.5" DEPTH	TON	318	\$100.00	\$31,800.00
14	3" BITUMINOUS DRIVEWAY	SQ FT	4,268	\$5.00	\$21,340.00
15	6" CONCRETE DRIVEWAY	SQ FT	2,461	\$9.00	\$22,149.00
16	CONSTRUCT DRAINAGE STRUC. DES 2'X3'	EACH	5	\$1,300.00	\$6,500.00
17	CONSTRUCT DRAINAGE STRUC. DES 4020-48	EACH	10	\$2,750.00	\$27,500.00
18	CONSTRUCT DRAINAGE STRUC. DES 4020-60	EACH	2	\$3,500.00	\$7,000.00
19	15" RC PIPE SEWER DES 3006 CL V	LIN FT	504	\$85.00	\$42,840.00
20	24" RC PIPE SEWER DES 3006 CL V	LIN FT	750	\$95.00	\$71,250.00
21	CASTING ASSEMBLY (STORM)	EACH	14	\$1,000.00	\$14,000.00
22	ADJUST CASTING (STORM)	EACH	2	\$680.00	\$1,360.00
23	CONNECT TO EXISTING STORM PIPE	EACH	3	\$890.00	\$2,670.00

SUBTOTAL: \$684,123.75
 CONTINGENCIES (10%): \$68,412.38
 ESTIMATED CONSTRUCTION COST: \$752,536.13
 ADMINISTRATION, ENGINEERING, SURVEYING, INSPECTION (30%): \$225,760.84
TOTAL ESTIMATED PROJECT COST: \$978,296.96

**ESTIMATED PROJECT COST
FOR
Downtown Reconstruction Phase 1
9/14/2022**

STREET RECONSTRUCTION (EXTRA SECTION - NON-ASSESSABLE)

ITEM NO.	BID ITEM	UNIT	EST QTY	UNIT PRICE	TOTAL
1	MOBILIZATION	LUMP SUM	1	\$56,000.00	\$56,000.00
2	JOB TRAILER	LUMP SUM	1	\$50,000.00	\$50,000.00
3	TRAFFIC CONTROL	LUMP SUM	1	\$50,000.00	\$50,000.00
4	REMOVE BITUMINOUS PAVEMENT	SQ YD	424	\$2.50	\$1,060.00
5	REMOVE CONCRETE CURB & GUTTER	LIN FT	206	\$3.50	\$721.00
6	REMOVE CONCRETE STAIRS	SQ FT	375	\$11.00	\$4,125.00
7	SALVAGE & REINSTALL SIGN	EACH	28	\$350.00	\$9,800.00
8	COMMON EXCAVATION (EV)	CU YD	2,775	\$27.00	\$74,925.00
9	SUBGRADE EXCAVATION (EV)	CU YD	109	\$25.00	\$2,725.00
10	GEOTEXTILE FABRIC	SQ YD	2,172	\$2.00	\$4,344.00
11	AGGREGATE BASE CLASS 5 (CV) - 12" DEPTH	TON	1,547	\$25.00	\$38,675.00
12	AGGREGATE BASE CLASS 5 (CV) - 4" DEPTH	TON	1,210	\$25.00	\$30,250.00
13	STABILIZING AGGREGATE (CV)	TON	214	\$30.00	\$6,420.00
14	SELECT GRANULAR BORROW (CV) - 12" DEPTH	CU YD	3,318	\$28.00	\$92,904.00
15	BITUMINOUS NON-WEAR COURSE - 3.0" DEPTH	TON	387	\$85.00	\$32,895.00
16	BITUMINOUS WEAR COURSE - 2.0" DEPTH	TON	423	\$90.00	\$38,070.00
17	BITUMINOUS WEAR COURSE - 3.5" DEPTH	TON	451	\$100.00	\$45,100.00
18	PAVE DRAIN	SQ YD	405	\$400.00	\$162,000.00
19	CONCRETE CURB & GUTTER (B618)	LIN FT	242	\$20.00	\$4,840.00
20	4" SOLID DOUBLE YELLOW LINE	LIN FT	1,160	\$1.00	\$1,159.78
21	4" SOLID LINE WHITE	LIN FT	2,119	\$0.50	\$1,059.50
22	PAVEMENT MARKINGS	EACH	4	\$150.00	\$600.00
23	CONCRETE STAIRS	SQ FT	375	\$85.00	\$31,875.00
24	SUMP PUMP SERVICE CONNECTION	EACH	22	\$315.00	\$6,930.00
25	STORMWATER TREATMENT / RAIN GARDENS	LUMP SUM	1	\$100,000.00	\$100,000.00
26	4" PERFORATED EDGE DRAIN	LIN FT	2,586	\$15.00	\$38,790.00
27	4" HDPE DRAIN TILE CLEANOUT	EACH	12	\$250.00	\$3,000.00
28	ROCK CONSTRUCTION ENTRANCE	EACH	6	\$1,000.00	\$6,000.00
29	SOD TYPE LAWN	SQ YD	0	\$11.00	\$0.00
30	SALVAGE & INSTALL SIGNS	EACH	0	\$350.00	\$0.00
31	2 1/2" CALIPER DECIDUOUS TREE	EACH	0	\$250.00	\$0.00
32	BUSINESS SIGNAGE	ALLOWANCE	1	\$20,000.00	\$20,000.00
33	STREET LIGHTING	LUMP SUM	1	\$200,000.00	\$200,000.00
34	HOLIDAY LIGHTING POLES	LUMP SUM	1	\$50,000.00	\$50,000.00

SUBTOTAL: \$1,164,268.28
 CONTINGENCIES (10%): \$116,426.83
 ESTIMATED CONSTRUCTION COST: \$1,280,695.11
 ADMINISTRATION, ENGINEERING, SURVEYING, INSPECTION (30%): \$384,208.53
TOTAL ESTIMATED PROJECT COST: \$1,664,903.64

**ESTIMATED PROJECT COST
FOR
Downtown Reconstruction Phase 1
9/14/2022**

SIDEWALK (NON-ASSESSABLE)

ITEM NO.	BID ITEM	UNIT	EST QTY	UNIT PRICE	TOTAL
1	REMOVE CONCRETE WALK	SQ FT	17,909	\$2.80	\$50,145.20
2	REMOVE RAILING	LIN FT	101	\$10.00	\$1,008.00
3	4" CONCRETE WALK (w/ AGG. CL 5 BASE)	SQ FT	29,068	\$7.50	\$218,010.00
4	BUSINESS ENTRANCE MODIFICATIONS	ALLOWANCE	1	\$30,000.00	\$30,000.00
5	PEDESTRIAN RAMP	EACH	8	\$1,500.00	\$12,000.00
6	CONSTRUCT RETAINING WALL	SQ FT	202	\$30.00	\$6,060.00
7	METAL RAILING	LIN FT	101	\$20.00	\$2,016.00
8	CROSSWALK EXPOXY	SQ FT	756	\$3.00	\$2,268.00

SUBTOTAL: \$321,507.20
 CONTINGENCIES (10%): \$32,150.72
 ESTIMATED CONSTRUCTION COST: \$353,657.92
 ADMINISTRATION, ENGINEERING, SURVEYING, INSPECTION (30%): \$106,097.38
TOTAL ESTIMATED PROJECT COST: \$459,755.30

**ESTIMATED PROJECT COST
FOR
Downtown Reconstruction Phase 1
9/14/2022**

SANITARY SEWER RECONSTRUCTION (ASSESSABLE)

ITEM NO.	BID ITEM	UNIT	EST QTY	UNIT PRICE	TOTAL
1	MOBILIZATION	LUMP SUM	1	\$14,000.00	\$14,000.00
2	REMOVE SANITARY MANHOLE	EACH	3	\$800.00	\$2,400.00
3	REMOVE SANITARY PIPE	LIN FT	1,253	\$7.00	\$8,771.00
4	REMOVE SANITARY SERVICE PIPE	LIN FT	785	\$5.00	\$3,925.00
5	EXTERNAL CHIMNEY SEAL	EACH	3	\$400.00	\$1,200.00
6	8" PVC PIPE SEWER SDR 35	LIN FT	1,150	\$63.00	\$72,450.00
7	6" PVC PIPE SEWER SERVICE SDR 26	LIN FT	785	\$40.00	\$31,400.00
8	8" X 6" SERVICE WYE	EACH	22	\$600.00	\$13,200.00
9	CONSTRUCT SANITARY MANHOLE	EACH	3	\$5,500.00	\$16,500.00
10	CASTING ASSEMBLY (SANITARY)	EACH	3	\$1,000.00	\$3,000.00
11	SEWER SERVICE CASTING ASSEMBLY	EACH	22	\$1,000.00	\$22,000.00
12	CONNECT TO EXISTING SANITARY SEWER PIPE	EACH	2	\$890.00	\$1,780.00
13	CONNECT TO EXISTING SANITARY SERVICE	EACH	22	\$4,500.00	\$99,000.00

<i>SUBTOTAL:</i>	<i>\$289,626.00</i>
<i>CONTINGENCIES (10%)</i>	<i>\$28,962.60</i>
<i>ESTIMATED CONSTRUCTION COST:</i>	<i>\$318,588.60</i>
<i>ADMINISTRATION, ENGINEERING, SURVEYING, INSPECTION (30%):</i>	<i>\$95,576.58</i>
<i>TOTAL ESTIMATED PROJECT COST:</i>	<i>\$414,165.18</i>

**ESTIMATED PROJECT COST
FOR
Downtown Reconstruction Phase 1
9/14/2022**

SANITARY SEWER RECONSTRUCTION (NON-ASSESSABLE)

ITEM NO.	BID ITEM	UNIT	EST QTY	UNIT PRICE	TOTAL
1	MOBILIZATION	LUMP SUM	1	\$4,000.00	\$4,000.00
2	BYPASS PUMPING	LUMP SUM	1	\$15,000.00	\$15,000.00
3	6" PVC PIPE SEWER SERVICE SDR 26	LIN FT	100	\$5.00	\$500.00
4	8" X 6" SERVICE WYE	EACH	2	\$400.00	\$800.00
5	EXPORT UNSUITABLE TRENCH EXC. MATERIAL	CU YD	620	\$20.00	\$12,400.00
6	GRANULAR BORROW FOR TRENCH BACKFILL	CU YD	620	\$28.00	\$17,360.00
7	VIBRATION MONITORING	LUMP SUM	1	\$15,000.00	\$15,000.00

<i>SUBTOTAL:</i>	<i>\$65,060.00</i>
<i>CONTINGENCIES (10%):</i>	<i>\$6,506.00</i>
<i>ESTIMATED CONSTRUCTION COST:</i>	<i>\$71,566.00</i>
<i>ADMINISTRATION, ENGINEERING, SURVEYING, INSPECTION (30%):</i>	<i>\$21,469.80</i>
<i>TOTAL ESTIMATED PROJECT COST:</i>	<i>\$93,035.80</i>

**ESTIMATED PROJECT COST
FOR
Downtown Reconstruction Phase 1
9/14/2022**

WATERMAIN RECONSTRUCTION (ASSESSABLE)

ITEM NO.	BID ITEM	UNIT	EST QTY	UNIT PRICE	TOTAL
1	MOBILIZATION	LUMP SUM	1	\$18,000.00	\$18,000.00
2	REMOVE WATERMAIN	LIN FT	1,558	\$7.00	\$10,906.00
3	REMOVE WATERMAIN SERVICE	LIN FT	777	\$3.00	\$2,331.00
4	REMOVE GATE VALVE & BOX	EACH	10	\$325.00	\$3,250.00
5	REMOVE HYDRANT	EACH	3	\$350.00	\$1,050.00
6	6" DIP WATERMAIN	LIN FT	104	\$80.00	\$8,320.00
7	8" PVC WATERMAIN	LIN FT	1,204	\$65.00	\$78,260.00
8	3 LB ANODE	EACH	4	\$150.00	\$600.00
9	9 LB ANODE	EACH	4	\$250.00	\$1,000.00
10	WATERMAIN FITTINGS	POUND	1,433	\$15.00	\$21,495.00
11	6" GATE VALVE & BOX	EACH	3	\$2,500.00	\$7,500.00
12	8" GATE VALVE & BOX	EACH	5	\$3,300.00	\$16,500.00
13	1" CURB STOP & BOX	EACH	21	\$800.00	\$16,800.00
14	1" CORPORATION STOP	EACH	21	\$600.00	\$12,600.00
15	1" SERVICE PIPE	LIN FT	827	\$40.00	\$33,080.00
16	HYDRANT	EACH	3	\$6,200.00	\$18,600.00
17	WATER SERVICE CASTING ASSEMBLY	EACH	22	\$450.00	\$9,900.00
18	TRACER WIRE ACCESS BOX	EACH	1	\$300.00	\$300.00
19	TEMPORARY WATER SYSTEM	LUMP SUM	1	\$30,000.00	\$30,000.00
20	CONNECT TO EXISTING WATER SERVICE	EACH	22	\$3,500.00	\$77,000.00
21	CONNECT TO EXISTING WATERMAIN	EACH	3	\$1,565.00	\$4,695.00

SUBTOTAL:	\$372,187.00
CONTINGENCIES (10%):	\$37,218.70
ESTIMATED CONSTRUCTION COST:	\$409,405.70
ADMINISTRATION, ENGINEERING, SURVEYING, INSPECTION (30%):	\$122,821.71
TOTAL ESTIMATED PROJECT COST:	\$532,227.41

**ESTIMATED PROJECT COST
FOR
Downtown Reconstruction Phase 1
9/14/2022**

WATERMAIN RECONSTRUCTION (NON-ASSESSABLE)

ITEM NO.	BID ITEM	UNIT	EST QTY	UNIT PRICE	TOTAL
1	MOBILIZATION	LUMP SUM	1	\$2,000.00	\$2,000.00
2	EXPORT UNSUITABLE TRENCH EXC. MATERIAL	CU YD	620	\$20.00	\$12,400.00
3	GRANULAR BORROW FOR TRENCH BACKFILL	CU YD	620	\$28.00	\$17,360.00
4	BORE FOUNDATION WALL/REMOVE & REPLACE FLOOR	EACH	22	\$5,000.00	\$110,000.00
5	RESET WATER METER & ADJUST PIPING	EACH	22	\$2,500.00	\$55,000.00
6	MOVE ELECTRICAL GROUND FROM WATER SERVICE	EACH	22	\$1,500.00	\$33,000.00
7	HAND EXCAVATION TO CONNECT WATER SERVICE (IN CRAWL SPACE)	EACH	22	\$2,200.00	\$48,400.00
8	1" CURB STOP & BOX	EACH	2	\$830.00	\$1,660.00
9	1" CORPORATION STOP	EACH	2	\$715.00	\$1,430.00
10	1" SERVICE PIPE	LIN FT	150	\$35.00	\$5,250.00
11	6" PVC WATERMAIN	LIN FT	90	\$43.00	\$3,870.00
12	6" GATE VALVE & BOX	EACH	2	\$2,000.00	\$4,000.00
13	WATERMAIN FITTINGS	POUND	350	\$11.50	\$4,025.00
14	CATHODIC PROTECTION TEST STATION	EACH	1	\$2,000.00	\$2,000.00
15	VIBRATION MONITORING	LUMP SUM	1	\$15,000.00	\$15,000.00

SUBTOTAL:	\$315,395.00
CONTINGENCIES (10%):	\$31,539.50
ESTIMATED CONSTRUCTION COST:	\$346,934.50
ADMINISTRATION, ENGINEERING, SURVEYING, INSPECTION (30%):	\$104,080.35
TOTAL ESTIMATED PROJECT COST:	\$451,014.85

**ESTIMATED PROJECT COST
FOR
Downtown Reconstruction Phase 1
9/14/2022**

STORM WATER REUSE (NON-ASSESSABLE)

ITEM NO.	BID ITEM	UNIT	EST QTY	UNIT PRICE	TOTAL
1	MOBILIZATION	LUMP SUM	1	\$40,000.00	\$40,000.00
2	TRAFFIC CONTROL	LUMP SUM	1	\$8,000.00	\$8,000.00
3	REMOVE CONCRETE CURB & GUTTER	LIN FT	170	\$3.50	\$595.00
4	REMOVE BITUMINOUS PAVEMENT	SQ YD	529	\$2.50	\$1,322.50
5	REMOVE CONCRETE DRIVEWAY/WALK	SQ FT	2,145	\$1.25	\$2,681.25
6	PUMP STATION	LUMP SUM	1	\$130,000.00	\$130,000.00
7	ELECTRICAL	LUMP SUM	1	\$80,000.00	\$80,000.00
8	UNDERGROUND STORAGE	CU FT	4,880	\$35.00	\$170,800.00
9	TREATMENT BUILDING	EACH	1	\$60,000.00	\$60,000.00
10	TREATMENT & DISINFECTION	LUMP SUM	1	\$30,000.00	\$30,000.00
11	HVAC EQUIPMENT	LUMP SUM	1	\$10,000.00	\$10,000.00
12	2" REUSE MAIN HDD	LIN FT	750	\$40.00	\$30,000.00
13	6" REUSE MAIN HDD	LIN FT	500	\$65.00	\$32,500.00
14	4" HYDRANT	EACH	1	\$5,000.00	\$5,000.00
15	36" RC PIPE SEWER DES 3006 CL III	LIN FT	231	\$140.00	\$32,340.00
16	CONSTRUCT DRAINAGE STRUC. DES 4020-60	LIN FT	30	\$850.00	\$25,500.00
17	SAFL BAFFLE	EACH	1	\$9,000.00	\$9,000.00
18	CASTING ASSEMBLY (STORM)	EACH	3	\$1,300.00	\$3,900.00
19	CONNECT TO EXISTING STORM STRUCTURE	EACH	1	\$1,250.00	\$1,250.00
20	REUSE FITTINGS AND HARDWARE	LUMP SUM	1	\$15,000.00	\$15,000.00
21	BLOWOFF & CONNECTION BOXES	LUMP SUM	1	\$10,000.00	\$10,000.00
22	COMMON EXCAVATION (EV)	CU YD	423	\$27.00	\$11,421.00
23	GEOTEXTILE FABRIC	SQ YD	598	\$2.00	\$1,196.00
24	AGGREGATE BASE CLASS 5 (CV) - 12" DEPTH	TON	159	\$25.00	\$3,975.00
25	AGGREGATE BASE CLASS 5 (CV) - 8" DEPTH	TON	157	\$25.00	\$3,932.50
26	SELECT GRANULAR BORROW (CV) - 12" DEPTH	CU YD	220	\$24.00	\$5,280.00
27	CONCRETE CURB & GUTTER (B618)	LIN FT	170	\$20.00	\$3,400.00
28	BITUMINOUS NON-WEAR COURSE - 3.0" DEPTH	TON	98	\$90.00	\$8,820.00
29	BITUMINOUS WEAR COURSE - 1.5" DEPTH	TON	35	\$90.00	\$3,150.00
30	BITUMINOUS WEAR COURSE - 3.5" DEPTH	TON	37	\$100.00	\$3,700.00
31	4" CONCRETE WALK	SQ FT	1,831	\$6.50	\$11,901.50
32	6" CONCRETE DRIVEWAY	SQ FT	173	\$9.00	\$1,557.00
33	3" BITUMINOUS DRIVEWAY	SQ FT	150	\$4.50	\$675.00
34	CONSTRUCT DRAINAGE STRUC. DES 4020-48	EACH	2	\$2,750.00	\$5,500.00
35	36" RC PIPE SEWER DES 3006 CL V	LIN FT	425	\$140.00	\$59,500.00
36	CASTING ASSEMBLY (STORM)	EACH	2	\$1,000.00	\$2,000.00
37	ADJUST CASTING (STORM)	EACH	1	\$680.00	\$680.00
38	CONNECT TO EXISTING STORM STRUCTURE	EACH	1	\$1,250.00	\$1,250.00
39	STORM DRAIN INLET PROTECTION	EACH	10	\$150.00	\$1,500.00
40	BIOROLL	LIN FT	450	\$3.50	\$1,575.00
41	ROCK CONSTRUCTION ENTRANCE	EACH	1	\$1,000.00	\$1,000.00
42	LANDSCAPING	ALLOWANCE	1	\$3,000.00	\$3,000.00

SUBTOTAL: \$832,901.75
 CONTINGENCIES (10%): \$83,290.18
 ESTIMATED CONSTRUCTION COST: \$916,191.93
 ADMINISTRATION, ENGINEERING, SURVEYING, INSPECTION (30%): \$274,857.58
TOTAL ESTIMATED PROJECT COST: \$1,191,049.50

APPENDIX B

CITY ASSESSMENT POLICY

Section Extracted from City of Waconia Financial Policy & Guidelines
Last Amended June 19, 2017

Special Assessments

The financing for reconstruction projects is through the sale of General Obligation 429 Improvement Bonds. Minnesota State Statute requires a minimum assessed percentage of 20% for projects financed with 429 bonds.

With each reconstruction project, a feasibility study is completed and approved by the City Council. Once a draft of the feasibility study is complete, City staff will share the information with a qualified appraiser to determine the special benefit to each property in the reconstruction area. The City Council will use this appraisal information as a basis for finalizing the special assessments due by property owners for reconstruction projects.

Assessment Policy Summary:

- The portion of the project costs assessed to the abutting property owner shall be based on a linear front footage basis of the parcel or unit basis.
- The City pays 50% of the total project cost of a standard local street section and 100% of the cost of extra width and extra depth above the city standard local street section.
- Storm sewer costs are to be included in the total project cost of a city standard local street, assessed 50% (and City pays 50%), in accordance with the Street Assessment Policy.
- All or some of the following improvements may be incorporated in a reconstruction project. Costs for these improvements will be included in the overall project cost, with a contribution from the City: storm water ponding, street lights, relocation of overhead power lines, street signs, sidewalks and trails, and boulevard trees.
- Corner lots and parcels with multiple frontages shall be assessed 50% of the front footage on each side.
- A minimum assessment shall be levied to parcels identified within the project area having neither direct primary nor non-primary access to affected streets. The assessment shall be equal to 75% of the typical front footage identified within the project area. Parcels abutting county roads are exempt from this provision.
- Assessments will not be levied for seal coat and overlay operations.
- Assessments may be pre-paid to the City by benefiting properties
- Assessments will be billed to the benefiting property owner by the City; typically over a ten (10) year period, at an interest rate of one percent (1%) over the bond interest rate. Other terms of the assessment receivable may be available to the benefiting property owners.
 - For any project, where all the benefiting property owner(s) are governmental entities (school district, county, state, etc.), the City will assess the benefiting property owner(s) the actual bond interest rate, typically over a ten (10) year period.
- In the case where a benefiting property owner is delinquent in their assessment payment, assessments may be certified to real estate taxes over a ten (10) year period, at an interest rate one percent (1%) over the bond interest rate.
- Partial pre-payments for assessments exceeding \$100,000.00 may be accepted by the City.

Infrastructure Improvement Cost Breakdown & Methodology

Improvement	Type of Construction	Method
Curb & Gutter	New Development	100% of the cost assessed to abutting property owner on linear front footage OR unit basis.
	Reconstruction (Complete)	The portion of the project costs assessed to the abutting property owner shall be based on a linear front footage basis of the parcel.
	Reconstruction (Spot repair)	100% of cost to be included in overall cost of project prior to assessment apportionment in accordance with policy.
Local Street	New Development	100% of the cost assessed to abutting property owner on linear front footage OR per unit basis.
	Reconstruction	50% of the cost to be assessed to abutting property owner on linear front footage OR per unit basis. 50% of the cost to be paid by City.
	Maintenance (Seal coat & overlay)	100% Paid with City funds.
Collector Street as defined by the City's Transportation Plan	New Development	100% of the construction cost of a city standard local street assessed to abutting property owner based on linear front footage OR per unit basis.
	Reconstruction	The portion of the project costs assessed to the abutting property owner shall be based on a linear front footage OR per unit basis. City pays 50% of the cost of the construction of city standard local street and 100% of the cost of construction above a city standard local street.
	Maintenance (Seal coat & overlay)	100% Paid with City funds.
Intersection	New Development	100% of the cost to be included as part of street project and apportioned according to appropriate street construction category.
	Reconstruction	100% of cost to be included in overall cost of project prior to assessment apportionment in accordance with policy.
Multiple Fronted Parcels - Corner Lot - Double Fronted Lot - Large Parcels - Etc.	Reconstruction	Front footage to be used in assessment methods described herein shall be calculated as follows: - 50% of the front footage on all sides of the parcel. 50% of the cost to be paid with City funds.

Table continues on next page

Improvement	Type of Construction	Method
Parcels with no driveway access to primary and non-primary streets.	Reconstruction	A minimum assessment shall be levied to parcels identified within the project area having no direct driveway access to neither primary nor non-primary streets, i.e. alley access. The assessment shall be equal to 75% of the typical front footage identified within the project area. Parcels abutting county roads are exempt from this provision.
Alley	New Development	100% of the cost assessed to abutting property owner on linear front footage OR per unit basis.
	Reconstruction	50% of the cost to be assessed to abutting property owner on linear front footage OR per unit basis. 50% of the cost to be paid with City funds.
Sanitary Sewer Trunk/Lateral	New Development	100% of the cost assessed to benefited area on unit basis.
	Reconstruction	50% of the cost assessed to benefited area on unit basis. 50% of the cost to be paid with City funds.
	Maintenance	100% of the cost to be paid with City funds.
Sanitary Sewer Service	New Development	100% of cost assessed to property owner.
	Reconstruction (Including main)	50% of the cost assessed to benefited area on a unit basis. 50% of the cost to be paid with City funds.
	Reconstruction (Stand alone service replacement)	100% of cost assessed to property owner.
Sanitary Sewer Oversizing	New Development	100% paid with City funds. (Materials cost above 8-inch pipe plus 20% for handling and installation.)
	Reconstruction	100% paid with City funds. (Materials cost above 8-inch pipe plus 20% for handling and installation.)
Lift Station	New Development	100% of the cost assessed to benefited area on a per unit basis.
Water Trunk/Lateral	New Development	100% of the cost assessed to benefited area on unit basis.
	Reconstruction	50% of the cost assessed to benefited area on unit basis. 50% of cost to be paid with City funds.
	Maintenance	100% of the cost to be paid with City funds.
Water Service	New Development	100% of cost assessed to property owner.
	Reconstruction (Including main)	50% of the cost assessed to benefited area on a unit basis. 50% of the cost to be paid with City funds.
	Reconstruction (Stand alone service replacement)	100% of cost assessed to property owner.
Water Oversizing	New Development	100% paid with City funds. (Materials cost above 8-inch pipe plus 20% for handling and installation.)
	Reconstruction	100% paid with City funds. (Materials cost above 8-inch pipe plus 20% for handling and installation.)
Storm Sewer Trunk/Lateral	New Development	100% of the cost assessed to benefited area on unit basis.
	Reconstruction	50% of the cost to be assessed to abutting property owner on linear front footage OR per unit basis. 50% of the cost to be paid with City funds.
	Maintenance	100% of the cost to be paid with City funds.
Storm Water Ponding	New Development	100% assessed to development.
	Reconstruction	Cost to be included in overall cost of project prior to assessment apportionment in accordance with policy. City makes contribution to the project.
	Maintenance	100% of the cost to be paid with City funds.

Table continues on next page

Improvement	Type of Construction	Method
Overhead Power Lines	Relocation	Cost to be included in overall cost of project prior to assessment apportionment in accordance with policy. City makes contribution to the project.
Street Lights	New Development	100% of material and installation cost on a unit basis paid by developer.
	Reconstruction	Cost to be included in overall cost of project prior to assessment apportionment in accordance with policy. City makes contribution to the project.
	Maintenance	100% of the cost to be paid with City funds.
Street Signs	New Development	100% of material and installation cost on a unit basis paid by developer.
	Reconstruction	Cost to be included in overall cost of project prior to assessment apportionment in accordance with policy. City makes contribution to the project.
	Maintenance	100% of the cost to be paid with City funds.
Sidewalks & Trails	New Development	100% of cost assessed on a unit basis to development.
	Reconstruction	Cost to be included in overall cost of project prior to assessment apportionment in accordance with policy. City makes contribution to the project.
	Maintenance	100% of the cost to be paid with City funds.
Boulevard Trees	New Development	100% of cost paid by developer.
	Reconstruction	Cost to be included in overall cost of project prior to assessment apportionment in accordance with policy. City makes contribution to the project.
	Maintenance	100% of the cost to be paid with City funds.

Deferred Special Assessments

Hardship Assessment Deferral for Senior Citizens, People with Disabilities, or Members of the National Guard or other Reserves Ordered to Active Military Service.

Pursuant to the authority for deferring special assessments as provided in Minnesota State Statute Section 435.193 through 435.195, the City Council may, in its discretion, defer the payment of special assessments for any homestead property owned by a person 65 years of age or older, one retired by virtue of a permanent and total disability, or a member of the National Guard or other reserves ordered to active military service for whom it would be a hardship to make the payments.

Eligibility

Any person 65 years of age or older, permanently and totally disabled (as determined by the Social Security Administrator), or a member of the National Guard or other reserve ordered to active military service may request deferment of special assessments levied against real property for public improvements if the following conditions are met.

1. **Ownership.** The applicant must be the fee simple owner of the property or must be a contract vendee for fee simple ownership. An applicant must provide either a recorded deed or contract for deed with the application to establish a qualified ownership interest as required here.
2. **Homestead.** The property must be the applicant's principal place of domicile and classified on the City's and County's real estate tax rolls as the applicant's homestead.

3. Income. The income threshold for eligibility of those applicants 65 years of age and older or disabled be established by the most recent U.S. Census Bureau Poverty Threshold compilations. Income eligibility would be determined by the submittal of the most recent federal tax filing form.

Interest on Deferred Assessment

Interest on the deferred assessment shall be forgiven until December 31st of the year before the first installment is payable.

Deferment Period

The deferment shall be granted for as long a period of time as the hardship exists and the conditions aforementioned have been met. However, it shall be the duty of the applicant to notify the City Administrator of any change in status that would affect eligibility or deferment.

The entire amount of deferred special assessments shall be due within sixty (60) days after loss of eligibility by the applicant. If the special assessment is not paid within the sixty (60) days, the City Administrator shall add thereto interest at a per annum interest rate of one percent (1%) above the bond interest rate and the total amount of principal and interest shall be certified to the County Auditor for collection with taxes the following year. Should the applicant demonstrate to the satisfaction of the City Council that full repayment of the deferred special assessment would cause the applicant particular undue financial hardship, the Council may order that the applicant pay within sixty (60) days a sum equal to the number of installments of deferred special assessments outstanding and unpaid to date, including principal and interest, with the balance thereafter paid according to the terms and conditions of the original special assessments.

Termination of Deferral Status

The option to defer the payment of special assessment shall terminate and all amounts accumulated plus applicable interest shall become due upon the occurrence of any one of the following events:

1. Sale of Property. The subject is sold, transferred, or subdivided in whole or in part.
2. Death of Owner. The death of the fee owner qualified for deferral status unless a surviving joint tenant, tenant in common, or contract vendee is eligible for the deferral benefit provided hereunder.
3. Nonhomestead Property. The subject property loses its homestead status for any reason.
4. No Hardship. The City Council determines that there would be no hardship to require an immediate or partial payment of the deferred special assessment.

Filing for Federal Status/Fee

An eligible applicant must file an application not later than thirty (30) days after the assessment is adopted by the City Council.

All deferral applications must be made on forms approved by the City and submitted to the City Administrator. The applicant will be charged an administrative filing fee, based on the current fee schedule.

Nothing herein shall be construed to prohibit the determination of hardship on the basis of exceptional and unusual circumstances not covered by the above noted requirements where the determination is made in a nondiscriminatory manner and does not give the applicant an unreasonable preference or advantage over other applicants.

Deferred Assessment Procedures

- Deferred Assessment Application form is provided to applicant/property owner by the City Administrator's Office.
- Applicant fills out the application form and provides the relevant information to document qualification for deferred assessment. Applicant then returns form to City Administrator's Office.
- City Administrator forwards the application to the Finance Director for review of qualifications. Finance Director makes recommendation to City Council to approve or deny the application.
- An approved application may be forwarded to the Carver County Recorder's office for recording and to the Carver County Taxpayer Services Division.
- The deferral information is entered into the City's property records data base.
- At such time the property no longer qualifies for the deferred assessment (upon a transfer of the property, loss of homestead status, or death, no hardship as determined by the Council), the County Auditor/Recorder's office will notify the City of the termination of the deferral status, and direct the party to the City Administrator's office to pay balance on the outstanding deferred assessment amount.

7. That my social security number is _____ Spouse _____
8. That on January 2, 20____ or December 1, 20____ I owned and occupied the above property as my homestead and such occupancy began on _____.
9. That the payments for improvements on the special assessments duly adopted by the City of Waconia as of _____ which have been allocated against the subject property would create undue personal hardship on my behalf and I respectfully request that payment be delayed and that such payments be so deferred for the years 20____ to 20_____.

Owner Signature

Owner Signature

=====

I, _____, City Clerk of the City of Waconia, Carver County, State of Minnesota, do hereby certify that the application of _____, above named, has been duly reviewed and that in accordance with the minutes of official record was duly
 _____ **APPROVED** _____ **DENIED** as of _____, 20_____.

That in accordance with approval granted, that the payment for special assessments on the applicant's subject property in the amount of \$_____ for the year (s) _____ should be so deferred with interest at the annual rate of _____%, until such time as it is deemed the applicant no longer qualifies or the property loses its eligibility.

Dated _____ 20 _____

City Clerk

10/2/2008

APPENDIX C

GEOTECHNICAL REPORT



CONSULTANTS

- ENVIRONMENTAL
- GEOTECHNICAL
- MATERIALS
- FORENSICS

REPORT OF GEOTECHNICAL EXPLORATION

2022 and 2023 Infrastructure Improvements Projects

Waconia, Minnesota

AET No. 20-23155

Date:

March 10, 2021

Prepared for:

City of Waconia
310 East 10th Street
Waconia, Minnesota 55387





CONSULTANTS
• ENVIRONMENTAL
• GEOTECHNICAL
• MATERIALS
• FORENSICS

March 10, 2021

City of Waconia
310 East 10th Street
Waconia, Minnesota 55387

Attn: Mr. Craig Eldred – Public Services Director

RE: Geotechnical Exploration
2022 and 2023 Infrastructure Improvements Projects
Waconia, Minnesota
AET No. 20-23155

Dear Mr. Eldred:

American Engineering Testing, Inc. (AET) is pleased to present the results of our subsurface exploration program and geotechnical engineering review for the City of Waconia's 2022 and 2023 Infrastructure Improvements projects. These services were performed according to our proposal to you dated September 15, 2020.

We are submitting an electronic (pdf) copy of the report to you. Additional copies are being sent on your behalf as noted below.

Please contact me if you have any questions about the report. I can also be contacted for arranging construction observation and testing services.

Sincerely,
American Engineering Testing, Inc.

A handwritten signature in black ink, appearing to read 'D.S. Van Heuveln', is written over the company name.

Derek S. Van Heuveln, PE

Senior Engineer

Phone: (651) 789-4656

dvanheuveln@amengtest.com

cc: Mr. Jake Saulsbury, PE – Bolton & Menk, Inc.

550 Cleveland Avenue North | St. Paul, MN 55114
Phone 651-659-9001 | Toll Free 800-972-6364 | Fax 651-659-1379 | www.amengtest.com | AA/EEO
This document shall not be reproduced, except in full, without written approval from American Engineering Testing, Inc.

Report of Geotechnical Exploration

2022 and 2023 Infrastructure Improvements Projects; Waconia, Minnesota
March 10, 2021
Report No. 20-23155

AMERICAN
ENGINEERING
TESTING, INC.

SIGNATURE PAGE

Prepared for:

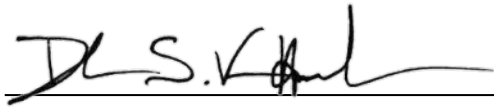
City of Waconia
310 East 10th Street
Waconia, Minnesota 55387

Attn: Mr. Craig Eldred – Public Services Director

Prepared by:

American Engineering Testing, Inc.
550 Cleveland Avenue North
St. Paul, Minnesota 55114
(651) 659-9001/www.amengtest.com

Authored by:



Derek S. Van Heuveln, PE
Senior Engineer

Reviewed by:

Gregory R. Reuter, PE, PG, D.GE
Principal Engineer/Vice President

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 Minnesota Statute Section 326.02 to 326.15

Name: Derek S. Van Heuveln

Date: March 10, 2021 License #: 45922

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Unauthorized use or copying of this document is strictly prohibited by anyone other than the client for the specific project.

Report of Geotechnical Exploration

2022 and 2023 Infrastructure Improvements Projects; Waconia, Minnesota

March 10, 2021

Report No. 20-23155

AMERICAN
ENGINEERING
TESTING, INC.**TABLE OF CONTENTS**

1.0 INTRODUCTION	1
2.0 SCOPE OF SERVICES	1
3.0 PROJECT INFORMATION.....	1
4.0 SUBSURFACE EXPLORATION AND TESTING	2
4.1 Field Exploration Program	2
4.2 Laboratory Testing	3
5.0 SITE CONDITIONS.....	3
6.0 UTILITY RECOMMENDATIONS	6
6.1 Approach Discussion.....	6
6.2 Bedding and Backfilling.....	7
7.0 PAVEMENTS.....	10
7.1 Definitions	10
7.2 Subgrade Preparation.....	10
7.3 Subgrade R-value	12
7.4 Aggregate Base.....	12
7.5 Bituminous Pavement Comments	12
8.0 Retaining Walls.....	13
8.1 Approach Discussion.....	13
8.2 Design Recommendations	15
8.3 Grading Recommendations	16
8.4 Foundation Support Recommendations.....	17
8.5 Wall Backfill Recommendations.....	18
8.6 Wall Drainage Recommendations.....	18
9.0 CONSTRUCTION CONSIDERATIONS.....	19
9.1 Potential Difficulties.....	19
9.2 Excavation Backsloping	19
9.3 Observation and Testing.....	20
10.0 ASTM STANDARDS	20
11.0 LIMITATIONS.....	20

STANDARD SHEETS

Utility Excavation Backfilling

Definitions Relating to Pavement Construction

Report of Geotechnical Exploration

2022 and 2023 Infrastructure Improvements Projects; Waconia, Minnesota
March 10, 2021
Report No. 20-23155

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TABLE OF CONTENTS (continued)

APPENDIX A – Geotechnical Field Exploration and Testing

Boring Log Notes

Unified Soil Classification System

AASHTO Classification System

Figures 1 to 3 - Boring Locations

Subsurface Boring Logs

Results of Sieve Analysis Tests

MnDOT Figure 2411-1 Gravity PMBW Material Definitions/Typical Cross Sections

APPENDIX B – Geotechnical Report Limitations and Guidelines for Use

Report of Geotechnical Exploration

2022 and 2023 Infrastructure Improvements Projects; Waconia, Minnesota

March 10, 2021

Report No. 20-23155

AMERICAN
ENGINEERING
TESTING, INC.**1.0 INTRODUCTION**

The City of Waconia (City) is planning future infrastructure improvements projects for 2022 and 2023. To assist planning and design, you have authorized American Engineering Testing, Inc. (AET) to conduct a subsurface exploration program at the site, conduct soil laboratory testing, and perform a geotechnical engineering review for the project. This report presents the results of the above services, and provides our engineering recommendations based on this data.

2.0 SCOPE OF SERVICES

AET's services were performed according to our proposal to you dated September 15, 2020, which you authorized on September 17, 2020. The authorized scope consists of the following.

- Drilling 13 standard penetration test borings to depths ranging from 10 to 25 feet below grade.
- Performing soil laboratory testing, including water content, sieve analysis, and electrical resistivity testing on select samples.
- Conducting a geotechnical engineering review based on the data and preparing this report.

These services are intended for geotechnical purposes only. The scope is not intended to explore for the presence or extent of environmental contamination in the soil or groundwater.

3.0 PROJECT INFORMATION

The following information was provided to us by the City and their designer, Bolton & Menk. The proposed 2022 Infrastructure Improvements project has two work areas. One project area consists of the replacement of retaining walls along the east and west sides of Oak Avenue at the lake channel outlet culvert. The west wall is one tier and the east wall consists of two tiers. These walls, which are located south of Pietz Avenue, are currently segmental block retaining walls, and have deteriorated due to road salt and erosion from the outlet channel; apart from this the walls have performed satisfactorily. Design for these walls has not begun; however, we understand that it is planned to replace these walls with new retaining walls constructed of large wet cast retaining wall blocks, that is, prefabricated modular block wall (PMBW) without soil reinforcement (e.g. a gravity PMBW), per MnDOT nomenclature. The bottom elevation of the

Report of Geotechnical Exploration

2022 and 2023 Infrastructure Improvements Projects; Waconia, Minnesota
March 10, 2021
Report No. 20-23155

AMERICAN
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TESTING, INC.

new walls will closely match the existing walls, and wall heights of 3 to 5 feet (similar to the existing walls) are anticipated. We have been provided with the Retaining Wall Details plan for the existing walls, dated October 14, 1996, as part of our review.

The second part of the 2022 project and the 2023 project includes utility replacement and street reconstruction in downtown Waconia. The project area generally includes Main Street West from Maple Street North to Spruce Street North, and portions of the cross streets within one block south of Main Street. The 2022 project will be from Maple Street to Olive Street, and the 2023 project will be from Olive Street to Spruce Street.

The sanitary sewer is planned to be replaced along Main Street between Maple Street and Pine Street, with smaller replacement areas along Olive Street and Elm Street south of Main Street. Following utility work, street reconstruction will be performed on Main Street and along portions of Olive Street, Elm Street, Pine Street, and Spruce Street.

The above stated information represents our understanding of the proposed construction. This information is an integral part of our engineering review. It is important that you contact us if there are changes from that described so that we can evaluate whether modifications to our recommendations are appropriate.

4.0 SUBSURFACE EXPLORATION AND TESTING

4.1 Field Exploration Program

The subsurface exploration program conducted for the project consisted of 13 standard penetration test borings. The number of borings, boring locations, and boring depths were determined by the City and Bolton & Menk. The logs of the borings and details of the methods used appear in Appendix A. The logs contain information concerning soil layering, soil classification, geologic origins, and moisture condition. A density description or consistency is also noted for the natural soils, which is based on the standard penetration resistance (N-value).

The boring locations are shown on Figure 1 in Appendix A. The borings were located in the field by Bolton & Menk. Final boring locations were offset based on underground utilities identified as part of the Gopher State One Call utility clearance. Surface elevations at the boring locations

Report of Geotechnical Exploration

2022 and 2023 Infrastructure Improvements Projects; Waconia, Minnesota

March 10, 2021

Report No. 20-23155

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TESTING, INC.

were recorded in the field by AET personnel using a GPS unit with $\pm\frac{1}{2}$ -foot (0.15 meter) accuracy.

4.2 Laboratory Testing

The laboratory test program included water content testing on fine grained (clayey) soils, sieve analysis (gradation only) testing on select samples, and electrical resistivity testing on samples taken from Borings B-12 and B-19. The test results appear in Appendix A on the individual boring logs adjacent to the samples upon which they were performed, on the data sheets following the logs, or presented in the report text below.

5.0 SITE CONDITIONS**5.1 Pavement and Aggregate Base Thickness**

The bituminous pavement at our boring locations varied from approximately $2\frac{1}{4}$ inches (Boring B-22) to $8\frac{1}{4}$ inches (Borings B-11) thick, with an average of about $5\frac{3}{4}$ inches as measured from the augered boreholes. The varying pavement thickness could be due to overlays.

Apparent aggregate base materials were encountered at each boring location in a thickness that generally varied from approximately 4 to 18 inches. The base soils generally consisted of crushed limestone and silty sands with varying amounts of gravel. At Boring B-20, the possible aggregate base material consisted of a mixture of clayey sands and silty sands. Pieces of geotextile fabric were observed beneath the aggregate base at Borings B-10 to B-12. Please refer to table A for summary information.

Table 5.1– Pavement and Base Thickness

Soil Boring No.	Bituminous Thickness (inches)	Aggregate Base Thickness (inches)	Aggregate Base Type and AASHTO Classification
B-10	$7\frac{1}{2}$	12	Silty sand with gravel (A-1-b)
B-11	$8\frac{1}{4}$	12	Crushed limestone (A-1-b)
B-12	$7\frac{1}{2}$	15	Silty sand with gravel (A-1-b)

Report of Geotechnical Exploration

2022 and 2023 Infrastructure Improvements Projects; Waconia, Minnesota

March 10, 2021

Report No. 20-23155

AMERICAN
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Soil Boring No.	Bituminous Thickness (inches)	Aggregate Base Thickness (inches)	Aggregate Base Type and AASHTO Classification
B-13	6½	8½	Crushed limestone (A-1-b)
B-14	6¾	4	Silty sand with gravel (A-1-b)
B-15	6½	>12	Silty sand with gravel (A-1-b)
B-16	5¾	18	Silty sand (A-2-4)
B-17	4¾	4	Crushed limestone and silty sand (A-1-b)
B-18	5½	18	Gravelly silty sand (A-1-b)
B-19	7¼	17	Silty sand (A-2-4)
B-20	2½	9½	Clayey sand and silty sand (A-2-6)
B-21	5	12	Silty sand (A-2-4)
B-22	2¼	10	Silty sand with gravel (A-1-b)

5.2 Subsurface Soils/Geology**5.2.1 Oak Avenue Area (Borings B-10 and B-11)**

Below the pavement and aggregate base, the Oak Avenue borings encountered fill to depths of 7 to 9¼ feet below grade. The fill could be roadway embankment, retaining wall backfill, or utility trench backfill. The fill consisted mainly of organic clays, lean clays, sandy lean clays, clayey sands, and silty sands with varying amounts of gravel. The N-values in the fill ranged from 4 to 15. The water content ranged from 13% to 38%.

Below the fill, the borings generally encountered naturally-deposited soft to very stiff sandy lean clays and clayey sands (A-6). Boring B-11 encountered a swamp deposit layer below the fill from 7 to 9½ feet below grade consisting of firm organic clay. The water content in the naturally-deposited soils ranged from 17% to 30%.

Report of Geotechnical Exploration

2022 and 2023 Infrastructure Improvements Projects; Waconia, Minnesota

March 10, 2021

Report No. 20-23155

AMERICAN
ENGINEERING
TESTING, INC.**5.2.2 Main Street Area (Borings B-12 to B-22)**

At the boring locations in the Main Street project areas, the borings encountered fill or possible fill to depths of 1 to 12 feet below grade. The fill could be roadway embankment or utility trench backfill. The fill consisted mainly of sandy lean clays, clayey sands, silty sands, and sands with silt with varying amounts of gravel. We observed pieces of bituminous in portions of the fill. Cinders were observed in the fill from 2 to 4½ feet at Boring B-19. The N-values in the fill ranged from 1 to 28. The water content in the clayey soils ranged from 11% to 28%.

Below the fill, the borings generally encountered naturally-deposited fine alluvium and till soils to the termination depths. A layer of firm organic clay (swamp deposit) was encountered at Boring B-12 from 12 to 14½ feet below grade. The water content of the organic clay was 26%.

The fine alluvial soils consist of lean clays and sandy lean clays. The N-values ranged from 6 to 17. The water content ranged from 24% to 33%. The till soils consist of sandy lean clays, clayey sands, and silty sands. The N-values in these soils ranged from 5 to 54. The water content in the clayey soils ranged from 14% to 23%. An apparent boulder was encountered in boring B-15 at a depth of approximately 5 feet.

5.3 Groundwater

We did not encounter groundwater in the majority of the boring locations at the time of our exploration. Groundwater was measured at a depth of 13.7 feet below grade at Boring B-14 and 21.4 feet below grade at Boring B-16. The majority of the site soils are relatively slow draining silty and clayey soils and an extended period of time would be required for groundwater to appear and stabilize in an open borehole; therefore, the absence of groundwater in our borings should not be taken to mean that groundwater would not be encountered in an excavation. Perched water levels can occur in sand and clay matrixes and groundwater may be encountered in some utility excavations. A discussion of the water level measurement methods is presented in Appendix A.

Groundwater levels fluctuate due to varying seasonal and annual rainfall and snow melt amounts, as well as other factors.

Report of Geotechnical Exploration

2022 and 2023 Infrastructure Improvements Projects; Waconia, Minnesota

March 10, 2021

Report No. 20-23155

AMERICAN
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Bituminous pavements are “flexible” systems, and require a high level of strength/stability from the upper subgrade zone. Generally, the upper 4 feet of the subgrade is considered the critical subgrade zone. At the test locations, the fill soils in the critical subgrade zone encountered have moderate strength and stability, unless further disturbed.

The soils found in the upper 4 feet range from moderately fast draining sands with silt to slow draining lean clay, sandy lean clay, and clayey sand. These soils have a moderate to high susceptibility to frost heaving and freeze thaw weakening.

The soils in the upper 4 feet of the subgrade had water contents varying from near optimum for compaction, based on our experience with these soils and the standard Proctor test (ASTM D 698), to above optimum moisture, with some water contents as high as 38%. In general, the inorganic soils more than 4 feet below subgrade elevation had water contents that varied from 14% to as high as 33%. The water content in the organic clays encountered in Borings B-11 and B-12 ranged from 26% to 30%. A larger percentage of these soils would be considered above “optimum” water content, and it may be difficult to obtain proper compaction for utility trench backfill.

6.0 UTILITY RECOMMENDATIONS**6.1 Approach Discussion**

The natural soils encountered in our borings were primarily clayey till and fine alluvial soils. These soils would generally be judged suitable to support the new utility pipes at depth. However, these till and alluvial soils can include cobbles and boulders, such as at encountered in Boring B-15. This may make excavating procedures somewhat more difficult than normal if they are encountered.

It should be noted that layers of organic clay were encountered at some of the boring locations. Utility pipe support and bedding will be significantly different in those zones than would be required in the alluvial and till soils encountered at our boring locations.

Groundwater was encountered at 2 of the 13 boring locations at depths ranging from approximately 13½ to 21½ feet below grade at the time of our exploration. Excavations for new

Report of Geotechnical Exploration

2022 and 2023 Infrastructure Improvements Projects; Waconia, Minnesota

March 10, 2021

Report No. 20-23155

AMERICAN
ENGINEERING
TESTING, INC.

utilities are planned to extend to depths of 14 to 17 feet below grade. The soils at our borings were predominately cohesive (lean clays, sandy lean clays, and clayey sand till and fine alluvium, and organic clay swamp deposits); however sandier seams in the cohesive soil matrix can be waterbearing, as well as layers of silty sands such as encountered at Boring B-22. The project contractor should consider groundwater control, which will need to be carefully planned and executed, as part of their installation process. If dewatering is required, it is the responsibility of the contractor to design the dewatering system. We anticipate groundwater control may be possible by using sump pits and pumps due to the relatively low permeability sandy lean clays and clayey sands.

Please refer to the following sections for additional information.

6.2 Bedding and Backfilling

We judge the natural soils encountered at our boring locations should provide acceptable utility foundation support. Where clayey or silty soils are present at pipe grade in open excavations, a 4-inch thick granular bedding layer should be placed beneath pipes to improve support uniformity. In organic soils, this bedding layer should be increased to at least 12 inches. If the soils are soft and susceptible to disturbance, or if organic soils are present, we recommend placing a geotextile separator fabric between the subgrade and the pipe bedding to reduce mixing of the subgrade and the bedding. We also recommend that the contractors remove any cobbles/boulders in the utility line trenches prior to utility line installation. This will reduce the potential for the development of point loads on the pipe that would not be accounted for in the pipe design.

6.2.1 Pipe Bedding

For pipe bedding material, we recommend a sand or sand and gravel mix, such as MnDOT 3149.2B2, with less than 12% of the particles (by weight) passing the No. 200 sieve. Imported fill will be required for the pipe bedding.

Pipe bedding should be carefully placed and hand-compacted under the haunches of the pipe, around the pipe, and to a minimum of 6 inches above the crown. As backfill is placed in the trenches, special caution must be given to the densification of the soil around and over the pipe. The contractor may have to use special manual techniques to properly compact the backfill under the haunches of the pipe, in order to prevent voids and prevent lateral movement of the pipe.

Report of Geotechnical Exploration

2022 and 2023 Infrastructure Improvements Projects; Waconia, Minnesota

March 10, 2021

Report No. 20-23155

AMERICAN
ENGINEERING
TESTING, INC.

The bedding must be in direct contact with the pipe before the trench is backfilled. This will also help prevent having dissimilar materials contact the metallic pipes and setting up potential corrosion cells.

6.2.2 Trench Backfill

The excavated non-organic soils can be used as backfill for new utility line trenches. The existing soils should be evaluated at the time of excavation to determine if these soils are suitable for use as trench backfill. Soils containing construction debris are generally not recommended for use as backfill, as the debris can make it difficult to adequately compact the entire lift thickness.

Utility trench backfill beneath pavements should be placed per the requirements of MnDOT Specification 2105.3F1 (Specified Density Method). The backfill soils should be placed in a maximum lift thickness of 1 foot or less for the granular soils and 8 inches or less for the cohesive soils. This specification requires soils placed within an excavation trench be compacted to a minimum of 100% of the *standard maximum dry unit weight* defined in ASTM: D698 (Standard Proctor test), at a water content 65% to 102% of the *standard optimum water content*.

The silty and clayey soils found at our borings are sensitive to changes in moisture content and could be difficult to compact at their natural moisture content and/or if they become wet and/or dry of optimum water content after they are excavated. Soils will need to be placed within a certain range of water (moisture) contents to attain desired compaction levels. Moisture conditioning to within this range can be time consuming, labor intensive, and requires favorable weather. Failure to compact the trench backfill to the recommended densities could result in excessive settlement of pavements constructed over this material. If it is not feasible to dry the soils then the backfill should be compacted in thin lifts, with a lower density anticipated and possibly some additional trench settlement. This is the “Quality Compaction Method,” MnDOT Specification 2105.3F.2. However, the top 3 feet of trench backfill should be dried to meet the recommend compaction specifications, as this is in the “critical” subgrade zone. Please refer to the enclosed standard sheets titled “Utility Excavation Backfilling” for additional information.

One method to mitigate differential utility trench backfill is to delay paving of the final wearing course of the pavement until the next construction season to allow settlement to occur and corrective grading/paving to be performed on areas of excessive differential settlement. The

Report of Geotechnical Exploration

2022 and 2023 Infrastructure Improvements Projects; Waconia, Minnesota

March 10, 2021

Report No. 20-23155

AMERICAN
ENGINEERING
TESTING, INC.

base course of pavement can be sawcut and removed, the subgrade and aggregate base can be regraded/compacted, and the bituminous base course replaced prior to final paving.

In “green” areas, backfill soils should be placed in reasonable lift thicknesses (about 1 foot or less) and compacted to a minimum of 90% of the Standard Proctor density (ASTM: D698) and/or per the MnDOT “Quality Compaction Method.” If lower compaction levels are attained, more noticeable subsidence at the surface can occur.

6.2.3 Utility Pipe Corrosion Potential

The soils encountered in the soil borings were predominately lean clays, sandy lean clays, and clayey sands, with occasional zones of organic clays, silty sands, and sands with silt. We performed soil resistivity on soil samples at Boring B-12 and B-19. The resistivity values were as follows:

Table 6.2.3 – Resistivity Values

Soil Boring No.	Depth of Sample Tested (ft.)	Natural Moisture (ohm-cm)	Water Added (ohm-cm)	Soil Type
B-12	7-11½	1210	1200	Fill - Sandy Lean Clay (CL)
B-19	7-9	1080	1010	Sandy Lean Clay (CL)

The above resistivity values, when compared to American Water Work Association (AWWA) charts and other sources, indicate that the clayey soils are considered corrosive. Organic soils are also considered corrosive. Silty sands are considered to be moderately corrosive. Corrosion can occur to buried metallic pipes that are not coated or protected from soils that are considered corrosive, or where fluctuating groundwater levels occur, or where dissimilar backfill has been placed.

In our opinion, the new watermain should have coated (or wrapped) pipes backfilled with a uniform sand bedding placed completely around the pipes so that clayey or organic soils are not

Report of Geotechnical Exploration

2022 and 2023 Infrastructure Improvements Projects; Waconia, Minnesota

March 10, 2021

Report No. 20-23155

AMERICAN
ENGINEERING
TESTING, INC.

touching the pipes. The entire system should be designed to be electrically continuous. HDPE pipes installed for directional drilled utilities are not considered corrosive.

7.0 PAVEMENTS**7.1 Definitions**

The italicized words used in this section have specific definitions. These definitions are presented on the attached Standard Sheet entitled “Definitions Relating to Pavement Construction” or in ASTM Standards or MnDOT Specifications. Some of these definitions are also noted in section 6.2 of this report.

7.2 Subgrade Preparation**7.2.1 Standard City Pavement Sections**

The current City pavement sections incorporate the use of a drained *sand subbase* layer of *Select Granular Material* beneath the aggregate base layer for bituminous pavement systems. The purpose of the *sand subbase* is to provide improved drainage for the aggregate base and upper zone of the subgrade which better controls frost heaving and thaw weakening effects. The appropriate *sand subbase* thickness is usually a function of the underlying soil’s frost and strength properties, and the traffic loadings.

The pavement sections, which also include geotextile fabric below the aggregate base, are as follows:

- Residential Section - 4½ inches bituminous, 6 inches aggregate base, and 12 inches of Select Granular Material (MnDOT 3149.2B.2).
- Truck Route Section - 6½ inches bituminous, 10 inches aggregate base, and 12 to 18 inches of Select Granular Material (MnDOT 3149.2B.2).

It is our opinion that for these project areas, a 1-foot thick *sand subbase* layer would suffice. Where there is a need to vary the thickness of the *sand subbase*, we recommend the thickness have a taper of no steeper than 10H:1V. The subcut and sand layer placement should extend slightly beyond the back of the curb to maintain frost uniformity.

Report of Geotechnical Exploration

2022 and 2023 Infrastructure Improvements Projects; Waconia, Minnesota
March 10, 2021
Report No. 20-23155

AMERICAN
ENGINEERING
TESTING, INC.

Because the underlying subgrade soils are generally clayey, and will not allow infiltrating water to percolate quickly, the *sand subbase* layer should be provided with a proper means of subsurface drainage. At the bottom of the *sand subbase*, we recommend the installation of finger drains tied into catch basins. The subsurface drains should be properly engineered and installed per MnDOT Specification 2502 Subsurface Drains, (MnDOT Standard Specifications for Construction, 2018 Edition, pages 394 to 401).

7.2.2 Stability Improvement

The final subgrade should have proper stability within the critical subgrade zone. When clayey soils or higher silty content soils are present, stability should be evaluated using the *test roll* procedure. Where unstable soils are found using the *test roll* process, then these soils should be improved by means of scarification, drying, and recompaction; or by subcutting and replacement. We recommend the final soils remaining in place be capable of passing a *test roll* prior to placing the *sand subbase* and/or aggregate base. It is our judgement that a *test roll* should not be necessary on the *sand subbase* material, or where the roadway subgrade consists of sands and sands with silt; in this case, the *test roll* process should be performed at the top of the aggregate base material prior to pavement construction.

We caution that instability of soils present beneath the soils being reworked and compacted may limit the ability to compact the upper soils. In this case, greater depths of subcutting and stability improvement may be needed.

7.2.3 Geosynthetic Use

A Type V geotextile fabric can be used for separation purposes below the *sand subbase*. A geotextile fabric (or a geogrid) can be used as reinforcement to aid in off-setting subgrade instability. For stability improvement, the geotextile fabric should be placed on top of the subgrade, below a *sand subbase* layer, which better uses the tensile properties of the fabric. However, you should recognize that the use of a geotextile stabilization fabric over *unstable soils* may not necessarily provide an equivalent off-set (compared to proper soil stabilization). Geotextile fabric use and installation should meet the requirements of MnDOT Specification 3733. A Type V geotextile is judged appropriate for separation purposes. However, if you wish to provide subgrade reinforcement, then a stronger geotextile should be used (Type VI).

Report of Geotechnical Exploration

2022 and 2023 Infrastructure Improvements Projects; Waconia, Minnesota

March 10, 2021

Report No. 20-23155

AMERICAN
ENGINEERING
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Following the subcutting and stabilization of existing soils as needed, fill can be placed as needed to re-attain subgrade elevation. Fill should be placed per the requirements of MnDOT Specification 2105.3.F.1 (Specified Density Method). This specification generally requires soils placed within the *critical subgrade zone* be compacted to a minimum of 100% of the *standard maximum dry unit weight* defined in ASTM: D698 (Standard Proctor test), at a water content 65% to 102% of the *standard optimum water content*. A reduced minimum compaction level of 95% of the *standard maximum dry unit weight* can be used below the *critical subgrade zone*. The moisture content below the upper 3-foot zone shall be from 65% to 115% of the *standard optimum moisture content*. The *sand subbase* can be considered part of a composite subgrade; and the top of the subbase can be figured as the top of the 3-foot subgrade zone needing the 100% compaction level. However, the lower (dry) end of the water content range requirement does not need to apply to the sand subbase.

7.3 Subgrade R-value

The limiting on-site subgrade soils are the lean clay, sandy lean clay, and clayey sand soils. Based on the laboratory classification, we recommend using a design R-value of 12.

7.4 Aggregate Base

New aggregate base imported for pavement support should meet the gradation and quality requirements for Class 5, 5Q, or 6 per MnDOT Spec. 3138. Aggregate base placement and compaction should be performed according to MnDOT Spec. 2211. All aggregate base material (including existing, imported, or reclaimed) should be tested for compaction using the Penetration Index Method per MnDOT Spec. 2211.3.D.2.c.

7.5 Bituminous Pavement Comments

The bituminous materials should meet appropriate MnDOT 2360 specifications. The mix designs presented previously meet minimum requirements. We recommend limiting RAP within the upper wear course to a maximum of 10% and in lower courses to a maximum of 20% to reduce thermal cracking. Minimizing the number of mixes and binder oils (PG grades) used on a project is generally more economical. Other mix design alternatives include the following options:

Report of Geotechnical Exploration

2022 and 2023 Infrastructure Improvements Projects; Waconia, Minnesota

March 10, 2021

Report No. 20-23155

AMERICAN
ENGINEERING
TESTING, INC.

- Size-A aggregate ($\frac{1}{2}$ -inch minus) can be used instead of the Size-B aggregate ($\frac{3}{4}$ -inch minus). Size-A aggregate generally provides a “finer” pavement surface and therefore tighter longitudinal joints. Size-B aggregate will generally accommodate Recycled Asphalt Pavement (RAP) more readily than size-A aggregate.
- The use of an F-binder oil (PG 58V-34) in the wear layers will reduce rutting caused by turning movements, slow speeds, and starting/stopping traffic. It will also result in less thermal cracking of the pavement and subsequently less maintenance and better long-term pavement performance.

Regardless of the improvement approach selected, all bituminous pavements require on-going maintenance to reach their design life. Even if placed and compacted properly over stable subgrade conditions, bituminous pavements typically experience cracking in 1 to 3 years, primarily due to temperature-related expansion and shrinkage. We recommend that a regularly scheduled maintenance program consisting of patching of cracks and local distressed areas be implemented. Seal coating of the pavement surface after 3 to 5 years also helps prolong the pavement life.

8.0 RETAINING WALLS

8.1 Approach Discussion

We understand your desired wall type is a prefabricated modular block wall (PMBW) without soil reinforcement (e.g. a gravity PMBW). We recommend that the walls be designed and constructed per MnDOT Special Provision S-2411. As noted, no drawings or plans have been provided to us for the new retaining walls. The City has provided us with a topographic plan view of the area showing that the replacement walls will be placed on the east and west sides of Oak Avenue at the lake outlet culvert. The culvert consists of a 72-inch diameter corrugated metal pipe. You indicated that the walls will be constructed in approximately the same lengths as the existing walls (120 feet for the east wall and 190 feet for the west wall). Exposed wall heights are anticipated to be approximately 3 to 5 feet, similar to the existing walls. Based on the site survey provided, we assume the proposed ground surface elevation along the wall alignment will match the existing walls, which range from 958 to 963 feet on the east wall and 958 to 965 feet on the west wall. It is in our experience that an exposed height of 8 feet is the normal limit using the MnDOT Special Provision for PMBW's without soil reinforcement.

Report of Geotechnical Exploration

2022 and 2023 Infrastructure Improvements Projects; Waconia, Minnesota

March 10, 2021

Report No. 20-23155

AMERICAN
ENGINEERING
TESTING, INC.

Our recommended approach to prepare the retaining wall foundation is to excavate the fill and swamp deposited soils below the retaining wall to the underlying naturally-deposited sandy lean clay till at about elevation 951 feet, and placing engineered fill in lifts to re-attain bottom of leveling pad elevation. Excavations to elevation 951 feet will be near the invert elevation of the culvert, and would likely require damming of the outlet channel (e.g. coffer dams) and bypass pumping or other water control to allow earthwork to occur in dry conditions.

If the City is willing to accept an increased risk of greater than normal settlement and wall movement, the walls could be reconstructed in a similar configuration, supported on the in-place foundation soils. The existing walls have performed satisfactorily in regard to settlement and lateral movement, and future wall performance would be anticipated to be similar as long as a similar geometry (grades, exposed heights, alignments) was used for the replacement walls. Geometry changes, such as replacing the current two-tiered east wall with a single wall or increasing wall heights, would result in additional settlement and risk for the City with this approach.

To reduce the risk of greater than normal wall settlement with either the approach of reconstructing the walls in a similar configuration, or with geometry changes, consideration could be given to using compaction grouting to strengthen the existing fill and swamp deposited soils in place, and constructing the new walls on these compaction grouted soils. Compaction grouting is performed by a specialty contractor and consists of inserting a ported probe to the design treatment depth and injecting grout under pressure in lifts as the probe is retracted. The grout is injected in a series of overlapping bulbs, which work to increase the stiffness of the surrounding soils. This approach would be performed to increase the bearing capacity of the in-place soils, reduce foundation settlement, and reduce the required excavation depths, which should result in a lesser need for groundwater/outlet channel control measures. Design of compaction grouting is performed by a specialty contractor based on the conditions encountered at a project site. One local contractor that performs compaction grouting services is Veit & Company, Inc.

Our scope of services did not include global stability analysis, internal stability analysis, or external stability analysis items of sliding, overturning, and compound failure of the walls. We understand that these analyses will be performed by others.

Report of Geotechnical Exploration

2022 and 2023 Infrastructure Improvements Projects; Waconia, Minnesota

March 10, 2021

Report No. 20-23155

AMERICAN
ENGINEERING
TESTING, INC.**8.2 Design Recommendations**

Based on our geotechnical review, we recommend the wall designer utilize the soil parameters in Table 8.2-1 to design the wall and evaluate stability. Please refer to the attached MnDOT Figure 2411-1 “Gravity PMBW Material Definitions/Typical Cross Sections” for additional information.

Table 8.2-1. Soil Parameters for PMBW External Stability Evaluation

Soil Description	Unit Weight (pcf)	Drained Friction Angle (degrees)	Undrained Cohesion (psf)
Backfill Soils	125	34	0
Retained Soil	120	28	0
Foundation Soils*	120	28	1,000

*Assuming soil correction is performed.

We recommend the retained soil parameters based on the existing mixed fill soils, including lean clays, sandy lean clays, clay sands, and silty sands. The foundation soils are assumed to consist of the underlying stiff sandy lean clay till. Additional borings or test pit excavations could be performed to provide additional information on the strength of the retained soil.

We recommend the bottom of the leveling pad be embedded at least 4 feet (i.e. minimum 4 feet of cover for the bottom of the wall) for frost protection, and that a minimum 6-inch thick unreinforced concrete leveling pad be utilized, which is consistent with the PMBW special provisions.

Gravity PMBW's are not allowed to support traffic within a 1V:1H horizontal distance measured from the front face bottom corner of the bottom block per MnDOT standards. For example, assuming the anticipated maximum exposed wall height of 5 feet and assuming the lowest block course is 3½ feet below grade (on top of the leveling pad) results in the roadway being no closer than 8½ feet behind the top of the wall to satisfy the design standard. A thicker leveling pad could be used to raise the lowest course of block and reduce the roadway set back distance.

Report of Geotechnical Exploration

2022 and 2023 Infrastructure Improvements Projects; Waconia, Minnesota

March 10, 2021

Report No. 20-23155

AMERICAN

ENGINEERING

TESTING, INC.

8.3 Grading Recommendations

8.3.1 Excavation

To prepare the retaining wall area for foundation support, we recommend the excavation of all fill and swamp deposited soils from within the retaining wall footprint to the underlying naturally-deposited stiff sandy lean clay till. Excavations should extend at least 6 inches below the proposed bottom of wall elevation for the placement of a leveling pad (typically unreinforced concrete per the MnDOT PMBW special provisions). This would result in excavation depths at the boring locations as shown in Table 8.3.1.

Table 8.3.1 – Recommended Excavation Depths

Boring Location	Surface Elevation (ft)	Excavation Depth (ft)	Approximate Excavation Elevation (ft)
B-10	962.8	12	951
B-11	962.9	12	951

The depth/elevation indicated in Table 8.3.1 is based on the soil condition at the specific boring location. Since conditions will vary away from the boring location, it is recommended that AET geotechnical personnel observe and confirm the competency of the soils in the entire excavation bottom prior to new fill or leveling pad placement.

Where the excavation extends below foundation grade, the excavation bottom and resultant engineered fill system must be oversized laterally beyond the planned outside edges of the foundations to properly support the lateral loads exerted by that foundation. This excavation/engineered fill lateral extension should at least be equal to the vertical depth of fill needed to attain foundation grade at that location (i.e., 1H:1V lateral oversize).

8.3.2 Excavations Adjacent to Existing Utilities, Roadways, and Culvert

Extreme care should be exercised when excavating adjacent to the existing culvert, pavements, and utilities, as these activities could possibly undermine foundations, or other grade supported improvements. Excavations should not extend below any existing slabs, pavements, or utilities. Excavation slopes adjacent to the existing structures or utilities should be cut in a benched pattern which should exhibit an overall slope of approximately 2H:1V or flatter and individual benches should not be taller than 2 feet. If this cannot be accomplished, underpinning or soil stabilization may be needed for proper support of the existing structure.

Report of Geotechnical Exploration

2022 and 2023 Infrastructure Improvements Projects; Waconia, Minnesota

March 10, 2021

Report No. 20-23155

AMERICAN
ENGINEERING
TESTING, INC.

Groundwater and outlet channel water control may be required to allow excavations and earthwork operations adjacent to the culvert to be performed under dry conditions. If groundwater is encountered, the level of drawdown should be achieved before the excavation reaches the planned elevation and maintained at least 2 feet below the lowest anticipated subgrade or subcut elevation. The water table should not be lowered more than necessary to provide a dry excavation, to reduce the risk of settlement of adjacent structures, pavements, and sewers. It is the responsibility of the designers of the dewatering system to assess the effects of lowering the groundwater on adjacent structures, pavements, or sewers.

8.3.3 Subgrade Fill Placement and Compaction

Fill placed to attain grade for foundation support (i.e. to backfill any excavations that may be needed below the leveling pad) should be compacted in thin lifts, such that the entire lift achieves a minimum compaction level of 98% of the standard maximum dry unit weight per ASTM:D698 (Standard Proctor test). Fill placed outside of the 1:1 oversize zone below the leveling pad should have a minimum compaction level of 95% of the standard maximum dry unit weight. All fill should be free of debris, rubble, organics, and other unsuitable materials. All fill soils should be compacted with equipment which will densify the entire lift of fill. Fill should not be placed over frozen soils, and frozen soils should not be used as fill.

8.4 Foundation Support Recommendations

The MnDOT PMBW standard plans require an allowable bearing pressure of 2,000 psf for walls up to 10 feet tall (8-foot exposed height, with minimum 2 feet embedment) with level fill at the top of the wall.

Based on the conditions encountered, it is our opinion the encountered soil conditions would be suitable for conventional foundation design for PMBW retaining walls based on an allowable soil bearing pressure of up to 2,000 psf. It is our judgment this design pressure will have a factor of safety of at least 3 with respect to the ultimate bearing capacity. We estimate that total settlements under these loadings should not exceed 1-inch and differential settlements are estimated to be less than 1"/200" over the length of each wall assuming the soils along the length of the wall are uniform as depicted in the borings.

The bottoms of all foundation excavations should be free of water and loose soil prior to placing structural fill or concrete. Structural fill should be placed soon after excavating to reduce bearing

Report of Geotechnical Exploration

2022 and 2023 Infrastructure Improvements Projects; Waconia, Minnesota

March 10, 2021

Report No. 20-23155

AMERICAN
ENGINEERING
TESTING, INC.

soil disturbance, and concrete should be placed soon after excavating or completion of the structural fill placement. If the materials at bearing level become excessively dry, disturbed, saturated, or frozen, the affected material should be removed and replaced prior to placing concrete.

8.5 Wall Backfill Recommendations

The new wall backfill should consist of *Select Granular Material Modified 10%* per the MnDOT PMBW special provisions. The new fill material should provide a minimum friction angle of 34 degrees, which should be confirmed via material testing in accordance with Standard Method of Direct Shear Test of Soils under Consolidated Drained Conditions (ASTM: D3080/AASHTO T236). The zone of sand backfill should extend behind the wall to a 2V:1H (i.e. 63 degree) backslope up from the back of the leveling pad for the blocks.

Wall backfill should be compacted in thin lifts, such that the entire lift achieves a minimum compaction level of at least 95% of the standard maximum dry unit weight per ASTM: D698 (Standard Proctor test). Note the MnDOT PMBW specifications or the wall designer may require a higher compaction level, particularly if the backfill supports pavements or other surface structures.

Compaction within 3 feet of the back of the retaining wall should be accomplished with hand-operated tampers or other lightweight compactors. Over-compaction may cause excessive lateral earth pressures which could result in unexpected wall movement or cracking.

8.6 Wall Drainage Recommendations

We recommend that a perforated drainpipe wrapped with Type I geotextile (meeting MnDOT Spec. 3733) be placed immediately behind the block at the same elevation as the lowest block course, on top of the concrete leveling pad. The drain pipe should extend through the wall at maximum intervals of 150 feet to gravity outlet or connect to the existing storm sewer system, if feasible.

9.0 CONSTRUCTION CONSIDERATIONS

9.1 Potential Difficulties

9.1.1 Water in Excavations

Groundwater was observed in 2 of the 13 borings drilled in the planned project areas. Groundwater should also be expected near the level of the lake outlet channel. Water also can be expected to collect in the excavation bottom during times of inclement weather or snow melt. To allow observation of the excavation bottom, to reduce the potential for soil disturbance, and to facilitate filling operations, we recommend water be removed from within the excavation during construction. Based on the soils encountered, we anticipate the groundwater can be handled with conventional sump pumping.

If groundwater is encountered, the level of drawdown should be achieved before the excavation reaches the planned elevation and maintained at least 2 feet below the lowest anticipated subgrade or subcut elevation. The water table should not be lowered more than necessary to provide a dry excavation, to reduce the risk of settlement of adjacent structures, pavements, and sewers. It is the responsibility of the designers of the dewatering system to assess the effects of lowering the groundwater on adjacent structures, pavements, or sewers.

9.1.2 Disturbance of Soils

The on-site soils can be disturbed under construction traffic, especially if the soils are wet. If soils become disturbed, they should be subcut to the underlying undisturbed soils. The subcut soils can then be dried and recompacted back into place, or they should be removed and replaced with drier imported fill.

9.1.3 Cobbles and Boulders

The soils at this site can include cobbles and boulders. This may make excavating procedures somewhat more difficult than normal if they are encountered.

9.2 Excavation Backsloping

If excavation faces are not retained, the excavations should maintain maximum allowable slopes in accordance with *OSHA Regulations (Standards 29 CFR), Part 1926, Subpart P, "Excavations"* (can be found on www.osha.gov). Even with the required OSHA sloping, water

Report of Geotechnical Exploration

2022 and 2023 Infrastructure Improvements Projects; Waconia, Minnesota

March 10, 2021

Report No. 20-23155

AMERICAN
ENGINEERING
TESTING, INC.

seepage or surface runoff can potentially induce sideslope erosion or sloughing which could require slope maintenance.

9.3 Observation and Testing

The recommendations in this report are based on the subsurface conditions found at our test boring locations. Since the soil conditions can be expected to vary away from the soil boring locations, we recommend on-site observation by a geotechnical engineer/technician during construction to evaluate these potential changes. Soil density testing should also be performed on new fill placed in order to document that project specifications for compaction have been satisfied.

10.0 ASTM STANDARDS

When we refer to an ASTM Standard in this report, we mean that our services were performed in general accordance with that standard. Compliance with any other standards referenced within the specified standard is neither inferred nor implied.

11.0 LIMITATIONS

Within the limitations of scope, budget, and schedule, we have endeavored to provide our services according to generally accepted geotechnical engineering practices at this time and location. Other than this, no warranty, express or implied, is intended.

Important information regarding risk management and proper use of this report is given in Appendix B entitled "Geotechnical Report Limitations and Guidelines for Use."

UTILITY EXCAVATION BACKFILLING

GENERAL

Clayey and silty soils are often difficult to compact, as they may be naturally wet or dry, or may become wet due to ground water or runoff water during construction. Soils will need to be placed within a certain range of water (moisture) content to attain desired compaction levels. Moisture conditioning to within this range can be time consuming and labor intensive, and will require favorable weather.

The degree of compaction and the soil type used for backfill within open cut utility excavations depends on the eventual function of the overlying land surface. Details are as follows:

ROADWAYS

Where trenches are located below roadways, we recommend using inorganic fill and compacting these soils per MnDOT Specification 2105.3F1 (Specified Density Method). On MnDOT funded roads, the 2016 Specification requires 100% compaction over the entire trench depth. On non-MnDOT funded roads, we feel the specification can be relaxed to the previous version of achieving 100% of the Standard Proctor density in the upper 3-foot subgrade zone, and 95% below this depth. Note that this specification also includes moisture content range requirements which are important for proper subgrade stability.

Where available soils are wet or of poor quality, it may be possible to use the “Quality Compaction Method” (MnDOT Specification 2105.3F2) for soils below the upper 3-foot subgrade zone if you can tolerate some subsidence. However, a high level of stability is still important within the upper subgrade zone and recommend that the “Specified Density Method” be used in this upper subgrade area. We caution that if backfill soils in the lower trench area are significantly unstable, it may be difficult or even impossible to properly compact soils within the upper 3-foot subgrade zone. In this case, road subgrade stability can be improved by placing a geotextile reinforcement fabric directly over the unstable soils followed by properly drained granular fill placement.

STRUCTURAL AREAS

If fill is placed beneath or within the significant zone of influence of a structure (typically a 1:1 lateral oversize zone), the soil type and minimum compaction level will need to be evaluated on an individual basis. Because trenches result in variable fill depths over a short lateral distance, higher than normal compaction levels and/or more favorable (sandy) soil fill types may be needed. If this situation exists, it is important that special geotechnical engineering review be performed.

NON-STRUCTURAL AREAS

In grass/ditch areas, backfill soils should be placed in reasonable lift thicknesses and compacted to a minimum of 90% of the Standard Proctor density (ASTM: D698) and/or per the MnDOT “Quality Compaction Method.” If lower compaction levels are accepted, more noticeable subsidence at the surface can occur. Steep or high slopes require special consideration, and if this situation exists, it is important that special geotechnical engineering review be performed.

SPECIAL CASES

Structural retention systems are often used to reduce impacts on adjacent streets/improvements. If localized excavations/pits or annular spaces are created which need to be backfilled, it may not be possible to place and compact soils by the conventional means of backfilling. Retraction of structural systems can also leave soils loosened. Significant settlement can occur in areas where backfill cannot be compacted. If these situations are located in non-structural or non-paved areas, it may be reasonable to accept the settlements and associated follow-up maintenance in order avoid the high cost of trying to compact the soil or placing flowable lean concrete fill. However, there may be areas where fill settlement needs to be avoided, especially as the settlement will be differential from the surrounding surface, or differential from a buried structure in the case of higher piping entering the structure. Where settlement needs to be avoided, the specification should require that the contractor submit a backfill compaction plan along with the retention plan. Improper sequencing of retention system removal and backfilling of the pits could result in excessive settlement and/or lateral movement of nearby improvements.

DEFINITIONS RELATING TO PAVEMENT CONSTRUCTION

Top of subgrade: Grade which contacts the bottom of the aggregate base layer.

Sand subbase: Uniform thickness sand layer placed as the top of subgrade which is intended to improve the frost and drainage characteristics of the pavement system by increasing drainage of excess water in the aggregate base and subbase, by reducing and “bridging” frost heaving, and by reducing spring thaw weakening effects.

Critical subgrade zone: The subgrade portion beneath and within three vertical feet of the top of subgrade. A sand subbase, if placed, would be considered the upper portion of the critical subgrade zone.

Suitable Grading Material: Mineral soil materials, typically from the project site, excluding the following: 1) soils which have an organic content exceeding 3%, 2) cohesive soils having a Liquid Limit exceeding 50%, 3) soils which include debris, cobbles, and/or boulders, and 4) soils which are considered acceptable from an environmental standpoint. The soil must also be capable of attaining the specified compaction level at its current water content or at a water content that can be reasonably scarified, blended, and moisture conditioned to a uniform water content in order to uniformly meet compaction requirements.

Granular Material: Soils meeting MnDOT Specification 3149.2B.1. This refers to granular soils which, of the portion passing the 1" sieve, contain less than 20% by weight passing the #200 sieve.

Select Granular Material: Soils meeting MnDOT Specification 3149.2B.2. This refers to granular soils which, of the portion passing the 1" sieve, contain less than 12% by weight passing the #200 sieve.

Select Granular Material (Super Sand): Soils meeting MnDOT Specification 3149.2B.3. This material is cleaner and coarser than Select Granular Material (see specification for specific requirements).

Compaction Subcut: Construction of a uniform thickness subcut below a designated grade to provide uniformity and compaction within the subcut zone. Replacement fill can be the materials subcut, although the reused soils should be blended to a uniform soil condition, moisture conditioned as needed to meet MnDOT Specification 2105.F; and re-compacted per the Specified Density Method defined in MnDOT Specification 2105.3F.1.

Test Roll: A means of evaluating the near-surface stability of subgrade soils (usually non-granular). Suitability is determined by the depth of rutting or deflection caused by passage of heavy rubber-tired construction equipment, such as a loaded dump truck, over the test area. Yielding of less than 1" is normally considered acceptable, although engineering judgment may be applied depending on the equipment used, soil conditions present, and/or depth below final grade.

Unstable Soils: Subgrade soils which do not pass a test roll. Unstable soils typically have water content exceeding the *standard optimum water content* defined in ASTM:D698 (Standard Proctor test).

Organic Soils: Soils which have sufficient organic content such that the soils engineering properties are negatively affected (typically more than 3% organic content). These soils are usually black to dark brown in color.

Report of Geotechnical Exploration

2022 and 2023 Infrastructure Improvements Projects; Waconia, Minnesota

March 10, 2021

Report No. 20-23155

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Appendix A

Geotechnical Field Exploration and Testing

Boring Log Notes

Unified Soil Classification System

AASHTO Classification System

Figures 1 to 3 – Boring Locations

Subsurface Boring Logs

Sieve Analysis Tests

MnDOT Figure 2411-1 Gravity PMBW Material Definitions/Typical Cross
Sections

Appendix A

Geotechnical Field Exploration and Testing

Report No. 20-23155

A.1 FIELD EXPLORATION

The subsurface conditions at the site were explored by drilling and sampling 13 standard penetration test borings. The locations of the borings appear on Figure 1, preceding the Subsurface Boring Logs in this appendix.

A.2 SAMPLING METHODS

A.2.1 Split-Spoon Samples (SS) - Calibrated to N_{60} Values

Standard penetration (split-spoon) samples were collected in general accordance with ASTM: D1586 with one primary modification. The ASTM test method consists of driving a 2-inch O.D. split-barrel sampler into the in-situ soil with a 140-pound hammer dropped from a height of 30 inches. The sampler is driven a total of 18 inches into the soil. After an initial set of 6 inches, the number of hammer blows to drive the sampler the final 12 inches is known as the standard penetration resistance or N-value. Our method uses a modified hammer weight, which is determined by measuring the system energy using a Pile Driving Analyzer (PDA) and an instrumented rod.

In the past, standard penetration N-value tests were performed using a rope and cathead for the lift and drop system. The energy transferred to the split-spoon sampler was typically limited to about 60% of its potential energy due to the friction inherent in this system. This converted energy then provides what is known as an N_{60} blow count.

The most recent drill rigs incorporate an automatic hammer lift and drop system, which has higher energy efficiency and subsequently results in lower N-values than the traditional N_{60} values. By using the PDA energy measurement equipment, we are able to determine actual energy generated by the drop hammer. With the various hammer systems available, we have found highly variable energies ranging from 55% to over 100%. Therefore, the intent of AET's hammer calibrations is to vary the hammer weight such that hammer energies lie within about 60% to 65% of the theoretical energy of a 140-pound weight falling 30 inches. The current ASTM procedure acknowledges the wide variation in N-values, stating that N-values of 100% or more have been observed. Although we have not yet determined the statistical measurement uncertainty of our calibrated method to date, we can state that the accuracy deviation of the N-values using this method is significantly better than the standard ASTM Method.

A.2.2 Disturbed Samples (DS)/Spin-up Samples (SU)

Sample types described as "DS" or "SU" on the boring logs are disturbed samples, which are taken from the flights of the auger. Because the auger disturbs the samples, possible soil layering and contact depths should be considered approximate.

A.2.3 Sampling Limitations

Unless actually observed in a sample, contacts between soil layers are estimated based on the spacing of samples and the action of drilling tools. Cobbles, boulders, and other large objects generally cannot be recovered from test borings, and they may be present in the ground even if they are not noted on the boring logs.

Determining the thickness of "topsoil" layers is usually limited, due to variations in topsoil definition, sample recovery, and other factors. Visual-manual description often relies on color for determination, and transitioning changes can account for significant variation in thickness judgment. Accordingly, the topsoil thickness presented on the logs should not be the sole basis for calculating topsoil stripping depths and volumes. If more accurate information is needed relating to thickness and topsoil quality definition, alternate methods of sample retrieval and testing should be employed.

A.3 CLASSIFICATION METHODS

Soil descriptions shown on the boring logs are based on the Unified Soil Classification (USC) system. The USC system is described in ASTM: D2487 and D2488. Where laboratory classification tests (sieve analysis or Atterberg Limits) have been performed, accurate classifications per ASTM: D2487 are possible. Otherwise, soil descriptions shown on the boring logs are visual-manual judgments. Charts are attached which provide information on the USC system, the descriptive terminology, and the symbols used on the boring logs.

Visual-manual judgment of the AASHTO Soil Group is also noted as a part of the soil description. A chart presenting details of the AASHTO Soil Classification System is also attached.

Appendix A
Geotechnical Field Exploration and Testing
Report No. 20-23155

The boring logs include descriptions of apparent geology. The geologic depositional origin of each soil layer is interpreted primarily by observation of the soil samples, which can be limited. Observations of the surrounding topography, vegetation, and development can sometimes aid this judgment.

A.4 WATER LEVEL MEASUREMENTS

The ground water level measurements are shown at the bottom of the boring logs. The following information appears under “Water Level Measurements” on the logs:

- ♦ Date and Time of measurement
- ♦ Sampled Depth: lowest depth of soil sampling at the time of measurement
- ♦ Casing Depth: depth to bottom of casing or hollow-stem auger at time of measurement
- ♦ Cave-in Depth: depth at which measuring tape stops in the borehole
- ♦ Water Level: depth in the borehole where free water is encountered
- ♦ Drilling Fluid Level: same as Water Level, except that the liquid in the borehole is drilling fluid

The true location of the water table at the boring locations may be different than the water levels measured in the boreholes. This is possible because there are several factors that can affect the water level measurements in the borehole. Some of these factors include: permeability of each soil layer in profile, presence of perched water, amount of time between water level readings, presence of drilling fluid, weather conditions, and use of borehole casing.

A.5 LABORATORY TEST METHODS

A.5.1 Water Content Tests

Conducted per AET Procedure 01-LAB-010, which is performed in general accordance with ASTM: D2216 and AASHTO: T265.

A.5.2 Sieve Analysis of Soils (thru #200 Sieve)

Conducted per AET Procedure 01-LAB-040, which is performed in general conformance with ASTM: D6913, Method A.

A.5.3 Laboratory Soil Resistivity using the Wenner Four-Electrode Method

Conducted per AET Procedure 01-LAB-090, which is performed using Soil Box apparatus in the laboratory in general accordance with ASTM: G57

A.6 TEST STANDARD LIMITATIONS

Field and laboratory testing is done in general conformance with the described procedures. Compliance with any other standards referenced within the specified standard is neither inferred nor implied.

A.7 SAMPLE STORAGE

Unless notified to do otherwise, we routinely retain representative samples of the soils recovered from the borings for a period of 30 days.

BORING LOG NOTES

DRILLING AND SAMPLING SYMBOLS

Symbol	Definition
AR:	Sample of material obtained from cuttings blown out the top of the borehole during air rotary procedure.
B, H, N:	Size of flush-joint casing
CAS:	Pipe casing, number indicates nominal diameter in inches
COT:	Clean-out tube
DC:	Drive casing; number indicates diameter in inches
DM:	Drilling mud or bentonite slurry
DR:	Driller (initials)
DS:	Disturbed sample from auger flights
DP:	Direct push drilling; a 2.125 inch OD outer casing with an inner 1½ inch ID plastic tube is driven continuously into the ground.
FA:	Flight auger; number indicates outside diameter in inches
HA:	Hand auger; number indicates outside diameter
HSA:	Hollow stem auger; number indicates inside diameter in inches
LG:	Field logger (initials)
MC:	Column used to describe moisture condition of samples and for the ground water level symbols
N (BPF):	Standard penetration resistance (N-value) in blows per foot (see notes)
NQ:	NQ wireline core barrel
PQ:	PQ wireline core barrel
RDA:	Rotary drilling with compressed air and roller or drag bit.
RDF:	Rotary drilling with drilling fluid and roller or drag bit
REC:	In split-spoon (see notes), direct push and thin-walled tube sampling, the recovered length (in inches) of sample. In rock coring, the length of core recovered (expressed as percent of the total core run). Zero indicates no sample recovered.
SS:	Standard split-spoon sampler (steel; 1.5" is inside diameter; 2" outside diameter); unless indicated otherwise
SU	Spin-up sample from hollow stem auger
TW:	Thin-walled tube; number indicates inside diameter in inches
WASH:	Sample of material obtained by screening returning rotary drilling fluid or by which has collected inside the borehole after "falling" through drilling fluid
WH:	Sampler advanced by static weight of drill rod and hammer
WR:	Sampler advanced by static weight of drill rod
94mm:	94 millimeter wireline core barrel
▼:	Water level directly measured in boring
▽:	Estimated water level based solely on sample appearance

TEST SYMBOLS

Symbol	Definition
CONS:	One-dimensional consolidation test
DEN:	Dry density, pcf
DST:	Direct shear test
E:	Pressuremeter Modulus, tsf
HYD:	Hydrometer analysis
LL:	Liquid Limit, %
LP:	Pressuremeter Limit Pressure, tsf
OC:	Organic Content, %
PERM:	Coefficient of permeability (K) test; F - Field; L - Laboratory
PL:	Plastic Limit, %
q _p :	Pocket Penetrometer strength, tsf (<u>approximate</u>)
q _c :	Static cone bearing pressure, tsf
q _u :	Unconfined compressive strength, psf
R:	Electrical Resistivity, ohm-cms
RQD:	Rock Quality Designation of Rock Core, in percent (aggregate length of core pieces 4" or more in length as a percent of total core run)
SA:	Sieve analysis
TRX:	Triaxial compression test
VS _R :	Vane shear strength, remolded (field), psf
VS _U :	Vane shear strength, undisturbed (field), psf
WC:	Water content, as percent of dry weight
%-200:	Percent of material finer than #200 sieve

STANDARD PENETRATION TEST NOTES

(Calibrated Hammer Weight)

The standard penetration test consists of driving a split-spoon sampler with a drop hammer (calibrated weight varies to provide N₆₀ values) and counting the number of blows applied in each of three 6" increments of penetration. If the sampler is driven less than 18" (usually in highly resistant material), permitted in ASTM: D1586, the blows for each complete 6" increment and for each partial increment is on the boring log. For partial increments, the number of blows is shown to the nearest 0.1' below the slash.

The length of sample recovered, as shown on the "REC" column, may be greater than the distance indicated in the N column. The disparity is because the N-value is recorded below the initial 6" set (unless partial penetration defined in ASTM: D1586 is encountered) whereas the length of sample recovered is for the entire sampler drive (which may even extend more than 18").

UNIFIED SOIL CLASSIFICATION SYSTEM ASTM Designations: D 2487, D2488

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Criteria for Assigning Group Symbols and Group Names Using Laboratory Tests ^A				Soil Classification	
				Group Symbol	Group Name ^B
Coarse-Grained Soils More than 50% retained on No. 200 sieve	Gravels More than 50% coarse fraction retained on No. 4 sieve	Clean Gravels Less than 5% fines ^C	$Cu \geq 4$ and $1 \leq Cc \leq 3$ ^E	GW	Well graded gravel ^F
			$Cu < 4$ and/or $1 > Cc > 3$ ^E	GP	Poorly graded gravel ^F
		Gravels with Fines more than 12% fines ^C	Fines classify as ML or MH	GM	Silty gravel ^{F,G,H}
			Fines classify as CL or CH	GC	Clayey gravel ^{F,G,H}
	Sands 50% or more of coarse fraction passes No. 4 sieve	Clean Sands Less than 5% fines ^D	$Cu \geq 6$ and $1 \leq Cc \leq 3$ ^E	SW	Well-graded sand ^I
			$Cu < 6$ and/or $1 > Cc > 3$ ^E	SP	Poorly-graded sand ^I
		Sands with Fines more than 12% fines ^D	Fines classify as ML or MH	SM	Silty sand ^{G,H,I}
			Fines classify as CL or CH	SC	Clayey sand ^{G,H,I}
Fine-Grained Soils 50% or more passes the No. 200 sieve (see Plasticity Chart below)	Sils and Clays Liquid limit less than 50	inorganic	PI > 7 and plots on or above "A" line ^J	CL	Lean clay ^{K,L,M}
			PI < 4 or plots below "A" line ^J	ML	Silt ^{K,L,M}
		organic	Liquid limit – oven dried < 0.75 Liquid limit – not dried	OL	Organic clay ^{K,L,M,N} Organic silt ^{K,L,M,O}
	Sils and Clays Liquid limit 50 or more	inorganic	PI plots on or above "A" line	CH	Fat clay ^{K,L,M}
			PI plots below "A" line	MH	Elastic silt ^{K,L,M}
		organic	Liquid limit – oven dried < 0.75 Liquid limit – not dried	OH	Organic clay ^{K,L,M,P} Organic silt ^{K,L,M,Q}
Highly organic soil			Primarily organic matter, dark in color, and organic in odor	PT	Peat ^R

^ABased on the material passing the 3-in (75-mm) sieve.

^BIf field sample contained cobbles or boulders, or both, add "with cobbles or boulders, or both" to group name.

^CGravels with 5 to 12% fines require dual symbols:

GW-GM well-graded gravel with silt
GW-GC well-graded gravel with clay
GP-GM poorly graded gravel with silt
GP-GC poorly graded gravel with clay

^DSands with 5 to 12% fines require dual symbols:

SW-SM well-graded sand with silt
SW-SC well-graded sand with clay
SP-SM poorly graded sand with silt
SP-SC poorly graded sand with clay

^E $Cu = D_{60} / D_{10}$, $Cc = \frac{(D_{30})^2}{D_{10} \times D_{60}}$

^FIf soil contains $\geq 15\%$ sand, add "with sand" to group name.

^GIf fines classify as CL-ML, use dual symbol GC-GM, or SC-SM.

^HIf fines are organic, add "with organic fines" to group name.

^IIf soil contains $\geq 15\%$ gravel, add "with gravel" to group name.

^JIf Atterberg limits plot is hatched area, soil is a CL-ML silty clay.

^KIf soil contains 15 to 29% plus No. 200 add "with sand" or "with gravel", whichever is predominant.

^LIf soil contains $\geq 30\%$ plus No. 200, predominantly sand, add "sandy" to group name.

^MIf soil contains $\geq 30\%$ plus No. 200, predominantly gravel, add "gravelly" to group name.

^NPI ≥ 4 and plots on or above "A" line.

^OPI < 4 or plots below "A" line.

^PPI plots on or above "A" line.

^QPI plots below "A" line.

^RFiber Content description shown below.

SIEVE ANALYSIS

Percent Passing vs. Particle Size in Millimeters

$C_u = \frac{D_{60}}{D_{10}} = \frac{15}{0.075} = 200$ $C_c = \frac{(D_{30})^2}{D_{10} \times D_{60}} = \frac{2.5^2}{0.075 \times 15} = 5.6$

PLASTICITY CHART

For classification of fine-grained soils and fine-grained fraction of coarse-grained soils:

Equation of "A"-line
Horizontal at PI = 4 to LL = 25.5,
then PI = 0.73 (LL-20)

Equation of "U"-line
Vertical at LL = 16 to PI = 7,
then PI = 0.9 (LL-8)

Plasticity Index (PI) vs. Liquid Limit (LL)

Plasticity Chart

Notes

^ABased on the material passing the 3-in (75-mm) sieve.

^BIf field sample contained cobbles or boulders, or both, add "with cobbles or boulders, or both" to group name.

^CGravels with 5 to 12% fines require dual symbols:
GW-GM well-graded gravel with silt
GW-GC well-graded gravel with clay
GP-GM poorly graded gravel with silt
GP-GC poorly graded gravel with clay

^DSands with 5 to 12% fines require dual symbols:
SW-SM well-graded sand with silt
SW-SC well-graded sand with clay
SP-SM poorly graded sand with silt
SP-SC poorly graded sand with clay

^E $Cu = D_{60} / D_{10}$, $Cc = \frac{(D_{30})^2}{D_{10} \times D_{60}}$

^FIf soil contains $\geq 15\%$ sand, add "with sand" to group name.

^GIf fines classify as CL-ML, use dual symbol GC-GM, or SC-SM.

^HIf fines are organic, add "with organic fines" to group name.

^IIf soil contains $\geq 15\%$ gravel, add "with gravel" to group name.

^JIf Atterberg limits plot is hatched area, soil is a CL-ML silty clay.

^KIf soil contains 15 to 29% plus No. 200 add "with sand" or "with gravel", whichever is predominant.

^LIf soil contains $\geq 30\%$ plus No. 200, predominantly sand, add "sandy" to group name.

^MIf soil contains $\geq 30\%$ plus No. 200, predominantly gravel, add "gravelly" to group name.

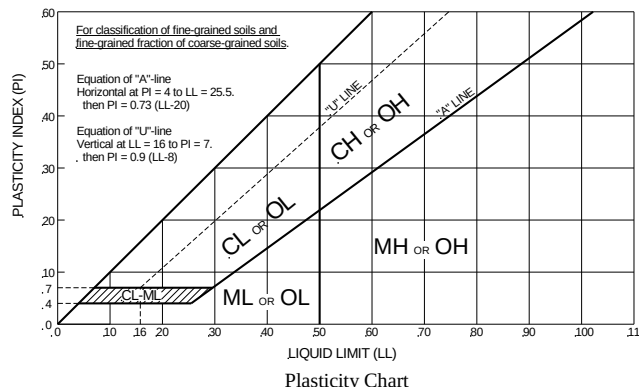
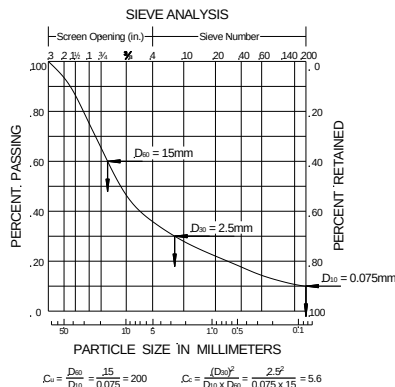
^NPI ≥ 4 and plots on or above "A" line.

^OPI < 4 or plots below "A" line.

^PPI plots on or above "A" line.

^QPI plots below "A" line.

^RFiber Content description shown below.



ADDITIONAL TERMINOLOGY NOTES USED BY AET FOR SOIL IDENTIFICATION AND DESCRIPTION

Grain Size		Gravel Percentages		Consistency of Plastic Soils		Relative Density of Non-Plastic Soils	
Term	Particle Size	Term	Percent	Term	N-Value, BPF	Term	N-Value, BPF
Boulders	Over 12"	A Little Gravel	3% - 14%	Very Soft	less than 2	Very Loose	0 - 4
Cobbles	3" to 12"	With Gravel	15% - 29%	Soft	2 - 4	Loose	5 - 10
Gravel	#4 sieve to 3"	Gravelly	30% - 50%	Firm	5 - 8	Medium Dense	11 - 30
Sand	#200 to #4 sieve			Stiff	9 - 15	Dense	31 - 50
Fines (silt & clay)	Pass #200 sieve			Very Stiff	16 - 30	Very Dense	Greater than 50
				Hard	Greater than 30		
Moisture/Frost Condition		Layering Notes		Peat Description		Organic Description (if no lab tests)	
(MC Column)						Soils are described as <i>organic</i> , if soil is not peat and is judged to have sufficient organic fines content to influence the Liquid Limit properties. <i>Slightly organic</i> used for borderline cases.	
D (Dry):	Absence of moisture, dusty, dry to touch.	Laminations: Layers less than 1/2" thick of differing material or color.		Fiber Content (Visual Estimate)		Root Inclusions	
M (Moist):	Damp, although free water not visible. Soil may still have a high water content (over "optimum").			Fibric Peat: Greater than 67%		With roots: Judged to have sufficient quantity of roots to influence the soil properties.	
W (Wet/ Waterbearing):	Free water visible, intended to describe non-plastic soils. Waterbearing usually relates to sands and sand with silt.	Lenses: Pockets or layers greater than 1/2" thick of differing material or color.		Hemic Peat: 33 - 67%		Trace roots: Small roots present, but not judged to be in sufficient quantity to significantly affect soil properties.	
F (Frozen):	Soil frozen			Sapric Peat: Less than 33%			

AASHTO SOIL CLASSIFICATION SYSTEM

AMERICAN ASSOCIATION OF STATE HIGHWAY AND TRANSPORTATION OFFICIALS

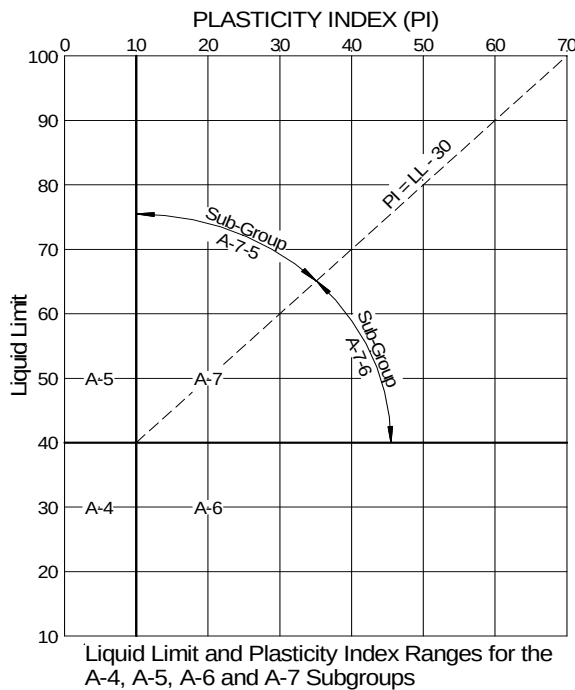
Classification of Soils and Soil-Aggregate Mixtures

General Classification	Granular Materials (35% or less passing No. 200 sieve)							Silt-Clay Materials (More than 35% passing No. 200 sieve)			
Group Classification	A-1		A-3	A-2				A-4	A-5	A-6	A-7
	A-1-a	A-1-b		A-2-4	A-2-5	A-2-6	A-2-7				A-7-5 A-7-6
Sieve Analysis, Percent passing:											
No. 10 (2.00 mm)	50 max.	....	....	....	....	....	....	....	....	....	....
No. 40 (0.425 mm)	30 max.	50 max.	51 min.	....	....	....	....	....	....	....	....
No. 200 (0.075 mm)	15 max.	25 max.	10 max.	35 max.	35 max.	35 max.	35 max.	36 min.	36 min.	36 min.	36 min.
Characteristics of Fraction Passing No. 40 (0.425 mm)											
Liquid limit . . . . .	....		....	40 max.	41 min.	40 max.	41 min.	40 max.	41 min.	40 max.	41 min.
Plasticity index	6 max.		N.P.	10 max.	10 max.	11 min.	11 min.	10 max.	10 max.	11 min.	11 min.
Usual Types of Significant Constituent Materials	Stone Fragments, Gravel and Sand		Fine Sand	Silty or Clayey Gravel and Sand				Silty Soils		Clayey Soils	
General Ratings as Subgrade	Excellent to Good							Fair to Poor			

The placing of A-3 before A-2 is necessary in the "left to right elimination process" and does not indicate superiority of A-3 over A-2.

Plasticity index of A-7-5 subgroup is equal to or less than LL minus 30. Plasticity index of A-7-6 subgroup is greater than LL minus 30.

Group A-8 soils are organic clays or peat with organic content >5%.



Definitions of Gravel, Sand and Silt-Clay

The terms "gravel", "coarse sand", "fine sand" and "silt-clay", as determinable from the minimum test data required in this classification arrangement and as used in subsequent word descriptions are defined as follows:

GRAVEL - Material passing sieve with 3-in. square openings and retained on the No. 10 sieve.

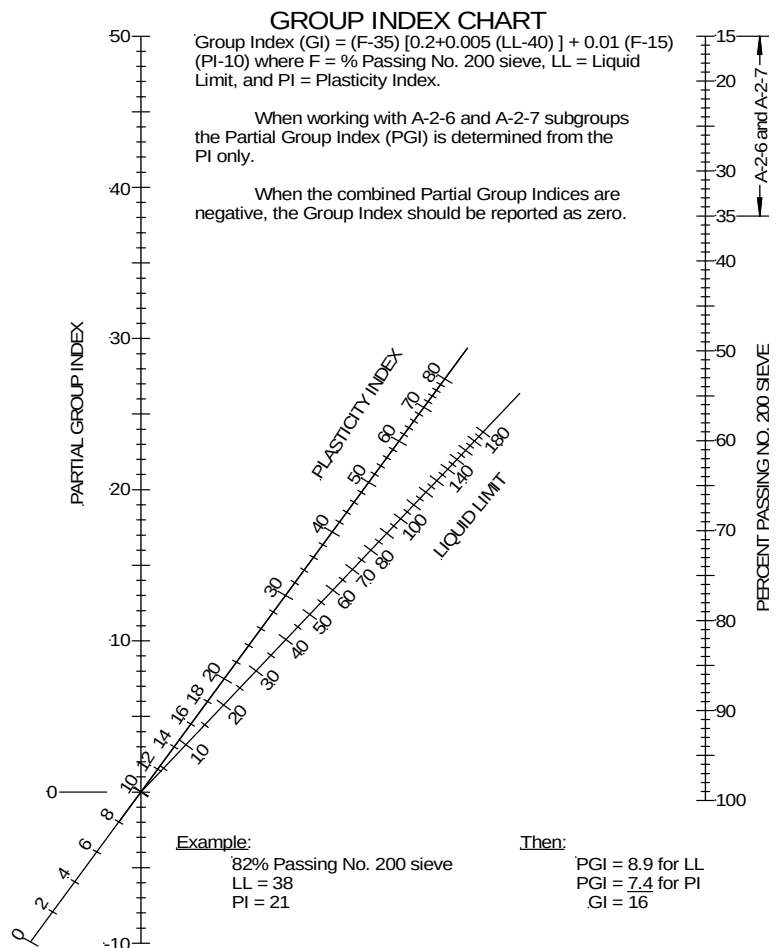
COARSE SAND - Material passing the No. 10 sieve and retained on the No. 40 sieve.

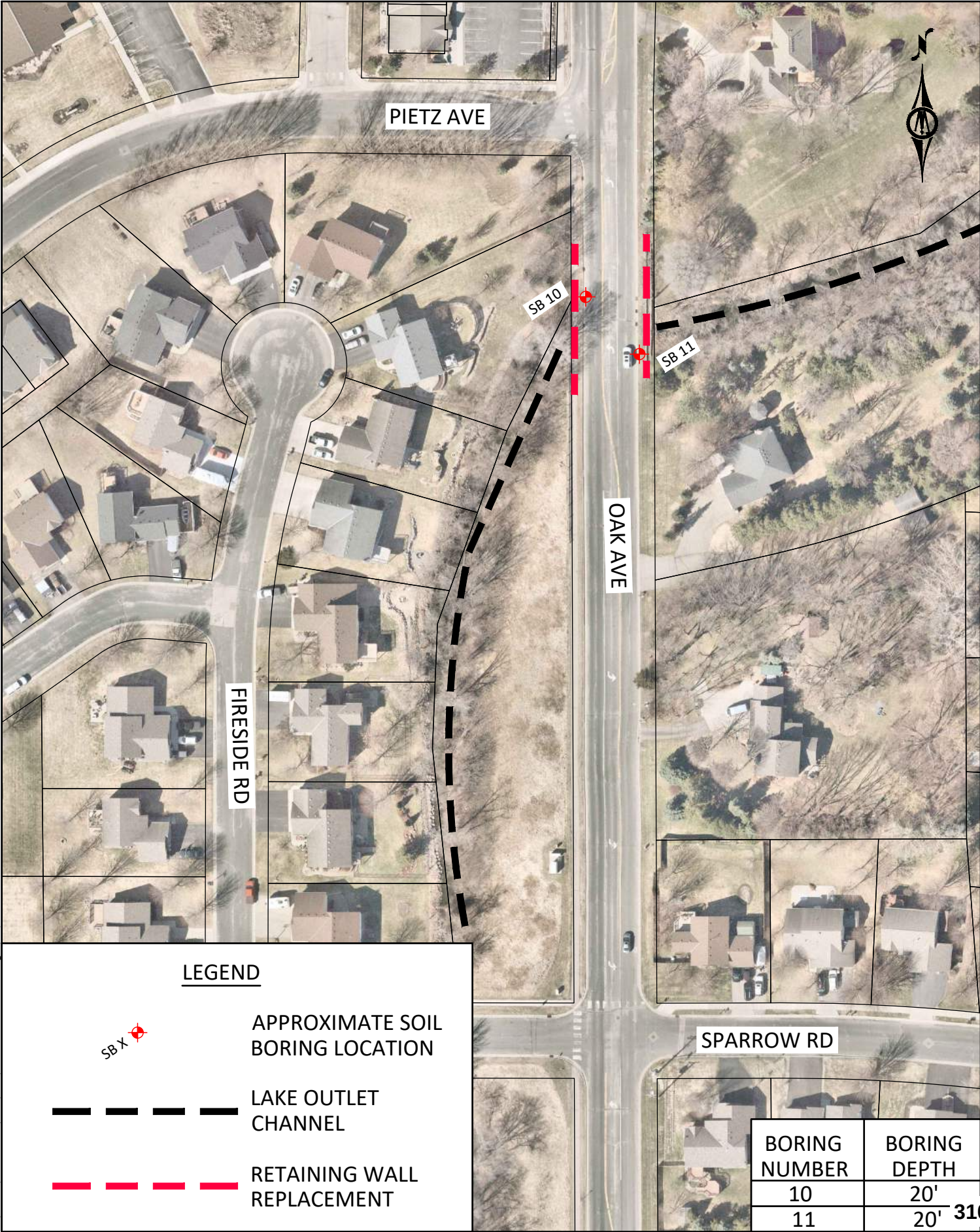
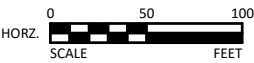
FINE SAND - Material passing the No. 40 sieve and retained on the No. 200 sieve.

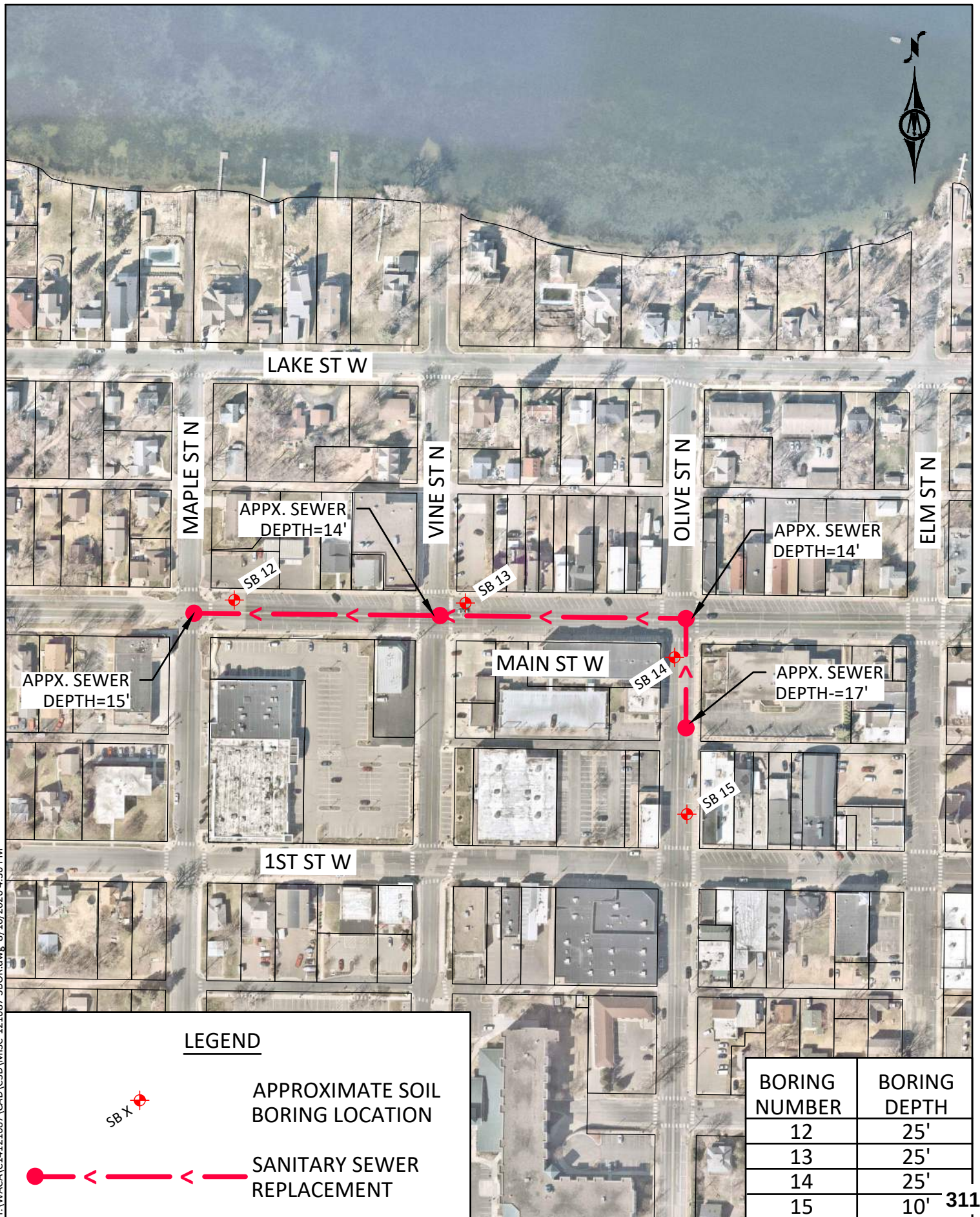
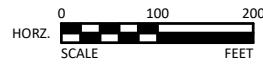
COMBINED SILT AND CLAY - Material passing the No. 200 sieve

BOULDERS (retained on 3-in. sieve) should be excluded from the portion of the sample to which the classification is applied, but the percentage of such material, if any, in the sample should be recorded.

The term "silty" is applied to fine material having plasticity index of 10 or less and the term "clayey" is applied to fine material having plasticity index of 11 or greater.







LEGEND

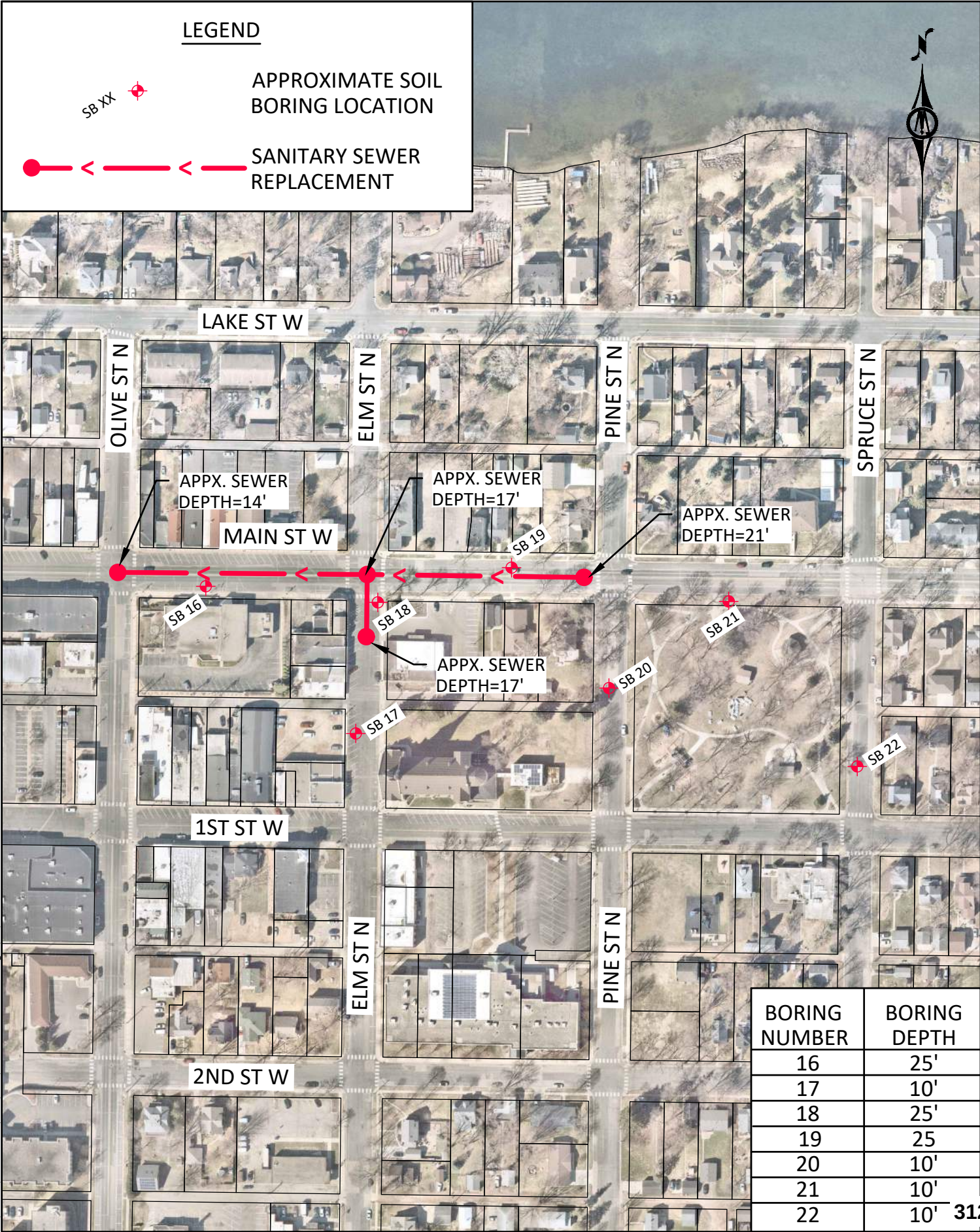
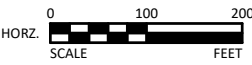


APPROXIMATE SOIL BORING LOCATION



SANITARY SEWER REPLACEMENT

BORING NUMBER	BORING DEPTH
12	25'
13	25'
14	25'
15	10'



BORING NUMBER	BORING DEPTH
16	25'
17	10'
18	25'
19	25
20	10'
21	10'
22	10'



SUBSURFACE BORING LOG

AET No: 20-23155		Log of Boring No. B-10 (p. 1 of 1)									
Project: 2022 and 2023 Infrastructure Improvement Projects; Waconia, MN											
DEPTH IN FEET	Surface Elevation <u>962.8</u> MATERIAL DESCRIPTION	GEOLOGY	N	MC	SAMPLE TYPE	REC IN.	FIELD & LABORATORY TESTS				
							WC	DEN	LL	PL	%-#200
1	7½" Bituminous pavement	FILL				SU					
2	FILL, mostly silty sand with gravel, brown, A-1-b		16	M		SS	12	13			
3	FILL, mostly clayey sand, a little gravel, geofabric, brown and black, A-6		10	M		SS	14	38			
4	FILL, mostly lean clay, brown, A-6										
5	FILL, mixture of sandy lean clay and lean clay, brown and dark brown, A-6		7	M		SS	14	17			
6											
7	FILL, mixture of organic clay and sandy lean clay, a little gravel, brown and black, A-6 and A-8		4	M		SS	12	31			
8											
9											
10	SANDY LEAN CLAY, a little gravel, trace roots, brown to gray, soft to stiff, A-6 (CL)	TILL	4	M		SS	20	29			
11											
12											
13			7	M		SS	24	21			
14											
15	CLAYEY SAND, a little gravel, gray, stiff, A-6 (SC)		12	M		SS	18	20			
16											
17											
18											
19			12	M		SS	18	18			
END OF BORING											
DEPTH: DRILLING METHOD		WATER LEVEL MEASUREMENTS							NOTE: REFER TO THE ATTACHED SHEETS FOR AN EXPLANATION OF TERMINOLOGY ON THIS LOG		
0-17½' 3.25" HSA		DATE	TIME	SAMPLED DEPTH	CASING DEPTH	CAVE-IN DEPTH	DRILLING FLUID LEVEL	WATER LEVEL			
		10/8/20	12:20	19.5	17.5	19.1		None			
		10/8/20	12:30	19.5	17.5	19.1		None			
BORING COMPLETED: 10/8/20											
DR: DS LG: SB Rig: 1C											

AET CORP 20-23155.GPJ AET-CPT+WELL 20181012 JG.GDT 12/15/20



SUBSURFACE BORING LOG

AET No: **20-23155** Log of Boring No. **B-11 (p. 1 of 1)**
Project: **2022 and 2023 Infrastructure Improvement Projects; Waconia, MN**

DEPTH IN FEET	Surface Elevation <u>962.9</u> MATERIAL DESCRIPTION	GEOLOGY	N	MC	SAMPLE TYPE	REC IN.	FIELD & LABORATORY TESTS					
							WC	DEN	LL	PL	%-#200	
1	8¼" Bituminous pavement	FILL	39	M		SU	15	19				
2	12" FILL, mostly crushed limestone, brown, A-1-b					SS						
3	FILL, mostly clayey sand, a little gravel, geofabric, black, A-6					SS						
4	FILL, mixture of organic clay and gravelly silty sand, black, A-2-4 and A-8					SS						
5	FILL, mostly organic clay, a little silty sand and gravel, black, A-8					SS						
6			15	M		SS	18	27				
7	ORGANIC CLAY, black, firm, A-8 (OL/OH)	SWAMP DEPOSIT	6	M		SS	12	30				
8						SS						
9						SS						
10	SANDY LEAN CLAY, a little gravel, gray to brown, firm to stiff, A-6 (CL)	TILL	5	M		SS	17	22				
11						SS						
12						SS						
13						SS	24	20				
14						SS						
15	CLAYEY SAND, a little gravel, gray, stiff to very stiff, A-6 (SC)		14	M		SS	18	17				
16						SS						
17						SS						
18						SS	18	17				
19						SS						
	END OF BORING											

DEPTH: DRILLING METHOD		WATER LEVEL MEASUREMENTS							NOTE: REFER TO THE ATTACHED SHEETS FOR AN EXPLANATION OF TERMINOLOGY ON THIS LOG
0-17½'	3.25" HSA	DATE	TIME	SAMPLED DEPTH	CASING DEPTH	CAVE-IN DEPTH	DRILLING FLUID LEVEL	WATER LEVEL	
		10/8/20	1:30	19.5	17.5	19.0		None	
		10/8/20	1:40	19.5	17.5	19.0		None	
BORING COMPLETED: 10/8/20									
DR: DS LG: SB Rig: 1C									



SUBSURFACE BORING LOG

AET No: **20-23155** Log of Boring No. **B-12 (p. 1 of 1)**
Project: **2022 and 2023 Infrastructure Improvement Projects; Waconia, MN**

DEPTH IN FEET	Surface Elevation <u>1011.5</u> MATERIAL DESCRIPTION	GEOLOGY	N	MC	SAMPLE TYPE	REC IN.	FIELD & LABORATORY TESTS				
							WC	DEN	LL	PL	%-#200
1	7½" Bituminous pavement	FILL									
2	FILL, mostly silty sand with gravel, pieces of concrete, geotextile, brown, A-1-b		75	M		3					
3	FILL, mostly silty sand with gravel, a little clayey sand and gravel, pieces of bituminous pavement, brown, A-1-b		28	M		22					
4											
5	FILL, mostly sandy lean clay, a little gravel, brown and dark brown, A-6		11	M		18	24				
6											
7											
8			2	M		4	23				
9											
10			5	M		10	21				
11											
12	ORGANIC CLAY, black, firm, A-8 (OL/OH)	SWAMP DEPOSIT									
13			8	M		12	26				
14		FINE ALLUVIUM									
15	SANDY LEAN CLAY, slightly organic, dark brown, grayish brown, firm, A-6 (CL)		7	M		22	24				
16		TILL									
17	SANDY LEAN CLAY, a little gravel, brown and gray mottled, a little light gray, stiff, laminations of silt, A-6 (CL)		14	M		15	14				
18											
19	CLAYEY SAND, a little gravel, brown and a little dark brown, very stiff, laminations of sandy silt, A-6 (SC)		22	M		13	18				
20											
21	CLAYEY SAND, a little gravel, brown, very stiff, laminations of silty sand, A-6 (SC)										
22											
23			24	M		17	20				
24	END OF BORING										

DEPTH: DRILLING METHOD		WATER LEVEL MEASUREMENTS							NOTE: REFER TO THE ATTACHED SHEETS FOR AN EXPLANATION OF TERMINOLOGY ON THIS LOG
		DATE	TIME	SAMPLED DEPTH	CASING DEPTH	CAVE-IN DEPTH	DRILLING FLUID LEVEL	WATER LEVEL	
0-22½'	3.25" HSA								
		10/6/20	11:40	24.0	22.5	23.9		None	
		10/6/20	11:50	24.0	22.5	23.9		None	
BORING COMPLETED: 10/6/20									
DR: DS LG: SB Rig: 1C									

AET CORP 20-23155.GPJ AET-CPT+WELL 20181012 JG GDT 12/15/20



SUBSURFACE BORING LOG

AET No: **20-23155** Log of Boring No. **B-13 (p. 1 of 1)**
Project: **2022 and 2023 Infrastructure Improvement Projects; Waconia, MN**

DEPTH IN FEET	Surface Elevation <u>1012.3</u> MATERIAL DESCRIPTION	GEOLOGY	N	MC	SAMPLE TYPE	REC IN.	FIELD & LABORATORY TESTS				
							WC	DEN	LL	PL	%-#200
1	6½" Bituminous pavement	FILL	18	M	 SU	17					
2	8½" FILL, crushed limestone, light brown A-1-b				 SS						
3	FILL, mostly silty sand, a little clayey sand and gravel, brown, A-2-4				 SS						
4					 SS						
5	FILL, mostly gravelly sand with silt, brown, A-1-b	FINE ALLUVIUM	6	M	 SS	18	29				
6					 SS						
7	SANDY LEAN CLAY, brown, a little gray, firm, laminations of sand and silt, A-6 (CL)				 SS						
8					 SS						
9		TILL	5	M	 SS	24	18				
10	SANDY LEAN CLAY, a little gravel, brown, firm, laminations of silty sand, A-6 (CL)				 SS						
11					 SS						
12					 SS						
13	SANDY LEAN CLAY, a little gravel, gray, very stiff to stiff, A-6 (CL)		19	M	 SS	24	17				
14					 SS						
15					 SS						
16					 SS						
17			14	M	 SS	18	18				56
18					 SS						
19					 SS						
20					 SS						
21	CLAYEY SAND, a little gravel, gray, a little brown, hard, laminations of silty sand, A-6 (SC)		47	M	 SS	18	15				
22					 SS						
23					 SS						
24					 SS						
25	CLAYEY SAND, a little gravel, gray, a little light gray, hard, laminations of sand (SC)		54	M	 SS	6	15				
26					 SS						
27					 SS						
28					 SS						
29	END OF BORING										

DEPTH: DRILLING METHOD		WATER LEVEL MEASUREMENTS							NOTE: REFER TO THE ATTACHED SHEETS FOR AN EXPLANATION OF TERMINOLOGY ON THIS LOG
0-22½'	3.25" HSA	DATE	TIME	SAMPLED DEPTH	CASING DEPTH	CAVE-IN DEPTH	DRILLING FLUID LEVEL	WATER LEVEL	
		10/6/20	10:10	24.0	22.5	23.8		None	
		10/6/20	10:20	24.0	22.5	23.8		None	
BORING COMPLETED: 10/6/20									
DR: DS LG: SB Rig: 1C									

AET CORP 20-23155.GPJ AET-CPT+WELL 20181012 JG GDT 12/15/20



SUBSURFACE BORING LOG

AET No: **20-23155** Log of Boring No. **B-14 (p. 1 of 1)**
Project: **2022 and 2023 Infrastructure Improvement Projects; Waconia, MN**

DEPTH IN FEET	Surface Elevation <u>1017.4</u> MATERIAL DESCRIPTION	GEOLOGY	N	MC	SAMPLE TYPE	REC IN.	FIELD & LABORATORY TESTS				
							WC	DEN	LL	PL	%-#200
1	6¾" Bituminous pavement	FILL									
2	FILL, mostly silty sand with gravel, brown, A-1-b		11	M		15	11				
3	FILL, mostly clayey sand, a little silty sand and gravel, brown, A-6		7	M		7	11				
4											
5			4	M		4	14				
6											
7											
8	FILL, mostly sandy lean clay, a little gravel, brown, A-6	TILL	1	M		12	22				
9											
10	SANDY LEAN CLAY, a little gravel, brown to brown and dark brown mottled, firm to very stiff, A-6 (CL)		7	M		18	19				
11											
12											
13			18			22	18				
14											
15	SANDY LEAN CLAY, a little gravel, grayish brown, stiff to very stiff, A-6 (CL)		15	M		18	19				
16											
17											
18											
19											
20			18	M		18	21				
21											
22											
23			16	M		18	22				
24	END OF BORING										

DEPTH: DRILLING METHOD		WATER LEVEL MEASUREMENTS							NOTE: REFER TO THE ATTACHED SHEETS FOR AN EXPLANATION OF TERMINOLOGY ON THIS LOG
0-22½'	3.25" HSA	DATE	TIME	SAMPLED DEPTH	CASING DEPTH	CAVE-IN DEPTH	DRILLING FLUID LEVEL	WATER LEVEL	
		10/6/20	1:10	24.0	22.5	24.0		19.6	
		10/6/20	1:30	24.0	22.5	23.9		13.7	
BORING COMPLETED: 10/6/20									
DR: DS LG: SB Rig: 1C									

AET CORP 20-23155.GPJ AET-CPT+WELL 20181012 JG.GDT 12/15/20



SUBSURFACE BORING LOG

AET No: 20-23155		Log of Boring No. B-15 (p. 1 of 1)											
Project: 2022 and 2023 Infrastructure Improvement Projects; Waconia, MN													
DEPTH IN FEET	Surface Elevation <u>1025.6</u> MATERIAL DESCRIPTION	GEOLOGY	N	MC	SAMPLE TYPE	REC IN.	FIELD & LABORATORY TESTS						
							WC	DEN	LL	PL	%-#200		
1	6½" Bituminous pavement	FILL	16	M		SU	14						
2	FILL, mostly silty sand with gravel, pieces of bituminous pavement at 3', brown and black, A-1-b												
3													
4													
5	FILL, mostly sandy lean clay, a little silty sand and gravel (apparent boulder at 5'), brown, a little light tan, A-6	55/6	M		SS	6	17						
6													
7													
8	SANDY LEAN CLAY, a little gravel, grayish brown and brown mottled, a little light gray, stiff, laminations of silt and sandy silt, stiff, A-6 (CL)		TILL	12	M		SS	24	20				
9													
END OF BORING													

DEPTH: 0-7½'		DRILLING METHOD: 3.25" HSA		WATER LEVEL MEASUREMENTS					NOTE: REFER TO THE ATTACHED SHEETS FOR AN EXPLANATION OF TERMINOLOGY ON THIS LOG
		DATE	TIME	SAMPLED DEPTH	CASING DEPTH	CAVE-IN DEPTH	DRILLING FLUID LEVEL	WATER LEVEL	
		10/6/20	1:50	9.5	7.5	9.4		None	
BORING COMPLETED: 10/6/20									
DR: DS LG: SB Rig: 1C									

AET CORP 20-23155.GPJ AET-CPT+WELL 20181012 JG.GDT 1/29/21



SUBSURFACE BORING LOG

AET No: 20-23155		Log of Boring No. B-16 (p. 1 of 1)									
Project: 2022 and 2023 Infrastructure Improvement Projects; Waconia, MN											
DEPTH IN FEET	Surface Elevation <u>1019.7</u> MATERIAL DESCRIPTION	GEOLOGY	N	MC	SAMPLE TYPE	REC IN.	FIELD & LABORATORY TESTS				
							WC	DEN	LL	PL	%-#200
1	5¾" Bituminous pavement	FILL				SU					
2	FILL, mostly silty sand, a little gravel, brown, A-2-4		27	M		SS	17				
3	FILL, mostly clayey sand, a little silty sand, gravel and bituminous pavement, brown, A-6		17	M		SS	18	15			
4											
5	SANDY LEAN CLAY, a little gravel, brown, a little gray mottled to brown, stiff to very stiff, A-6 (CL)	TILL	11	M		SS	22	19			
6											
7											
8			13	M		SS	24	20			
9											
10											
11			15	M		SS	24	20			
12											
13			17	M		SS	24	18			
14											
15			15	M		SS	24	19			
16											
17											
18											
19											
20		16	M		SS	18	19				
21											
22	CLAYEY SAND, a little gravel, brown, hard, lens of silty sand, A-6 (SC)										
23		39	M/W		SS	18	16				
24	END OF BORING										
DEPTH: DRILLING METHOD		WATER LEVEL MEASUREMENTS							NOTE: REFER TO THE ATTACHED SHEETS FOR AN EXPLANATION OF TERMINOLOGY ON THIS LOG		
0-22½;' 3.25" HSA		DATE	TIME	SAMPLED DEPTH	CASING DEPTH	CAVE-IN DEPTH	DRILLING FLUID LEVEL	WATER LEVEL			
		10/7/20	9:40	24.0	22.5	24.0		23.0			
		10/7/20	9:50	24.0	22.5	24.0		21.4			
BORING COMPLETED: 10/7/20											
DR: DS LG: SB Rig: 1C											

AET CORP 20-23155.GPJ AET-CPT+WELL 20181012 JG.GDT 1/29/21



AET No: 20-23155 Log of Boring No. B-17 (p. 1 of 1)

Project: 2022 and 2023 Infrastructure Improvement Projects; Waconia, MN

AET_CORP 20-23155.GPJ AET+CPT+WELL 20181012 JG.GDT 12/15/20



SUBSURFACE BORING LOG

AET No: 20-23155		Log of Boring No. B-18 (p. 1 of 1)									
Project: 2022 and 2023 Infrastructure Improvement Projects; Waconia, MN											
DEPTH IN FEET	Surface Elevation <u>1032.1</u> MATERIAL DESCRIPTION	GEOLOGY	N	MC	SAMPLE TYPE	REC IN.	FIELD & LABORATORY TESTS				
							WC	DEN	LL	PL	%-#200
1	5½" Bituminous pavement	FILL				SU					
	FILL, mostly gravelly silty sand, brown, A-1-b		28	M		SS	15				
2	FILL, mostly gravelly clayey sand, brown, A-2-6					SS	19	12			
3			6	M		SS	19	12			
4						SS	19	12			
5	FILL, mostly clayey sand, a little gravel, brown, A-6	TILL	6	M		SS	8	18			
6						SS	8	18			
7	SANDY LEAN CLAY, a little gravel, brown, firm to very stiff, A-6 (CL)		7	M		SS	20	18			
8						SS	20	18			
9						SS	20	18			
10						SS	20	18			
11						SS	24	20			
12						SS	24	20			
13						SS	24	19			
14						SS	24	19			
15					SS	18	20				
16					SS	18	20				
17					SS	18	20				
18					SS	18	20				
19					SS	18	20				
20			15	M		SS	18	20			56
21						SS	18	20			
22						SS	18	20			
23						SS	18	20			
24			15	M		SS	18	19			
END OF BORING											

DEPTH: DRILLING METHOD		WATER LEVEL MEASUREMENTS							NOTE: REFER TO THE ATTACHED SHEETS FOR AN EXPLANATION OF TERMINOLOGY ON THIS LOG
0-23'	3.25" HSA	DATE	TIME	SAMPLED DEPTH	CASING DEPTH	CAVE-IN DEPTH	DRILLING FLUID LEVEL	WATER LEVEL	
		10/7/20	11:30	24.5	23.0	24.3		None	
		10/7/20	11:40	24.5	23.0	24.3		None	
BORING COMPLETED: 10/7/20									
DR: DS LG: SB Rig: 1C									

AET CORP 20-23155.GPJ AET-CPT+WELL 20181012 JG.GDT 12/15/20



SUBSURFACE BORING LOG

AET No: 20-23155		Log of Boring No. B-19 (p. 1 of 1)									
Project: 2022 and 2023 Infrastructure Improvement Projects; Waconia, MN											
DEPTH IN FEET	Surface Elevation <u>1039.6</u> MATERIAL DESCRIPTION	GEOLOGY	N	MC	SAMPLE TYPE	REC IN.	FIELD & LABORATORY TESTS				
							WC	DEN	LL	PL	%-#200
1	7 1/4" Bituminous pavement	FILL				SU					
2	FILL, mostly silty sand, a little gravel, brown, A-2-4		19	M		SS	15				
3	FILL, mixture of clayey sand and silty sand with cinders, a little gravel, brown and dark brown. A-2-4 and A-6		11	M		SS	19	15			
4											
5	SANDY LEAN CLAY, a little gravel, brown to brown with a little gray mottled, stiff, A-6 (CL)	TILL	13	M		SS	22	18			
6											
7											
8			14	M		SS	20	20			
9											
10			12	M		SS	24	21			
11											
12											
13			13	M		SS	24	22			
14											
15			13	M		SS	18	21			
16											
17											
18											
19											
20			15	M		SS	18	20			
21											
22											
23											
24		12	M		SS	18	21				
END OF BORING											57
DEPTH: DRILLING METHOD		WATER LEVEL MEASUREMENTS							NOTE: REFER TO THE ATTACHED SHEETS FOR AN EXPLANATION OF TERMINOLOGY ON THIS LOG		
0-23' 3.25" HSA		DATE	TIME	SAMPLED DEPTH	CASING DEPTH	CAVE-IN DEPTH	DRILLING FLUID LEVEL	WATER LEVEL			
		10/7/20	1:10	24.5	23.0	24.0		None			
		10/7/20	1:20	24.5	23.0	24.0		None			
BORING COMPLETED: 10/7/20											
DR: DS LG: SB Rig: 1C											

AET CORP 20-23155.GPJ AET-CPT+WELL 20181012 JG.GDT 12/15/20



AMERICAN
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TESTING, INC.

SUBSURFACE BORING LOG

AET No: **20-23155** Log of Boring No. **B-20 (p. 1 of 1)**
Project: **2022 and 2023 Infrastructure Improvement Projects; Waconia, MN**

DEPTH IN FEET	Surface Elevation <u>1047.1</u> MATERIAL DESCRIPTION	GEOLOGY	N	MC	SAMPLE TYPE	REC IN.	FIELD & LABORATORY TESTS				
							WC	DEN	LL	PL	%-#200
1	2½" Bituminous pavement	FILL				SU	7				
2	FILL, mixture of clayey sand and silty sand, a little gravel, dark brown, A-2-6	TOPSOIL OR FILL	2	M		SS	6	28			
3	LEAN CLAY with sand, slightly organic, dark grayish brown, A-6 (possible fill) (CL)	TILL	12	M		SS	10	22			
4	SANDY LEAN CLAY, a little gravel, brown, stiff, A-6 (CL)										
5	SANDY LEAN CLAY, a little gravel, brown, a little gray and light brown, stiff, laminations of sandy silt, A-6 (CL)		11	M		SS	20	22			
6											
7											
8	LEAN CLAY, brown, a little gray, stiff, laminations of silt, A-6 (CL)	FINE ALLUVIUM	11	M		SS	24	33			
9											
END OF BORING											

DEPTH: 0-7½'	DRILLING METHOD: 3.25" HSA	WATER LEVEL MEASUREMENTS							NOTE: REFER TO THE ATTACHED SHEETS FOR AN EXPLANATION OF TERMINOLOGY ON THIS LOG		
		DATE	TIME	SAMPLED DEPTH	CASING DEPTH	CAVE-IN DEPTH	DRILLING FLUID LEVEL	WATER LEVEL			
		10/8/20	10:50	9.5	7.5	9.5		None			
BORING COMPLETED: 10/8/20											
DR: DS LG: SB Rig: 1C											

AET CORP 20-23155.GPJ AET-CPT+WELL 20181012 JG.GDT 12/15/20

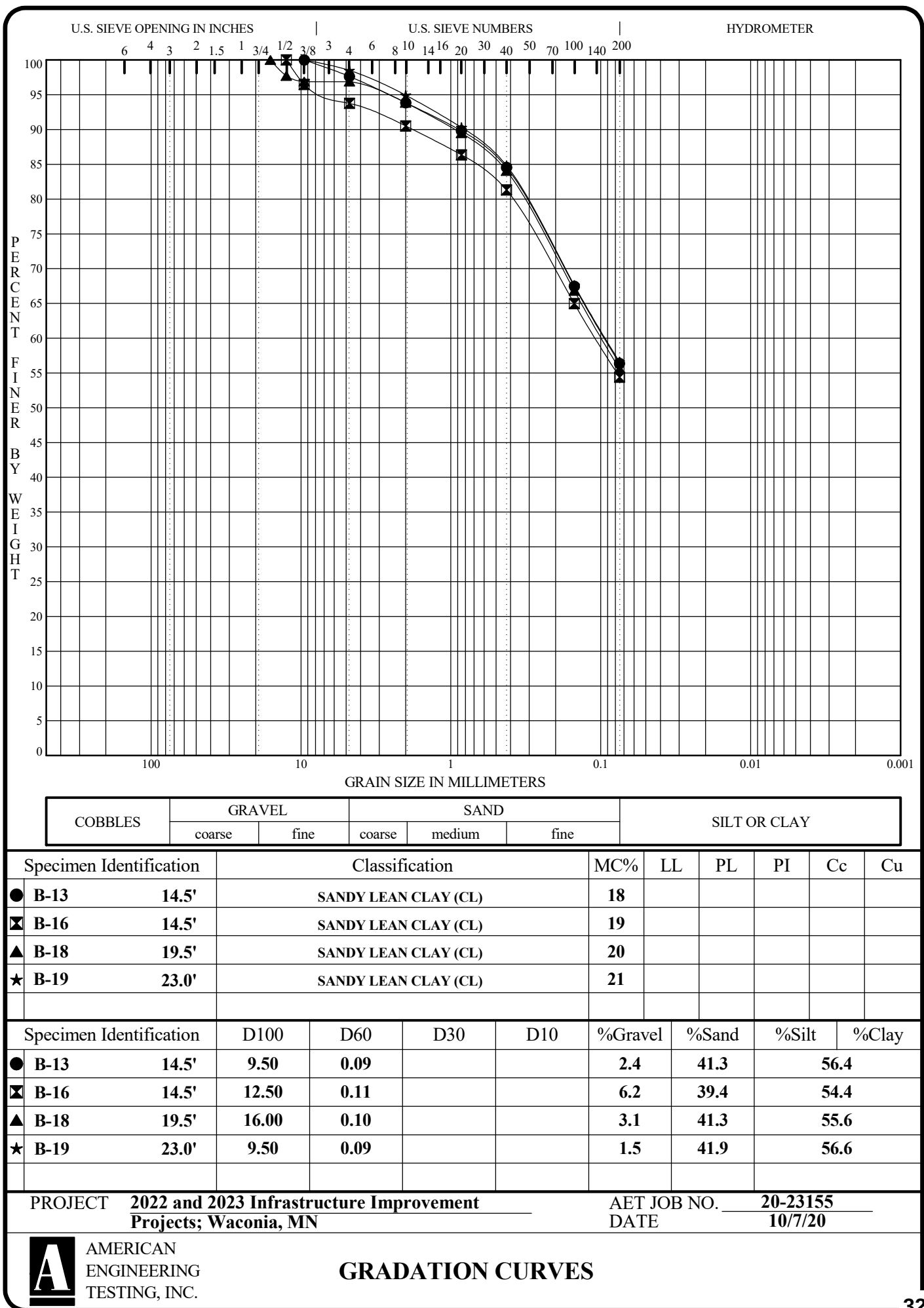


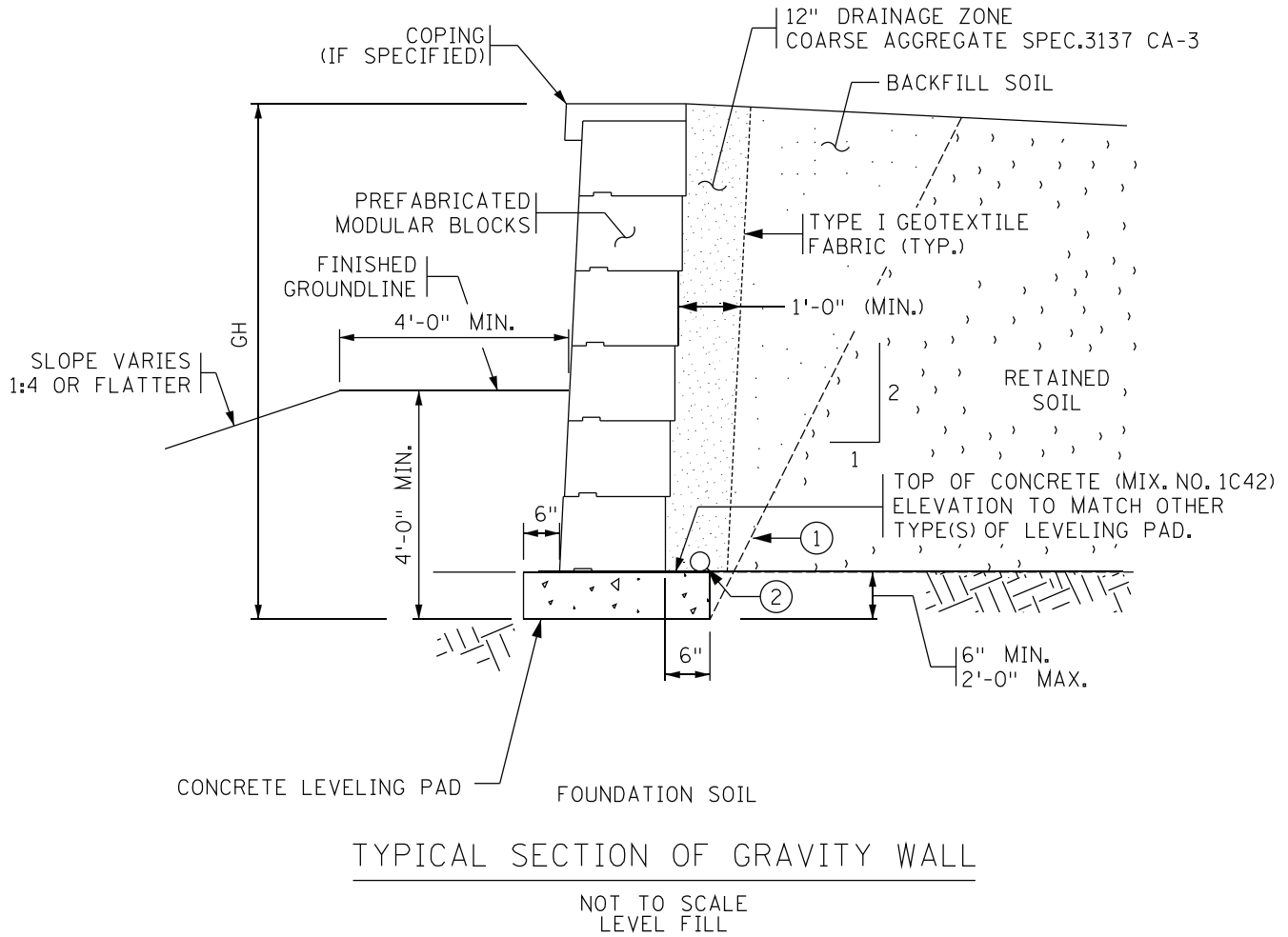
SUBSURFACE BORING LOG

AET No: 20-23155		Log of Boring No. B-21 (p. 1 of 1)									
Project: 2022 and 2023 Infrastructure Improvement Projects; Waconia, MN											
DEPTH IN FEET	Surface Elevation <u>1043.2</u> MATERIAL DESCRIPTION	GEOLOGY	N	MC	SAMPLE TYPE	REC IN.	FIELD & LABORATORY TESTS				
							WC	DEN	LL	PL	%-#200
1	5" Bituminous pavement	FILL	25	M		17					
	FILL, mostly silty sand, a little gravel, brown, A-2-4										
2	FILL, mostly silty sand with gravel, pieces of bituminous, dark brown, A-1-b										
3		TILL	11	M		19	23				
4	SANDY LEAN CLAY, a little gravel, brown, stiff, A-6 (CL)										
5	SANDY LEAN CLAY, a little gravel, brown, a little light brown, stiff, laminations of sandy silt, A-6 (CL)										
6											
7											
8	SANDY LEAN CLAY, a little gravel, brown mottled, very stiff, A-6 (CL)		18	M		18	19				
9											
END OF BORING											

DEPTH: 0-7½'		DRILLING METHOD: 3.25" HSA		WATER LEVEL MEASUREMENTS					NOTE: REFER TO THE ATTACHED SHEETS FOR AN EXPLANATION OF TERMINOLOGY ON THIS LOG
		DATE	TIME	SAMPLED DEPTH	CASING DEPTH	CAVE-IN DEPTH	DRILLING FLUID LEVEL	WATER LEVEL	
		10/8/20	9:35	9.5	7.5	9.5		None	
BORING COMPLETED: 10/8/20									
DR: DS LG: SB Rig: 1C									

[illegible]





- ① PAY LIMIT (2:V TO 1:H) ACTUAL EXCAVATION SLOPE IS DETERMINED BY DESIGNER PREFERENCE OR OSHA REGULATIONS OF IN-SITU SOILS: EXCAVATION BEYOND THESE LIMITS AT CONTRACTORS EXPENSE.
- ② 4" THERMOPLASTIC PERFORATED PIPE, SPEC. 3245. WRAP WITH TYPE 1 GEOTEXTILE, SPEC. 3733, INSTALLATION AS PER SPEC. 2502. CONNECT TO DRAINAGE SYSTEM OR OUTLET THROUGH WALL USING 6" T.P. NON-PERFORATED PIPE WITH RODENT SCREEN. ALL WORK INCIDENTAL.

Figure 2411-1 Gravity PMBW Material Definitions/ Typical Cross Sections

Report of Geotechnical Exploration

2022 and 2023 Infrastructure Improvements Projects; Waconia, Minnesota

March 10, 2021

Report No. 20-23155

AMERICAN
ENGINEERING
TESTING, INC.

Appendix B

Geotechnical Report Limitations and Guidelines for Use

Appendix B

Geotechnical Report Limitations and Guidelines for Use

Report No. 20-23155

B.1 REFERENCE

This appendix provides information to help you manage your risks relating to subsurface problems which are caused by construction delays, cost overruns, claims, and disputes. This information was developed and provided by GBA¹, of which, we are a member firm.

B.2 RISK MANAGEMENT INFORMATION

B.2.1 Understand the Geotechnical Engineering Services Provided for this Report

Geotechnical engineering services typically include the planning, collection, interpretation, and analysis of exploratory data from widely spaced borings and/or test pits. Field data are combined with results from laboratory tests of soil and rock samples obtained from field exploration (if applicable), observations made during site reconnaissance, and historical information to form one or more models of the expected subsurface conditions beneath the site. Local geology and alterations of the site surface and subsurface by previous and proposed construction are also important considerations. Geotechnical engineers apply their engineering training, experience, and judgment to adapt the requirements of the prospective project to the subsurface model(s). Estimates are made of the subsurface conditions that will likely be exposed during construction as well as the expected performance of foundations and other structures being planned and/or affected by construction activities.

The culmination of these geotechnical engineering services is typically a geotechnical engineering report providing the data obtained, a discussion of the subsurface model(s), the engineering and geologic engineering assessments and analyses made, and the recommendations developed to satisfy the given requirements of the project. These reports may be titled investigations, explorations, studies, assessments, or evaluations. Regardless of the title used, the geotechnical engineering report is an engineering interpretation of the subsurface conditions within the context of the project and does not represent a close examination, systematic inquiry, or thorough investigation of all site and subsurface conditions.

B.2.2 Geotechnical Engineering Services are Performed for Specific Purposes, Persons, and Projects, and At Specific Times

Geotechnical engineers structure their services to meet the specific needs, goals, and risk management preferences of their clients. A geotechnical engineering study conducted for a given civil engineer will not likely meet the needs of a civil-works constructor or even a different civil engineer. Because each geotechnical engineering study is unique, each geotechnical engineering report is unique, prepared solely for the client.

Likewise, geotechnical engineering services are performed for a specific project and purpose. For example, it is unlikely that a geotechnical engineering study for a refrigerated warehouse will be the same as one prepared for a parking garage; and a few borings drilled during a preliminary study to evaluate site feasibility will not be adequate to develop geotechnical design recommendations for the project.

Do not rely on this report if your geotechnical engineer prepared it:

- for a different client;
- for a different project or purpose;
- for a different site (that may or may not include all or a portion of the original site); or
- before important events occurred at the site or adjacent to it; e.g., man-made events like construction or environmental remediation, or natural events like floods, droughts, earthquakes, or groundwater fluctuations.

Note, too, the reliability of a geotechnical-engineering report can be affected by the passage of time, because of factors like changed subsurface conditions; new or modified codes, standards, or regulations; or new techniques or tools. If you are the least bit uncertain about the continued reliability of this report, contact your geotechnical engineer before applying the recommendations in it. A minor amount of additional testing or analysis after the passage of time – if any is required at all – could prevent major problems.

¹ Geoprofessional Business Association, 1300 Piccard Drive, LL14, Rockville, MD 20850
Telephone: 301/565-2733; www.geoprofessional.org, 2019

Appendix B

Geotechnical Report Limitations and Guidelines for Use

Report No. 20-23155

B.2.3 Read the Full Report

Costly problems have occurred because those relying on a geotechnical-engineering report did not read the report in its entirety. Do not rely on an executive summary. Do not read selective elements only. Read and refer to the report in full.

B.2.4 You Need to Inform Your Geotechnical Engineer About Change

Your geotechnical engineer considered unique, project-specific factors when developing the scope of study behind this report and developing the confirmation-dependent recommendations the report conveys. Typical changes that could erode the reliability of this report include those that affect:

- the site's size or shape;
- the elevation, configuration, location, orientation, function or weight of the proposed structure and the desired performance criteria;
- the composition of the design team; or
- project ownership.

As a general rule, always inform your geotechnical engineer of project or site changes – even minor ones – and request an assessment of their impact. The geotechnical engineer who prepared this report cannot accept responsibility or liability for problems that arise because the geotechnical engineer was not informed about developments the engineer otherwise would have considered.

B.2.5 Most of the “Findings” Related in This Report Are Professional Opinions

Before construction begins, geotechnical engineers explore a site's subsurface using various sampling and testing procedures. Geotechnical engineers can observe actual subsurface conditions only at those specific locations where sampling and testing is performed. The data derived from that sampling and testing were reviewed by your geotechnical engineer, who then applied professional judgement to form opinions about subsurface conditions throughout the site. Actual sitewide-subsurface conditions may differ – maybe significantly – from those indicated in this report. Confront that risk by retaining your geotechnical engineer to serve on the design team through project completion to obtain informed guidance quickly, whenever needed.

B.2.6 This Report's Recommendations Are Confirmation-Dependent

The recommendations included in this report – including any options or alternatives – are confirmation-dependent. In other words, they are not final, because the geotechnical engineer who developed them relied heavily on judgement and opinion to do so. Your geotechnical engineer can finalize the recommendations only after observing actual subsurface conditions exposed during construction. If through observation your geotechnical engineer confirms that the conditions assumed to exist actually do exist, the recommendations can be relied upon, assuming no other changes have occurred. The geotechnical engineer who prepared this report cannot assume responsibility or liability for confirmation-dependent recommendations if you fail to retain that engineer to perform construction observation.

B.2.7 This Report Could Be Misinterpreted

Other design professionals' misinterpretation of geotechnical engineering reports has resulted in costly problems. Confront that risk by having your geotechnical engineer serve as a continuing member of the design team, to:

- confer with other design-team members;
- help develop specifications;
- review pertinent elements of other design professionals' plans and specifications; and
- be available whenever geotechnical engineering guidance is needed.

You should also confront the risk of constructors misinterpreting this report. Do so by retaining your geotechnical engineer to participate in prebid and preconstruction conferences and to perform construction-phase observations.

B.2.8 Give Constructors a Complete Report and Guidance

Some owners and design professionals mistakenly believe they can shift unanticipated-subsurface-conditions liability to constructors by limiting the information they provide for bid preparation. To help prevent the costly, contentious problems this practice has caused, include the complete geotechnical engineering report, along with any attachments or appendices, with your contract documents, but be certain to note conspicuously that you've included the material for information purposes only. To avoid misunderstanding, you may also want to note that “informational purposes” means constructors have no right to rely on the interpretations, opinions, conclusions, or recommendations in the report. Be certain that constructors know they may learn about

Appendix B

Geotechnical Report Limitations and Guidelines for Use

Report No. 20-23155

specific project requirements, including options selected from the report, only from the design drawings and specifications. Remind constructors that they may perform their own studies if they want to, and be sure to allow enough time to permit them to do so. Only then might you be in a position to give constructors the information available to you, while requiring them to at least share some of the financial responsibilities stemming from unanticipated conditions. Conducting prebid and preconstruction conferences can also be valuable in this respect.

B.2.9 Read Responsibility Provisions Closely

Some client representatives, design professionals, and constructors do not realize that geotechnical engineering is far less exact than other engineering disciplines. This happens in part because soil and rock on project sites are typically heterogeneous and not manufactured materials with well-defined engineering properties like steel and concrete. That lack of understanding has nurtured unrealistic expectations that have resulted in disappointments, delays, cost overruns, claims, and disputes. To confront that risk, geotechnical engineers commonly include explanatory provisions in their reports. Sometimes labeled “limitations,” many of these provisions indicate where geotechnical engineers’ responsibilities begin and end, to help others recognize their own responsibilities and risks. Read these provisions closely. Ask questions. Your geotechnical engineer should respond fully and frankly.

B.2.10 Geoenvironmental Concerns Are Not Covered

The personnel, equipment, and techniques used to perform an environmental study – e.g., a “phase-one” or “phase-two” environmental site assessment – differ significantly from those used to perform a geotechnical engineering study. For that reason, a geotechnical engineering report does not usually provide environmental findings, conclusions, or recommendations; e.g., about the likelihood of encountering underground storage tanks or regulated contaminants. Unanticipated subsurface environmental problems have led to project failures. If you have not obtained your own environmental information about the project site, ask your geotechnical consultant for a recommendation on how to find environmental risk-management guidance.

B.2.11 Obtain Professional Assistance to Deal with Moisture Infiltration and Mold

While your geotechnical engineer may have addressed groundwater, water infiltration, or similar issues in this report, the engineer’s services were not designed, conducted, or intended to prevent migration of moisture – including water vapor – from the soil through building slabs and walls and into the building interior, where it can cause mold growth and material-performance deficiencies. Accordingly, proper implementation of the geotechnical engineer’s recommendations will not of itself be sufficient to prevent moisture infiltration. Confront the risk of moisture infiltration by including building-envelope or mold specialists on the design team. Geotechnical engineers are not building-envelope or mold specialists.



REQUEST FOR CITY COUNCIL ACTION

Meeting Date:	September 19, 2022
Item Name:	Approve Submittal of WBIF, BWSR Grant For 2023
Originating Department:	Public Services
Presented by:	Craig Eldred
Previous Council Action (if any):	August 1, 2022; Approval of Staff to Complete Clean Water Competitive Grant; Fiscal 2023 From Minnesota Board of Water & Soil Resources, (BWSR)

Item Type (X only one):	Consent		Regular Session		Discussion Session	X
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RECOMMENDATIONS/COUNCIL ACTION/MOTION REQUESTED *(Include motion in proper format.)*

Approve Resolution 2022-259; Approval of Application for Board of Water And Resources Watershed Based Infrastructure Fund, (WBIF) Grant & Public Services Director as Administrator of Grant

EXPLANATION OF AGENDA ITEM *(Include a description of background, benefits, and recommendations.)*

The focus of this request centers on staff working to find outside funding sources to off-set public improvement costs for capital improvement projects dedicate to meet community priorities. One such community priority is the "Environment" including protecting the quality of our land, air, trees, natural space, water, and lakes. The focus of this request is to submit an application for approval by the Minnesota Board of Water & Soil Resources through already agreed upon projects for Watershed Based Infrastructure Funds dedicated to the Carver County Water Management Organization. Such projects are submitted by City's as part of their Surface Water Management plan, and approved by the CCWMO as watershed projects county wide.

Attached Council will find a pdf document providing the details of how \$691,991.00 dollars is being dedicated to projects in Waconia, Watertown, and the CCWMO itself. Some of the CCWMO work is being utilized for the Reitz Lake area watershed within future the annexation areas of Waconia. Additional information and correspondence is attached for support of this effort.

For Waconia the WBIF submittal was programmed for the Downtown Storm Water Reuse. Staff continue to seek outside funding sources to support the improvement projects programmed and phased to support the watershed requirements for reduction of storm water volume discharged to protect Lake Waconia. Efforts like this are guided upon the principles of water contamination & impairment reductions, floating pollutant management, resource management for reductions of potable water for irrigation of managed turf & green spaces.

Staff recommends approval of this request with the focus of reducing construction costs and protection of Waconia's major resource Lake Waconia and the water systems down stream of is outfall.

Attachments:

1. [22259res_WBIF_Grant_for_BWSR_2023.doc](#)

2. [Copy of 220624_Carver County WBIF Project List_FY22-23.pdf](#)
3. [Email Correspondence WBIF Document.pdf](#)

FINANCIAL IMPLICATIONS:

Funding Sources & Uses:
Storm Water

Budget Information:

☒ Budgeted
☐ Non Budgeted
☐ Amendment Required

ADVISORY BOARD RECOMMENDATIONS:

Planning Commission

Parks and Recreation Board

Safari Island Advisory Board

Other

**CITY OF WACONIA
RESOLUTION NO. 2022-259**

**RESOLUTION AUTHORIZING APPROVAL OF APPLICATION FOR BOARD OF WATER
AND SOIL RESOURCES WATERSHED BASED INFRASTRUCTURE FUND, (WBIF) GRANT
& PUBLIC SERVICES DIRECTOR AS ADMINISTRATOR OF GRANT**

WHEREAS, one of the City’s Priorities “Infrastructure – managing, maintaining, and improving our current and future physical assets”; and

WHEREAS, Watershed Based Infrastructure Fund reviewed by the Carver County Water Management Group; and

WHEREAS, recommended the City of Waconia submit for WBIF grant from BWSR for \$200,000.00 as part of the Downtown Reuse Improvement; and

WHEREAS, the Public Services Director is authorized to submit and administer the grant application and project if awarded.

NOW, THEREFORE, BE IT RESOLVED That the City Council of the City of Waconia hereby authorizes approval of application for Board of Water and Soil Resources Watershed Based Infrastructure Fund, (WBIF) Grant and Public Services Director as Administrator of Grant.

Adopted by the City Council of the City of Waconia this 19th day of September, 2022.

Kent Bloudek, Mayor

Attest: _____
Jackie Schulze, City Clerk

Carver County Collaborative Project List												
Grant Watershed	Entity Requesting Funds	Name of Activity/Project/Program	Description of Activity/Project/Program	Plan reference	Water Resource(s)	Timeframe for implementation	Grant funds requested	Local match (min. 10%)	Total project cost	Measurable Outcomes	Other Notes (if needed)	
South Fork	CCWMO	Turf to Native Program	Project will covert 10 acres of turf or crop land to native prairie in the South Fork Crow River Watershed District. 3 project sites have been identified that equals 12 acres of potential native prairie restoration. Costs include construction, establishment, and 3 year maintenance of the site.	CCWMO Plan: Table 5-5 (p. 5.21 - ID 9);	South Fork Crow River (AUID 07010205-508) has impaired Aquatic Life, Aquatic Consumption, and Aquatic Recreation uses and is 303d listed for fecal coliform, mercury, turbidity, fish bioassessments, benthic macroinvertebrate bioassessments, and nutrients.	2021-2022	\$60,000.00	\$10,000.00	\$70,000.00	Irrigated areas will reduce potable water by 650,000 gallons per year per acre. Infiltration rates increase by 06 inches per hour resulting in a stormwater volume reduction of 254,000 gallons per year per acre, 0.49 pounds of TP per year per acre, and 170 pounds of TSS per year per acre.	Changes to infiltration rates is based upon "Evaluation of Turf-Grass and Prairie-Vegetated Rain Gardens in a Clay and Sand Soil, Madison, Wisconsin, Water Years 2004-08" (Selbig, William, 2010) (https://pubs.usgs.gov/sir/2010/5077/pdf/sir20105077.pdf). TP and TSS reductions were calculated using frost free days and Mayer average annual precipitation from 2011 to 2019. Potable water reductions were based upon 1 inch of irrigation per week for 24 weeks.	
	CCWMO	Reitz Lake Ravine	Since 2008, a ravine on the Northwest side of Reitz Lake has been eroding on a private parcel, causing sediment and nurtrients to discharge into the waterbody. This project will stabilize a ravine that has formed from Airport Road down to Reitz Lake.	CCWMO Plan: Table 5-5 (ID46b)	Reitz Lake (AUID 10-0052-00) has imparied Aquatic Consumption and Aquatic Recreation uses. 303d listed for mercury and nutrients	2022-2023	\$40,000.00	\$10,000.00	\$50,000.00	stabilization of the ravine will reduce the amount of sediment reaching Reitz lake by 15,000 pounds per year. Using TP:TSS Ratios of sediment from the Minnesota River Basin, this equates to a 37 pound reduction of phosphorus.		80%
	Waconia	Downtown Stormwater Reuse System	Planned improvements to the Downtown area will include installation of underground storage, use of a water tower retired from potable service, and a new irrigation system to utilize stormwater runoff in lieu of potable water for irrigation of several green areas.	CCWMO Plan: Table 5-5 (ID 54)	Lake Waconia (Lake ID 10-0059-00) is impaired for Mercury in Fish Tissue and Fish Bioassessment.	2023	\$200,000.00	\$2,600,000.00	\$2,800,000.00	Facilities will provide approximately 1 ac-ft/yr volume reduction in stormwater runoff (with corresponding reduction of 218 pound of sediment and 0.63 pounds of phosphorus per year). In addition, corresponding reductions in potable water previously used for irrigation will be realized.	Improvements are outlined in the Waconia Downtown Reuse Feasibility Study dated 5/2/22.	7%
	Watertown	Streambank Restoration - Mullen Property	Project will stabilize steep banks along the Crow River in the area identified as the Mullen Property. Stabilization methods will include selective tree clearing to provide additional sunlight to support plug plantings on the face of the banks, cedar revetments on the low face of the bank and native grasses on top of the bank.	CCWMO Plan: Table 5-5 (ID 9)	South Fork Crow River (AUID 07010205-508) has impaired Aquatic Life, Aquatic Consumption, and Aquatic Recreation uses and is 303d listed for fecal coliform, mercury, turbidity, fish bioassessments, benthic macroinvertebrate bioassessments, and nutrients.	2022-23	\$90,000.00	\$10,000.00	\$100,000.00	Stabilization will provide an estimated 140 tons/yr reduction in sediment loading (70% reduction).	Improvements outlined in Watertown Streambank Feasibility Study dated 10/29/21.	90%
	Watertown	Streambank Restoration - Boardwalk	Project will stabilize steep banks along the Crow River adjacent to the boardwalk in the downtown area. Stabilization methods will include re-grading of slopes and installation of riprap and plug plantings.	CCWMO Plan: Table 5-5 (ID 10)	South Fork Crow River (AUID 07010205-508) has impaired Aquatic Life, Aquatic Consumption, and Aquatic Recreation uses and is 303d listed for fecal coliform, mercury, turbidity, fish bioassessments, benthic macroinvertebrate bioassessments, and nutrients.	2023	\$160,000.00	\$160,000.00	\$320,000.00	Stabilization will provide an estimated 187 tons/yr reduction in sediment loading (90% reduction).	Improvements outlined in Watertown Streambank Feasibility Study dated 10/29/21.	50%
	CCWMO	CCWMO Feasibility Studies	CCWMO will oversee four separate feasibility studies with the goal of producing plan sets and cost estimates for future projects, as well as writing a feasibility study that meets all BWSR requirements for the management of carp. Studies included: Chain of Lakes Ravine Study will focus on Big Woods East Ravine that has formed between Hwy 41 and the lake that may threaten the structural integrity of Co Hwy 41, and ravine systems that are effecting the Grace Chain of Lakes; Reitz Lake Northwest Ravine Study for a large ravine system that has contributed to a 1,100 square foot delta within the lake, or roughly 3,500 cubic feet of sediment; Carver Creek Bank Failure Study for a large blowout that occurred in 2012, affecting 7,500 square feet of an outside bank along Carver Creek and has increased in size to impact more than 19,000 square feet; and Benton Lake Carp Reduction Feasibility Study that includes a three year work plan to assess fish populations, rearing locations, carp migrations, and fish biomass.	Reitz Lake Northwest Ravine Study - CCWMO Plan: Table 5-5 (ID46a); Grace Chain of Lakes Ravine Study - CCWMO Plan: Table 5-5 (ID60); Carver Creek Bank Failure Study - CCWMO Plan: Table 5-5 (ID33a); Benton Lake Carp Feasibility Study - CCWMO Plan: Table 5-5 (ID 19a)	Reitz Lake (AUID 10-0052-00) has imparied Aquatic Consumption and Aquatic Recreation uses. 303d listed for mercury and nutrients; Big Woods Lake (AUID 10-0249-00) is not currently listed as impaired. Water quality sampling over the past five years indicate that the lake is impaired for nutrients; Carver Creek (AUID 07020012-806) is listed as impaired for Aquatic Life and Aquatic Recreation uses and is 303d listed for fecal, nutrients, turbidity, fish bioassessments, and benthic macroinvertebrate bioassessments; Benton Lake (AUID 10-0069-00) has impaired Aquatic Recreation use and is 303d listed for nutrients.	2022-2024	\$201,991.00	\$50,000.00	\$261,991.00	Completed feasibility study with 30% plan sets and engineer's cost estimate to be used to secure future funding to complete the project		77%
						Totals:	\$691,991.00	\$2,830,000.00	\$3,531,991.00			

Craig Eldred

From: Tim Sundby <tsundby@co.carver.mn.us>
Sent: Friday, August 19, 2022 3:51 PM
To: Andrew Budde; Craig Eldred
Subject: FW: WBIF Carver County Project List

Afternoon Andrew and Craig,

Below is the response from Steve giving the go ahead on the WBIF Grants. Let me know if you have any questions. Thanks!

Tim

From: Christopher, Steve (BWSR) <steve.christopher@state.mn.us>
Sent: Friday, August 19, 2022 11:27 AM
To: Tim Sundby <tsundby@co.carver.mn.us>
Subject: RE: WBIF Carver County Project List

EXTERNAL EMAIL: Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Tim,
Everything in the spreadsheet looks good. If the Cities of Waconia and Watertown would like to receive the funds directly, they should complete their own budget request and identify themselves as the fiscal agent. We are continuing to batch the requests by month and not all requests from a watershed area need to be received at the same time.

The following is from our guidance and should help with the budget request process:

Once the activities have been agreed upon by the partnership, each grantee will then be responsible for submitting an eLINK (<https://bwsr.state.mn.us/elink>) budget request to BWSR. BWSR may deny the budget request for reasons such as activities are ineligible according to the WBIF Policy, activities are not identified in the implementation section of an eligible plan, requested amount is inaccurate, the request is incomplete, etc. Please save the budget request information outside of eLINK as this information is not retained in eLINK if a budget request is denied and a new budget request would need to be submitted.

Once the eLINK budget request is approved by BWSR, each grantee will be responsible for completing an eLINK work plan, which needs to be approved by BWSR no later than March 30, 2023. Note that if a work plan cannot be approved by this date, BWSR will reallocate these funds through the WBIF Program. Therefore, we highly recommend that eLINK budget requests are submitted no later than November 30, 2022 and the eLINK work plan is submitted by December 30, 2022. The work plan must be approved by BWSR prior to funds being distributed.

Guidance on the eLINK budget request and work plan can be found at <https://bwsr.state.mn.us/grantprofile-watershed-based-implementation-funding> under "Resources".

As with anything BWSR related, don't hesitate to contact me or direct others to me with questions.

-Steve

Steve Christopher | Board Conservationist

Minnesota Board of Water and Soil Resources (BWSR)

520 Lafayette Road North

St. Paul, MN 55155

651-249-7519

[Web](#) | [Twitter](#) | [Facebook](#)

From: Tim Sundby <tsundby@co.carver.mn.us>

Sent: Tuesday, August 9, 2022 3:40 PM

To: Christopher, Steve (BWSR) <steve.christopher@state.mn.us>

Subject: WBIF Carver County Project List

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Afternoon Steve,

We received approval from all voting members to approve the Carver County Project List as outlined in the attached Project List. What are the next steps? Thanks!

Tim Sundby

Water Resources Program Analyst

952-361-1816