

WACONIA CITY COUNCIL MEETING AGENDA



**Monday, September 16, 2024
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: NICOLE WALDRON
COUNCIL MEMBER : RANDY SORENSEN
COUNCIL MEMBER: NICK GLEASON
COUNCIL MEMBER: JEFF GRENGS
COUNCIL MEMBER: JACOB COLEMAN

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**
- 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) [Approve City Council Minutes September 3, 2024](#)
Motion to approve the September 3, 2024 Council Minutes
- 2) [Approve September 16, 2024 Expenditures](#)
Motion to Approve Payment of September 16, 2024 Expenditures
- 3) [Approve Rink Management Services Corporation Safari Island Community Center Expenditures Incurred August 2024](#)
Motion to Approve Rink Management Corporation Expenditures for Safari Island Community Center Incurred in August 2024
- 4) [Approve Rink Management Services Corporation Waconia Ice Arena Expenditures Incurred August 2024](#)

Motion to Approve Rink Management Corporation Expenditures for Waconia Ice Arena Incurred in August 2024

- 5) [Approve Kraus-Anderson Construction Pay Request #24 for the New Fire Station](#)

Motion to Approve Kraus-Anderson Construction Pay Request #24 for the New Fire Station Project

- 6) [Approve Kraus-Anderson Contractor Pay Request for the New Fire Station](#)

Motion to Approve Contractor Payment Request with Kraus Anderson for the New Fire Station Project

- 7) [Request for Qualifications for City Insurance Agent for Property/Liability and Workers' Compensation](#)

Adopt Resolution No. 2024-192 Authorizing Request for Qualifications for City Insurance Agent

- 8) [Contract with Suburban Waste Services for Garbage and Recycling Services](#)

Adopt Resolution No. 2024-193 Authorizing Contract with Suburban Waste Services beginning October 1, 2024

- 9) [Authorize Contract for Fuel Island Concrete Pavement Replacement](#)

Adopt Resolution No. 2024-194 Authorizing a Contract for the Replacement for Fuel Island Concrete Pavement.

- 10) [Authorize Acquisition of Tire Changer Machine](#)

Adopt Resolution No. 2024-195 Authorizing Acquisition of a Tire Changer Machine

- 11) [Approve Contract of the 2024 Storm Catch Basin & Storm Manhole Rehabilitation](#)

Adopt Resolution No. 2024-196 Authorizing Award of Construction Contract for Waconia 1024 Storm Catch Basin and Storm Manhole Rehabilitation

- 12) [Approve Purchase of a Crash Attenuator](#)

Adopt Resolution No. 2024-197 approving the purchase of a Crash Attenuator.

- 13) [Certification for Payment with Taxes - Payable 2025](#)

Adopt Resolution No. 2024-198 Calling Hearing on proposed Certification of Delinquent Utility and Other Charges for Services for Payment with 2025 Taxes

- 14) [Accepting Cash Donations for Operations of the Fire Department](#)

Adopt Resolution No. 2024-199 Accepting Cash Donations for Operations of the Fire Department

- 15) [Authorize Hire for Finance Clerk](#)

Adopt Resolution No. 2024-200 Approving Finance Clerk Hire.

- 16) [Approve Temporary On-Sale Liquor Licenses for the Waconia Brewing Company](#)

Adopt Resolution No. 2024-201 Approving Temporary On-Sale Liquor Licenses for the Waconia Brewing Company

- 17) [Approve Temporary On-Sale Liquor Licenses for the Waconia Legion Post 150](#)

Adopt Resolution No. 2024-202 Approving Temporary On-Sale Liquor Licenses for the Waconia Legion Post 150 scheduled for October 11, 2024

6. COUNCIL BUSINESS

- 1) [Waconia High School Homecoming Parade](#)

Adopt Resolution No. 2024-203 Approving Special Event Permit for Waconia High School Homecoming Parade

- 2) [Amend Section 900.04 Definitions and Section 900.05.7 B-1 Highway Business District - Rural Retail Use](#)

Adopt Ordinance No. 775 approving the proposed amendment to Sections 900.04 and 900.05, which would define rural retail and allow it as a permitted use with special restrictions in the B-1, Highway Business District.

Adopt Resolution No. 2024-204 Approving Summary Publication of Ordinance No. 775

- 3) [2025 Budget & Preliminary Levy](#)

Adopt Resolution No. 2024-205 Adopting the 2025 Preliminary Levy

7. ITEMS REMOVED FROM CONSENT AGENDA

8. STAFF REPORTS

9. BOARD REPORTS

- 1) Councilmember Sorensen
- 2) Councilmember Coleman
- 3) Councilmember Gleason
- 4) Councilmember Grengs
- 5) Mayor Waldron

10. ANNOUNCEMENTS

11. ADJOURN REGULAR MEETINGOFFICE OF THE CITY ADMINISTRATOR

Shane Fineran

Work Session: Retail Cannabis Registration Authority

UPCOMING CALENDAR OF EVENTS/MEETINGS:

Park Board - September 19th at 6:30 p.m.
Planning Commission - October 3rd at 6:30 p.m.
City Council - September 7th at 6:00 p.m.



REQUEST FOR CITY COUNCIL ACTION

Meeting Date:		September 16, 2024					
Item Name:		Approve City Council Minutes September 3, 2024					
Originating Department:		Administration					
Presented by:		Sue Schwalbe					
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 the September 3, 2024 Council Minutes							
EXPLANATION OF AGENDA ITEM <i>(Include a description of background, benefits, and recommendations.)</i>							
Approve City Council Minutes of September 3, 2024.							
<u>Attachments:</u>							
1. September 3, 2024 City Council Minutes							
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 3, 2024**

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

Pursuant to due call and notice thereof, the regular meeting of the Waconia City Council was called to order by Mayor Waldron at 6:00 p.m.

The following Council Members were present: Nicole Waldron, Nick Gleason, Randy Sorensen, Jeff Grengs, and Jacob Coleman

The following staff were present: Shane Fineran, Jackie Schulze, Nicole Meyer, Justin Sorensen, Nevin Waldron, Jon Haukaas, Lane Braaten, Jake Saulsbury of Bolton & Menk, and City Attorney Kelly Dohn.

2) **PLEDGE OF ALLEGIANCE**

3) **ADOPT AGENDA**

Motion by Sorensen second by Grengs to adopt the agenda as published.

MOTION CARRIED

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

Nathan Albee, 134 Stacy Circle. Thanksgiving of last year at 7:01 a.m. he and his family were awakened by three gun blasts from duck hunters. Was questioning the reason why duck hunters on Lake Waconia do not have to follow City noise ordinances.

City Administrator, Shane Fineran explained the entire water body of Lake Waconia is not within City limits and therefore the City's Ordinances do not apply or have jurisdiction over the water body. Most public bodies of water are regulated by the State Department of Natural Resources.

Mayor Waldron directed staff to determine the DNR regulations on noise ordinances and to forward that information to Nathan Albee.

5) **ADOPT CONSENT AGENDA**

5.1 Approve City Council Minutes July 15, 2024

[Cover Page](#)

[August 19, 2024 City Council Minutes](#)

5.2 Approve September 3, 2024 Expenditures

[Cover Page](#)

[Council List Expenditures 09-03-2024](#)

- 5.3 Approve Lodging Tax Fund Request - Waconia CVB

[Cover Page](#)

- 5.4 Approve Kraus-Anderson Construction Pay Request #23 for the New Fire Station

[Cover Page](#)

[Pay Request #23 for Fire Station from Kraus-Anderson](#)

- 5.5 Contractor Pay Request #4 - Waconia Downtown Reconstruction - Phase 2

[Cover Page](#)

[Pay Request #4 with Wm Mueller & Sons for Downtown Reconstruction Phase 2](#)

- 5.6 Authorizing Approval of Sale or Disposal of Surplus Equipment

[Cover Page](#)

[Resolution No. 2024-183 Approving Surplus Equipment And Sale](#)

- 5.7 Contract for Infield Repairs of Brook Peterson Fields 1-4

[Cover Page](#)

[Resolution No. 2024-184 Authorizing Brook Peterson Fields 1-4 Grading and Repair Contract](#)

[03-03-2024 Cost Estimate from Professional Turf & Restoration](#)

- 5.8 Extension of Subdivision Regulations - 9550 Little Avenue, 9780 Little Avenue, 10080 Little Avenue - M/I Homes of Minneapolis, LLC & Pulte Group

[Cover Page](#)

[Resolution No. 2024-185 Extending the Application Subdivision Regulations to Property Outside the Corporate City Limits](#)

[Location Map](#)

- 5.9 Approve Temporary On-Sale Liquor License for Lake Country Libare Distilling LLC dba J. Carver Distillery

Cover Page

Resolution No. 2024-186 Approving Temporary On-Sale Liquor License for J Carver Distillery

5.10 Special Event - Bode Grays Nickle Dickle Day Block Party

Cover Page

Resolution No. 2024-187 Approving Special Event and Noise Permit for Bode Grays

Special Event Permit Application - Bode Gray, Nickle Dickle Day

5.11 Special Event Permit - Waconia Brewing Company 10-year anniversary

Cover Page

Resolution No. 2024-188 Approving Special Event and Noise Permit for Waconia Brewing Company

Special Event Permit Application for Waconia Brewing Company

5.12 Calling for Public Hearing to Consider the Establishment of TIF District #6

Cover Page

Resolution No. 2024-189 Calling For a Public Hearing Adoption of Modification to Development Program for the Waconia Development District

2nd St Redevelopment Map

Motion by Sorensen second by Coleman to adopt the Consent Agenda as published.

MOTION CARRIED

6) COUNCIL BUSINESS

6.1 Approve Waconia Works Loan for The Short Cut Salon, Inc.

Cover Page

Resolution No. 2024-190 Approving Waconia Works Loan for the Short Cut Salon Inc.

Finance Director Nicole Meyer stated the City received an application for the Waconia Works Loan program from The Short Cut Salon. The owners are requesting a five-year

loan totaling \$20,000 for reroof replacement at 132 West Main Street. The total roof cost is estimated to be \$30,000 and the owners will make a cash contribution of \$10,000.

The total loan amount of \$20,000 will be amortized over a five-year period with a 2% interest rate. Monthly payments will begin on November 1, 2024.

Motion by Gleason second by Coleman to adopt Resolution No. 2024-190 Approving Waconia Works Loan for the Short Cut Salon Inc.

MOTION CARRIED

6.2 Accepting the Feasibility Report for the Southeast Area Growth Study

Cover Page

Resolution No. 2024-191 Accepting Feasibility Study Report

East Area Development Feasibility Study

Jake Saulsbury, City Engineer, stated on August 5, 2024, Council reviewed an advanced overview of the two improvement areas. The City Engineer then finalized the draft and prepared the Feasibility Report for acceptance. Staff is recommending acceptance of the Feasibility Report noting the conceptual layouts and preliminary costs associated for expansion of infrastructure to these areas.

Motion by Grengs second by Gleason to adopt Resolution No. 2024-191 Accepting the Feasibility Study Report

MOTION CARRIED

7) ITEMS REMOVED FROM CONSENT AGENDA

NONE

8) STAFF REPORTS

NONE

9) BOARD REPORTS

Sorenson: Nothing to report

Coleman: Nothing to report

Gleason: Nothing to report

Grengs: Will be attending the Planning Commission Meeting on September 5th.

Waldron: Attended the Candidate Luncheon hosted by the Waconia Chamber of Commerce.

10) ANNOUNCEMENTS

Assistant City Administrator Jackie Schulze reminded Council and residents of early voting. All early voting takes place at City Hall:

Early voting beginnings Friday, September 20th and runs through Monday November 4th Mondays through Thursdays City Hall will be open 7:30 am to 4:30 pm and on Fridays from 7:30 am to 11:30 am.

Also, residents can early vote the following weekend dates at City Hall:

Saturday, October 26 from 9:00 am to 3:00 p.m.

Saturday, November 2 from 9:00 am to 3:00 pm

Sunday, November 3 from 9:00 am to 3:00 pm

City Administrator, Shane Fineran stated Nickle Dickle Day is Saturday, September 14th a great community event sponsored by the Waconia Chamber of Commerce and encourages all to participate and celebrate the community.

Fineran also reminded residents the storm debris drop-off site is closed; however visit the City of Waconia website for the 2024 Yard Waste Schedule.

Mayor Waldron thanked all city staff for their hard work in cleaning the streets and neighborhoods. As a community, this makes us appreciate where we live and who we live next to.

11) **ADJOURN REGULAR MEETING**

Motion by Grengs second by Gleason to adjourn the September 3, 2024, City Council meeting at 6:40 p.m.

MOTION CARRIED

Nicole Waldron, Mayor

ATTEST: _____

Sue Schwalbe, Administrative Specialist



REQUEST FOR CITY COUNCIL ACTION

Meeting Date:		September 16, 2024					
Item Name:		Approve September 16, 2024 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>							
Motion to Approve Payment of September 16, 2024 Expenditures							
EXPLANATION OF AGENDA ITEM <i>(Include a description of background, benefits, and recommendations.)</i>							
Attached is the claim and disbursements register for the City of Waconia as of September 16, 2024. Payments are made to vendors via check, electric payment, and through the City's purchasing card program.							
<u>Attachments:</u>							
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			



REQUEST FOR CITY COUNCIL ACTION

Meeting Date:		September 16, 2024					
Item Name:		Approve Rink Management Services Corporation Safari Island Community Center Expenditures Incurred August 2024					
Originating Department:		Finance					
Presented by:		Amanda Ortloff					
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 2024							
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 2024. 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.							
<u>Attachments:</u>							
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			



REQUEST FOR CITY COUNCIL ACTION

Meeting Date:		September 16, 2024					
Item Name:		Approve Rink Management Services Corporation Waconia Ice Arena Expenditures Incurred August 2024					
Originating Department:		Finance					
Presented by:		Amanda Ortloff					
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 2024							
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 2024. 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>							
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			



REQUEST FOR CITY COUNCIL ACTION

Meeting Date:		September 16, 2024					
Item Name:		Approve Kraus-Anderson Construction Pay Request #24 for the New Fire Station					
Originating Department:		Finance					
Presented by:		Amanda Ortloff					
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 Kraus-Anderson Construction Pay Request #24 for the New Fire Station Project							
EXPLANATION OF AGENDA ITEM <i>(Include a description of background, benefits, and recommendations.)</i>							
Kraus-Anderson Construction Co. has reviewed the contractor pay request #24 for the new fire station project. The contractors requesting payment are as follows: Ebert Construction \$84,176.22 Wells Concrete Products Company \$62,817.28 A.M.E Construction Corp \$6,573.06 Central Roofing Company \$10,742.20 Yale Mechanical \$91,075.06 RTL Construction, Inc. \$22,559.37 Superset Tile & Stone, LLC \$1,900.00 MCI Inc. \$3,622.35 Wasche Commercial Finishes, Inc. \$627.00 Summit Fire Protection Co. \$4,764.00 Sentra-Sota Sheet Metal, Inc. \$3,106.50 Parker Contracting, LLC \$38,480.05 Peterson Companies, Inc. \$81,680.65 The total amount of the contractor payments for this request is \$412,123.74. Retainage remains due for each contractor until the project is complete and upon review of liquidated damages.							
<u>Attachments:</u>							
FINANCIAL IMPLICATIONS:				ADVISORY BOARD RECOMMENDATIONS:			
Funding Sources & Uses:							
PIR							
Budget Information: ☒ X Budgeted ☐ Non Budgeted ☐ Amendment Required				Planning Commission			
				Parks and Recreation Board			
				Safari Island Advisory Board			
				Other			



REQUEST FOR CITY COUNCIL ACTION

Meeting Date:		September 16, 2024					
Item Name:		Approve Kraus-Anderson Contractor Pay Request for the New Fire Station					
Originating Department:		Finance					
Presented by:		Amanda Ortloff					
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 Contractor Payment Request with Kraus Anderson for the New Fire Station Project							
EXPLANATION OF AGENDA ITEM <i>(Include a description of background, benefits, and recommendations.)</i>							
Kraus-Anderson Construction Co. has requested payment in the amount of \$1,272.02 for construction management services through August 31, 2024.							
<u>Attachments:</u>							
FINANCIAL IMPLICATIONS:				ADVISORY BOARD RECOMMENDATIONS:			
Funding Sources & Uses: PIR Fund							
Budget Information: ☒ X Budgeted ☐ Non Budgeted ☐ Amendment Required				Planning Commission			
				Parks and Recreation Board			
				Safari Island Advisory Board			
				Other			



REQUEST FOR CITY COUNCIL ACTION

Meeting Date:	September 16, 2024					
Item Name:	Request for Qualifications for City Insurance Agent for Property/Liability and Workers' Compensation					
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 (Include motion in proper format.)						
Adopt Resolution No. 2024-192 Authorizing Request for Qualifications for City Insurance Agent						
EXPLANATION OF AGENDA ITEM (Include a description of background, benefits, and recommendations.)						
Earlier this year, the City Council stated they would like to see the City issue a request for qualifications for a City insurance agent to help manage the City's workers' compensation and property/liability programs through the League of Minnesota Cities Insurance Trust. At the direction of the City Council, City staff created a request for qualifications for insurance agent services. The request contains the parameters and service needs required by the City. The request includes a worksheet to be completed and returned to City staff by October 14, 2024. The request and application forms will be mailed to insurance agencies in the Waconia area. The request and application will also be posted to the City's website for review by any party that provides these services. Following receipt of applications, City staff will review and potentially conduct interviews, and make a recommendation to the City Council on an insurance agent later this year. Attachments: 1. Resolution No. 2024-192 Authorizing Staff Obtain Quotes for Insurance Agent 2. RFQ Insurance Broker Services 3. Broker Information Proposal Response Form						
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. 2024-192**

**RESOLUTION AUTHORIZING STAFF TO OBTAIN QUOTES
FOR INSURANCE SERVICES FOR PROPERTY, LIABILITY,
AUTO, & WORKERS' COMPENSATION AGENT**

WHEREAS, the City annually appoints an insurance agent;

WHEREAS, several years ago, the City's long-time agent retired and services were transferred to the City's current agent; and

WHEREAS, in 2023, the City Council requested staff issue an RFQ for the City's 2025 agent, since it has been many years since the City had done so; and

NOW, THEREFORE, BE IT RESOLVED that, the City Council hereby authorizes the Request for Qualifications for insurance agents.

Adopted by the City Council of the City of Waconia this 16th day of September 2024.

Nicole Waldron, Mayor

Attest: _____
Jackie Schulze, Assistant City Administrator



City of Waconia REQUEST FOR QUALIFICATIONS

Insurance Broker Services: Property/Casualty, General Liability, & Workers' Compensation

Issued September 17, 2024

- I. Purpose of Solicitation
The City of Waconia ("the City") is requesting quotes from qualified individuals or agencies to serve as an Insurance Broker for their insurance program, including, but not limited to, property/casualty, general liability, auto, and workers' compensation insurance policies. The City of Waconia is a member of the League of Minnesota Cities Insurance Trust (LMCIT). LMCIT is a cooperative joint-powers organization and member premiums contribute to a jointly owned fund. The money in the fund is used to pay members' claims, losses, and expenses. The types of professional services requested in the Request for Qualifications (RFQ) are detailed in the scope of services.
- II. Scope of Services
The broker will coordinate the City's efforts in maintaining appropriate commercial insurance coverage based on the City's needs in the areas of property, general liability, auto, and workers' compensation insurance, including, but not limited to:
 - a. Advise and assist the City in accurately reporting underwriting data for renewal and rating purposes

City Hall
201 South Vine Street
Waconia, MN 55387
952-442-2184

Public Services
310 10th Street East
Waconia, MN 55387
952-442-2615

Fire Station
10451 10th Street W.
Waconia, MN 55387
952-442-2316

Safari Island Community Center
1600 Community Drive
Waconia, MN 55387
952-442-0695

Ice Arena
1250 Oak Avenue
Waconia, MN 55387
952-442-RINK (7465)

- b. Assist the City in evaluating and selecting coverage alternatives such as deductibles, limits, optional coverage, and alternative coverage forms.
- c. Review coverage documents and invoices to ensure that coverage has been correctly issued and billed.
- d. Advise the City on potential gaps or overlaps in coverage.
- e. Review loss experience reports for correct reporting and appropriateness of reserves every three (3) months.
- f. Be readily available to provide occasional and casual advisory services as part of the quoted fee.
- g. Partnering with the insurance agency, assist the City in identifying risk exposures and developing appropriate strategies to address those exposures.
- h. Meet with City representative every six months to review claims, changes in the insurance industry, and other issues deemed to be relevant.
- i. Services claims and audits for policies covered under this agreement.
- j. Add new automobiles and properties in a timely manner, as part of the quoted fee. Produce ID cards and certificates of insurance as requested in a timely manner, and upon insurance renewal.

III. Rights

The City reserves the right to reject any or all proposals or parts of proposals, to accept parts of proposals, and to make final decisions based on considerations other than lower cost. The City also reserves the right to request additional information concerning any proposal for purposes of clarification, to accept or negotiate any modification to any proposal, and to waive irregularities in proposals, if it would serve in the best interests of the City. Any contract arising out of this RFQ is subject to final approval by the City Council.

IV. Period of Service

It is the City's desire to retain the services of the selected Broker for a minimum of three years, with annual extensions available as agreed between parties. The services will begin upon contract agreement.

V. Termination/Cancellation

This agreement may be terminated by the City for any reason or for convenience upon giving thirty (30) days written notice to the Consultant.

VI. Confidentiality

All documents, materials, and information supplied by and to the City are subject to the Minnesota Government Data Practices Act. That act provides that all data collected, created, received, maintained, or disseminated by the City shall be public unless otherwise classified and protected from disclosure by law.

By delivering information to the City, the respondent represents that it has reviewed, to the extent it deems appropriate, and understands the provisions of the act. The respondent further acknowledges that the City has no right to withhold disclosure of public data. All data provided by the respondent deemed "CONFIDENTIAL" shall be so marked. If a request to disclose of such document is

made, the City will notify the respondent of such request. The City does not undertake to defend any action to require the disclosure of such information.

VII. Rejection

The City reserves the right to reject any and all proposals if the information is incomplete and does not address all the required items.

VIII. Proposal Evaluation

Selection of the Broker will be based on the following criteria (not necessarily in order of importance):

1. Expertise and experience in providing insurance brokerage services with Minnesota cities.
2. Qualifications of personnel in then area of property and casualty, liability, and workers' compensation insurance.
3. References from public sector entities or clients which are comparable to the City.
4. Proximity of insurance broker to Waconia
5. Ability to respond efficiently to the request for services.
6. Quality of the broker's proposal including RFQ for insurance, responsiveness, and adequacy of information provided.
7. Support services available (loss control, claims, claim reports)
8. Fee/payment structure to service this account.
9. Interview responses, if applicable.

IX. Hold Harmless

The Insurance Broker shall agree to defend, indemnify, release, and hold the City's harmless from any and all claims or lawsuits that may arise from the Insurance Broker's activities under provisions of this contract.

X. Assignability

The Insurance Broker shall not assign any interest in the contract, and shall not transfer any interest in the same, whether by assignment or novation, without prior written approval of the City.

XI. RFQ Timeline

Date	Description
September 17, 2024	City Issues RFQ
October 14, 2024 at 4:00 PM	Responses Due
Week of November 12	Interviews with Finalists, if applicable
Week of November 27	Final Selection/Notification
January 6, 2025	Formal Appointment by City Council

The RFQ schedule is intended as a guideline for planning purposes. While dates may vary, according to management and administrative needs, in no event will the deadline for proposal submittal be modified.

XII. Requirements of Proposals

1. Complete the Broker/Agency Information Proposal Response Form in the attachments
2. Proposals shall include an explanation of all costs.
3. Fixed fee proposal, percentage of total premiums, optional fee arrangements such as commission basis will be considered
4. All proposals shall be in writing
5. Three (3) references are required, with preference of at least one being a public entity, if possible.

XIII. Process & Basis for Selection

One copy of your response to this Request for Qualifications (the RFQ) must be completed, labeled "Insurance Broker Services RFQ" and returned no later than 4:00 pm on October 14, 2024 to the City to:

Jackie Schulze
City of Waconia
201 South Vine Street
Waconia, MN 55387

Additionally, one copy shall be emailed electronically to jschulze@waconia.org with the subject "Insurance Broker RFQ".

A team of City staff will review the responses and select brokers for potential interviews based on qualifications. The interviews will be tentatively scheduled for the week of November 12, 2024. The selection team will recommend one broker that best fit the City's needs and who have agreed to accept the terms of the City's contract. The City seeks services for a three-year period of time, with the option to automatically renew for an additional two years.

The current policy has an expiration date of May 30, 2024. At the appropriate time, the selected agency will be supplied with a broker of record for the existing insurers.

Broker/Agency Information Proposal Response Form

Broker/Agency Information

Name:

Address:

Telephone:

Check One: ☐ Broker ☐ Independent Agent ☐ Direct Writer

Licensed in MN: ☐ Yes ☐ No

Name of Primary Account Executive:

Name of Primary Assistant:

Locations of branch offices/affiliates that would assist in servicing the City of Waconia:

Number and Names of Minnesota Cities served:

Number and Names of Minnesota public entities served:

Fees

Describe the method by which the fees and expenses to the broker are calculated and paid by the insurance company. If services are to be paid on a commission basis, please indicate commission structure.

What services would you classify within the fee income and what services would you classify outside the fee income? List your fees for any additional services which may exceed the scope of duties and responsibilities contemplated within the fees.

Describe the agency's Errors and Omissions limits:

Qualifications- Primary Account Executive

Primary Account Executive for this account:

Length of time with Agency/Company:

Length of Career in Insurance or Risk Management:

Professional/Association Designations:

Number of Public Entity Clients	#	Number of Other Clients	#
Property		Property	
Liability		Liability	
Automobile		Automobile	
Workers' Compensation		Workers' Compensation	

Work history includes experience in (check all that apply):

- | | |
|---|--|
| ☐ Commercial Underwriting | ☐ Personal Lines Underwriting |
| ☐ Commercial Claims | ☐ Risk Management |
| ☐ Agency Account Servicing | ☐ Agency Marketing |

Qualifications- Primary Assistant

Primary Assistant for this account:

Length of time with Agency/Company:

Length of Career in Insurance or Risk Management:

Professional/Association Designations:

Number of Public Entity Clients	#	Number of Other Clients	#
Property		Property	
Liability		Liability	
Automobile		Automobile	
Workers' Compensation		Workers' Compensation	

Work history includes experience in (check all that apply):

- | | |
|---|--|
| ☐ Commercial Underwriting | ☐ Personal Lines Underwriting |
| ☐ Commercial Claims | ☐ Risk Management |
| ☐ Agency Account Servicing | ☐ Agency Marketing |

ANY CORPORATE RELATIONSHIP BETWEEN BROKER/AGENT AND INSURER SHALL BE FULLY DIVULGED.

Questions

Provide a brief history of your agency and your agency's overall capabilities. Elaborate on experience with public entities and/or Minnesota Cities.

Please describe how claims are handled and your role in assisting the City with keeping the cost of premiums and claims down.

What type of services will your agency provide and how do they differentiate your agency from others?

References- Provide three (3) references from present and/or recent clients. If you work with any public entities, please include those. Include name, phone number, email address, and Account Executive.



REQUEST FOR CITY COUNCIL ACTION

Meeting Date:		September 16, 2024					
Item Name:		Contract with Suburban Waste Services for Garbage and Recycling Services					
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 No. 2024-193 Authorizing Contract with Suburban Waste Services beginning October 1, 2024							
EXPLANATION OF AGENDA ITEM <i>(Include a description of background, benefits, and recommendations.)</i>							
The City currently contracts with Waste Management for sanitation hauling of City facilities (City Hall, Library, Public Services). The City is working under an expired contract where the City pays no monthly fees for services at these facilities. However, in 2024, the City was being charged overage and contamination fees through Waste Management. Staff reached out and met with Waste Management, who stated that we needed to start working under a new contract where we pay for our services. This led staff to obtain quotes from both Waste Management and Suburban Waste Services for service for City facilities. Waste Management and Suburban Waste both provided quotes for services for garbage and recycling hauling at the various City facilities. The total quote from Suburban Waste Services was \$16,505.28 annually. Waste Management quotes were approximately \$9,000 per year, however Waste Management did not include the 17% required MSW tax or the monthly fuel/environmental fees, which fluctuate weekly. Waste Management also specifically stated that rates can change rates at anytime throughout the year, in addition to continuing to charge overage charges and contamination fees, plus initial set up charges close to \$1000. With Waste Management, the City has incurred multiple months with overage charges between \$250 and \$450. Suburban Waste has agreed to set fees with no increases through 2025, in addition to an 8% rate cap for increases for 2026. Also, no overage fees, contamination charges, or initial set up charges. Suburban Waste is active in the Waconia Chamber of Commerce and easily reachable for questions or concerns as it was difficult reaching an account representative at Waste Management. Staff recommends authorizing a contract with Suburban Waste Services for garbage and recycling hauling at the City facilities beginning October 1, 2024. This will allow staff to accurately budget for sanitation expenses and eliminate the inconsistent monthly billing the City has been receiving.							
<u>Attachments:</u>							
1. Resolution No. 2024-193 Authorizing Contract with Suburban Waste for Garbage and Recycling 2. Library Quote 3. City Hall Quote 4. Public Services Quote 5. Fire Station Quote							
FINANCIAL IMPLICATIONS:				ADVISORY BOARD RECOMMENDATIONS:			
Funding Sources & Uses:							
Budget Information:				Planning Commission			
_____ Budgeted				Parks and Recreation Board			

_____ Non Budgeted _____ Amendment Required	Safari Island Advisory Board	
	Other	

**CITY OF WACONIA
RESOLUTION NO. 2024-193**

**RESOLUTION TO
AUTHORIZE CONTRACT WITH
SUBURBAN WASTE FOR GARBAGE AND
RECYCLING SERVICES AT CITY FACILITIES**

WHEREAS, the City recently received quotes from garbage and recycling haulers to provide services to City facilities;

WHEREAS, after evaluating quotes, the City recommends working with Suburban Waste Services for these services; and

WHEREAS, Suburban Waste Services has agreed to provide recycling and garbage services to the Fire Station, Public Services Facility, City Hall, and Library for an annual cost of \$16,505; and

WHEREAS, Suburban Waste Services will not charge any contamination fees, overage charges, or initial set up fees and has agreed to a rate lock through 2025 and an 8% rate cap for 2026; and

NOW, THEREFORE, BE IT RESOLVED that, the City Council hereby authorizes the contract with Suburban Waste Services.

Adopted by the City Council of the City of Waconia this 16th day of September, 2024.

Nicole Waldron, Mayor

Attest: _____
Jackie Schulze, Assistant City Administrator



Suburban Waste Services

August 23, 2024

Jackie Schulze – City of Waconia
201 S Vine St.
Waconia, MN 55387

Jackie,

Thank you for allowing **Suburban Waste Services** this opportunity to work for you at the **library**, located at **217 South Vine Street**. **SWS**, a local, hometown garbage hauler, which is family owned based in Savage 17 years strong, is pleased to propose the following for your consideration to review.

(The following is Base Rates for service)

- | | |
|--|----------|
| • 1-2 yard - Trash, 1x Weekly service | \$ 94.00 |
| • 1-2 yard – Commingled Recycling 1x/ Wk. | \$ 50.00 |

Since this location is in Carver County, your account is assessed a MSW state (17%) tax. (This is applied to your monthly bill.) Including the MSW taxes and our Monthly Variable fuel/environmental fee, the **total estimated monthly charge for services is as follows:**

- | | |
|---|------------------|
| • 1-2 yard - Trash, 1x Weekly service | \$ 129.77 |
| • 1-2 yard – Commingled Recycling 1x/ Wk. | <u>\$ 59.00</u> |
| Total estimated monthly invoice with all fees: | \$ 188.77 |

Suburban Waste Services does not charge rental for containers, delivery charges or extra admin fees to proudly work for you.

Thank you for your consideration of our services. Please let me know if you have any questions or how you want to proceed, if appropriate. Please feel free to call me at 612-308-7302 (cell) or 952-937-8900 (office).

Sincerely,

Suburban Waste Services
Gregory C. Sandberg
Sales Account Executive



Suburban Waste Services

August 23, 2024

Jackie Schulze – City of Waconia
201 S Vine St.
Waconia, MN 55387

Jackie,

Thank you for allowing **Suburban Waste Services** this opportunity to work for you at **City Hall**, located at **201 South Vine Street**. **SWS**, a local, hometown garbage hauler, which is family owned based in Savage 17 years strong, is pleased to propose the following for your consideration to review.

(The following is Base Rates for service)

- | | |
|--|--------------|
| • 1-2 yard - Trash, 1x Weekly service | \$ 94.00 |
| • 1-2 yard – Commingled Recycling 1x/ Wk. | \$ 50.00 |
| • 1-96- and 35-gallon Trash carts (on site use only) | \$ no charge |
| • 2 - 35-gallon Recycling carts (on site use only) | \$ no charge |

Since this location is in Carver County, your account is assessed a MSW state (17%) tax. (This is applied to your monthly bill.) Including the MSW taxes and our Monthly Variable fuel/environmental fee, the **total estimated monthly charge for services is as follows:**

- | | |
|---|---------------------|
| • 1-2 yard - Trash, 1x Weekly service | \$ 130.87 |
| • 1-2 yard – Commingled Recycling 1x/ Wk. | \$ 59.00 |
| • 1-96- and 35-gallon Trash carts (on site use only) | \$ no charge |
| • 2 - 35-gallon Recycling carts (on site use only) | <u>\$ no charge</u> |
| Total estimated monthly invoice with all fees: | \$ 188.77 |

Suburban Waste Services does not charge rental for containers, delivery charges or extra admin fees to proudly work for you.

Thank you for your consideration of our services. Please let me know if you have any questions or how you want to proceed, if appropriate. Please feel free to call me at 612-308-7302 (cell) or 952-937-8900 (office).

Sincerely,

Suburban Waste Services
Gregory C. Sandberg
Sales Account Executive



Suburban Waste Services

August 23, 2024

Jackie Schulze – City of Waconia
201 S Vine St.
Waconia, MN 55387

Jackie,

Thank you for allowing **Suburban Waste Services** this opportunity to work for you at the **Public Services complex** located at **310 10th Street East**. SWS, a local, hometown garbage hauler, which is family owned based in Savage 17 years strong, is pleased to propose the following for your consideration to review.

(The following is Base Rates for service)

- | | |
|--|-----------|
| • 1-6 yard - Trash, 2x Weekly service | \$ 335.00 |
| • 1-6 yard – Commingled Recycling 1x/ Wk. | \$ 77.20 |
| • 2-2 yard - Trash, 2x Weekly service | \$ 231.40 |

Since this location is in Carver County, your account is assessed a MSW state (17%) tax. (This is applied to your monthly bill.) Including the MSW taxes and our Monthly Variable fuel/environmental fee, the **total estimated monthly charge for services is as follows:**

- | | |
|---|------------------|
| • 1-6 yard - Trash, 2x Weekly service | \$ 462.50 |
| • 1-6 yard – Commingled Recycling 1x/ Wk. | \$ 91.09 |
| • 2-2 yard - Trash, 2x Weekly service | <u>\$ 319.47</u> |
| Total estimated monthly invoice with all fees: | \$ 872.06 |

Suburban Waste Services does not charge rental for containers, delivery charges or extra admin fees to proudly work for you.

Thank you for your consideration of our services. Please let me know if you have any questions or how you want to proceed, if appropriate. Please feel free to call me at 612-308-7302 (cell) or 952-937-8900 (office).

Sincerely,

Suburban Waste Services
Gregory C. Sandberg
Sales Account Executive



Suburban Waste Services

August 26, 2024

Jackie Schulze – City of Waconia
201 S Vine St.
Waconia, MN 55387

Jackie,

Thank you for allowing **Suburban Waste Services** this opportunity to work for you at the **Waconia Fire Station**, located at **10451 10th Street East**. **Suburban Waste Services** is a local, hometown garbage hauler, which is family owned based in Savage 17 years strong. **Suburban Waste Services** is pleased to propose the following for your consideration to review.

(The following is Base Rates for service)

- 1-2 yard - Trash, **Every other week** service \$ 57.69
- 1-2 yard – Commingled Recycling **EOW** \$ 40.00

Since your business is in Carver County, your account is assessed a MSW state (17%) tax. (This is applied to your monthly bill.) Including the MSW taxes and our Monthly Variable fuel/environmental fee, the **total estimated monthly charge for services is as follows:**

- 1-2 yard - Trash, **Every other week** service \$ 79.64
- 1-2 yard – Commingled Recycling **EOW** \$ 47.20
- Total estimated monthly invoice with all fees: \$ 125.84**

Suburban Waste Services does not charge rental for containers, delivery charges or extra admin fees to proudly work for you.

Thank you for your consideration of our services. Please let me know if you have any questions or how you want to proceed, if appropriate. Please feel free to call me at 612-308-7302 (cell) or 952-937-8900 (office).

Sincerely,

Suburban Waste Services
Gregory C. Sandberg
Sales Account Executive



REQUEST FOR CITY COUNCIL ACTION

Meeting Date:		September 16, 2024					
Item Name:		Authorize Contract for Fuel Island Concrete Pavement Replacement					
Originating Department:		Public Services					
Presented by:		Jon Haukaas					
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. 2024-194 Authorizing a Contract for the Replacement for Fuel Island Concrete Pavement.							
EXPLANATION OF AGENDA ITEM <i>(Include a description of background, benefits, and recommendations.)</i>							
Over time, the concrete pavement surrounding the fuel island at the Public Services Facility has settled and cracked.. This has resulted in the manways and lids no longer sitting flush with the surface. The issues stemming from this include being hit during plowing operations and not draining properly. The slabs hold water which in turn drains into the filler area. Water must be pumped out after every rain storm to meet our regulatory and safety requirements. The service provider for our fuel system has provided the attached quote to replace the concrete slabs, manways, and 'spiller' appurtenances. Demolition of the old pavements, additional replacement base material, electrical connection of monitoring devices or other power, and repaving of the surrounding asphalt will be performed by city staff This is a 'sole source' acquisition due to the specialized nature of the work and the ongoing contractual relationship with the fuel island service provider. The work will be funded using the remaining funds of approximately \$50,000 in the Street Operating budget identified for Parking Lot Improvements within the Sealcoat line item. The work can be completed in approximately one week during which the pumps will not be available. Fuel will be obtained commercially at a local station.							
Attachments:							
1. Resolution No. 2024-194 Contract Replacement of Fuel Island Concrete Pavement 2. Pump and Meter Service Inc. Proposal 3. Public Services Facility Fuel Island Concrete Slab							
FINANCIAL IMPLICATIONS:				ADVISORY BOARD RECOMMENDATIONS:			
Funding Sources & Uses:							
Streets Department Operating Budget							
Budget Information:				Planning Commission			
☒ X Budgeted				Parks and Recreation Board			
☐ Non Budgeted				Safari Island Advisory Board			
☐ Amendment Required				Other			

**CITY OF WACONIA
RESOLUTION NO. 2024-194**

**RESOLUTION CONTRACT FOR THE REPLACEMENT OF FUEL ISLAND
CONCRETE PAVEMENT**

WHEREAS, one of the City’s Priorities is to “manage, maintain, and improve our current and future physical assets”; and

WHEREAS, the concrete pavement surrounding the fuel island at the Public Services Facility at 310 10th Street East has settled and cracked over time; and

WHEREAS, the manways and lids no longer sit flush with the surface resulting in being damaged during plowing operations, water draining into the filler area, and necessitating pumping after every rain storm to meet our regulatory and safety requirements; and

WHEREAS, City staff have solicited quotes from the fuel system vendor due to the specialized nature of the work around fuel tanks; and

WHEREAS, sufficient funds remain in the operating budget identified for parking lot repairs to cover the cost of this work; and

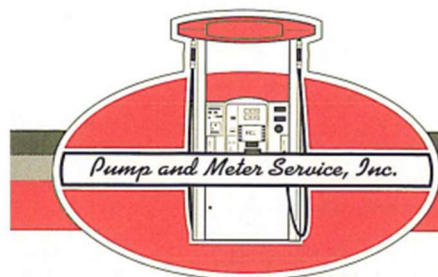
WHEREAS, Staff recommend approval of the contract with Pump & Meter Services, Inc. to provide sole source work for this improvement per the attached quote.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Waconia hereby authorizes City staff to execute a contract with Pump & Meter Services, Inc. for the replacement of the concrete paving and manways at the Public Services Facility in the amount of \$41,492.30.

Adopted by the City Council of the City of Waconia this 16th day of September 2024.

Nicole Waldron, Mayor

Attest: _____
Jackie Schulze, Assistant City Administrator



HOPKINS, MN • EAU CLAIRE, WI • ROCHESTER, MN



DESIGN | ENGINEERING | SALES | PARTS | TRAINING | ONLINE STORE | SERVICE INSTALLATION

HOPKINS CORPORATE OFFICE • 11303 EXCELSIOR BLVD, HOPKINS, MN 55343 • PH: 952-933-4800

To: **Waconia Public Works**
Jon Haukaas
310 10th St E
Waconia, MN 55387-

Job Site: **Waconia Public Works**
310 10th St E
Waconia, MN 55387-
Ph: (952) 442-2615 Fax:

Ph: (952) 442-2615 **Fax:**

Salesman: **Dave Davenport**

Email: jhaukaas@waconia.org

Job Description: New Concrete, Spillers, and Manway Replacement

Installation (Labor & Material)

Seq	Description
1.	Once City removes concrete, bring in pearock to raise elevations. (Pearock by Owner.)
2.	Replace spillers and manways with new.
3.	Square off concrete. Pour 32' x 9', 10' x 24' x 50' x 12'.

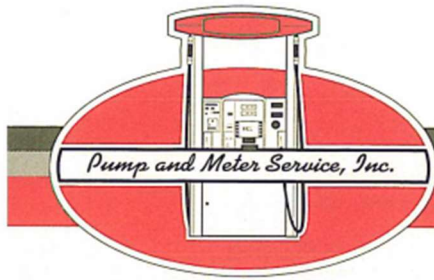
Total Consideration

\$41,492.30

Total Amount

Work Scope Exclusions

Description
* Concrete demo, disposal and pearock by owner.
* Blacktop patching by owner.
* Electrical to be done by others.
* Any underground obstructions encountered such as rock, water, frost, utilities, or excessive caving requiring shoring, would be extra to this proposal and handled on a time and material basis.
* Any backfill soils brought in are by owner
* If the spillers don't spin off. We will have to excavate down to the top of the tanks and remove riser pipes. This is not covered in our proposal and will be billed as an extra.



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DESIGN | ENGINEERING | SALES | PARTS | TRAINING | ONLINE STORE | SERVICE INSTALLATION

HOPKINS CORPORATE OFFICE • 11303 EXCELSIOR BLVD, HOPKINS, MN 55343 • PH: 952-933-4800

Terms

Payment to be made as follows:

30% Down payment required with order – needs to be received for work to commence. Equipment billed upon shipment from factory.
 Installation billed twice monthly on job progression. Net 30 days.
 A finance charge of 1.5% per month (18.0% per annum) will be applied to unpaid balance after 30 days.
 Payments made by credit card will be subject to a 3.0% convenience fee.
 Paying by ACH is an option, call our office for information.

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices.

Authorized Signature: _____

Dave Davenport

Note: This proposal may be withdrawn by us if not accepted within 30 Days

Prepared by: J. Mcfarlin

Acceptance Of Proposal

The above prices, specifications and conditions, including the terms on the reverse side, are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

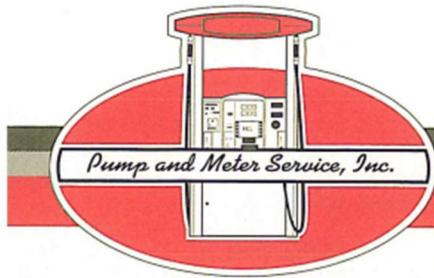
Owner of Job Site: NICOLE WALDRON

Signature: _____

☐ Owner ☐ Tenant ☐ Other

Date of Acceptance: SEPTEMBER 16, 2024

Title: MAYOR, CITY OF WACONA



HOPKINS, MN • EAU CLAIRE, WI • ROCHESTER, MN



DESIGN | ENGINEERING | SALES | PARTS | TRAINING | ONLINE STORE | SERVICE INSTALLATION

HOPKINS CORPORATE OFFICE • 11303 EXCELSIOR BLVD, HOPKINS, MN 55343 • PH: 952-933-4800

1. The Owner/Client hereby warrants and represents to PMSI that he/she has the authority to enter into this Contract and that every person, firm and entity either having an interest in the real property defined herein as the Job Site and whose consent to the Job is required is aware of this Contract and all matters contemplated hereby and has consented thereto.
2. **Delay.** If the job is delayed or postponed due to floods, explosions, strikes, storms, terrorism or other acts of God through no fault of PMSI, Owner/Client shall pay, in addition to the Contract Price, any and all increases in the cost of labor and materials in excess of those in effect on the date of this contract.
3. **Liens. PLEASE TAKE NOTICE THAT:**
 - **ANY PERSONS OR COMPANY SUPPLYING LABOR OR MATERIALS FOR THIS IMPROVEMENT TO YOUR PROPERTY MAY FILE A LIEN AGAINST YOUR PROPERTY IF THAT PERSON OR COMPANY IS NOT PAID FOR THE CONTRIBUTIONS.**
 - **UNDER MINNESOTA LAW YOU HAVE THE RIGHT TO PAY PERSONS WHO SUPPLIED LABOR OR MATERIAL FOR THIS IMPROVEMENT DIRECTLY AND DEDUCT THIS AMOUNT FROM OUR CONTRACT PRICE OR WITHHOLD THE AMOUNTS DUE THEM FROM US UNTIL 120 DAYS AFTER COMPLETION OF THE IMPROVEMENT UNLESS WE GIVE YOU A LIEN WAIVER SIGNED BY PERSONS WHO SUPPLIED ANY LABOR OR MATERIALS FOR THE IMPROVEMENT AND WHO GAVE YOU TIMELY NOTICE.**
4. **Indemnification.** Owner/Client shall indemnify, defend and hold harmless PMSI or any of PMSI's subcontractors from and against any and all claims, damages, losses, and expenses (including attorney's fees) arising out of or resulting from the performance of this contract and related construction project, which are caused in full or in part by or arise from any negligent act(s) or omission(s) of Owner/Client to the fullest extent permitted by law.
5. **Insurance.** The Owner/Client shall purchase and maintain general liability, fire, theft, and casualty insurance, including vandalism to cover the materials, personal property and improvements, and PMSI's operations during the job at the job site. Any loss or damage incurred or suffered by the Owner/Client which arises out of or relates, in any way to PMSI's performance of the job, and whether covered by insurance or not, shall be the sole responsibility of the Owner/Client. PMSI shall maintain liability and workers' compensation insurance in the amount required by law or deemed adequate by PMSI.
6. **Underground Tank.** Upon notification by PMSI, Owner/Client shall be responsible for filling all underground storage tanks with product, or if product is unavailable, water immediately upon PMSI's placement of tanks into excavations. The Owner/Client shall be responsible for any and all damages and losses that may occur due to floating or unstable tanks, if the tanks are not tilled as requested.
7. **Additional Work or Work Stoppage.** If any governmental body or agency requires any other work completed in addition to the contracted job, Owner/Client must pay the cost of such other work in an amount equal to the costs incurred by PMSI plus overhead. If a stop work order is issued, PMSI may remove its equipment from the Job Site. Additional charges will be added to the contract if the Job is recommenced.
8. **Contaminated Soils or Environmental Clean-up.** Any costs generated during underground excavation for environmental clean-up, site assessments, consulting fees, disposal of contaminated soil, etc., are the sole responsibility of the Owner/Client, unless specifically stated otherwise in our proposal.
9. **Underground Hazards.** Any underground obstructions encountered, such as bed rock, water, frost, foundations, non-locatable underground utility lines or excessive caving requiring shoring are not covered, unless specifically agreed to in our proposal.
10. **Partial Completion.** If the job is terminated or postponed for reasons including but not limited to the above and which are not attributable solely to PMSI, the Owner/Client shall pay to PMSI that portion of the Contract Price representing the percentage of the Job completed upon termination or postponement.
11. **Terms of Payment.** Net thirty (30) days unless otherwise stated on Contract. By signing this Contract, the Owner/Client agrees to pay on demand all costs and expenses including legal fees and out-of-pocket expenses incurred in connection with the collection of amounts due under this contract. Interest will be added to unpaid balance at the rate of 1.5% per month (18% per year).
12. **Warranty Exclusions and Liability Limitation.** Owner/Client agrees that it has selected each item of equipment based on its own judgment and hereby disclaims any reliance on statements or representations made by PMSI. PMSI MAKES NO WARRANTY WITH RESPECT TO THE EQUIPMENT, EXPRESS OR IMPLIED, EXCEPT FOR ANY MANUFACTURER'S WARRANTY WHICH SHALL PASS THROUGH TO OWNER/CLIENT AND PMSI EXPRESSLY DISCLAIMS ANY WARRANTY OF MERCHANTABILITY AND OF FITNESS FOR A PARTICULAR PURPOSE. Any Equipment sold hereunder and not covered by a manufacturer's warranty is accepted by Owner/Client "AS-IS, Where-IS," and "with all faults." PMSI further disclaims and Owner/Client waives any claim for consequential damages arising out of the use of or inability to use the Equipment. PMSI's liability hereunder for any claim alleged by Owner/Client shall be expressly limited to a measure of damages equivalent to Owner/Client's return of Equipment sold hereunder and PMSI's refund to Owner/Client of the purchase price. Owner/Client agrees that the damages referred to in the preceding sentence shall be its sole and exclusive remedy for any breach or negligence of PMSI. Owner/Client hereby waives and releases PMSI from any and all liability whatsoever relating to Equipment failure or nonperformance caused by or resulting from software or programming issues. In the event any legal action is commenced regarding this contract and the work related thereto, PMSI shall be entitled to recover its attorney's fees and costs from Owner/Client.
13. **Security Interest.** To secure full and prompt payment for the equipment sold herein Owner/Client hereby grants to PMSI a purchase money security interest in and to all of Owner/Client's right, title and interest in and to the equipment described and sold herein wherever located (collectively, the "Collateral"). Owner/Client acknowledges that PMSI may file a UCC-1 Financing Statement and shall release or terminate same upon receipt of full payment for Collateral.





REQUEST FOR CITY COUNCIL ACTION

Meeting Date:		September 16, 2024					
Item Name:		Authorize Acquisition of Tire Changer Machine					
Originating Department:		Public Services					
Presented by:		Jon Haukaas					
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. 2024-195 Authorizing Acquisition of a Tire Changer Machine							
EXPLANATION OF AGENDA ITEM <i>(Include a description of background, benefits, and recommendations.)</i>							
In the 2024 Capital Improvement Plan as Project 783, is the replacement of a tire changing machine. The replacement equipment improves safety of replacing tires on wheel rims by automating the majority of the lifting and physical prying movements that have the highest degree of injury related to this work. The equipment can service all tires ranging in size from those on our medium duty (one ton) class of truck all the way down to small trailer or mower tires. A review of the frequency versus cost to purchase a machine sized to also do this work for heavy equipment such as large dump trucks and loaders, led staff to determine that it be more economical to contract this work. All quoted equipment has been competitively bid and competitively awarded on Minnesota State Contract # Contract # 227911. This is guaranteed best government pricing. The purchase also includes delivery and training.							
<u>Attachments:</u> 1. Resolution No. 2024-195 Authorizing Contract for Tire Replacement Machine 2. Mohawk Lifts Quote 08-15-24							
FINANCIAL IMPLICATIONS:				ADVISORY BOARD RECOMMENDATIONS:			
Funding Sources & Uses:							
Capital Improvement Cash							
Budget Information:				Planning Commission			
☒ X Budgeted				Parks and Recreation Board			
☐ Non Budgeted				Safari Island Advisory Board			
☐ Amendment Required				Other			

**CITY OF WACONIA
RESOLUTION NO. 2024-195**

RESOLUTION CONTRACT FOR A TIRE REPLACEMENT MACHINE

WHEREAS, one of the City’s Priorities is to “manage, maintain, and improve our current and future physical assets”; and

WHEREAS, a duty of our mechanics includes replacement of tires on vehicles and equipment which has also resulted in past back injuries stemming from that work; and

WHEREAS, the existing equipment is beyond its useful life and lacks many modern safety features; and

WHEREAS, the city staff have solicited quotes through the Minnesota State Cooperative Purchasing Contracting system to guarantee best government pricing; and

WHEREAS, this replacement was included in the 2024 Capital Equipment replacement plan with adequate funds to cover the cost; and

WHEREAS, Staff recommend approval of the acquisition of the equipment per the attached quote.

NOW, THEREFORE, BE IT RESOLVED That the City Council of the City of Waconia hereby authorizes acquisition of the tire changing machine from Mohawk Lifts in the amount of \$25,775.99.

Adopted by the City Council of the City of Waconia this 16th day of September, 2024.

Nicole Waldron, Mayor

Attest: _____
Jackie Schulze, City Clerk

MOHAWK LIFTS

Vendor: **MOHAWK LIFTS LLC**
PO Box 110, Amsterdam, NY 12010
HUNTER@MOHAWKLIFTS.COM
Karyl 800-833-2006 x7777



HUNTER
Engineering Company

For purchase of Hunter equipment using:

Minnesota State Contract #
Contract # 227911
Valid: 09/13/2023 - 03/31/2028

All quoted equipment has been Competitively Bid and Competitively Awarded on Minnesota State Contract # Contract # 227911, and is Guaranteed Best government pricing. Freight, Installation, Training & Training Certificates Included @ No Charge.

CUSTOMER
Tom Rauscher Waconia Public Works 310 E 10th St Waconia, MN 55387 trauscher@waconia.org

QUOTE NUMBER	QUOTE DATE
Waconia.TCMW.081524	8/15/2024
Freight Terms:	FOB Destination, Prepaid
Payment Terms:	Net 30
Lead Time:	up to 90 Business Days ARO
Good Through:	September 4, 2024

PART #	DESCRIPTION	QTY	LIST PRICE	CONTRACT PRICE	TOTAL
TCMW	Premium Tire Changer ~ Variable Hydraulic, 10-34" Capable, Center Clamp, Leverless Toolhead, 208-230V, 20A, 1 phase, red. Includes Wheel Lift	1	\$ 32,360.00	\$ 25,231.97	\$ 25,231.97
20-2964-1	Kit-Large Bore, Dual Wheel ~ Expands clamping capability into 16", 17", 19.5 and more dual-wheel applications. Suitable for Revolution Tire Changer and the Hunter Maverick Tire Changer.	1	\$ 697.71	\$ 544.02	\$ 544.02

Click here for Mohawk Lifts LLC Form W9: mohawklifts.com/w9

Subtotal \$ 25,775.99

Sales Tax (if applicable) \$ -

NOTES:

TOTAL \$ 25,775.99

This quotation is subject to the terms and conditions noted on the following page

MIN

V8.23

TERMS AND CONDITIONS

- 1) This order is subject to the standard terms and conditions of the above named contract and the corresponding master agreement, which are hereby incorporated by reference and accessible at www.govlifts.com.
- 2) The quoted prices have been competitively bid and awarded and are guaranteed to be the lowest government prices.
- 3) Electrical and compressed air connections to equipment are not included on this quotation. Any required concrete or electrical work is to be supplied by an outside contractor or the buyer and is not included in this quote.
- 4) All software pre-installed on, or subsequently released by Hunter for, Hunter equipment is licensed pursuant to the Hunter Engineering Company End User License Agreement ("EULA") accompanying such software. By placing an order for, purchasing, or using Hunter equipment, you acknowledge and agree to be legally bound by the EULA, which is hereby incorporated by reference.
- 5) Each party will agree to defend, hold harmless, and indemnify the other from any cost, loss, or damages of any type, including attorney fees, to the extent that they arise from the breach of the Agreement and/or willful misconduct or negligence.
- 6) The buyer is responsible for inspecting all products at the time of delivery and before signing the delivery receipt, freight bill, or bill of lading. Should the buyer determine at the time of delivery that any items are damaged or missing the buyer must note the item, discrepancy, or condition on the delivery receipt, freight bill, or bill of lading. Mohawk is not responsible for missing or damaged products when the buyer has signed the delivery receipt, freight bill, or bill of lading in good condition.
- 7) A fork truck must be supplied at the offload site to unload the equipment from the freight carriers and, if applicable, for installation.
- 8) Price does not include sales tax (unless applicable), duties, brokerage, or any other fees.
- 9) Any and all permits, licenses, fees, etc. are the buyers responsibility

DUNS: 117797939 / CAGE CODE: 8VDK6 / UEI: F9QME4G11RT5 / FEIN: 85-3221959 / SMALL BUSINESS SAM REGISTERED

MIN

Waconia.TCMW.081524

V8.23

To place your order using this quotation, please fill in the following required information:

☐ Same a
Billing

BILLING INFORMATION

SHIPPING INFORMATION

Name: _____

Address: _____

Contact: _____

Phone: _____

Email: _____

Name: _____

Address: _____

Contact: _____

Phone: _____

Email: _____

Delivery Hours/Instructions: _____

Acknowledged and Accepted by:

CITY OF WACONIA

Authorized Buyers Name (PRINT)

MAYOR

Title

Authorized Buyers Signature

SEPTEMBER 16, 2024

Date

Phone

Email

Remit orders to:

MOHAWK LIFTS LLC
PO Box 110, Amsterdam, NY 12010
HUNTER@MOHAWKLIFTS.COM



REQUEST FOR CITY COUNCIL ACTION

Meeting Date:		September 16, 2024					
Item Name:		Approve Contract of the 2024 Storm Catch Basin & Storm Manhole Rehabilitation					
Originating Department:		Public Services					
Presented by:		Jon Haukaas					
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. 2024-196 Authorizing Award of Construction Contract for Waconia 1024 Storm Catch Basin and Storm Manhole Rehabilitation							
EXPLANATION OF AGENDA ITEM <i>(Include a description of background, benefits, and recommendations.)</i>							
Staff is requesting authorization for a contract for a storm sewer structure rehabilitation project of the cementitious rehabilitation of eight different storm structures, with approximately 38 feet of cementitious lining. A group of the structures within this project are located in the backyards of residents as shown on the project plans, with an assumed access route to get to these structures. Several structures include BMPs and others may be buried requiring the contractor to uncover them and bring them up to grade. The project was advertised beginning August 19th and closed on September 9th. The Engineer's estimate was \$21,640 and two quotes were received, both well below this estimate. Bolton & Menk reviewed the submittals and have recommended awarding the contract to Total Coating Solutions of Braham, Minnesota. Total Coating Solutions has successfully completed projects of this type in the past and have shown to be a responsible contractor.							
Attachments:							
1. Resolution No. 2024-196 Authorizing Contract for 2024 Storm Sewer Structure Rehabilitation 2. 09-10-2024 Storm Sewer Lining Project Quotes							
FINANCIAL IMPLICATIONS:				ADVISORY BOARD RECOMMENDATIONS:			
Funding Sources & Uses:							
Stormwater Operating Budget							
Budget Information:				Planning Commission			
☒ Budgeted				Parks and Recreation Board			
☐ Non Budgeted				Safari Island Advisory Board			
☐ Amendment Required				Other			

**CITY OF WACONIA
RESOLUTION NO. 2024-196**

**RESOLUTION AUTHORIZING AWARD OF CONSTRUCTION CONTRACT
FOR WACONIA 2024 STORM SEWER STRUCTURE REHABILITATION**

WHEREAS, the City advertised for the receipt of quotations for repairs to certain storm system structures throughout the community; and

WHEREAS, bids were received virtually on September 9th, 2024, at 10:00 a.m.; and

WHEREAS, Staff and City Engineer recommend award of the 2024 Storm Catch Basin & Storm Manhole Rehabilitation project to Total Coating Solutions who have successfully completed projects of this scale and scope.

NOW, THEREFORE, BE IT RESOLVED That the City Council of the City of Waconia hereby authorizes award of a Construction Contract for the Waconia 2024 Storm Catch Basin & Storm Manhole Rehabilitation Project in the amount of \$17,370 to Total Coating Solutions, Braham, Minnesota.

Adopted by the City Council of the City of Waconia this 16th day of September 2024.

Nicole Waldron, Mayor

Attest: _____
Jackie Schulze, Assistant City Administrator



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 10, 2024

City of Waconia
Attn: Jon Haukaas
310 10th Street E
Waconia, MN 55387

RE: Storm Sewer Structure Lining Project

Honorable Mayor and City Council Members:

Quotes were received on September 9, 2024, for the above referenced project. Being the estimated construction cost of the project is below \$175,000 the quote process is legally acceptable. The proposed work includes all materials and labor necessary to repair storm sewer structures located along Burandt Blvd and in the rear yards of homes located on Acorn Way. Below is a tabulation of the received quotes:

	Bidder / Contractor	Bid Price
1	Total Coating Solutions	\$17,370.00
2	Hydro-Klean, LLC	\$19,779.88

The low quote submitted was 20% below the engineer's estimate amount of \$21,640 and 12% below the high bid amount. Total Coating Solutions has successfully completed projects of this type in the past and thereby have shown themselves to be a responsible contractor. Based on the items above, we recommend the City award the project in the amount of \$17,370.00 to Total Coating Solutions from Braham, MN.

I am available to answer any questions that you or the City Council may have.

Sincerely,

Bolton & Menk, Inc.

Jake S. Saulsbury, P.E.

Cc: Logan Schottroff, Bolton & Menk



REQUEST FOR CITY COUNCIL ACTION

Meeting Date:		September 16, 2024					
Item Name:		Approve Purchase of a Crash Attenuator					
Originating Department:		Public Services					
Presented by:		Jon Haukaas					
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. 2024-197 approving the purchase of a Crash Attenuator.							
EXPLANATION OF AGENDA ITEM <i>(Include a description of background, benefits, and recommendations.)</i>							
This item is requesting the City Council approve the purchase of a Scorpion II MASH Trailer Attenuator TL-3 MnDOT Spec, including a changeable message sign with an in cab remote to operate the sign. The addition of this important piece of equipment will allow staff to create a safe work environment when performing short term or mobile maintenance activities along roadways with high traffic volumes and/or high speeds. This is a more efficient and economical approach than setting up a full traffic control safety zone or closing roads to complete the work. This piece will be used by all departments as needed. The quote was obtained from Street Smart Rentals through the Minnesota Cooperative Purchasing program to meet all competitive bidding requirements. Staff recommends approval of this purchase per the attached quote.							
<u>Attachments:</u>							
1. Resolution No. 2024-197 Authorizing Acquisition of Crash Attenuator 2. Street Smart Quote 09-06-2024 3. TrafFix Devices Inc. Scorpion Fact Sheet							
FINANCIAL IMPLICATIONS:				ADVISORY BOARD RECOMMENDATIONS:			
Funding Sources & Uses:							
Capital Equipment							
Budget Information:				Planning Commission			
☒ Budgeted				Parks and Recreation Board			
☐ Non Budgeted				Safari Island Advisory Board			
☐ Amendment Required				Other			

**CITY OF WACONIA
RESOLUTION NO. 2024-197**

RESOLUTION AUTHORIZING ACQUISITION OF A CRASH ATTENUATOR

WHEREAS, one of the City’s Priorities is to “manage, maintain, and improve our current and future physical assets”; and

WHEREAS, this work requires staff to work in and along roadways carrying traffic at high volumes and higher speeds where it is impractical to set up a full traffic control system or road closure; and

WHEREAS, the safety of our staff is of the utmost importance at all times; and

WHEREAS, in order to protect staff during this work it is a best practice to use a crash attenuator as a mobile traffic safety zone; and

WHEREAS, the city staff have solicited quotes from the vendors which have this equipment listed on the Minnesota State Cooperative Purchasing Contracting system to guarantee best government pricing; and

WHEREAS, this replacement was included in the 2024 Capital Equipment replacement plan with adequate funds to cover the cost; and

WHEREAS, Staff recommend approval of the acquisition of the equipment per the attached quote.

NOW, THEREFORE, BE IT RESOLVED That the City Council of the City of Waconia hereby authorizes acquisition of the tire changing machine from Street Smart Rentals of Columbus, MN in the amount of \$37,625.00.

Adopted by the City Council of the City of Waconia this 16th day of September 2024.

Nicole Waldron, Mayor

Attest: _____
Jackie Schulze, Assistant City Administrator

Street Smart Rentals, LLC

6811 137th Ave NE
Columbus, MN 55025

PREPARED FOR

Craig Eldred
Waconia, City of
952-442-2615
celdred@waconia.org

Quote # Q-19252-3

Date 9/6/2024

Expires On 5/1/2025

Rep Name Ryan Kilpatrick

Rep Phone (612) 597-5547

Rep Email rkilpatrick@streetsmartrental.com

Billing Address

Waconia, City of
310 10th St. East
Waconia, MN 55387

Shipping/Pick Up Address

Waconia, City of
310 10th St. East
Waconia, MN 55387

Pricing provided on this quote is valid for up to 30 days after the printed date. Thank you for your business!

PRODUCT CODE	DESCRIPTION	QTY	UNIT PRICE	TOTAL
100BE-0A1A1AA1372/10002-TL3M-12TA	Scorpion II MASH Trailer Attenuator TL-3 MnDOT Spec	1	\$25,640.00	\$25,640.00
TA-3812-Scorpion-Winch	Scorpion Trailer-Mounted Attenuator Full Matrix CMS	1	\$11,785.00	\$11,785.00

Subtotal* \$37,425.00

Est. Freight* \$200.00

Total* \$37,625.00

***Totals do not include Tax.** Taxes are applied on invoices if your account is not exempt.

Notes

Quoting:
(1) Scorpion TA w/AB
** This and all of our equipment can be purchased directly off of MN State Equipment Contract A-210(5) - Contract No. 202192

Terms and Conditions

To accept this quote and terms outlined above, sign and date, and return.

Waconia, City of

Signature

Print Name:

NICOLE WALDRON, MAYOR

Date:

SEPTEMBER 16, 2024

PO Number

**TraFFix
Devices Inc.**



**Scorpion II[®]
TA**

**Towable
Attenuator**

Engineered Products for Safer Highways

**Scorpion II[®] TL-3 Towable Attenuator
MASH Tested, Passed and Eligible**



10002-TL3M-12TA
(Arrowboards, Uprights Sold Separately)

- The FIRST and ONLY Towable Attenuator eligible for MASH, TL-3.
- FHWA Eligibility Letter, CC-138.
- Infinite weight tested and eligible allows the Scorpion II[®] Towable Attenuator to be used on heavy host vehicles (minimum 12,000 lbs.), with no upper weight limit.
- Scorpion II[®] remained attached to the host vehicle and pintle hook during all impact testing.
- Telescoping Anti-Rotational System (TARS) minimizes Scorpion II Attenuator rotation during angled and offset impacts, preventing separation from host vehicle.
- No additional hardware required for connection to host vehicle.
- The Scorpion II[®] proven modular design crushes in progressive stages allowing quick and economical replacement of damaged parts.
- LED Lights standard on all Scorpion II[®] Towable Attenuators.
- The unique curved design gives full width protection to the back of the host vehicle and shields the deadly “coffin corners” of the truck.
- Rear axle placement improves towing stability and prevents the tail from “bottoming out” on driveways and uneven surfaces.
- MASH tested and eligible with optional display panel, which can be easily attached to Scorpion II[®] Towable Attenuator.

www.traffixdevices.com



Scorpion II[®]
TA

**Towable
Attenuator**

Scorpion II TL-3 Towable Attenuator
MASH Tested, Passed and Eligible



Scorpion II TL-3 (62.5 mph/100 kph) Towable Attenuator

Specification

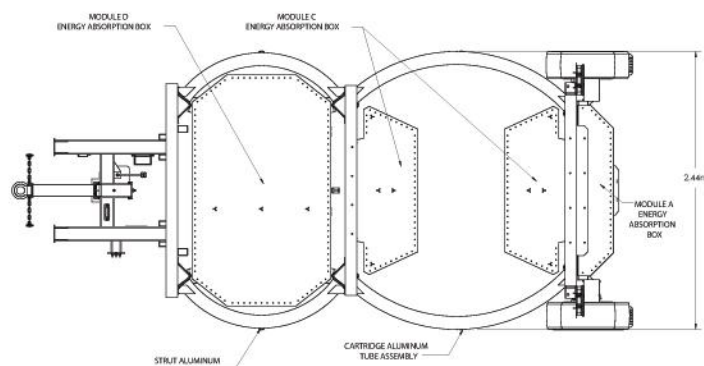
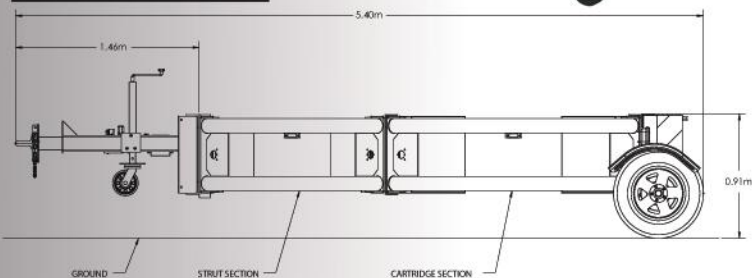
The Towable Attenuator (TA) is a mobile crash cushion designed with a trailer tongue and axle/wheel that connects directly to the support vehicle's trailer connection and from a lunette eye on the attenuator. The TA can be used on support vehicles with a minimum actual/curb weight of 12,000 lbs with no upper weight limit (infinite weight). The TA has overall dimensions of 17.8 ft (5.4 m) x 8 ft (2.4 m) x 4.3 ft (1.3 m) with ground clearance of 12.0 in $\pm$ 1.0 in (305 mm $\pm$ 25 mm). The TA consists of three main components: the trailer tongue, front Strut, and rear Cartridge. The trailer tongue is positioned nearest to the support vehicle, the Strut is bolted to the tongue and Cartridge. The Cartridge is the rear most component, furthest away from the support vehicle. The trailer tongue acts as a standard single point connection under normal towing conditions. The trailer tongue is designed with an integral Telescoping Anti-Rotation System (TARS) that is activated when the TA is impacted. The forward sliding action occurs during an impact, upon completion of the full telescoping action the outboard anti-rotation supports come into contact with support vehicle frame plate which in turn prevents angular rotation about the rear of the host vehicle. The Strut consists of four outboard convex aluminum tubes forming an aluminum structural weldment. The aluminum structural weldments bolt directly to the TARS tongue and the rear Cartridge. The structural assembly encompasses the aluminum crush Module D. The Cartridge consists of four outboard convex aluminum tubes forming an aluminum structural weldment. The aluminum structural weldments bolt directly the Struts steel angles and rear trailer diaphragm. The TA uses a Cartridge Trailer Diaphragm with an axle/wheel attachment for towing the TA. The structural assembly encompasses the two-aluminum crush Module C's. Attached to the rear most end of the Cartridge is the single crush Module A.



Scorpion II[®] TL-3 Towable Attenuator with Display Panel Impacted by 5,006 lbs (2,271 kg) Pick-Up Truck

TL-3 SPECIFICATIONS

Length: 17.8 ft (5.4 m)
Width: 7.8 ft (2.4 m)
Height from the ground:
12.0 in $\pm$ 1.0 in
(3045 mm $\pm$ 25.4 mm)



**TraFFix
Devices Inc.**

Engineered Products for Safer Highways

160 Avenida La Pata, San Clemente, CA 92673
(949) 361-5663 FAX (949) 361-9205
www.traffixdevices.com

Distributed by:



REQUEST FOR CITY COUNCIL ACTION

Meeting Date:		September 16, 2024					
Item Name:		Certification for Payment with Taxes - Payable 2025					
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. 2024-198 Calling Hearing on proposed Certification of Delinquent Utility and Other Charges for Services for Payment with 2025 Taxes							
EXPLANATION OF AGENDA ITEM <i>(Include a description of background, benefits, and recommendations.)</i>							
Under Minnesota law, the City may certify for payment with tax collections, delinquent utility accounts and other charges for service that have not been paid during the course of normal collection procedures throughout each year. A public hearing is required prior to certification of delinquent charges. Property owners will be notified of the past due amounts for goods or services that have benefited the property and notified of the public hearing opportunity. A list of delinquent accounts will be provided at the hearing scheduled for Monday, October 21, 2024.							
Attachments:							
1. Resolution No. 2024-198 Calling for a Public Hearing for Delinquent Utility and Other Charges							
FINANCIAL IMPLICATIONS:				ADVISORY BOARD RECOMMENDATIONS:			
Funding Sources & Uses: All City Funds							
Budget Information:				Planning Commission			
☒ Budgeted				Parks and Recreation Board			
☐ Non Budgeted				Safari Island Advisory Board			
☐ Amendment Required				Other			

**CITY OF WACONIA
RESOLUTION NO. 2024-198**

**RESOLUTION CALLING FOR A PUBLIC HEARING ON PROPOSED
CERTIFICATION OF DELINQUENT UTILITY AND OTHER CHARGES
FOR SERVICES FOR PAYMENT WITH 2025 TAXES**

WHEREAS, the Finance Department prepares a certification roll for delinquent utilities and charges for services that consist of miscellaneous services such as snow removal, weed elimination, tree maintenance, building permit fees, and other charges for services and said proposed certifications is on file at City Hall and open to public inspection no later than October 21, 2024; and

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

1. A hearing shall be held at 6:00 p.m., or as soon thereafter as possible, on Monday, October 21, 2024 at Waconia City Hall located at 201 Vine Street South, Waconia, Minnesota to pass upon such proposed certification(s). All persons owning property affected by such charges will be given an opportunity to be heard with reference to such certification.
2. City staff is hereby directed to cause a notice of the hearing on the proposed certifications to be published once in the official newspaper at least two weeks prior to the hearing. Notices shall be mailed to the owner of each parcel described in the certification list not less than two (2) weeks prior to the hearing.
3. If it is determined that accounts have become current, the public hearing will be canceled.

Adopted by the City Council of the City of Waconia this 16th day of September 2024.

Nicole Waldron, Mayor

ATTEST: _____
Jacqueline Schulze, Assistant City Administrator



REQUEST FOR CITY COUNCIL ACTION

Meeting Date:		September 16, 2024					
Item Name:		Accepting Cash Donations for Operations of the Fire Department					
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. 2024-199 Accepting Cash Donations for Operations of the Fire Department							
EXPLANATION OF AGENDA ITEM <i>(Include a description of background, benefits, and recommendations.)</i>							
The Fire Department staff received the following donation with a thank you letter for the service provided by City staff: • Doris Boehmke - \$10 - Smoke Detector Battery Replacement • John & Marlene Thurk - \$25 - Smoke Detector Battery Replacement With the Council's acceptance of the donation, staff will recognize the donation as revenue in the Fire Department's 2024 budget. Attachments: 1. Resolution No. 2024-199 Accepting Cash Donation for Fire Department							
FINANCIAL IMPLICATIONS:				ADVISORY BOARD RECOMMENDATIONS:			
Funding Sources & Uses:							
General Fund - Fire (101)							
Budget Information:				Planning Commission			
_____ Budgeted				Parks and Recreation Board			
X _____ Non Budgeted				Safari Island Advisory Board			
_____ Amendment Required				Other			

**CITY OF WACONIA
RESOLUTION NO. 2024-199**

**RESOLUTION ACCEPTING CASH DONATION FOR
OPERATIONS OF THE FIRE DEPARTMENT**

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>
Doris Boehmke	Cash	\$10
John & Marlene Thurk	Cash	\$25

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.
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 16th day of September 2024.

Nicole Waldron, Mayor

ATTEST: _____
Jacqueline Schulze, Assistant City Administrator



REQUEST FOR CITY COUNCIL ACTION

Meeting Date:		September 16, 2024					
Item Name:		Authorize Hire for Finance Clerk					
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 No. 2024-200 Approving Finance Clerk Hire.							
EXPLANATION OF AGENDA ITEM <i>(Include a description of background, benefits, and recommendations.)</i>							
At the August 5, 2024 City Council meeting, the Council authorized recruitment for the Finance Clerk position. To date, the City has received nearly 20 applicants for this position. City staff conducted interviews the week of September 2, and following interviews staff recommends hiring Becky Edwards for this position. Becky has several years of accounts payable experience working at a church, in addition to other financial and office management roles. We believe she will bring strong accounts payable knowledge and fit in well with the finance team and our City staff as a whole. Pending a successful background check, Becky is anticipated to begin work on October 7, 2024. Becky will start at Step 2 on the Finance Clerk Pay Scale and accrue PTO at the standard rate for new hires, while receiving a 60 hour PTO bank up front, which has been standard for our last several new hires.							
<u>Attachments:</u>							
1. Resolution No. 2024-200 Authorizing Finance Clerk Hire							
FINANCIAL IMPLICATIONS:				ADVISORY BOARD RECOMMENDATIONS:			
Funding Sources & Uses:				Personnel Committee - Recommend			
Budget Information:				Planning Commission			
_____ Budgeted				Parks and Recreation Board			
_____ Non Budgeted				Safari Island Advisory Board			
_____ Amendment Required				Other			

**CITY OF WACONIA
RESOLUTION NO. 2024 - 200**

**RESOLUTION AUTHORIZING
FINANCE CLERK HIRE**

WHEREAS, on August 5, 2024, the City Council authorized the recruitment for the Finance Clerk position; and

WHEREAS, the City recently conducted interviews for this position; and

WHEREAS, staff recommend the appointment of Becky Edwards, pending the successful completion and City's evaluation of the background check; and

WHEREAS, Becky will start at Step 2 of the Finance Clerk pay scale and accrue PTO at the standard rate for new hires while starting with a 60 hour bank; and

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Waconia authorizes the hire of Becky Edwards for the Finance Clerk position.

Adopted by the City Council of the City of Waconia this 16th day of September 2024.

Nicole Waldron, Mayor

ATTEST: _____
Jackie Schulze, Assistant City Administrator



REQUEST FOR CITY COUNCIL ACTION

Meeting Date:		September 16, 2024					
Item Name:		Approve Temporary On-Sale Liquor Licenses for the Waconia Brewing Company					
Originating Department:		Administration					
Presented by:		Sue Schwalbe					
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. 2024-201 Approving Temporary On-Sale Liquor Licenses for the Waconia Brewing Company							
EXPLANATION OF AGENDA ITEM <i>(Include a description of background, benefits, and recommendations.)</i>							
The Office of City Administrator received an application for temporary on-sale liquor license from Waconia Brewing Company for their anniversary event on October 25 and October 26, 2024. Sale and consumption of alcoholic beverages will be limited to the roped off area in the parking lot. Staff recommends approval of this request. Attachments: 1. Resolution No. 2024-201 Approving Temporary Liquor License							
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. 2024-201**

**RESOLUTION APPROVING TEMPORARY ON-SALE
LIQUOR LICENSE APPLICATION**

WHEREAS, An application for a temporary on-sale liquor license has been received in the Office of the City Administrator from the Waconia Brewing Company for an event scheduled for October 25, 2024 through October 26, 2024 in the parking lot area adjacent to the taproom at 255 West Main Street, Waconia, MN, and

WHEREAS, Sale and consumption of alcoholic beverages will be limited to the parking lot area adjacent to the taproom located at 255 West Main Street, Waconia, MN, and

NOW, THEREFORE, BE IT RESOLVED, That the City Council of the City of Waconia hereby approves the temporary on-sale liquor license application of the Waconia Brewing Company for October 25, 2024, through October 26, 2024, contingent upon completion of all forms, payment of fees, receipt of certificates of insurance, and proof of compliance with state and local requirements.

Adopted by the City Council of the City of Waconia this 16th day of September 2024.

Nicole Waldron, Mayor

ATTEST: _____
Jackie Schulze, Assistant City Administrator



REQUEST FOR CITY COUNCIL ACTION

Meeting Date:		September 16, 2024					
Item Name:		Approve Temporary On-Sale Liquor Licenses for the Waconia Legion Post 150					
Originating Department:		Administration					
Presented by:		Sue Schwalbe					
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. 2024-202 Approving Temporary On-Sale Liquor Licenses for the Waconia Legion Post 150 scheduled for October 11, 2024							
EXPLANATION OF AGENDA ITEM <i>(Include a description of background, benefits, and recommendations.)</i>							
The Office of City Administrator received an application for temporary on-sale liquor license from Waconia Legion Post 150 for a retirement event scheduled for October 10 through October 12, 2024. Sale and consumption of alcoholic beverages will be limited to the parking lot and patio area associated with the 4 Main Building located at 4 Main Street East. Staff recommends approval of this request.							
<u>Attachments:</u> 1. Resolution No. 2024-202 Approving Temporary On-Sale Liquor License							
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. 2024-201**

**RESOLUTION APPROVING TEMPORARY ON-SALE
LIQUOR LICENSE APPLICATION**

WHEREAS, An application for a temporary on-sale liquor license has been received in the Office of the City Administrator from the Waconia American Legion Post 150 for an event scheduled for October 10, 2024 through October 12, 2024 in the parking lot and patio area associated with the 4 Main building located at 4 Main Street East, Waconia, MN, and

WHEREAS, Sale and consumption of alcoholic beverages will be limited to the parking lot and patio area associated with the 4 Main building located at 4 Main Street East, Waconia, MN, and

NOW, THEREFORE, BE IT RESOLVED, That the City Council of the City of Waconia hereby approves the temporary on-sale liquor license application of the Waconia American Legion Post 150 for October 10, 2024, through October 12, 2024, contingent upon completion of all forms, payment of fees, receipt of certificates of insurance, and proof of compliance with state and local requirements.

Adopted by the City Council of the City of Waconia this 16th day of September 2024.

Nicole Waldron, Mayor

ATTEST: _____
Jackie Schulze, Assistant City Administrator



REQUEST FOR CITY COUNCIL ACTION

Meeting Date:		September 16, 2024					
Item Name:		Waconia High School Homecoming Parade					
Originating Department:		Administration					
Presented by:		Shane Fineran					
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 No. 2024-203 Approving Special Event Permit for Waconia High School Homecoming Parade							
EXPLANATION OF AGENDA ITEM <i>(Include a description of background, benefits, and recommendations.)</i>							
The Waconia High School Student Council have submitted a Special Event Permit for the annual homecoming parade. Under City policy this is a city supported event. This year's parade will be held on Friday, October 4, 2024 from 5:00 p.m. to 5:45 p.m. The route will occur on Community Drive, requiring closure at Oak Avenue and traveling west to the high school from the middle school and then back east to the parade start/staging area at the middle school. Street closure will be from 4:45 p.m. to 5:45 p.m. <u>Attachments:</u> 1. Resolution No. 2024-203 Approving Special Event Permit Waconia High School Homing Parade 2. 2024 Homecoming Parade Route.png 3. Homecoming Parade App 2024							
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. 2024-203**

**RESOLUTION APPROVING SPECIAL EVENT PERMIT
FOR WACONIA HIGH SCHOOL HOMECOMING PARADE**

WHEREAS, the City has identified the Waconia High School homecoming parade as a city support special event in the community; and

WHEREAS, Waconia High School student council has submitted a special event permit to conduct a parade for the Waconia High School homecoming festivities along Community Drive from Oak Avenue westward to the High School; and

WHEREAS, the route is requested to be closed to traffic from Oak Avenue, Wildcat Way, and at the entrance to the high school on Friday, October 4, 2024 from 4:45 p.m. and 5:45 p.m.; and

NOW, THEREFORE, BE IT RESOLVED That the City Council of the City of Waconia hereby approves the special event permit.

Adopted by the City Council of the City of Waconia on this 16th day of September 2024.

Nicole Waldron, Mayor

Attest: _____
Jacqueline Schulze, Assistant City Administrator



- The parade will start from the WMS east parking lot and go west on Community Drive. The parade will end at entrance to the Safari Island parking lot.
- Parade cars/floats should continue west on Community Drive to the entrance to WHS and use the main parking lot as a turnaround space.



SPECIAL EVENT PERMIT APPLICATION

A special event includes an event held in the city in which one of the following occurs:

- a) Amplified sound is to be used
- b) A street, sidewalk or other public right of way or place is closed for the benefit of the event attendees
- c) A temporary alcoholic beverage license is required or an existing on-sale alcoholic beverage license is carried to the event location as part of a community festival
- d) The event will adversely impact a considerable number of members of the public

Most outdoor events and activities within the City of Waconia require permits or approvals. All costs associated with the event are to be borne by the event sponsor. All applications must be approved by the City Council prior to issuance of a permit.

A Review Committee, made up of representatives from City and County departments, will review the application and make changes and/or recommendations to the event sponsor prior to application being forward to the City Council for a final decision.

TIMING FOR APPLICATION SUBMISSION

- Applications for special events need to be received by the City of Waconia at least 30 days prior to the event date, with submission 60 days in advance requested wherever possible.
- There is no guarantee an event application can be processed and approved in less than 30 days.
- For large scale events involving 1,000 participants or more application must be made 120 days in advance.

ADDITIONAL CONSIDERATIONS FOR EVENT ORGANIZERS

In the case of a race, walk, parade, or other event using City streets, a detailed layout of the route and arrangements for traffic control to be done by a certified vendor using the Manual of Uniform Traffic Control Devices standards will be required to be submitted with the application.

Any event to be held within Parks or shelter must contact City Hall. A special event permit is required for events/activities exceeding 300 participants or any event/activity which extends beyond the immediate park boundaries.
<https://www.waconia.org/347/Facility-Use-Rental-Applications>

All applications, are to be sent directly to City Hall. **Issued permits will NOT be eligible for refunds.**

Section 1. CHECKLIST OF REQUIRED INFORMATION

Select any of the following that apply to this event:

Amplified Sound to be used – COMPLETE SECTION 3 (B)

Closure request for a street, sidewalk, or other public way or place as part of the event – COMPLETE SECTION 3 (C)

Alcohol service as part of the event – COMPLETE SECTION 3 (D) AND ANY ADDITIONAL LIQUOR LICENSES WITH THE CITY HALL’S OFFICE IF REQUIRED

Tents or other membrane structures to be erected as part of the event

Fireworks Display as part of the event

Staff Initials	For your license application to be processed, you must submit the following to the City Halls’s Office:
	This application form, fully completed and signed by the applicant or an authorized officer or partner. ANSWER EVERY QUESTION, USING N/A IF NECESSARY ON ANY QUESTIONS. APPLICATIONS WITH BLANK QUESTIONS WILL BE RETURNED WITHOUT PROCESSING.
	Detailed Site Plan for the event
	Certificate of Insurance, if required
	Traffic Control plan from an approved vendor for any street closures
	Payment for required permit fee; Checks must be made payable to the City of Waconia •\$100 for base Special Event Permit
	Any required additional permit applications from other City departments

Section 2. REQUIRED LICENSE INFORMATION – complete every question				
A. Information about who is completing and submitting this application				
1. First Name		2. Last Name		
3. Primary Telephone Number	4. Type of Phone: Cell Business Home Other	5. Alternate Phone Number	6. Type of Phone: Cell Business Home Other	
7. Email Address				
8. Please send official notices relating to this license to: Mailing Address Email Business Address		9. Role of person completing application: Owner Officer Partner Manager Agent for the Owner Other		
B. Information about primary point of contact for this license during licensed activity (if different than above) THIS PERSON MUST BE ON SITE DURING THE EVENT				
10. First Name		11. Last Name		
12. Primary Telephone Number	13. Type of Phone: Cell Business Home Other	14. Alternate Phone Number	15. Type of Phone: Cell Business Home Other	
16. Email Address		17. Role of primary contact: Owner Officer Partner Manager Agent for the Owner Other		
C. Mailing Address Information				
18. Name of organization or individual to whom correspondence should be sent about this permit				
19. Email Address				
20. Mailing Address		21. City	22. State	23. Zip Code
24. Please send official notices relating to this license to: Mailing Address Email				
D. License Holder Information				
Provide information about who this license will be issued to				
25. Entity license will be issued to				
26. Business Federal Tax ID Number/Tax Exempt Number		27. Business State Tax ID Number		
28. Business Address		29. City	30. State	31. Zip Code
Section 3. Event Information – attach additional sheets as needed for any questions				
A. Event Basics				
32. Name of Event				
33. Date(s) of Event <i>complete separate applications for a series of events held at separate times</i>				
34. Time of Event		35. Set up start time and clean up finish time		

36. Location of Event –Street Address	37. City	38. State	39. Zip Code
40. Description of area to be used at the event location for activities (Attach additional sheets as needed) <i>***A detailed diagram of the site plan is also required to be submitted</i>			
41. Is your event in a City park? Yes No If yes, you must schedule use of the park with City Hall as well. Call: 952-442-2615			
42. Is your event outdoors? Yes No			
43. Estimated Number of Attendees-	44. Are tickets being sold? Yes No		
45. What is the admission charge, if any	46. Purpose of event proceeds (if applicable)		
47. Describe how attendance will be monitored and limited if necessary			
48. Describe any entertainment being provided			

49. Describe food and beverage plans for the event, including who will be providing any food or beverages and what other licenses or permits will be obtained from any jurisdiction for this service.

50. Describe how any emergencies or medical needs occurring during the event will be met

Sanitation and garbage disposal is the responsibility of the event sponsor. Staff will review this information for adequacy based on planned attendance.

51. Will you be providing additional trash receptacles?

Yes

Company providing this service:

Number of receptacles:

What is the plan for picking these receptacles up following the event?

No

Explain how trash will be managed as part of the event:

52. Will you be providing toilets and wash stations?

Yes

Company providing this service:

Number of toilets:

Number of wash stations:

What is the plan for picking these items up following the event?

No

Explain how these needs will be met for event attendees:

B. Information about Amplified Sound 53. INDICATE WHICH OF THE FOLLOWING APPLIES TO THIS EVENT: Maximum allowable sound pressure level no more than 85 decibels measure at the property line or venue boundary. Waive the maximum allowable sound pressure level and require the amplified sound to terminate no later than 10:30 PM There will be NO amplified sound at this event. 54. Describe the means and method proposed by you as the applicant to prevent noise from the event from unreasonably disturbing those persons who live or work in the vicinity of the event.
C. Information about any public right of way closures 55. Are you requesting any kind of public right of way closure as part of this event? Yes, for a very limited duration less than 15 minutes Yes, for 15 minutes or longer – an obstruction permit through Public Services Department will be required No – if no, please skip the remainder of this section and jump to subsection D When a street is to be closed for over 15 minutes, a detour is to be established and signed to provide a designated route around the event. A detailed layout of the route and arrangements for traffic control must be done by a certified vendor using the Manual of Uniform Traffic Control Devices standards. Law Enforcement Officers must be utilized at all traffic controlled intersections. Public Services time for temporary traffic signal modifications, additional signage, or other City costs may be charged. In addition all events with street closures must include an emergency plan detailing access for emergency vehicles. Road closures are not allowed for locations where there are no other access options for the businesses or residents 56. Attach a detailed diagram of any proposed closure, and explain here exactly what is pictured in the diagram and intended in terms of the closure 57. Are you proposing a street closure that will impact residential properties? Yes – if yes, you must notify all properties at least 7-days in advance of the event of the closure No 58. Are you proposing a street closure that will impact commercial properties? Yes No If yes, you must notify all businesses at least 14-days in advance of the closure.

D. Information about any alcohol as part of the event

59. Are you planning to serve alcoholic beverages as part of this event?

Yes – if yes, please answer the following questions

No – if no, please skip the remainder of this section and jump to Section 4 of the application

60. Which of the following are you requesting as part of serving alcoholic beverages?

Temporary Liquor License (requires a separate application)

Designation of the special event as a Community Festival to allow on-sale licensee(s) to provide service

Service by licensed on-sale licensee(s) on Municipal Facilities

Use of licensed caterer(s) who will be providing alcohol service incidental to the service of food

Other

If you indicated other, please explain how alcoholic beverages will be provided as part of this event, by whom, and under what authority

61. If you intend to apply for a temporary liquor license, is the same entity applying for the liquor license as the special event permit?

Yes

No – Name of the organization/entity applying for a temporary liquor license also serving as an event sponsor:

Indicate what type of organization will be applying for the liquor license:

Club

Charitable Organization

Religious Organization

Non-Profit Organization

Political Committee Registered Under Minn. Stat. Section 10A.14

State University

Brewer or Microdistillery

*If the organization is not one of the above, it is not eligible to apply for a temporary liquor license

If the organization is a club or a charitable, religious or non-profit organization, has it been in existence for at least 3 years?

Yes

No-the organization is not eligible for a temporary liquor license

Note: A temporary liquor application must be received by the City Hall's Office NO LATER 45 DAYS BEFORE THE EVENT. There is no ability to make any exceptions to this requirement.

62. Please list all on-sale licensees who will be providing liquor service as part of this event under this designation. Certificates of insurance specifically covering this event must also be provided for all vendors.

63. If a licensed caterer will be used as part of the event, indicate the name and state license number of the caterer

64. List who will be carrying liquor liability insurance for this event

65. Indicate the specific area(s) liquor will be dispensed and consumed, and what measures will be followed to ensure liquor is only dispensed to event attendees who are of legal age, and that no liquor leaves the authorized area

66. Do you plan to hire off-duty officers to provide security during the event (required with alcohol service)?

Yes

No

Contact Carver County Sheriff's Office. 952-361-1231

67. Fireworks Display as Part of the event?

Yes

No

If you answered yes to the above, please contact the Fire Department at 952-442-2316 in order to request a Fireworks Display Permit

68. Tents or other membrane structures to be erected as part of the event?

Yes

No

69. If you answered yes to question 68, please name the tent provider/company. Please also list the square footage and dimensions of your tent. If you do not have or need a tent provider please state so below.

If your tent is over 400 square ft. Please contact the Planning Department for a temporary structure permit. 952-442-2184

Section 4. APPLICATION VERIFICATION AND ACCEPTANCE OF RESPONSIBILITY

Notice of Collection of Private Data

The information collected and required as part of a license application will be used to determine eligibility for a City of Waconia License or Permit. Disclosure of this information is voluntary. It is not legally required to provide requested data, however, failure to do so may mean the City of Waconia is unable to process this application.

Social Security Numbers and Birth Dates are classified as private data, and are not available to the public. Access to this data is limited to staff with a business need in order to determine license eligibility, and to administer and manage the licensing program.

Disclosure of a Minnesota Tax ID Number is required by Minnesota Statutes 270C.72, and this information may be requested by and released to the Minnesota Commissioner of Revenue.

All other information contained in this application is public information upon submission pursuant to the Government Data Practices Act, Minnesota Statutes Chapter 13. Individuals have the right to see and obtain copies of the data maintained on them, including private data, and also have the right to be told the contents and meaning of the data, and to contest the accuracy and completeness of the data.

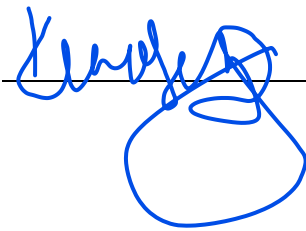
A SIGNATURE VERIFYING THE OVERALL ACCURACY AND COMPLETENESS OF THIS APPLICATION BY THE OWNER, PARTNER, OR OFFICER OF THE ENTITY APPLYING IS REQUIRED IN ORDER TO PROCESS THIS LICENSE APPLICATION

I, (print name) _____, agree to strictly comply with all the laws of the State of Minnesota governing the taxation of business and all ordinances of the City of Waconia, and that I intend to comply with the special event policy as well as any conditions of approval that may be placed on the permit if granted. I understand I can review all City ordinances on the City website or in the City Hall's Office.

I affirm I have no intention or agreement to transfer the permit being applied for to another person or entity, or to allow any other person or entity to operate under the authority of the permit. I understand that by submitting this application, I hereby consent to allow the appropriate City personnel, or any authorized representative or agents, to inspect the event premises for the purpose of ensuring compliance with the law and any permit conditions at any time the permit is active. I also understand that a denial of permission for such a lawful inspection of the premises is a violation of the permit provisions.

I hereby certify that I have read and understand every question in this application and that the answer to every question is true to my knowledge, information and belief. I further understand that the giving of false information as part of this application, regardless of when it is discovered, and/or failure to give required pertinent information can constitute cause for denial, suspension, or revocation of any permit issued.

Signature of Applicant



Date



REQUEST FOR CITY COUNCIL ACTION

Meeting Date: September 16, 2024

Item Name: Amend Section 900.04 Definitions and Section 900.05.7 B-1 Highway Business District - Rural Retail Use

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 Ordinance No. 775 approving the proposed amendment to Sections 900.04 and 900.05, which would define rural retail and allow it as a permitted use with special restrictions in the B-1, Highway Business District.
Adopt Resolution No. 2024-204 Approving Summary Publication of Ordinance No. 775

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

APPLICANT INFORMATION

Applicant: David Soto, Atwater Group

REQUEST

The applicant, David Soto, has submitted an Ordinance Amendment application proposing to amend Sections 900.04, Definitions and 900.05.7, B-1, Highway Business District., Specifically, the applicant is proposing to define rural lifestyle retail, which would allow outdoor storage and display within designated areas without screening, allow a moveable loading dock, and allow fencing to exceed the 8-foot height maximum allowed in the B-1, Highway Business District. The language proposes to allow said use as a permitted use with special restrictions in the district.

APPLICABLE ORDINANCE PROVISIONS:

1. Section 900.04, Definitions
2. Section 900.05.7. B-1, Highway Business District

BACKGROUND:

The Ordinance Amendment is in response to conversations with the applicant related to the possible future location and construction of a Tractor Supply Co. building on Marketplace Drive. Specifically, our current City Code language would not allow outdoor retail and display spaces without being screened from the public right-of-way.

ORDINANCE AMENDMENT ANALYSIS

1. The proposed type of retail (i.e. Tractor Supply Co.) appears to be consistent with the intent and purposes of the B-1, Highway Business District which states “The purpose of this district is to provide for an appropriate range of businesses that will be utilized by area residents as well as vehicular traffic generated from the surrounding area.”
2. The proposed text includes rural lifestyle retail as a permitted use, and a permitted use with special restrictions. Staff believes this is an oversight and it should be considered under uses permitted with special restrictions.
3. The applicant has provided a concept plan and applicable imagery to explain how this type of use functions in different communities. The Council should review this information and determine if the request is consistent with the underlying zoning district. Specifically, staff is wondering how comfortable the City Council will be in regard to a moveable loading dock (and how it should be screened) and the 16-foot-tall chain link/tubed aluminum fencing versus the 8 ft. opaque fencing typically used for screening purposes.
4. City Code does allow motor fuel stations some outdoor sales areas indicating “The storage for items for sale

outside the principal building shall be displayed in specifically designated containers.” Other than this ordinance provision nearly all other outdoor storage and display areas are required to be screened.

5. The applicant is only proposing to revise the City Code language in association with the B-1, Highway Business District. If the revision is appropriate, the City Council may want to further discuss if this amendment should also apply to any other zoning districts as well.
6. The draft language has been reviewed by the City Attorney and the revised/recommended language changes have been attached for review and consideration. Please note that the Planning Commission recommended some slight variations in the City Attorney's revisions, which are reflected in the draft ordinance amendment. Specifically, the Planning Commission was comfortable allowing fencing not to exceed 12 feet for rural retail and they recommended striking "6) the Lot location must be adjacent to an arterial roadway and must have motor vehicle access to two (2) different rights-of-way."

PUBLIC NOTICE/COMMENT:

The notice was published in the WACONIA PATRIOT on August 22nd, 2024, posted on the City of Waconia website and posted at Waconia City Hall. To date no public hearing comments have been received.

RECOMMENDATION:

The Planning Commission reviewed the pertinent information at their regular meeting on September 5th, 2024, held the required public hearing, and recommended approval of the revised draft ordinance language via a 5-0 vote.

Attachments:

1. [Ordinance No. 773 Amending Section 900.04 and Section 900.05.7](#)
2. [Narrative for Text Amending Section 900.04 and Section 900.05.7](#)
3. [Proposed Text Amending Section 900.04 and Section 900.05.7](#)
4. [Site Plan Tractor Supply Company](#)
5. [Tractor Supply Company Typical Building Elevations](#)
6. [Tractor Supply Company Mobile Loading Ramp](#)
7. [Tractor Supply Company Typical Site Examples](#)
8. [Redline Proposed Attorney Revision Section 900.04 and 900.05.7](#)
9. [Resolution No. 2024-204 Approving Summary Publication of Ordinance No. 775](#)

FINANCIAL IMPLICATIONS:

Funding Sources & Uses:

ADVISORY BOARD RECOMMENDATIONS:

Budget Information:

_____ Budgeted
 _____ Non Budgeted
 _____ Amendment Required

Planning Commission

Parks and Recreation Board

Safari Island Advisory Board

Other

**CITY OF WACONIA
ORDINANCE NO. 775**

**AN ORDINANCE AMENDING SECTION 900.04 AND SECTION 900.05.7 OF THE
WACONIA CITY CODE TO ALLOW RURAL RETAIL USE AS A PERMITTED
USE WITH SPECIAL RESTRICTIONS IN THE B-1, HIGHWAY BUSINESS
DISTRICT**

The City Council of the City of Waconia ordains:

FINDINGS AND PURPOSE

The purpose of the B-1, Highway Business District is to provide for an appropriate range of businesses that will be utilized by area residents as well as vehicular traffic generated from the surrounding area. The uses permitted with special restrictions in said district, allow for acceptable uses when certain conditions and standards are met to ensure compliance with the underlying zoning district.

The purpose of this ordinance is to amend Sections 900.04, and 900.05.7 to define and allow rural retail uses as a permitted use with special restrictions in the B-1, Highway Business District.

AMENDMENTS

Section 900.04 of the Waconia City Code is amended to add language defining rural retail and shall read as follows:

Rural retails means a retail business on a Lot of at least four (4) acres in size where: i) the Lot has outdoor storage and display area not exceeding twenty percent (20%) of the Lot size; and ii) the building and outdoor storage and display areas are primarily devoted to the retail sale or rental of rural related equipment, implements, motorized vehicles, clothing, furnishings, hardware, supplies, and materials.

Section 900.05.7. of the Waconia City Code is amended to add language to the uses permitted with special restrictions to read as follows:

4. Uses permitted with special restrictions:

g. Rural retail use is subject to the following:

- 1) outdoor storage and display of new merchandise without screening shall be permitted along the storefront, adjacent to the building, and in other areas designated on a site plan approved by the City Council that are not within drainage and utility easement areas;

- 2) outdoor storage and display of rental equipment shall be permitted without screening in areas designated on a site plan approved by the City Council that are not within drainage and utility easement areas;
- 3) a moveable loading dock may satisfy loading berth requirements and (i) shall not require screening while in use and (ii) shall be considered screened if stored in the rear of the building and outside the drive aisle when not in use; and
- 4) tubed aluminum or black vinyl coated chain link fencing up to 12 feet in height is permitted when used for outdoor storage and display areas immediately adjacent to the retail building.
- 5) except as expressly allowed by the proceeding provisions, no outdoor storage is allowed.

SUMMARY

The following official summary of Ordinance No. 775 has been approved by a four-fifths vote of the City Council of the City of Waconia as clearly informing the public of the intent and effect of the Ordinance:

CITY OF WACONIA ORDINANCE NO. 775, AN ORDINANCE AMENDING SECTION 900.04 AND SECTION 900.05.7 OF THE WACONIA CITY CODE amends the Waconia City Code to allow rural retail uses as a permitted use with special restrictions within the B-1, Highway Business District and places certain requirements on such use.

When the summary is published, the publication shall indicate that the published material is only a summary and that the full text of the ordinance is available for public inspection at a designated location or by standard or electronic mail.

EFFECTIVE DATE

This ordinance is effective upon publication.

Passed and adopted by the City Council of the City of Waconia this 16th day of September, 2024.

Nicole Waldron, Mayor

ATTEST: _____
Jackie Schulze, Assistant City Administrator

August 9, 2024

Lane Braaten
Community Development Director
City of Waconia
201 Vine Street
Waconia, MN 55387

Via Email
LBraaten@waconia.org

Re: Proposed Amendment to §§ 900.04 and 900.05.7 of the Waconia Zoning Ordinance

Dear Mr. Braaten:

We represent Atwater Waconia MN LLC with regard to this application for text amendment to the Waconia Zoning Ordinance §§ 900.04 and 900.05.7 (the "Code"). The proposed amendment introduces Rural Lifestyle Retail as a permitted use in the B-1 Highway Business District (the "B-1 district") and will provide much needed flexibility for essential outdoor product displays and certain design guidelines without disrupting the underlying goals of the B-1 district.

The B-1 district exists along Highway 5 and provides an appropriate range of businesses for area residents as well as vehicular traffic generated from the surrounding area. Permitted uses include commercial sales and service businesses intended to attract both local and area residents. The amount of outdoor display area is limited in the B-1 district, which makes certain outdoor-oriented retail uses unviable that are otherwise a perfect fit for the B-1 district.

The City Council has the legislative authority to approve this text amendment by the process in § 900.12, subd. 6. In creating the Rural Lifestyle Retail use, the amendment seeks narrow, but impactful changes to allow the outdoor sale and display of equipment, machinery, implements, motorized vehicles, materials, merchandise, and home goods to support outdoor rural lifestyles, farms, ranches, and gardens for the professional, hobbyist, and novice alike in B-1 district properties that are well-suited to accommodate the same.

Importantly, the Rural Lifestyle Retail amendment meets the purpose and intent of the comprehensive plan. It promotes an intensive variety of retail, service, and office land uses along Highway 5 and utilizes the capacity of the transportation corridor by promoting a higher intensity retail use. The proposed text amendment also promotes the B-1 district goals as indicated in § 900.01, including orderly development, respect for zoning districts and their classifications, protects public health, safety, and welfare, and preserves property values by integrating performance standards and limitations around the proposed use.

Specifically, Rural Lifestyle Retail will be allowed on properties in the B-1 district that are at least 4 acres, but not adjacent to residential property, to provide over 20,000 square feet of outdoor sales and display areas so long as a retail building not larger than 25,000 square feet exists on

August 9, 2024

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the property, the retail mix includes farm equipment and implements, and access exists on two roadways to allow circulation of larger vehicles and trailers. Outdoor sales and display, fencing, and screening requirements would be accommodated in certain situations, though the City will maintain site plan review as well as building design and landscaping standards. Additional details are included in the redline of Code §§ 900.04 and 900.05.7 enclosed with the application for text amendment.

Approving this amendment will support the strong and unmet demand in Waconia and the surrounding communities for retail focused on rural lifestyles and activities. For all the reasons discussed above, we respectfully request that the City approve the text amendment as proposed.

Please reach out to me if you have any questions and the proposed text amendment or the attached materials.

Sincerely,

A handwritten signature in blue ink, appearing to read 'MS. Saufley', with a stylized flourish at the end.

Jacob M. Saufley, for
Larkin Hoffman

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Enclosures

cc: David Soto
Peter Coyle, Esq.
J. Michael Melchert, Esq.

4885-9863-9574, v. 2

Redline of Proposed Text Amendment to Code §§ 900.04 and 900.05.7

Sec. 900.04. Definitions.

The following words, terms, and phrases, as used herein, have the following meanings:

Accessory apartment means a second dwelling unit in an existing single-family detached dwelling for use as a complete, independent living facility with provision within the accessory apartment for cooking, eating sanitation, and sleeping. Such a dwelling is an accessory use to the main dwelling.

Accessory structure means a structure subordinate to, and serving the principal structure on the same lot and customarily incidental thereto.

Accessory use means a use incidental to, and on the same lot as, a principal use.

Adult arcade means any place to which the public is permitted or invited wherein coin-operated, slug-operated, or for any form of consideration, or electronically, electrically, or mechanically controlled still or motion picture machines, projectors, video or laser disc players, or other image-producing devices are maintained to show images to five (5) or fewer persons per machine at any one (1) time, and where the images so displayed are distinguished or characterized by the depicting or describing of "specified sexual activities" or "specified anatomical areas".

Adult bookstore, adult novelty store or adult video store means a commercial establishment which, as one (1) of its principal purposes, offers for sale or rental for any form of consideration any one (1) or more of the following:

- A. Books, magazines, periodicals or other printed matter, or photographs, films, motion picture, video cassettes or video reproductions, slides, or other visual representations which are characterized by the depiction or description of "specified sexual activities" or "specified anatomical areas"; or
- B. Instruments, devices, or paraphernalia which are designed for use in connection with "specified sexual activities".

A commercial establishment may have other principal business purposes that do not involve the offer for sale or rental of material depicting or describing "specified sexual activities" or "specified anatomical areas" and still be categorized as adult bookstore, adult novelty store, or adult video store. such other business purposes will not serve to exempt such commercial establishments from being categorized as an adult bookstore, adult novelty store, or adult video store so long as one (1) of its principal business purposes is the offering for sale or rental for consideration the specified materials which are characterized by the depiction or description of "specified sexual activities" or "specified anatomical areas".

Adult cabaret means a nightclub, bar, restaurant, or similar commercial establishment which regularly features;

- A. Persons who appear in a state of nudity or semi-nude; or
- B. Live performances which are characterized by the exposure of "specified anatomical areas" or by "specified sexual activities"; or
- C. Films, motion pictures, video cassettes, slides or other photographic reproductions which are characterized by the depiction or description of "specified sexual activities" or "specified anatomical areas"; and has a sign visible from the public right of way which advertises the availability of this adult type of photographic reproductions; or

Adult motel means a hotel, motel or similar commercial establishment which:

- A. Offers accommodations to the public for any form of consideration; provides patrons with closed-circuit television transmissions, films, motion pictures, video cassettes, slides, or other photographic reproductions which are characterized by the depiction or description of "specified sexual activities" or "specified anatomical areas"; and has a sign visible from the public right of way which advertises the availability of this adult type of photographic reproductions; or

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- B. Offers a sleeping room for rent for a period of time that is less than ten (10) hours; or
 - C. Allows a tenant or occupant of a sleeping room to sub-rent the room for a period of time that is less than ten (10) hours.

Adult day care facility means care facilities as licensed by the State of Minnesota.

Adult motion picture theater means a commercial establishment where, for any form of consideration, films, motion pictures, video cassettes, slides, or similar photographic reproductions are regularly shown which are characterized by the depiction or description of "specified sexual activities" or "specified anatomical areas".

Adult theater means a theater, concert hall, auditorium, or similar commercial establishment which regularly features persons who appear in a state of nudity or semi-nude, or live performances which are characterized by the exposure of "specified anatomical areas" or by "specified sexual activities".

Alley means a public right-of-way permanently reserved as a secondary means of access to abutting property.

Animal, food means fish, fowl, cattle, swine, sheep and other raised for purposes of food consumption.

Animal, fur means animals raised for their pelt.

Animal, pleasure means dogs, cats, horses, birds.

Animal unit means the following animals constitute one (1) animal unit equivalency: one (1) cow or steer, one (1) horse, donkey or burro, three (3) sheep, three (3) hogs or one hundred (100) fowl.

Antenna means equipment used for transmitting or receiving tele-communication, television or radio signals which is located on the exterior of, or outside of, any building or structure.

Apartment means a room with full housekeeping facilities which is rented on a monthly basis.

Arterial street means interregional roads conveying traffic between towns and other urban areas as defined in the comprehensive plan.

Basement means a portion of a building located partly underground. A basement shall be counted as a story if it has one-half (½) or more of its height above the highest level of the adjoining ground and/or if it is intended to be used for dwelling or business purposes.

Bed and breakfast means an owner occupied single-family dwelling where lodging in up to four (4) guest rooms and breakfast are provided to the traveling public by the resident owner for compensation.

Boarding house means a building other than a motel or hotel where, for compensation for definite periods of time, meals or lodgings are provided.

Boulevard means that portion of a street right-of-way between the curb or curb line and the property line.

Block means an area of land within a subdivision that is entirely bounded by streets or a combination of street, exterior boundary lines of the subdivision and/or bodies of water.

Building means any structure having a roof which may provide shelter or enclosure of persons, animals or chattel.

Building height means the vertical distance from the average elevation of the adjoining ground level to the top of the highest point of the structure.

Building line means that line measured across the width of the lot at the point where the main structure is placed in accordance with setback provisions.

Business means any occupation, employment or enterprise wherein merchandise is exhibited or sold, or which occupies time, attention, labor, and materials, or where services are offered for compensation.

Canopy means a roof-like structure projecting over the entrance to a building.

Cemetery means land used or intended to be used for the burial of the dead and dedicated for cemetery purposes, including columbariums, crematories, mausoleums, and mortuaries when operated in conjunction with and within the boundaries of such cemetery.

Church means a building, together with its accessory buildings and uses, where persons regularly assemble for religious worship and which building, together with its accessory buildings and uses, is maintained and controlled by a religious body organized to sustain public worship.

Clear cutting means the removal of an entire stand of trees.

Club means a non-profit association of persons who are bonafide members paying annual dues; use of premises being restricted to members and their guests.

Collector street means a street whose function is to channel traffic from local streets to major arterial roads. These streets are identified in the city's comprehensive plan.

Commercial recreational facilities means uses including, but not limited, to the following: Miniature golf, driving ranges, waterslides, amusement centers.

Commercial telecommunication antenna means an antenna used for the commercial purpose of sending and receiving electromagnetic signals in the ordinary course of commerce.

Comprehensive plan means a compilation of policy statements, goals, standards and maps for guiding the physical, social and economic development, both private and public, of the city and its environs.

Conditional use means those occupations, vocations, skills, arts, businesses, professions, or uses specifically designated in each zoning use district, which for the respective conduct or performance in such designated use districts may require reasonable, but special, peculiar, unusual or extraordinary limitations, facilities, plans, structures, thoroughfares, conditions, modification or regulations in such use district for the promotion or preservation of the general public welfare, health, convenience, or safety therein and in the county, and therefore may be permitted in such use district only by a conditional use permit (CUP).

Contractor's yard means a building and/or lot specifically used for the storing of construction vehicles, equipment and other related apparatus.

Cul-de-sac means a local street, one (1) end of which is closed and consists of a circular turn around.

Dairy farming means the process of maintaining a herd for the principal purpose of producing milk, plus horticultural activities.

Day care nursery means a building or structure where care, protection and supervision of children are provided for a fee as licensed by the State of Minnesota and in accordance with the zoning ordinance.

Deck means a structure which is either free standing or attached to a principal or accessory building, constructed at grade or above grade, intended or designed for use as outdoor living space and unenclosed by solid or non-solid walls or a roof.

District refers to a specific zoning district as described in the zoning ordinance.

Dump truck means a truck that: i) unloads contents by tilting the truck bed backwards or sideways; and ii) exceeds seven (7) feet, six (6) inches in height at its highest point (with the truck bed lowered).

Dwelling means a room or group of rooms providing complete living facilities for one (1) household.

Dwelling, single-family means one (1) dwelling unit having open space on all four (4) sides.

Dwelling, two-family means a building having two (2) dwelling units.

Dwelling, multiple family means a building having three (3) or more dwelling units.

Dwelling, townhouse means a dwelling unit attached to other dwelling units by common walls, side by side, extending from the foundation to the roof and without any portion of one (1) dwelling unit located above any portion of another dwelling unit, and with each dwelling unit having a separate entrance from outside the building.

Easement means authorization by a property owner for the use by another, and for a specified purpose, of any designated part of his property.

Engineer means the professional engineer engaged by the city council.

Erosion means the wearing away of land surface by the action of manmade and natural elements.

Escort means a person who, for consideration, agrees or offers to act as a companion, guide, or date for another person, or who agrees or offers to privately model lingerie or to privately perform a striptease for another person.

Escort agency means a person or business association who furnishes, offers to furnish, or advertises to furnish escorts as one (1) of its primary business purposes for a fee, tip, or other consideration.

Extended care facility means facilities where health care services can be administered and/or delivered on an on-call basis.

Family means an individual, or two (2) or more persons each related by blood, marriage, or adoption living together as a single housekeeping unit, or a group of not more than four (4) persons not so related maintaining a common household.

Feed lot means any tract of land, or structure, pen, or corral, wherein cattle, horses, sheep, goats and swine are maintained in close quarters for the purpose of fattening such livestock for final shipment to market.

Fence means a lineal structure including walls, hedges, or similar barriers used to prevent access by persons or animals or prevent visual or sound transference.

Final plat means the final map and/or plan and/or record of a subdivision and any accompanying material presented to the city council for approval and which, if approved, will be duly filed with the County Register of Deeds.

Floor area means the sum of the gross horizontal areas of the several floors of the building measured from the exterior faces of the exterior walls, or from the center line of walls separating two (2) buildings and shall include basement floor area except for porches, balconies, breezeways, and attic areas having head room of less than seven and one-half (7½) feet.

Floor area ratio is determined by dividing the gross floor area of all buildings on a lot by the area of that lot.

Funeral home means a business establishment where the bodies of the dead are prepared for burial or cremation and where funeral services can be held.

Garage means a building for the private use of the owner or occupant of a principal building situated on the same lot of the principal building for the storage of motor vehicles with no facilities for mechanical service or repair of a commercial or public nature.

Garage sale means a sale of used or unwanted possessions, as household articles, often held in the garage of a house.

Gazebo means an independent, open, roofed structure from which one can gaze at the surrounding scenery.

General farming means the process of planting and harvesting a horticultural crop as the principal use of the land plus the keeping of livestock.

Golf course means a tract of land, including a clubhouse, for playing golf, with tees, greens, fairways, hazards, etc.

Governing body means the city council.

Guest cottages means a building solely used for one (1) or more of the following purposes: scrap booking, stamping, greeting card making, quilting, beading, hosting a book club, hosting a wedding or hosting a baby shower. Such a building may include lodging for persons then using the building for a permitted use. No part of such a building, however, shall be used by its owner or operator as a dwelling.

Hardcover surface means 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.

Hardship (associated with variances) means the property in question cannot be put to a reasonable use under the conditions allowed by the official controls; the plight of the landowner is due to circumstances unique in his property, not created by the landowner; and the variance, if granted, will not alter the essential character of the locality. Economic considerations alone shall not constitute a hardship if a reasonable use for the property exists under terms of the official controls.

Home occupation means any occupation or profession carried on by a member of the immediate family residing on the premises in connection with which there is no sign, other display, or other condition permitted that will indicate from the exterior that the building is being utilized in whole or in part for any purpose other than that of a dwelling. There shall be no commodities sold upon the premises and no person employed therein other than a member of the immediate family residing on the premises or domestic servants; and no mechanical or electrical equipment shall be used except such as is normally used for purely domestic or professional purposes. No accessory building shall be used for such home occupation, and entrance to the home occupation shall be gained from within the structure.

Hotel means a facility offering transient lodging accommodations on a daily rate to the general public and providing additional services, such as restaurants, meeting rooms, and recreational facilities.

Incineration means a burning process which converts combustible materials into non-combustible residue or ash.

Industry means an enterprise which involves the production, processing, or storage of materials, goods, or products.

Interim use means a use, allowed on an interim or temporary basis, consistent with the zoning ordinance. An interim use shall have a known termination date.

Kennel, commercial means any place where a person, firm, or corporation accepts animals from the general public and where such animals are kept for the purposes of selling, boarding, breeding, training, treating or grooming.

Kennel, private means any place where more than two (2) animals over four (4) months of age are kept or harbored, such animals being owned by the owner or lessee of the premises wherein or whereupon the animals are kept or harbored.

Kennel license means no person, firm, or corporation shall maintain in this city a private or commercial kennel without securing a license therefor from the city council, and the fee being as set forth in the schedule of fees.

Kennel license, renewal of. Kennel licenses shall expire on the 31st day of December next following their issuance. Upon application for renewal of a kennel license, an authorized city employee shall inspect the kennel of the applicant. Said employee shall submit to the city clerk either an affirmative certification that said kennel is maintained in a neat, orderly, and safe condition or a negative certification that said kennel is not so maintained. The city clerk may issue a renewal kennel license provided that:

- A. The aforementioned certificate is affirmative; and

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- B. No complaints have been received by the city.
 - C. In all other cases, the kennel license shall be renewed only upon city council approval.

Landscaping means plantings such as trees, grass, bushes and shrubs.

Large retail building means a building exceeding fifty thousand (50,000) square feet of gross building floor area where the primary use of the building floor area is devoted to the sale or rental of merchandise to the general public, including, but not limited to, department stores, discount stores, supermarkets, superstores and wholesale clubs.

Large retail project means a large retail building and any associated storage areas, parking lots, driveways, sidewalks and any other associated development features.

Licensed engineer means a person licensed as a professional engineer by the State of Minnesota.

Livestock means domestic animals kept for use on a farm and raised for sale and profit.

Local street means a roadway allowing access to abutting land, serving local traffic only.

Lodge. See club.

Lot means a parcel, piece, or portion of land designated by metes and bounds, registered land survey, auditor's plat, or other means and separated from other parcels or portions by said description for the purpose of sale, lease, or separation thereof, abutting a public street.

Lot area means the area of a lot on a horizontal distance between the front lot line and the rear lot line.

Lot depth means the mean horizontal distance between the front lot line and the rear lot line.

Lot of record means a lot whose existence, location, and dimensions have been legally recorded or registered in a deed or on a plat.

Lot width means the horizontal distance between side lot lines, measured at the required front setback line.

Lot, corner means a lot abutting on and at the intersection of two (2) or more streets.

Lot, flag means a lot with access provided to the bulk of the lot by means of a narrow corridor. Flag lots will be allowed only as a way to preserve natural site features of a plat or to enhance the safety of a lot from traffic whose entrance would otherwise be directly onto a collector or arterial street.

Lot, interior means a lot other than a corner lot, including through lots.

Lot, through means a lot having its front and rear yards each abutting on a street.

Lot line means a line dividing one (1) lot from another lot or from a street or alley.

Lot line, front means that boundary of a lot which abuts an existing or dedicated public street, and in the case of a corner lot it shall be the shortest dimension on a public street.

Lot line, interior means any boundary of a lot which does not abut a public right-of-way.

Lot line, rear means that boundary of a lot which is opposite the front lot line. If the rear lot line is less than ten (10) feet in length or if the lot forms a point at the rear, the rear lot line shall be a line ten (10) feet in length within the lot, parallel to the front lot line.

Lot line, side means any boundary of a lot which is not a front lot line or a rear lot line.

Marina means an inland or offshore area for concentrated mooring of five (5) or more watercraft, wherein facilities are provided for any or all of the following ancillary services: Boat storage, fueling, launching, mechanical repairs, sanitary pump-out and restaurant services.

Manufacturing means uses which include the compounding, processing, packaging, treatment or assembly of products and materials.

Marquee. See *canopy*.

Microdistillery means a "microdistillery", as such term is defined by Minn. Stat. § 340A.101, subd. 17a, as amended.

Mining means the extraction of sand, gravel, rock, soil, or other material from the land in the amount of four hundred (400) cubic yards or more and the removal thereof from the site. The only exclusion from this definition should be removal of minerals associated with the nominal construction of a building.

Mini-storage facility means a structure or building in which customers can rent space to store possessions.

Mixed-use building means a building containing a retail or commercial use permitted in the district on each floor with an exterior wall at-grade, together with one (1) or more dwellings on other floors of the same building.

Mortuary means a place where dead bodies are kept before burial or cremation.

Motel means a facility offering lodging accommodations for those traveling by car usually with easy access from each room to an area for cars.

Motor freight terminal means a building or area in which freight brought by motor truck is transferred and/or stored for movement.

Motor fuel station means a retail place of business engaged primarily in the sale of motor fuels, but also may be engaged in supplying goods and services generally associated with the operation and maintenance of motor vehicles. These may include sale of petroleum products, sale and servicing of tires, batteries, automotive accessories, and replacement items, washing and lubrication services, and the performance of minor automotive maintenance and repair.

Motor fuel station convenience store means a store operated in conjunction with a motor fuel station offering a limited selection of food and other products and staying open for longer hours at a convenient location.

Motor vehicle means a self-propelled vehicle, excluding vehicles moved solely by human power.

Nameplate sign means a sign which bears the name and address of the occupant of the building.

Non-conforming structure means a structure which does not meet the requirements of the zoning district in which it is located due to the enactment of this chapter or any amendment thereto, but which was lawfully existing as of the date of its construction or placement.

Non-conforming use means a use which does not meet the requirements of the zoning district in which it is located due to the enactment of this chapter, or any amendment thereto, but which was a lawful use as of the date it was first commenced.

Noxious matter means matter capable of causing injury to living organisms by chemical reaction or capable of causing detrimental effects on the physical or economic well-being of individuals.

Nude model studio means any place where a person who appears semi-nude, in a state of nudity, or who displays "specified anatomical areas" and is provided to be observed, sketched, drawn, painted, sculptured, photographed, or similarly depicted by other persons who pay money or any form of consideration. Nude model studio shall not include a proprietary school licensed by the State of Minnesota or a college, junior college or university supported entirely or in part by public taxation; a private college or university which maintains and operates educational programs in which credits are transferable to a college, junior college, or university supported entirely or partly by taxation; or in a structure:

- A. That has no sign visible from the exterior of the structure and no other advertising that indicates a nude or semi-nude person is available for viewing; and

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- B. Where in order to participate in a class a student must enroll at least three (3) days in advance of the class; and
 - C. Where no more than one (1) nude or semi-nude model is on the premises at any one (1) time.

Nudity or a state of nudity means the showing of the human male or female genitals, pubic area, vulva, anus, anal cleft or cleavage with less than a fully opaque covering, the showing of the female breast with less than a fully opaque covering of any part of the nipple, or the showing of the covered male genitals in a discernible turgid state.

Nursing home means a building or group of buildings licensed by the State of Minnesota for the care of the aged or infirm, or a place of rest and care for those suffering physical or mental disorders. Hospitals, clinics, maternity care homes and other buildings or parts of buildings containing surgical equipment are not included.

Off-street parking means a maintained area, other than on a public street or right-of-way, for the storage of an automobile.

Open storage means storage of materials outside of a building.

Owner means any individual, firm, association, syndicate, partnership, corporation, trust or any other legal entity having proprietary interest in the land.

Party wall means a common wall which divides two (2) independent structures by a fire wall.

Pedestrian way means the right-of-way across or within a block for use by pedestrian traffic.

Performance standard means standards that are established to assure that development will not be a detriment to the public health, safety, and general welfare of the municipality.

Person means an individual, to include both male and female and shall also extend and be applied to bodies political and corporate and to partnership and other incorporated associations.

Planned unit development (PUD) means a self-contained development, often with a mixture of housing types and densities, in which the subdivision and zoning controls are applied to the project as a whole rather than to individual lots, as in most subdivisions. Therefore, densities are calculated for the entire development, usually permitting a trade-off between clustering of houses and provision of common open space.

Planning agency means the planning Commission or planning department as created by the City of Waconia.

Principal structure means a structure or building used for principal uses, including all seasonal living areas, porches, decks, and breezeways attached to the structure or building.

Private garage. See *garage*.

Private residential recreational facilities means swimming pools, tennis courts, exercise/weight rooms, club houses and similar facilities owned, operated and maintained by a development or homeowner's association for the benefit of multiple residential users.

Publication means notice placed in the official city newspaper stating time, location and date of meeting and description of the topic.

Public garage means a building or portion of a building used for the storage of vehicles for remuneration.

Public hearing. Whenever the term public hearing is used in this chapter, unless otherwise specifically redefined, it shall mean a public hearing pursuant to a notice published once in the official newspaper of the city and at least ten (10) days before the date of such hearing, which notice shall specify the general purpose, time and place of such hearing. Any such hearing after such publication may be continued, recessed, or adjourned from time to time without any further publication or notice thereof.

Public service installation means public utility structures including, but not limited to, transformers, substations and lift stations, and public utility buildings.

Public water means any waters of the state as defined in Minn. Stat. 1980 § 105.37, subd. 14. However, no lake, pond or flowage of less than ten (10) acres in size and no river or stream having a total drainage area less than two (2) square miles shall be required for purposes of this chapter.

Refrigerator truck means a truck designed or used to transport property at a specific temperature.

Rental facility means a building specifically used to conduct a business of renting, to the public, general items including, but not limited to, hand power tools, automotive tools, lawn and garden items, tables and chairs, tents, moving supplies, floor care and plumbing tools, cement tools, home improvement tools, painting equipment, generators and other items used by contractors or homeowners.

Repair garage means a building for the maintenance of vehicles but not including auto wrecking or junk yards.

Rural Lifestyle Retail means a retail business located in the B-1 Highway Business District on a Lot of at least four (4) acres with a building not larger than twenty-five thousand (25,000) square feet of gross building floor area in conjunction with total outdoor storage and display that is both (i) not less than twenty thousand (20,000) square feet and (ii) not more than twenty percent (20%) of the Lot. The building and outdoor storage and display areas are primarily devoted to the retail sale of rural lifestyle goods, furnishings, and equipment along with the sale and rental of farm equipment, implements, materials, and motorized vehicles. The Lot location must be adjacent to an arterial roadway, not adjacent to residential property, and must have vehicle access to two (2) different rights-of-way.

Semi-nude or in a semi-nude condition means the showing of the female breast below a horizontal line across the top of the areola at its highest point or the showing of the male or female rear of the body which lies between two (2) imaginary lines running parallel to the ground when a person is standing, the first or top of such line drawn at the top of the cleavage of the nates and second or bottom line drawn at the lowest visible point of the cleavage or the lowest point of the curvature of the fleshy protuberance, whichever is lower, and between two (2) imaginary lines on each side of the body, which lines are perpendicular to the ground and to the horizontal lines described above, and which perpendicular lines are drawn through the point at which each nate meets the outer side of each leg. This definition shall include the entire lower portion of the human female breast, but shall not include any portion of the cleavage of the human female breast, exhibited by a dress, blouse, skirt, leotard, bathing suit, or other wearing apparel provided the areola is not exposed in whole or in part.

Semi-trailer means a vehicle of the trailer type so designed and used in conjunction with a truck-tractor that a considerable part of its own weight or that of its load rests upon and is carried by the truck-tractor and includes a trailer drawn by a truck-tractor semi-trailer combination.

Service road means a street which is adjacent to a thoroughfare and which provides access to abutting properties and protection from through traffic.

Setback means the minimum horizontal distance between a structure and the nearest property line or right-of-way line; within shoreland districts it shall also mean the minimum horizontal distance between a structure and the normal highwater mark.

Setback, front yard means the shortest horizontal distance from the forward most point of a building or structure to the nearest point on the front lot line.

Setback, interior side yard means the shortest horizontal distance from any part of a building or structure to the nearest point on an interior side lot line.

Setback, rear yard means the shortest horizontal distance from any part of a building or structure to the nearest point on a rear lot line.

Setback, street side yard means the shortest horizontal distance from any part of a building or structure to the nearest point on a side lot line that adjoins a street.

Sexual encounter center means a business or commercial enterprise that, as one (1) of its principal business purposes, offers for any form of consideration:

- A. Physical contact in the form of wrestling or tumbling between persons of the opposite sex; or
- B. Activities between male and female persons and/or persons of the same sex when one (1) or more of the persons is in a state of nudity or semi-nude.

Sexually oriented business means an adult arcade, adult bookstore, adult novelty store, adult video store, adult cabaret, adult motel, adult motion picture theater, adult theater, escort agency, nude model studio, or sexual encounter center.

Shoreland means land located within the following distances from public water; one thousand (1,000) feet from the normal highwater mark of a lake, pond, or flowage; and, three hundred (300) feet from a river or stream, or the landward extent of a floor plain designated by ordinance of such a river or stream, whichever is greater.

Small brewery means a brewery operated by a brewer who holds an off-sale malt liquor license issued pursuant to Waconia City Code section 580.06, subdivision 11.

Specified anatomical areas means:

- A. The human male genitals in a discernibly turgid state, even if completely and opaquely covered; or
- B. Less than completely and opaquely covered human genitals, pubic region, buttocks or a female breast below a point immediately above the top of the areola.

Specified criminal activity means any of the following offenses:

- A. Prostitution or promotion of prostitution; dissemination of obscenity; sale, distribution or display of harmful material to a minor; sexual performance by a child; possession or distribution of child pornography; public lewdness; indecent exposure; indecency with a child; engaging in organized criminal activity; sexual assault; molestation of a child; gambling; or distribution of a controlled substance; or any similar offenses to those described above under the criminal or penal code of other states or countries; for which:
 - i. Less than two (2) years have elapsed since the date of conviction or the date of release from confinement imposed for the conviction, whichever is the later date, if the conviction is of a misdemeanor offense;
 - ii. Less than five (5) years have elapsed since the date of conviction or the date of release from confinement for the conviction, whichever is the later date, if the conviction is of a felony offense; or
 - iii. Less than five (5) years have elapsed since the date of the last conviction or the date of release from confinement for the last conviction, whichever is the later date, if the convictions are of two (2) or more misdemeanor offenses or combination of misdemeanor offenses occurring within any twenty-four-month period.
- B. The fact that a conviction is being appealed shall have no effect on the disqualification of the applicant or a person residing with the applicant.

Specified sexual activities means any of the following:

- A. the fondling or other erotic touching of human genitals, pubic region, buttocks, anus or female breasts;
- B. sex acts, normal or perverted, actual or simulated, including intercourse, oral copulation, masturbation, or sodomy; or
- C. excretory functions as part of or in connection with any of the activities set forth in A. and B. above.

Street means a public or private thoroughfare used, or intended to be used, for passage or travel by motor vehicles.

Street frontage means that portion of a parcel of land abutting one (1) or more street. An interior lot has one (1) street frontage and a corner lot has two (2) such frontages.

Structure means anything built or constructed, an edifice or building of any kind, or any piece of work composed of parts joined together in some definite manner, except parking lots and driveways.

Subdivision means the division of any parcel of land into two (2) or more lots, blocks, and/or sites, with or without streets or highways and includes re-subdivision.

Substandard use means any use of lands existing prior to the date of enactment of this chapter which is permitted within the applicable zoning district but does not meet minimum lot area and length of frontage, structure setbacks, or other dimensional standards of the Ordinance.

Surveyor means a person duly registered as a land surveyor by the State of Minnesota.

Taproom means a space within, or in a structure adjacent to, a small brewery where malt liquor manufactured by a small brewer holding a license pursuant to Waconia City Code section 580.06, subdivision 12, is sold.

Tower means any pole, spire or structure, or any combination thereof, to which an antenna is attached, or which is designed for an antenna to be attached, and all supporting lines, cables, wires and braces.

Truck means a motor vehicle designed, used or maintained primarily for the transportation of property.

Truck stop means a motor fuel station devoted principally to the needs of trucks and which shall include eating facilities.

Truck-tractor means a motor vehicle designed and used primarily for drawing other vehicles and not constructed to carry a load other than a part of the weight of the vehicle and load drawn.

Use means the purpose or activity for which the land or structure thereon is designated, arranged, or intended, or for which it is occupied, utilized or maintained.

Use, permitted means a use which conforms with the requirements of the zoning district within which it is located.

Use, principal means the primary use of land or structures as distinguished from accessory uses.

Utility building means an accessory building which is not usable for the storage of vehicles; is one-story in nature; is used or intended for the storage of hobby tools, garden equipment, etc.; is detached from the principal structure; and which is naturally and normally incidental to, subordinate to, and auxiliary to the principal dwelling structure.

Variance means any modification or variation of official controls where it is determined that because of hardship, strict enforcement of official control is impractical.

Vehicle means a device in, upon, or by which any person or property is or may be transported or drawn upon a highway, excepting devices used exclusively upon stationary rails or tracks.

Warehousing means the storage of materials or equipment within an enclosed building.

Wholesaling means the selling of goods, equipment and materials by bulk to another business that in turn sells to the final customer.

Yard means a required open space on a lot, which is unoccupied and unobstructed by any structure from its lowest ground level to the sky except as expressly permitted in this chapter.

Yard, front means a yard extending across the front of the lot between the side property lines and lying between the front lot line and the nearest line of the building.

Yard, rear means a yard extending across the rear of the lot between the side property lines and lying between the rear lot line and the nearest line of the building.

Yard, side means a yard between the side lot line and the nearest line of the building and extending from the front yard line to the rear yard line.

Zoning district means an area of the city designated in the zoning ordinance text and delineated on the zoning map, in which requirements for the use of land and building and development standards are prescribed.

Zoning map means the official city map that delineates the various zoning districts.

Zoning ordinance means the official land-use controls, which list various requirements, that guide the physical development of the city.

(Ord. No. 745, 3-7-22)

Sec. 900.05.7. B-1 Highway Business District.

[A. Scope of regulations.]

1. *Intent and purpose:* The purpose of this district is to provide for an appropriate range of businesses that will be utilized by area residents as well as vehicular traffic generated from the surrounding area.
2. *Permitted uses:* Retail businesses that are not large retail buildings nor large retail projects; eating and drinking establishments; banks; hotels and motels; automobile service and repair; farm equipment/implement sales and service; **rural lifestyle retail**; commercial recreation facilities; laundromats and dry cleaners; barber/beauty shops; mini-storage facilities; churches; off-sale liquor sales; microdistilleries; small breweries; taprooms; lumber yards; animal clinics; commercial kennels; outdoor theaters; bicycle sales/service; copy and printing services; medical related clinics/uses; and offices.
3. *Permitted accessory uses:* Fences, off-street parking, business signs, incidental repair, processing and storage necessary to conduct a permitted use but not exceeding thirty (30) percent of the floor area of the principal building, gardening and other horticultural uses where no sale of products is conducted within a building.
4. *Uses permitted with special restrictions:*
 - a. Day care facilities licensed by the State of Minnesota.
 - b. Drive-in businesses (for the purpose of this section, shall mean: Drive-in restaurants, fast food businesses with a drive thru, drive-in theaters and motor fuel stations). Restrictions include:
 - 1) No drive-in business shall be located within three hundred (300) feet of a school or church.
 - 2) No drive-in shall be located within one hundred (100) feet of any residentially zoned property, provided:
 - a) No public address system shall be audible from any residential zone; and
 - b) Screening of the property from residential areas will be required. The City may require fencing, earthen berms and landscaping, or any other

method or combination deemed appropriate to accomplish the required screening.

- 3) No drive in shall be located on any street other than an arterial roadway, collector roadway or business service road.
- 4) No access drive shall be within one hundred (100) feet of intersecting street right-of-way lines.
- 5) No less than thirty (30) percent of the gross lot area shall be landscaped.
- 6) Adequate area shall be designated for snow storage such that clear visibility shall be maintained from the property to any public street.
- 7) A six-inch non-surmountable curb shall separate all walks and landscape areas from parking areas.
- 8) Should the use be a drive-in theater, an opaque fence not less than eight (8) feet in height and extending at least to within two (2) feet of the ground shall be constructed around the property.

c. Motor fuel stations and motor fuel station convenience stores subject to the following:

- 1) For architectural purposes, each side of a motor fuel station/convenience store shall be considered as a front face.
- 2) The storage for items for sale outside the principal building shall be displayed in specifically designed containers.
- 3) All trash, waste materials, and obsolete parts shall be stored within a separate enclosure.
- 4) All goods for sale, other than those required for the operation and maintenance of motor vehicles shall be displayed within the principal structure.
- 5) No sale of motor vehicles, trailers or campers shall be permitted.
- 6) Open dead storage of motor vehicles shall not be permitted for a period of more than seven (7) days.
- 7) All rental campers, trailers or motor vehicles shall be stored within the rear and/or sideyard not adjacent to the street.
- 8) Wherever a motor vehicle fuel station/convenience store abuts residential property, a fence or compact evergreen hedge not less than fifty (50) percent opaque not less than six (6) feet high shall be erected and maintained along the side and rear property line that abuts the residential property. Application of this provision shall not require a fence within fifteen (15) feet of any street right-of-way line.
- 9) Minimum fifteen-foot landscaped yard shall be planted and maintained behind all property lines except at driveway entrances.
- 10) The entire site, other than the part devoted to landscaping and structures, shall be surfaced with concrete or bituminous surfacing to control dust and provide adequate drainage.
- 11) Driveways shall not exceed thirty (30) feet in width nor be spaced closer than thirty (30) feet apart measured at the property line. No more than two (2) access drives to any street shall be permitted.

- 12) A six-inch non-surmountable curb shall separate all walks and landscape areas from parking and maneuvering areas.
- 13) The total height of any overhead canopy or weather protection shall not exceed twenty (20) feet.
- 14) Setbacks:

Lot width	150 ft.
Front yard	60 ft.
Adjacent to another lot	30 ft.
Adjacent to street	60 ft.
Rear yard	30 ft.
Pump setback from right-of-way	25 ft.

- 15) The setback of any overhead canopy of weather protection, freestanding or projecting from the station structures, shall not be less than ten (10) feet from the street right-of-way nor less than twenty (20) feet from any adjacent property line.
- d. Car washes provided there is sufficient stacking space outside the wash bay to accommodate that number of vehicles which can be washed during a fifteen-minute period based on the equipment rating.
- e. Motor vehicle sales lots provided that all display lots for vehicles provide curb and gutter per city specifications for storm run-off purposes and all outdoor signs meet city sign regulations.
- f. All other uses that utilize a drive thru service convenience provided that use has sufficient stacking space to accommodate that number of vehicles which can be served during a fifteen-minute period.

g. Rural Lifestyle Retail user performance standards

- 1) outdoor storage and display without screening shall be permitted along the storefront, adjacent to the building, and in other areas designated on a site plan that are not within drainage and utility easement areas;
- 2) outdoor storage and display of trailers, implements, pedal boats, motorized outdoor equipment, and motorized vehicles (e.g. tractors, mowers, utility vehicles, go-karts, and e-bikes) shall be permitted without screening upon paved surfacing;
- 3) a moveable loading dock shall satisfy loading berth requirements and (i) shall not require screening while in use and (ii) shall be considered screened if stored in the rear of the building and outside the drive aisle when not in use; and
- 4) tubed aluminum or black vinyl coated chain link fencing shall be permitted and may be up to 16 feet in height when connected to outdoor areas adjacent to the retail building. Additional screening shall not be required if this type of fencing is used.

5. *Uses permitted by conditional use permit (CUP):* The following uses are permitted by CUP subject to the requirements of section 900.11.
 - a. Mortuaries.

- b. Commercial recreation (which would include miniature golf, driving ranges, waterslides, amusement centers).
- c. Contractors yard.
- d. Large retail projects.

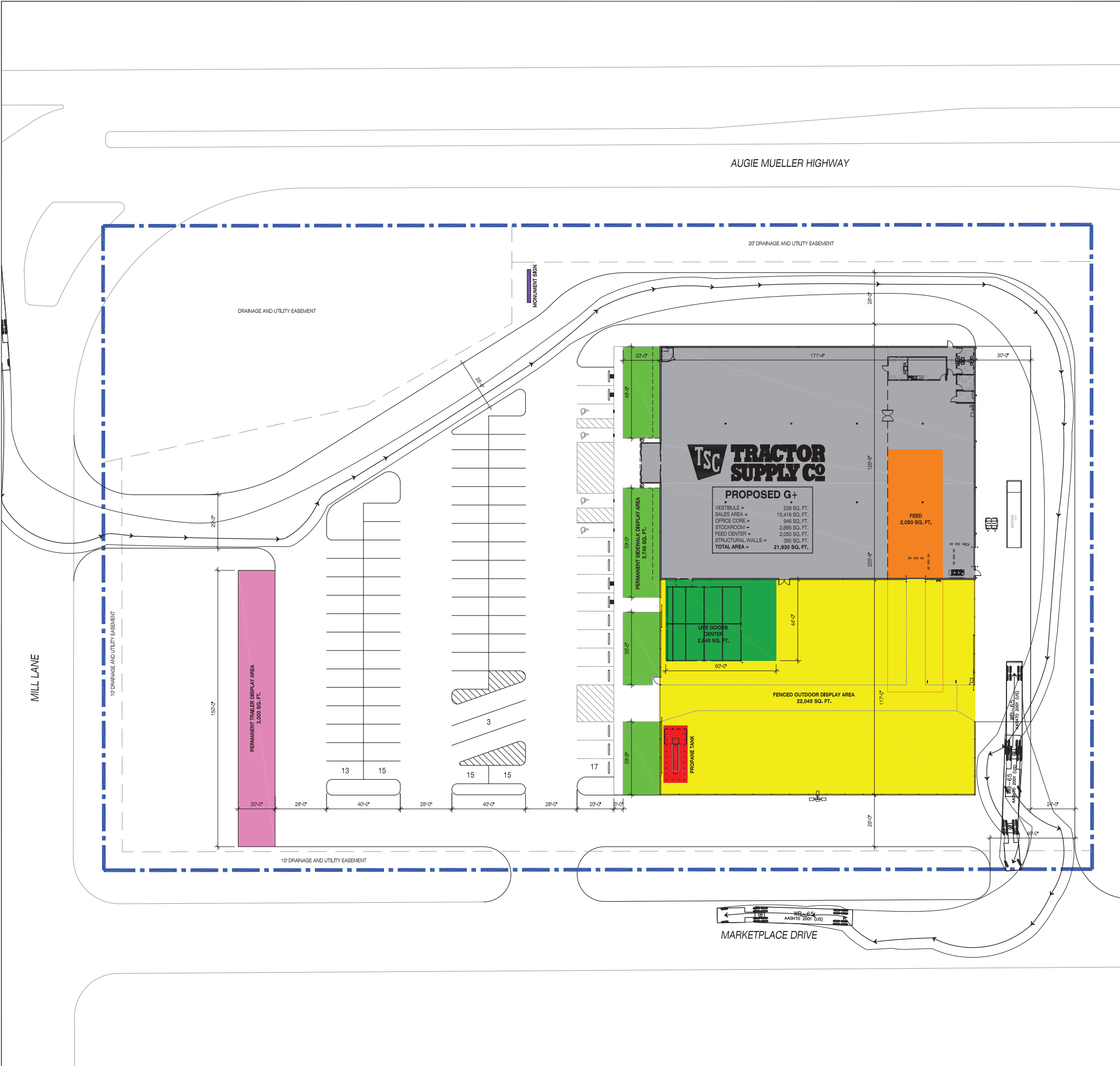
- 6. *Uses permitted by interim use permit (IUP):* The following uses are permitted by IUP subject to the requirements of section 900.11.
 - a. Parking lots without a hardcover surface.

7. *Lot requirements:*

a. Minimum lot area	17,500 sq. ft.
b. Minimum lot width	100 ft.
c. Maximum hardcover surface	80%
d. Maximum structure height	35 ft.
e. Minimum yards:	

	Front	Street Side	Interior Side	Rear
Principal Structures	25'	20'	15'*	20'

*Thirty-five (35) feet if adjacent to residential district.



SITE AREA:
+/- 4.32 ACRES

PARKING CALCULATION:
1:250 GROSS FLOOR AREA

21,930 / 250 = 87.7 = OR 88 REQUIRED SPACES

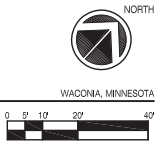
PROVIDED PARKING SPACES = 78

ZONING CLASSIFICATION:
EXISTING: B-1
PROPOSED: B-1

REQUIRED SETBACKS:
FRONT: 25'
SIDE: 15'
REAR: 20'

- FEED
- PROPANE
- LIVE GOODS CENTER
- FENCED OUTDOOR DISPLAY AREA
- PERMANENT TRAILER AND EQUIPMENT DISPLAY AREA
- PERMANENT SIDEWALK DISPLAY AREA
W/ 5' CLEAR WALKWAY
- MONUMENT SIGN
- PROPERTY LINE

SITE PLAN
SCALE: 1" = 20'



This drawing and the design shown is the property of the architect. The reproduction, copying or use of this drawing without their written consent is prohibited and any infringement will be subject to legal action.

Job Number: 2447

Date: 07.17.2024

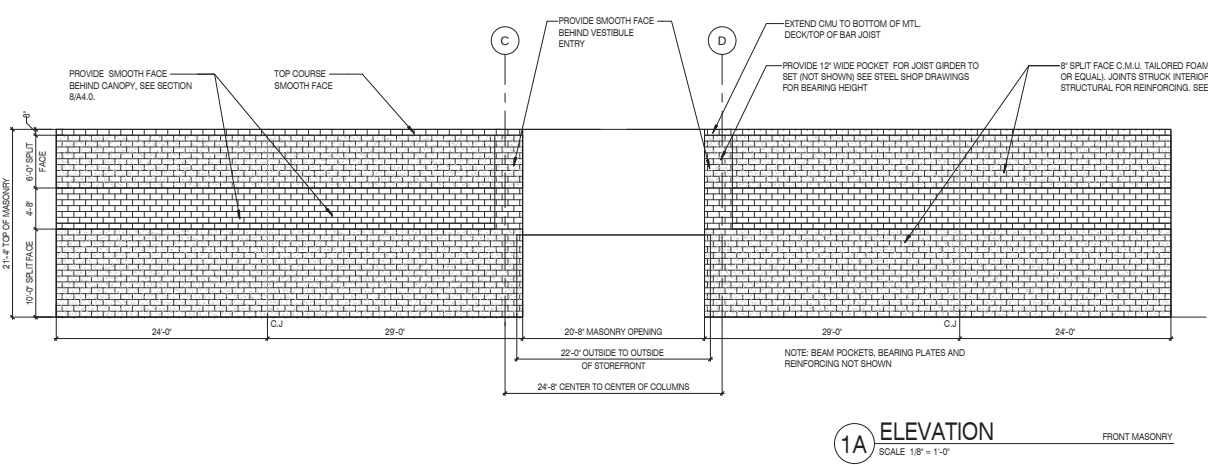
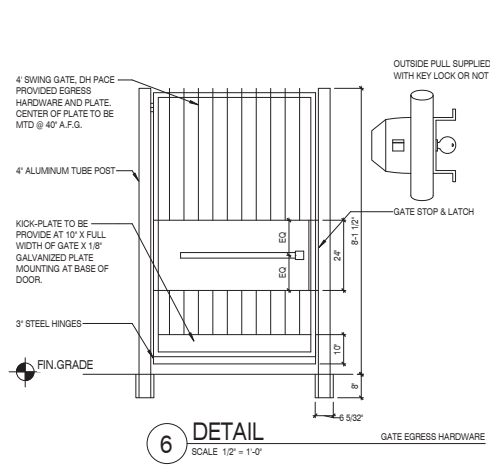
Revisions:

Revisions:

Revisions:

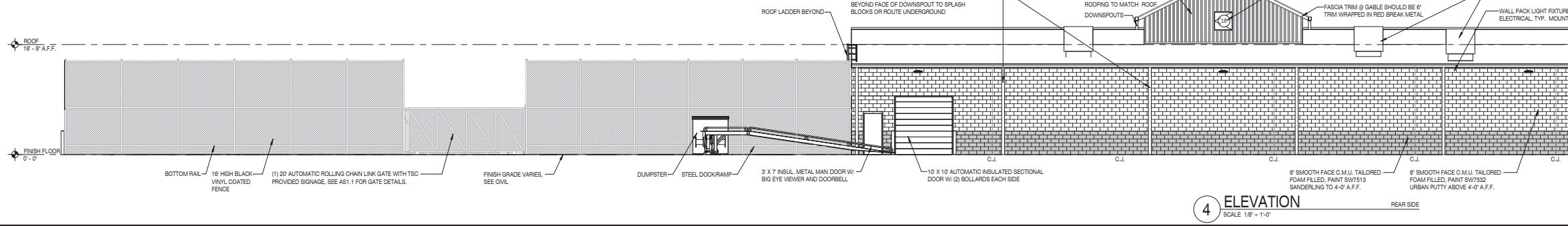
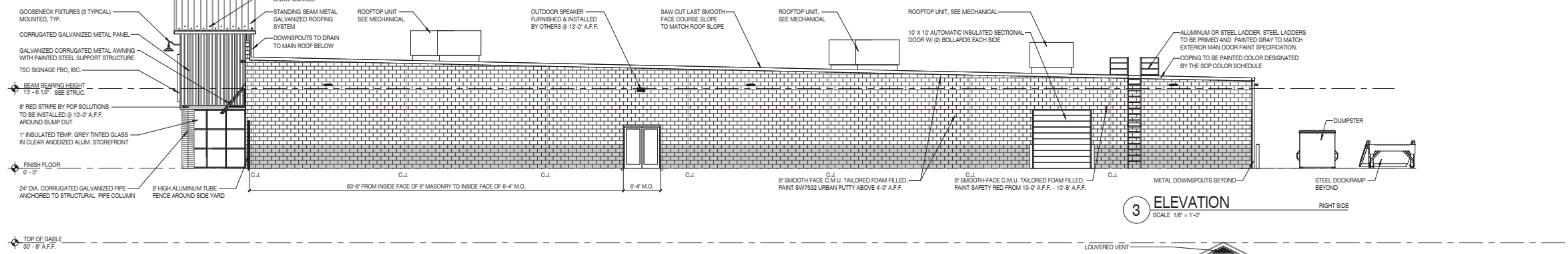
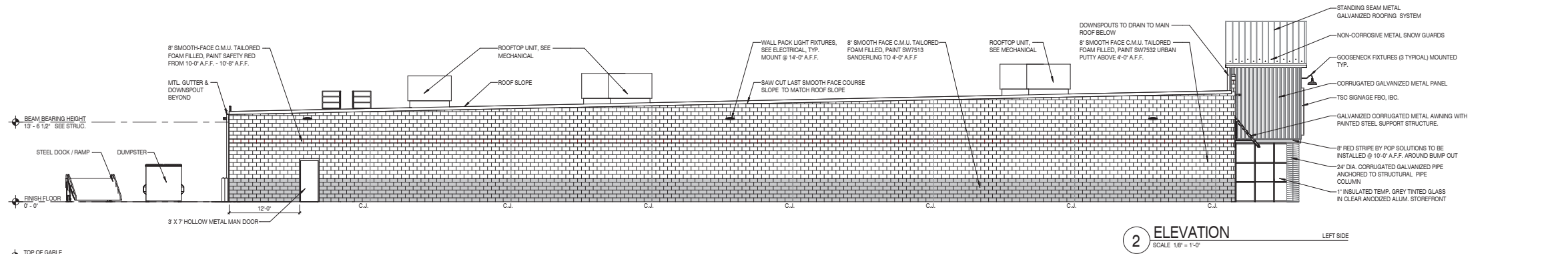
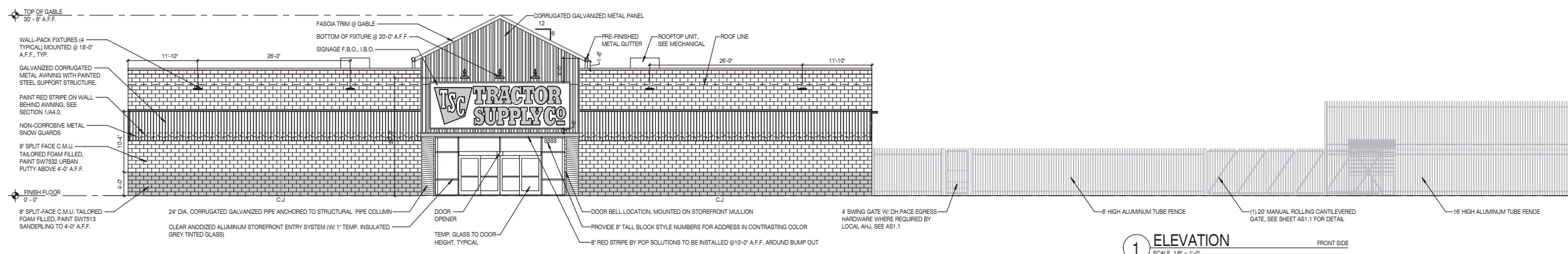
SITE PLAN

Sheet Number: AS1.0



UNLESS PREVIOUSLY DIRECTED BY THE BUILDING OWNER IN WRITING, DURING CONSTRUCTION THE CONTRACTOR SHALL BE RESPONSIBLE FOR COVERING ANY PARTIALLY COMPLETED MASONRY WALL(S) (CMU, BRICK, ETC.) WITH STRONG WEATHER RESISTIVE MATERIAL DURING ALL TIMES WHEN CONSTRUCTION IS NOT IN PROGRESS AND ESPECIALLY AT THE END OF EACH WORK DAY TO PREVENT WATER/MOISTURE FROM ENTERING THE MASONRY WALL(S). THE COVER SHALL BE DRAFTED OVER THE WALL AND EXTEND A MINIMUM OF (2) TWO FEET DOWN FROM BOTH SIDES AND SECURELY HELD IN PLACE. CONTINUE THIS PROCESS UNTIL MASONRY WALL IS WEATHER-TIGHT AND/OR THE ROOFING MEMBRANE IS INSTALLED AND SECURED.

GENERAL CONTRACTOR, OR, THE OWNERS TESTING COMPANY SHALL PROVIDE MOISTURE TESTING OF ALL CMU AND CONCRETE EXTERIOR WALLS PER ASTM D4263 PRIOR TO APPLICATION OF PAINT. TSC PROJECT MANAGER MUST APPROVE IF THE MOISTURE CONTENT IS ABOVE 15%.



TRACTOR SUPPLY COMPANY

This drawing and the design shown is the property of the architect. The reproduction, copying or use of this drawing without their written consent is prohibited and any infringement will be subject to legal action.

Job Number	2327
Date	02.20.2024
Revisions	
Revisions	
Revisions	

ARCHITECTURAL ELEVATIONS

Sheet Number: **A2.0**



Prototypical Building, Front Sidewalk Display Area and Fenced Outdoor Display Area



Prototypical Building, Sidewalk and Fenced Outdoor Display Area



Prototypical Building, Sidewalk Display Fenced Outdoor Display Area



Olive Branch, MS



Huntsville, AL MSA

Trailer Display – Shaded Pink Area on Site Plan

Serving Life Out Here



Committed to supporting vibrant rural communities for all.

- Donated nearly \$16 million in 2023
- Inaugural TSC Scholarship class of FFA Students

Areas of Focus:

- Agriculture education initiatives for youth through FFA and 4-H
- Preserving land for future generations
- Caring for companion pets and animals
- Being a good neighbor in the places we call home

Redline of Proposed Text Amendment to Code §§ 900.04 and 900.05.7

Summary of City Attorney REVISIONS - Current ordinance compared to City's August 27, 2024, revisions.

Sec. 900.04. Definitions.

The following words, terms, and phrases, as used herein, have the following meanings:

Rural retail means a retail business on a Lot of at least four (4) acres in size where: i) the Lot has outdoor storage and display area not exceeding twenty percent (20%) of the Lot size; and ii) the building and outdoor storage and display areas are primarily devoted to the retail sale or rental of rural related equipment, implements, motorized vehicles, clothing, furnishings, hardware, supplies, and materials.

Sec. 900.05.7. B-1 Highway Business District.

[A. *Scope of regulations.*]

1. *Intent and purpose:* The purpose of this district is to provide for an appropriate range of businesses that will be utilized by area residents as well as vehicular traffic generated from the surrounding area.
2. *Permitted uses:* Retail businesses that are not large retail buildings nor large retail projects; eating and drinking establishments; banks; hotels and motels; automobile service and repair; farm equipment/implement sales and service; commercial recreation facilities; laundromats and dry cleaners; barber/beauty shops; mini-storage facilities; churches, off-sale liquor sales; microdistilleries; small breweries; taprooms; lumber yards; animal clinics; commercial kennels; outdoor theaters; bicycle sales/service; copy and printing services; medical related clinics/uses; and offices.
3. *Permitted accessory uses:* Fences, off-street parking, business signs, incidental repair, processing and storage necessary to conduct a permitted use but not exceeding thirty (30) percent of the floor area of the principal building, gardening and other horticultural uses where no sale of products is conducted within a building.
4. *Uses permitted with special restrictions:*
 - a. Day care facilities licensed by the State of Minnesota.
 - b. Drive-in businesses (for the purpose of this section, shall mean: Drive-in restaurants, fast food businesses with a drive thru, drive-in theaters and motor fuel stations). Restrictions include:
 - 1) No drive-in business shall be located within three hundred (300) feet of a school or church.
 - 2) No drive-in shall be located within one hundred (100) feet of any residentially zoned property, provided:
 - a) No public address system shall be audible from any residential zone; and
 - b) Screening of the property from residential areas will be required. The City may require fencing, earthen berms and landscaping, or any other method or combination deemed appropriate to accomplish the required screening.

-
- 3) No drive in shall be located on any street other than an arterial roadway, collector roadway or business service road.
 - 4) No access drive shall be within one hundred (100) feet of intersecting street right-of-way lines.
 - 5) No less than thirty (30) percent of the gross lot area shall be landscaped.
 - 6) Adequate area shall be designated for snow storage such that clear visibility shall be maintained from the property to any public street.
 - 7) A six-inch non-surmountable curb shall separate all walks and landscape areas from parking areas.
 - 8) Should the use be a drive-in theater, an opaque fence not less than eight (8) feet in height and extending at least to within two (2) feet of the ground shall be constructed around the property.
- c. Motor fuel stations and motor fuel station convenience stores subject to the following:
- 1) For architectural purposes, each side of a motor fuel station/convenience store shall be considered as a front face.
 - 2) The storage for items for sale outside the principal building shall be displayed in specifically designed containers.
 - 3) All trash, waste materials, and obsolete parts shall be stored within a separate enclosure.
 - 4) All goods for sale, other than those required for the operation and maintenance of motor vehicles shall be displayed within the principal structure.
 - 5) No sale of motor vehicles, trailers or campers shall be permitted.
 - 6) Open dead storage of motor vehicles shall not be permitted for a period of more than seven (7) days.
 - 7) All rental campers, trailers or motor vehicles shall be stored within the rear and/or sideyard not adjacent to the street.
 - 8) Wherever a motor vehicle fuel station/convenience store abuts residential property, a fence or compact evergreen hedge not less than fifty (50) percent opaque not less than six (6) feet high shall be erected and maintained along the side and rear property line that abuts the residential property. Application of this provision shall not require a fence within fifteen (15) feet of any street right-of-way line.
 - 9) Minimum fifteen-foot landscaped yard shall be planted and maintained behind all property lines except at driveway entrances.
 - 10) The entire site, other than the part devoted to landscaping and structures, shall be surfaced with concrete or bituminous surfacing to control dust and provide adequate drainage.
 - 11) Driveways shall not exceed thirty (30) feet in width nor be spaced closer than thirty (30) feet apart measured at the property line. No more than two (2) access drives to any street shall be permitted.
 - 12) A six-inch non-surmountable curb shall separate all walks and landscape areas from parking and maneuvering areas.

13) The total height of any overhead canopy or weather protection shall not exceed twenty (20) feet.

14) Setbacks:

Lot width	150 ft.
Front yard	60 ft.
Adjacent to another lot	30 ft.
Adjacent to street	60 ft.
Rear yard	30 ft.
Pump setback from right-of-way	25 ft.

15) The setback of any overhead canopy of weather protection, freestanding or projecting from the station structures, shall not be less than ten (10) feet from the street right-of-way nor less than twenty (20) feet from any adjacent property line.

- d. Car washes provided there is sufficient stacking space outside the wash bay to accommodate that number of vehicles which can be washed during a fifteen-minute period based on the equipment rating.
- e. Motor vehicle sales lots provided that all display lots for vehicles provide curb and gutter per city specifications for storm run-off purposes and all outdoor signs meet city sign regulations.
- f. All other uses that utilize a drive thru service convenience provided that use has sufficient stacking space to accommodate that number of vehicles which can be served during a fifteen-minute period.
- g. Rural retail use is subject to the following:
 - 1) outdoor storage and display of new merchandise without screening shall be permitted along the storefront, adjacent to the building, and in other areas designated on a site plan approved by the City Council that are not within drainage and utility easement areas;
 - 2) outdoor storage and display of rental equipment shall be permitted without screening in areas designated on a site-plan approved by the City Council that are not within drainage and utility easement areas;
 - 3) a moveable loading dock may satisfy loading berth requirements and (i) shall not require screening while in use and (ii) shall be considered screened if stored in the rear of the building and outside the drive aisle when not in use; and
 - 4) tubed aluminum or black vinyl coated chain link fencing up to 16 feet in height is permitted when used for outdoor storage and display areas immediately adjacent to the retail building.
 - 5) except as expressly allowed by the proceeding provisions, no outdoor storage is allowed.
 - 6) the Lot location must be adjacent to an arterial roadway and must have motor vehicle access to two (2) different rights-of-way.

5. *Uses permitted by conditional use permit (CUP):* The following uses are permitted by CUP subject to the requirements of section 900.11.

- a. Mortuaries.
 - b. Commercial recreation (which would include miniature golf, driving ranges, waterslides, amusement centers).
 - c. Contractors yard.
 - d. Large retail projects.
6. *Uses permitted by interim use permit (IUP):* The following uses are permitted by IUP subject to the requirements of section 900.11.
- a. Parking lots without a hardcover surface.
7. *Lot requirements:*

a. Minimum lot area	17,500 sq. ft.
b. Minimum lot width	100 ft.
c. Maximum hardcover surface	80%
d. Maximum structure height	35 ft.
e. Minimum yards:	

	Front	Street Side	Interior Side	Rear
Principal Structures	25'	20'	15'*	20'

* Thirty-five (35) feet if adjacent to residential district.

CITY OF WACONIA
RESOLUTION NO. 2024-204
RESOLUTION APPROVING SUMMARY PUBLICATION OF ORDINANCE NO. 775

WHEREAS, the City Council ADOPTED Ordinance No. 775 on September 16, 2024,
and

WHEREAS, pursuant to Minnesota Statutes 412.191, the City may publish the title and a summary of an Ordinance instead of its full text if the summary informs the public of the intent and effect of the Ordinance and the summary is approved by a four-fifths vote of the City Council; and

WHEREAS, the City Council finds: i) the summary set forth below informs the public of the intent and effect of the Ordinance; and ii) the title and summary of the Ordinance should be published instead of the full text of the Ordinance;

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

1. The above recitals and finds are incorporated as resolutions of the City Council.
2. The following official summary of Ordinance No. 775 is hereby approved.

ORDINANCE NO. 775 AMENDING Section 900.04 of the Waconia City Code is amended to add language defining rural retail.

ORDINANCE NO. 775 AMENDING Section 900.05.7 of the Waconia City Code is amended to add language to the uses permitted with special restrictions.

3. The City Administrator shall submit the Ordinance title and summary to a qualified newspaper for publication using bold type no smaller than eight points in size.

The full text of the Ordinance is available for public inspection during regular office hours at the Waconia City Hall, 201 South Vine Street, Waconia and will also be posted at City Hall. Any person may request the City to send the full text of the Ordinance via standard or electronic mail by contacting City Hall at 952-442-2184

Passed and adopted by the City Council on this 16th day of September 2024.

Nicole Waldron, Mayor

Attest: _____

Jackie Schulze, Assistant City Administrator



REQUEST FOR CITY COUNCIL ACTION

Meeting Date:		September 16, 2024					
Item Name:		2025 Budget & Preliminary Levy					
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 No. 2024-205 Adopting the 2025 Preliminary Levy							
EXPLANATION OF AGENDA ITEM <i>(Include a description of background, benefits, and recommendations.)</i>							
Staff has prepared the preliminary 2025 budgets for all departments in the General Fund. The City is required to set a preliminary levy by September 30th each year. The preliminary levy may not be increased. To date, the City Council has worked through the General Fund in work sessions throughout August and September. Additional work sessions are scheduled to review the City's capital project, special revenue, and enterprise fund budgets. Budgets that are still being reviewed in work sessions this fall include the PIR Capital Project, Capital Equipment, Safari Island, Ice Arena, Water, Sewer, Storm Water, and Street Light utility budgets. Final General Fund budget reviews will be scheduled for a work sessions in October and November with the City Council. At that time, the City Council will need to establish the final budget and levy for 2025. The City's final budget and levy is scheduled for approval at the City Council meeting on Monday, December 16, 2024. Staff reviewed with the City Council at a work session the property market value and tax capacity information determined by Carver County. From last year, the overall taxable market value has increased approximately \$96,191,200 or 4.07% and subsequent tax capacity increased approximately \$920,752, or 3.84%. Carver County has reported that the average home in Waconia is seeing an increase in market value of about 1.09%. For the preliminary levy, staff is recommending a 13.8% increase from 2024 to the general property tax levy for operations of the City. The City plans to add one additional staff member, support employees with cost of living and market adjustments, and continue to make interfund transfers to capital project funds for future improvements. Some contracts for services and health benefits for employees are estimated in the current version of the budget. Over the course of the next several months, staff will be working to finalize contracts and budgeted line items to see if this increase can be adjusted down before the final levy is approved. The current operating levy plan brings the City's General Fund fund balance to 40.0%; this within the parameters of the City's financial policy and guidelines for General Fund fund balance. The special debt levy increased 7.1% from the 2024 levy. This is due to the City issuing bonds related to street, sidewalk, and utility improvements that are budgeted 2024 infrastructure projects. The overall net levy to taxpayers is preliminarily increasing from 2024 levels by 10.86 %. With this preliminary levy amount, the City's tax rate increases from 44.778% to 47.805%. With this tax rate, the average valued home in Waconia will see a 1.09% increase in their home's market value and 5.99% (or estimated \$114.21) in the City portion of their annual tax bill. A resolution is attached for consideration of the 2025 preliminary levy.							

Attachments:

1. [Resolution No. 2024-205 Approving Preliminary Tax Levy Collectible 2024](#)
2. [Financial Model Updated 08-29-2024](#)

FINANCIAL IMPLICATIONS:

Funding Sources & Uses:

General Fund (101)

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. 2024-205

**RESOLUTION APPROVING A PRELIMINARY TAX LEVY
COLLECTIBLE IN 2025**

BE IT RESOLVED, by the City Council, of the City of Waconia, County of Carver, Minnesota, that the following sum of money is proposed to be levied for the current year, collectible in 2025 upon the taxable property in said City of Waconia for the following purposes:

GENERAL LEVY:

General Fund	\$8,881,784
(Not including Local Government Aid (LGA) as determined by the Minnesota Department of Revenue)	
General Fund - Economic Development	\$40,000

SPECIAL LEVIES:

2015C Improvement-Public Works (Refunded 2007C)	\$393,300
2019A Improvement-City Hall (Refunded 2010A)	\$226,250
2015A Improvement-1 st St W/2 nd St W/Vine St/Maple St & Highway 5	\$469,023
2016A Improvement-5 th St W/Maple St/Cherry St	\$231,479
2016 Lease –Construction of Baseball Grandstand	\$ 96,284
2017A Improvement-County Road 110/Community Dr/94 th St	\$581,428
2018A Improvement-2 nd St W/Cedar St	\$ 97,271
2019A Improvement-Waconia Parkway/Walnut St/Equipment Cert	\$ 30,200
2020A Improvement-Main St/Walnut St/3 rd St	\$171,098
2021A Improvement-Waconia Parkway South/East Frontage Road	\$305,865
2022A Improvement-3 rd /Maple St/Fire Station Construction	\$803,117
2023A Improvement-Main/Olive Street-Core Downtown Phase 1	\$325,955
2024A Improvement-Main/Olive Street-Core Downtown Phase 2	\$359,640

TOTAL 2025 PRELIMINARY LEVY	\$13,012,694
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The City Treasurer is hereby authorized to transmit a certified copy of this Resolution to the County Auditor of Carver County, Minnesota.

Adopted by the City Council of the City of Waconia this 16th day of September 2024.

Nicole Waldron, Mayor

ATTEST: _____
Jacqueline Schulze, Assistant City Administrator

WACONIA FINANCIAL MANAGEMENT PLAN
Updated: 8/29/2024

GENERAL FUND	2022 Actual	2023 Actual	2024 Budget	2025 Budget	2026 Forecast	2027 Forecast	2028 Forecast
REVENUE							
GENERAL PROPERTY TAX LEVY	6,004,232	6,490,575	7,808,162	8,881,784	9,681,144	10,068,390	10,461,057
Potential for Uncollectible Taxes	(20,563)	(13,873)	(78,082)	(88,818)	(96,811)	(100,684)	(104,611)
ECONOMIC DEVELOPMENT TAX LEVY	-	-	35,000	40,000	50,000	50,000	100,000
LOCAL GOVERNMENT AID (LGA)	9,282	-	-	-	-	-	-
TRANSFERS IN - ENTERPRISE & PEG & PIR DEBT	242,202	271,944	317,200	363,200	374,096	385,319	396,878
ADMINISTRATION, FINANCE, & TECH	1,278,323	852,216	728,321	720,816	742,440	764,714	787,655
PLANNING & INSPECTIONS	1,665,505	1,090,425	702,800	766,800	774,468	782,213	790,035
CENTRAL FACILITIES	73,512	81,302	90,972	90,972	93,701	96,512	99,408
FIRE	112,314	285,703	291,910	352,000	362,560	373,437	384,640
LAW ENFORCEMENT	171,270	171,274	295,455	303,798	312,912	322,299	331,968
STREETS	226,360	312,638	215,306	285,763	294,336	303,166	312,261
PARKS	17,035	23,781	8,700	12,200	12,566	12,943	13,331
RECREATION	9,779	9,313	9,800	9,800	10,094	10,397	10,709
TOTAL REVENUE	9,789,251	9,575,298	10,425,544	11,738,315	12,611,506	13,068,705	13,583,332
	7.3%	-2.2%	17.1%	12.6%	7.4%	3.6%	3.9%
EXPENDITURES							
ADMINISTRATION, FINANCE, & TECH	1,753,301	1,928,973	2,211,525	2,541,453	2,643,111	2,748,836	2,858,789
PLANNING & INSPECTIONS	1,030,907	771,485	719,681	795,481	827,300	860,392	894,808
FIRE	597,052	754,003	885,009	949,541	987,523	1,027,024	1,068,104
LAW ENFORCEMENT & COMMUNITY SAFETY	952,489	1,059,386	1,299,148	1,497,046	1,556,928	1,619,205	1,683,973
STREETS	1,556,707	1,731,741	2,139,008	2,205,009	2,293,209	2,384,938	2,480,335
PARKS	779,120	934,137	1,115,217	1,134,986	1,180,385	1,227,601	1,276,705
RECREATION	19,225	68,220	81,633	94,800	98,592	102,536	106,637
CENTRAL FACILITIES	307,956	326,556	408,375	457,109	475,393	494,409	514,185
ECONOMIC DEVELOPMENT	-	-	30,000	30,000	31,200	32,448	33,746
TRANSFERS OUT - Debt Service Tax Abatement	416,407	447,825	464,475	447,825	152,442	152,442	152,442
TRANSFERS OUT- Capital Equipment Support	300,000	325,000	440,000	650,000	700,000	750,000	800,000
TRANSFERS OUT- Safari Island Support	322,710	190,000	176,000	176,000	176,000	176,000	176,000
TRANSFERS OUT - Arena Support	530,000	530,000	543,800	543,800	543,800	543,800	164,050
TRANSFERS OUT - PIR Capital Support	589,000	535,000	425,000	500,000	600,000	700,000	800,000
TOTAL EXPENDITURES	9,154,874	9,602,327	10,938,871	12,023,050	12,265,884	12,819,630	13,009,775
Operating % Change	11.9%	4.9%	13.5%	9.9%	2.0%	4.5%	1.5%
INCREASE(DECREASE) IN FUND BALANCE	634,377	(27,029)	(513,327)	(284,735)	345,622	249,076	573,556
EFFECT on Fund Balance							
Fund Balance - January 1	4,024,600	4,658,977	4,631,948	4,118,621	3,833,886	4,179,508	4,428,583
Budgeted Increase(Decrease)	634,377	(27,029)	(513,327)	(284,735)	345,622	249,076	573,556
Projected Fund Balance - December 31	4,658,977	4,631,948	4,118,621	3,833,886	4,179,508	4,428,583	5,002,140
% of Operating	67%	61%	46%	40%	42%	42%	46%
GENERAL OPERATING LEVY	6,004,232	6,490,575	7,843,162	8,921,784	9,731,144	10,118,390	10,561,057
% Change	2.0%	8.1%	20.8%	13.8%	9.1%	4.0%	4.4%
SPECIAL DEBT LEVY	3,021,026	3,732,515	3,801,394	4,090,910	3,535,908	3,232,001	2,477,988
% Change	12.5%	19.1%	1.8%	7.1%	-15.7%	-9.4%	-30.4%
SPECIAL LEVY FOR INFRASTRUCTURE/EQUIPMENT	0	0	0	0	562,247	1,171,126	1,833,977
PROPOSED OVERALL TAX LEVY	9,025,258	10,223,089	11,644,556	13,012,694	13,829,299	14,521,517	14,873,021
LESS FISCAL DISPARITIES	1,055,102	990,589	918,979	1,121,794	1,121,794	1,121,794	1,121,794
NET LEVY TO TAXPAYERS	7,970,156	9,232,500	10,725,577	11,890,900	12,707,505	13,399,723	13,751,227
Overall Levy % Change	5.63%	15.84%	16.17%	10.86%	6.87%	5.45%	2.62%
TAXABLE MARKET VALUE	1,670,262,400	2,130,609,500	2,269,764,200	2,365,955,400	2,446,634,718	2,496,813,938	2,539,190,421
Change in Market Value	4.70%	21.61%	6.13%	4.07%	3.30%	2.01%	1.67%
EXISTING TAX CAPACITY	19,157,926	24,264,958	26,048,540	27,316,307	28,408,959	29,261,228	30,139,065
MWF/Cherry Street TIF Capacity reduction	177,980	162,252	190,419	259,328	100,000	100,000	100,000
TAX CAPACITY Revisions from MV Changes	-1,712,816	-1,748,340	-1,905,276	-2,183,382	-2,270,717	-2,338,839	-2,409,004
NET TOTAL TAX CAPACITY	17,267,130	22,354,366	23,952,845	24,873,597	26,038,242	26,822,389	27,610,385
Tax Capacity Change	4.50%	29.46%	7.15%	3.84%	4.68%	3.01%	2.94%
TAX RATE ON TAX CAPACITY	46.158%	41.301%	44.778%	47.805%	48.803%	49.957%	49.805%
TAX RATE % CHANGE	0.49%	-4.86%	3.48%	3.03%	1.00%	1.15%	-0.15%
Average Valued Home	\$ 334,400	\$ 418,500	\$ 426,000	\$ 430,700	\$ 447,928	\$ 461,366	\$ 475,207
Average Valued Home with Market Value Exclusion	\$ 327,300	\$ 418,500	\$ 426,000	\$ 422,913	\$ 447,928	\$ 461,366	\$ 475,207
Estimated Annual City Portion of Tax Bill	\$ 1,510.75	\$ 1,728.43	\$ 1,907.54	\$ 2,021.75	\$ 2,186.03	\$ 2,304.86	\$ 2,366.75
Amount Increase or (Decrease)	\$ 98.81	\$ 217.68	\$ 179.11	\$ 114.21	\$ 164.29	\$ 118.82	\$ 61.89
Percent Increase or (Decrease)	7.00%	14.41%	10.36%	5.99%	8.13%	5.44%	2.69%