

KASSON CITY COUNCIL REGULAR MEETING AGENDA

Wednesday, February 26, 2020

6:00 PM

PLEDGE OF ALLEGIANCE

A. COUNCIL UPDATES

1. Approve agenda - Make additions, deletions or corrections at this time.
2. Consent Agenda - All matters listed under Item 2, Consent Agenda, are considered to be routine and non-controversial by the City Council and will be enacted with one motion. There will not be separate discussion of these items unless a Council Member so requests, in which case the item will be removed from the Consent Agenda and will be considered separately.

a. Minutes from February 12, 2020

b. Claims processed after the February 12, 2020 regular meeting, as audited for payment

c. Resolution Appointing Election Judges for the PNP

d. Acknowledge Committee Minutes

i. Library Board Minutes 2-11-20

e. Refuse Haulers Licenses:

i. Advanced Disposal

ii. Skjeveland Enterprises

iii. Sunshine Sanitation

iv. Waste Management of Rochester

v. Hometown Haulers

f. Conferences:

i. Paul Lindgren MN Crime Prevention Assoc Stillwater May 11-15 \$425 + hotel

ii. Jesse Kasel 4 Pillars of Policing Rochester April 6-7 \$350

iii. Josh Hanson Advanced ICS-400 Red Wing March 24-25 \$0

iv. Josh Hanson TZD SE MN Workshop Rochester May 6 \$0

v. Jason Peck 4 Pillars of Policing Rochester April 6-7 \$350

g. Intoxicating Liquor Licenses & Sunday Liquor

i. American Legion Post #333

ii. Daniel's

iii. Events by Saker- **conditional Approval**

iv. Pete's Repeat

h. 3.2% Malt Liquor on sale; Wine on sale with Strong Beer Authorization

i. Misplaced Magnolia – **conditional approval**

i. 3.2% Malt Liquor off Sale

i. Kwik Trip #619

ii. Casey's Retail Company

B. VISITORS TO THE COUNCIL

1. Tim Tucker – North Risk Partners Insurance Review

C. MAYOR'S REPORT

1. Appoint Laurie Schultz and Jon Wright to the Library Board

D. PUBLIC FORUM

- May not be used to continue discussion on an agenda item that already had been held as a public hearing.
- This section is limited to 15 minutes and each speaker is limited to 4 minutes.
- Speakers not heard will be first to present at the next Council meeting.
- Speakers will only be recognized once.
- Matters under negotiation, litigation or related to personnel will not be discussed.
- Questions posed by a speaker will generally be responded to in writing.
- Speakers will be required to state their name and their address for the record.

E. PUBLIC HEARING

1. Public Hearing for Ordinance Changes for Chapter 53

F. COMMITTEE REPORTS

1. Dan Egger Report on Park Board and Stone Wall
2. Bigelow-Voigt 8th Preliminary Plat and CUP for a PUD
 - a. Resolution Approving a Conditional Use Permit
 - b. Resolution Approving a Preliminary Plat for Bigelow-Voigt 8th

G. OLD BUSINESS

1. Mike Bubany – David Drown & Assoc – 2014B Bond Refunding
 - a. Resolution Approving Bond Sale

H. NEW BUSINESS

I. ATTORNEY'S REPORT

J. ENGINEER'S REPORT

1. TH 57- 16th Street Roundabout and 16th Street NW Extension – UPDATE
 - a. Letter Requesting LPP Funding
 - b. 16th Street Project Figure
 - c. MOTION – Direct staff to proceed with formal agreement with MnDOT for \$900,000 in LPP funding
2. Building Demo – 85 E Veterans & 105 15th St NE
 - a. Resolution Awarding Project
3. I/I Reduction Plan - Sump Pump and Lateral Inspections
 - a. Discuss - Public Information Meeting and Website

K. PERSONNEL UPDATES

1. Library Aide Job Description

L. ADMINISTRATOR'S REPORT

1. Infrastructure Fact Sheet
2. Sample Resolution

M. CORRESPONDENCE

1. Mn DOT Maps
2. SEMMCHRA Reports
3. Workforce Development Flyer
4. Food Shelf Flyer

N. ADJOURN

1
2 Please go to www.cityofkasson.com for full video

3
4 **KASSON CITY COUNCIL REGULAR MEETING MINUTES**
5 **February 12, 2020**

6
7 Pursuant to due call and notice thereof, a regular City Council meeting was held at City Hall on the
8 12th day of February, 2020 at 6:00 P.M.

9
10 **THE FOLLOWING MEMBERS WERE PRESENT:** Burton, Eggler, Ferris and McKern

11
12 **THE FOLLOWING MEMBERS WERE ABSENT:** Zelinske

13
14 **THE FOLLOWING WERE ALSO PRESENT:** City Administrator Tim Ibisch, City Clerk Rappe, City
15 Attorney Melanie Leth, City Engineer Theobald, Finance Director Zaworski, Alex Nuehring

16
17 **PLEDGE OF ALLIEGANCE**

18 **COUNCIL**

19 **APPROVE AGENDA**

20 Remove the Planning Commission minutes from consent A.2.d.3

21
22 **Motion to Approve the Amended Agenda made by Councilperson Eggler, second by Councilperson**
23 **Ferris with All Voting Aye.**

24
25 **CONSENT AGENDA**

26 Minutes from January 22, 2020

27
28 Claims processed after the January 22, 2020 regular meeting, as audited for payment in the amount
29 of \$421,857.23

30
31 Resolution Accepting Donation to the Parks Department

32 ***Resolution #2.1-20***

33 ***Resolution Accepting Donation for the Park and Recreation Department***

34 ***(on file)***

35 Acknowledge Committee Minutes

36 Library Board 1-22-20

37 Park Board Minutes 1-22-20

38
39 Evaluations:

40 Steve Howarth	Ice Arena Mgr	At Top of Scale
41 Charlie Bradford	Public Works Director	Inc Grade 16 Step 6 \$46.70 eff 1-14-20

42
43 Conferences:

44 Dave Vosen	MRWA Annual Conf	St Cloud	Mar 3-5
45 Dan Trapp	MRWA Annual Conf	St. Cloud	Mar 3-5
46 Nathan Bleess	MPCA Annual WW Oper Conf	Brooklyn Park	Mar 25-27
47 Amy Johnson	MCFOA Clerks Institute	St. Cloud	May 4-8 \$145

48
49 Resolution Accepting Donation to the Kasson Fire Department

50 ***Resolution #2.2-20***

*Resolution Accepting Donation for the Kasson Fire Department
(on file)*

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Motion to Approve the Consent Agenda made by Councilperson Burton, second by Councilperson Ferris with All Voting Aye.

VISITORS TO THE COUNCIL

MAYOR'S REPORT

Board and Commission Appointments – Liza Larsen would like to continue on Park Board.

Motion by Councilperson Burton to appoint Liza Larsen to the Park Board, second by Councilperson Egler with All Voting Aye.

There was a recalculation at the State and Kasson will receive an extra \$3, 295 from LGA, this will go into the stabilization fund.

Public Works walked Masten Creek and identified some spots where they will work with the landowners.

Congratulations to Dan Trapp was awarded the Class A Operator of the year for Southeast MN and Nate Bless was awarded the Maintenance Award for Southeast MN

Reminded the Council of their Planning Session Saturday morning at the Public Works Building.

PUBLIC FORUM

PUBLIC HEARING

COMMITTEE REPORT

SEMLM Resolution and Letter – Councilperson Egler reported on the SEMLM meeting and the resolution to support the Rochester Airport Reconstruction. **Motion to Approve the Resolution made by Councilperson Ferris, second by Councilperson Burton with All Voting Aye.**

Resolution #2.3-20

*Resolution In Support of the Rochester Airport Bonding Request
(on file)*

Park Board

Hire KAC Manager, Supervisor and Head Lifeguard – **Motion to Approve Hiring Josh Mitchell as Manager, Abby Tjosaas, Jared Johnson, Grace Worden, Christine Farnberg and Madelyn Larsen as Supervisors and Destiny Anderson and Brody Hegge as Head Lifeguards, made by Mayor McKern, second by Councilperson Egler with All Voting Aye.**

Set KAC Wages for 2020 – **Motion to Approve the 2020 KAC wages for concession workers/crossing guards \$10, lifeguards \$10.75, WSI's \$11.75, Supervisor \$13.50, and Manager \$18.24 made by Councilperson Ferris, second by Councilperson Burton with All Voting Aye.**

EDA Memo

96 **Performance Review** – Administrator Ibisch stated that one of his priorities this year to make sure
97 that this contract is being used most effectively.

98 **CEDA Contract - Motion to Approve the CEDA Contract made by Councilperson Egger, second by**
99 **Councilperson Burton with All Voting Aye.**

100 **2019 Review**

101

102 **OLD BUSINESS**

103

104 **NEW BUSINESS**

105 **2014B Bond Refunding Possibility** – Finance Director Zaworski stated that in 2014 the Shopko
106 property and the EDA incubator building were in one TIF and one bond. The amount for the Shopko
107 building was \$585K and the incubator was \$1.1M, this is also a redevelopment TIF that runs to 2042.

108 **Motion to Move Forward with Refunding made by Mayor McKern, second by Councilperson**
109 **Egger with All Voting Aye.**

110

111 **Utility Work Order** – Administrator Ibisch stated that he is looking for some feedback, on the work
112 order wanting to know if the Council is comfortable with the current work order asking for a social
113 security number so that the City can utilize revenue recapture on unpaid accounts. The Council
114 indicated they were comfortable with that. Ibisch also referred to Utility Billing Specialist Sullivan’s
115 memo regarding tagging SEMCAC customers for overdue bills.

116

117 **ADMINISTRATORS REPORT**

118 **Administrator’s Report** – Administrator Ibisch highlighted sections of his report.

119

120 Mr. Ibisch requested to attend the Legislative Conference on March 19. **Motion by Mayor McKern,**
121 **second by Councilperson Egger, with All Voting Aye to Approve the Conference Request.**

122

123 Library Board meeting last night – they would like to hire an entry level Library Aide. And this would
124 provide some cost savings. There was discussion of reclassifying Grade 4 of the pay scale. **Motion**
125 **to Hire a Library Aide made by Councilperson Ferris, second by Councilperson Burton with All**
126 **Voting Aye.**

127

128 Councilperson Burton stated that he and Councilperson Zelinske attended the elected official’s
129 conference. Burton stated that it was very good leadership conference and there were many things
130 that were applicable to here and his personal work. He will have an update at the work session on
131 Saturday.

132

133 **ENGINEER’S REPORT**

134 **I/I Reduction Plan - Sanitary Sewer CCTV**

135 This would be televising all of the sewer lines in the City at a cost of \$290,000 that is budgeted.
136 **Motion to Approve the Resolution Approving Plans and Advertisement for Bids made by**
137 **Mayor McKern, second by Councilperson Ferris with All Voting Aye.**

138 Plans and Specifications

139

Resolution #2.4-20

140

Resolution Approving Plans and Specifications and Advertisement for Bids

141

(on file)

142

143 **I/I Reduction Plan - Sump Pump and Lateral Inspections** – This is to inspect all private sump
144 pumps to see if they are connected to the sanitary sewer. There are some revisions to the ordinance
145 that Engineer Theobald is suggesting to get it up to date.

146 Revisions to City Ordinance 53 – Motion to Call Public Hearing on February 26th. **Motion to Call a**
147 **Public Hearing on February 26, made by Councilperson Burton, second by Councilperson**
148 **Egglar with All Voting Aye.**

149
150 **TH 57 Reconstruction**

151 Memo - update on roundabouts at Main and CSAH 34. – Engineer Theobald referred to his memo
152 addressing the concerns the Council had with a mini roundabout at Main St and Highway 57. There
153 is a public meeting from MnDOT at Daniels on Tuesday February 18 from 9-11:30AM.
154 The Council concurs with the recommendation and directed staff to continue pursuing roundabouts
155 with MnDOT.

156
157 **PERSONNEL**

158 **Memos from Police Chief for two PT Officer Hires – Motion to Approve the Hiring of Part Time**
159 **Police Officers Kenneth Douglas and Chris Purdue made by Mayor McKern, second by**
160 **Councilperson Ferris with All Voting Aye.**

161
162 **ATTORNEY**

163 **Data Practices Policy – Motion to Adopt the Policy made by Councilperson Egglar, second by**
164 **Councilperson Ferris with All Voting Aye.**

165
166 **CORRESPONDENCE**

167 Correspondence was reviewed. With a special Congratulations going to Sergeant Josh Hanson in the
168 Police Department for an Award for Outstanding Leadership as the Southeast MN Regional
169 Coordinator for the Hwy 14 Speed Enforcement Project and Border-to-Border Saturations and an
170 Award for Outstanding Seat Belt Enforcement during a Toward Zero Deaths grant-funded shift.

171
172 **ADJOURN 7:00PM**

173 **Motion to Adjourn made by Councilperson Ferris, second by Councilperson Burton with all voting**
174 **Aye to Adjourn.**

175
176 **ATTEST:**

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Linda Rappe, City Clerk

Chris McKern, Mayor

SIGNATURE PAGE

THE ATTACHED LIST OF BILLS PAYABLE WAS REVIEWED AND APPROVED FOR PAYMENT.

THIS INCLUDES WARRANT NUMBERS:

#1 - #4

GRAND TOTAL SUBMITTED FOR PAYMENT \$ 398,241.41

DATE APPROVED: 02-26-2020

#1	\$ 7,385.98
#2	63,461.49
#3	1,793.17
#4	325,600.77
	<hr/>
	\$ 398,241.41

02/19/20
10:24:34

CITY OF KASSON
Claim Approval List
For the Accounting Period: 2/20
For Pay Date: 02/19/20

Page: 1 of 5
Report ID: AP100V

#1

For Pay Date = 02/19/20
* ... Over spent expenditure

Claim/	Check	Vendor #/Name/ Invoice #/Inv Date/Description	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object Proj	Cash Account
33574		5098 CARDMEMBER SERVICE	343.50					
	02/03/20	DVD's	201.73			211 550 4550	219	1010
	02/03/20	CO DETECTORS	85.08			211 550 4550	240	1010
	02/03/20	PACKING TAPE	9.88			211 550 4550	210	1010
	02/03/20	BOOKS	11.99			211 550 4550	218	1010
	02/03/20	VOICE RECORDER	34.99			211 550 4550	570	1010
	02/03/20	AMAZON CREDITS	-0.17			211 550 4550	219	1010
		Total for Vendor:	343.50					
33575		484 CRYSTEEL TRUCK EQUIPMENT INC	219.26					
	LP195715 01/28/20	200LB VIBRATOR	219.26			101 312 4312	220	1010
		Total for Vendor:	219.26					
33629		5813 ENTERPRISE FM TRUST	5,611.89					
	FBN3878450 02/05/20	MAINT CARDS-P D	50.00			101 210 4210	430	1010
	FBN3878450 02/05/20	MAINT CARDS-F D	15.00			101 220 4220	430	1010
	FBN3878450 02/05/20	MAINT CARDS-STREETS	12.50			101 310 4310	430	1010
	FBN3878450 02/05/20	MAINT CARDS-PARKS	10.00			101 522 4522	430	1010
	FBN3878450 02/05/20	MAINT CARDS-WATER	12.50			601 944 4944	430	1010
	FBN3878450 02/05/20	MAINT CARDS-WW	7.50			602 949 4949	430	1010
	FBN3878450 02/05/20	MAINT CARDS-ELECTRIC	15.00			604 959 4959	430	1010
	FBN3878450 02/05/20	MAINT CARDS-STORM WATER	7.50			605 964 4964	430	1010
	FBN3878450 02/05/20	LEASES-P D	1,887.18			101 680 4210	550	1010
	FBN3878450 02/05/20	LEASES-P D	293.71			101 680 4210	611	1010
	FBN3878450 02/05/20	LEASES-STREETS	285.32			101 680 4310	550	1010
	FBN3878450 02/05/20	LEASES-STREETS	34.72			101 680 4310	611	1010
	FBN3878450 02/05/20	LEASES-PARKS	418.82			101 680 4522	550	1010
	FBN3878450 02/05/20	LEASES-PARKS	69.30			101 680 4522	611	1010
	FBN3878450 02/05/20	LEASES-WATER	161.75			601 2231		1010
	FBN3878450 02/05/20	LEASES-WATER	19.67			601 710 4710	611	1010
	FBN3878450 02/05/20	LEASES-WW	161.75			602 2231		1010
	FBN3878450 02/05/20	LEASES-WW	19.67			602 710 4710	611	1010
	FBN3878450 02/05/20	LEASES-WATER	209.43			601 2231		1010
	FBN3878450 02/05/20	LEASES-WATER	34.65			601 710 4710	611	1010
	FBN3878450 02/05/20	LEASES-WW	209.43			602 2231		1010
	FBN3878450 02/05/20	LEASES-WW	34.64			602 710 4710	611	1010

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Claim/	Check	Vendor #/Name/ Invoice #/Inv Date/Description	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object Proj	Cash Account
	FBN3878450	02/05/20 LEASES-ELECTRIC	418.82			604 2231		1010
	FBN3878450	02/05/20 LEASES-ELECTRIC	69.30			604 710 4710	611	1010
	FBN3878450	02/05/20 ANN'L REGISTRATION	932.48			101 210 4210	400	1010
	FBN3878450	02/05/20 ANN'L REGISTRATION	44.25			101 310 4310	430	1010
	FBN3878450	02/05/20 ANN'L REGISTRATION	44.25			101 522 4522	430	1010
	FBN3878450	02/05/20 ANN'L REGISTRATION	44.25			601 943 4943	430	1010
	FBN3878450	02/05/20 ANN'L REGISTRATION	44.25			602 948 4948	430	1010
	FBN3878450	02/05/20 ANN'L REGISTRATION	44.25			604 957 4957	430	1010
		Total for Vendor:	5,611.89					
33579		5881 NAPA AUTO PARTS	1,141.04					
	365551	01/03/20 OIL FILT/SYNTHETIC OIL	52.08			101 210 4210	220	1010
	365840	01/07/20 TOGGLE	4.69			604 957 4957	240	1010
	365840	01/07/20 SALES TAX	0.32			604 957 4957	240	1010
	365840	01/07/20 SALES TAX	-0.32			604 2025		1010
	365840	01/07/20 D C TRANSIT TAX	0.02			604 957 4957	240	1010
	365840	01/07/20 D C TRANSIT TAX	-0.02			604 2026		1010
	365883	01/08/20 RED n TACKY	162.99			602 947 4947	220	1010
	366242	01/13/20 SINGLE FLINTS/TORCH LIGHTER	10.38			101 312 4312	240	1010
	366259	01/13/20 FITTING/COUPLER	11.38			101 312 4312	220	1010
	366316	01/14/20 16" EXACTFITBLADE	13.98			101 312 4312	220	1010
	366385	01/15/20 OIL FILTER	7.17			601 943 4943	220	1010
	366437	01/16/20 cr-HYDR FILT & OIL FILT	-104.45			101 522 4522	220	1010
	366439	01/16/20 OIL, AIR, TRANS & HYDR FILTERS	270.54			101 522 4522	220	1010
	366549	01/17/20 EXCEL-G GAS SHOCK	185.50			601 943 4943	220	1010
	366917	01/22/20 22" EXACTFIT-BEAM	27.02			101 310 4310	220	1010
	367028	01/24/20 BLISTER PACK CAPSULES	9.69			601 943 4943	220	1010
	367070	01/24/20 1/2" D TORQUE WRENCH	130.00			101 312 4312	240	1010
	367070	01/24/20 1/2" D TORQUE WRENCH	130.00			101 310 4310	240	1010
	367232	01/27/20 SHOCK	168.94			601 943 4943	220	1010
	367575	01/31/20 TRLR CONNECT KIT/HOSE FITTING	39.93			101 312 4312	220	1010
	367581	01/31/20 PLSTICBOND SYRNGE	7.51			601 943 4943	220	1010
	365952	01/09/20 HEADLIGHT BULB	13.69			101 210 4210	220	1010
		Total for Vendor:	1,141.04					

02/19/20
10:24:34

CITY OF KASSON
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For Pay Date = 02/19/20

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Claim/	Check	Vendor #/Name/ Invoice #/Inv Date/Description	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object Proj	Cash Account
33577		4919 PEOPLE'S ENERGY COOPERATIVE	70.29					
	2289800	02/05/20 ELEC SERV-CEMETERY 1/1-2/1	29.89			610 984 4984	380	1010
	2289800	02/05/20 STR LT-LETH SUBDIV 1/1-2/1	40.40			101 316 4316	380	1010
		Total for Vendor:	70.29					
		# of Claims	5	Total:				7,385.98

02/19/20
10:24:35

CITY OF KASSON
Claim Approval Signature Page
For the Accounting Period: 2/20

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Report ID: AP100A

CITY OF KASSON
401 5TH STREET SE
KASSON, MN 55944-2204

The claim batch dated _____ are approved for payment.

APPROVED *See signature page* _____ Council Member
_____ Council Member

#2

02/21/20
10:06:43

CITY OF KASSON
Claim Approval List
For the Accounting Period: 2/20
For Pay Date: 02/19/20

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Report ID: AP100V

* ... Over spent expenditure

Claim/	Check	Vendor #/Name/ Invoice #/Inv Date/Description	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object Proj	Cash Account
*** Claim from another period (12/19) ****								
33567	E	34 CITY OF KASSON	15,476.38					
	01/27/20	CITY UTILITIES-C H	159.65			101 194 4194	380	1010
	01/27/20	CITY UTILITIES-C H BI-DIRECT	8.99			101 194 4194	380	1010
	01/27/20	CITY UTILITIES-P D	236.53			101 210 4210	380	1010
	01/27/20	CITY UTILITIES-STR LTS-LED	254.82			101 316 4316	380	1010
	01/27/20	CITY UTILITIES-STREET LTS	1.91			101 310 4310	380	1010
	01/27/20	CITY UTILITIES-F D	117.59			101 220 4220	380	1010
	01/27/20	CITY UTILITIES-MAIN STR LTS	480.46			101 316 4316	380	1010
	01/27/20	CITY UTILITIES-MANT AVE ST LTS	145.77			101 316 4316	380	1010
	01/27/20	CITY UTILITIES-STREET LTS	2,670.37			101 316 4316	380	1010
	01/27/20	CITY UTILITIES-K.A.C.-HIGH FLO	40.85			101 514 4514	380	1010
	01/27/20	CITY UTILITIES-K.A.C.-LOW FLOW	26.05			101 514 4514	380	1010
	01/27/20	CITY UTILITIES-K.A.C.-BI-DIREC	108.73			101 514 4514	380	1010
	01/27/20	CITY UTILITIES-NO. 2 BALL PARK	30.84			101 517 4517	380	1010
	01/27/20	CITY UTILITIES-NO. PARK #3	39.36			101 517 4517	380	1010
	01/27/20	CITY UTILITIES-NO. PARK MAINT	69.88			101 522 4522	380	1010
	01/27/20	CITY UTILITIES-E SHELTER-VETS	29.07			101 522 4522	380	1010
	01/27/20	CITY UTILITIES-NO. PARK CONC S	11.62			101 517 4517	380	1010
	01/27/20	CITY UTILITIES-VETS PARK ATHL	11.33			101 517 4517	380	1010
	01/27/20	CITY UTILITIES-NE YOUTH BALL F	11.33			101 517 4517	380	1010
	01/27/20	CITY UTILITIES-W SHELTER-VETS	13.86			101 522 4522	380	1010
	01/27/20	CITY UTILITIES-NO. PARK #1	48.21			101 310 4310	380	1010
	01/27/20	CITY UTILITIES-WELL #4	589.98			601 941 4941	380	1010
	01/27/20	CITY UTILITIES-WELL #2	96.65			601 941 4941	380	1010
	01/27/20	CITY UTILITIES-WELL #3	41.85			601 941 4941	380	1010
	01/27/20	CITY UTILITIES-WELL #5	1,004.54			601 941 4941	380	1010
	01/27/20	CITY UTILITIES-8 AV WATER TOWE	192.76			601 941 4941	380	1010
	01/27/20	CITY UTILITIES-LITTLES LIFT ST	44.43			602 948 4948	380	1010
	01/27/20	CITY UTILITIES-LIQUOR STORE	395.57			609 979 4979	380	1010
	01/27/20	CITY UTILITIES-NO. PARK #4	11.62			101 522 4522	380	1010
	01/27/20	CITY UTILITIES-WWTP-WA/SE	1,183.54			602 947 4947	380	1010
	01/27/20	CITY UTILITIES-WWTP-ELECTRIC	3,149.71			602 947 4947	381	1010
	01/27/20	CITY UTILITIES-WWTP-BASEMENT	21.90			602 947 4947	380	1010
	01/27/20	CITY UTILITIES-WWTP-GARAGE	9.40			602 947 4947	380	1010
	01/27/20	CITY UTILITIES-NO. PARK #2	14.08			101 522 4522	380	1010
	01/27/20	CITY UTILITIES-OLD WATER TOWER	29.91			101 526 4526	430	1010

02/21/20
10:06:43

CITY OF KASSON
Claim Approval List
For the Accounting Period: 2/20
For Pay Date: 02/19/20

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* ... Over spent expenditure

Claim/	Check	Vendor #/Name/ Invoice #/Inv Date/Description	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object Proj	Cash Account
	01/27/20	CITY UTILITIES-D C AMBULANCE S	71.49			101 417 4417	380	1010
	01/27/20	CITY UTILITIES-P.W.B. 1/2	272.08			101 310 4310	380	1010
	01/27/20	CITY UTILITIES-P.W.B. 1/2	272.08			604 957 4957	380	1010
	01/27/20	CITY UTILITIES-SOLAR BILLBOARD	19.81			604 956 4956	381	1010
	01/27/20	CITY UTILITIES-D C ICE ARENA	2,744.30			606 516 4516	380	1010
	01/27/20	CITY UTILITIES-ELECTRONIC SIGN	14.70*			101 111 4111	430	1010
	01/27/20	CITY UTILITIES-PARK & RIDE LOT	40.02			101 316 4316	380	1010
	01/27/20	CITY UTILITIES-16 ST-E OF BRID	68.37			101 316 4316	380	1010
	01/27/20	CITY UTILITIES-16 ST-CENTER	105.88			101 316 4316	380	1010
	01/27/20	CITY UTILITIES-16 ST-W OF BRID	49.97			101 316 4316	380	1010
	01/27/20	CITY UTILITIES-LIBRARY	385.13			211 550 4550	380	1010
	01/27/20	CITY UTILITIES-102 15 ST NE-UP	36.77			101 1151		1010
	01/27/20	CITY UTILITIES-102 15 ST NE-BE	36.77			101 1151		1010
	01/27/20	CITY UTILITIES-LIONS PARK SHEL	19.08			101 522 4522	380	1010
	01/27/20	CITY UTILITIES-85 W VETS (VACA	36.77			101 522 4522	380	1010
33568	E	34 CITY OF KASSON	15,476.16					
	01/27/20	CITY UTILITIES-C H	159.65			101 194 4194	380	1010
	01/27/20	CITY UTILITIES-C H BI-DIRECT	8.98			101 194 4194	380	1010
	01/27/20	CITY UTILITIES-P D	236.53			101 210 4210	380	1010
	01/27/20	CITY UTILITIES-STR LTS-LED	254.82			101 316 4316	380	1010
	01/27/20	CITY UTILITIES-STREET LTS	1.90			101 310 4310	380	1010
	01/27/20	CITY UTILITIES-F D	117.59			101 220 4220	380	1010
	01/27/20	CITY UTILITIES-MAIN STR LTS	480.46			101 316 4316	380	1010
	01/27/20	CITY UTILITIES-MANT AV STR LTS	145.77			101 316 4316	380	1010
	01/27/20	CITY UTILITIES-STREET LTS	2,670.37			101 316 4316	380	1010
	01/27/20	CITY UTILITIES-K.A.C.-HIGH FLO	40.84			101 514 4514	380	1010
	01/27/20	CITY UTILITIES-K.A.C.-LOW FLOW	26.04			101 514 4514	380	1010
	01/27/20	CITY UTILITIES-K.A.C.-BI DIREC	108.73			101 514 4514	380	1010
	01/27/20	CITY UTILITIES-NO. 2 BALL PARK	30.84			101 517 4517	380	1010
	01/27/20	CITY UTILITIES-NO. PARK #3	39.36			101 517 4517	380	1010
	01/27/20	CITY UTILITIES-NO. PARK MAINT	69.88			101 522 4522	380	1010
	01/27/20	CITY UTILITIES-E SHELTER-VETS	29.06			101 522 4522	380	1010
	01/27/20	CITY UTILITIES-NO. PARK CONC S	11.61			101 517 4517	380	1010
	01/27/20	CITY UTILITIES-VETS PARK ATHL	11.33			101 517 4517	380	1010
	01/27/20	CITY UTILITIES-NE YOUTH BALL F	11.33			101 517 4517	380	1010
	01/27/20	CITY UTILITIES-W SHELTER-VETS	13.86			101 522 4522	380	1010

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	01/27/20	CITY UTILITIES-NO. PARK #1	48.21			101 310 4310	380	1010
	01/27/20	CITY UTILITIES-WELL #4	589.97			601 941 4941	380	1010
	01/27/20	CITY UTILITIES-WELL #2	96.65			601 941 4941	380	1010
	01/27/20	CITY UTILITIES-WELL #3	41.84			601 941 4941	380	1010
	01/27/20	CITY UTILITIES-WELL #5	1,004.53			601 941 4941	380	1010
	01/27/20	CITY UTILITIES-8 AV WATER TOWE	192.76			601 941 4941	380	1010
	01/27/20	CITY UTILITIES-LITTLES LIFT ST	44.43			602 948 4948	380	1010
	01/27/20	CITY UTILITIES-LIQUOR STORE	395.56			609 979 4979	380	1010
	01/27/20	CITY UTILITIES-NO. PARK #4	11.61			101 522 4522	380	1010
	01/27/20	CITY UTILITIES-WWTP-WA/SE	1,183.54			602 947 4947	380	1010
	01/27/20	CITY UTILITIES-WWTP-ELECTRIC	3,149.71			602 947 4947	381	1010
	01/27/20	CITY UTILITIES-WWTP-BASEMENT	21.89			602 947 4947	380	1010
	01/27/20	CITY UTILITIES-WWTP-GARAGE	9.40			602 947 4947	380	1010
	01/27/20	CITY UTILITIES-NO. PARK #2	14.08			101 522 4522	380	1010
	01/27/20	CITY UTILITIES-OLD WATER TOWER	29.91			101 526 4526	430	1010
	01/27/20	CITY UTILITIES-D C AMBULANCE S	71.49			101 417 4417	380	1010
	01/27/20	CITY UTILITIES-P.W.B. 1/2	272.07			101 310 4310	380	1010
	01/27/20	CITY UTILITIES-P.W.B. 1/2	272.07			604 957 4957	380	1010
	01/27/20	SALES TAX	32.40			604 957 4957	380	1010
	01/27/20	SALES TAX	-32.40			604 2025		1010
	01/27/20	D C TRANSIT TAX	2.35			604 957 4957	380	1010
	01/27/20	D C TRANSIT TAX	-2.35			604 2026		1010
	01/27/20	SALES TAX	1.23			604 957 4957	380	1010
	01/27/20	SALES TAX	-1.23			604 2025		1010
	01/27/20	D C TRANSIT TAX	0.08			604 957 4957	380	1010
	01/27/20	D C TRANSIT TAX	-0.08			604 2026		1010
	01/27/20	CITY UTILITIES-SOLAR BILLBOARD	19.81			604 956 4956	381	1010
	01/27/20	CITY UTILITIES-D C ICE ARENA	2,744.30			606 516 4516	380	1010
	01/27/20	CITY UTILITIES-ELECTRONIC SIGN	14.70*			101 111 4111	430	1010
	01/27/20	CITY UTILITIES-PARK & RIDE LOT	40.01			101 316 4316	380	1010
	01/27/20	CITY UTILITIES-16 ST-E OF BRID	68.36			101 316 4316	380	1010
	01/27/20	CITY UTILITIES-16 ST-CENTER	105.88			101 316 4316	380	1010
	01/27/20	CITY UTILITIES-16 ST-W OF BRID	49.96			101 316 4316	380	1010
	01/27/20	CITY UTILITIES-LIBRARY	385.12			211 550 4550	380	1010
	01/27/20	CITY UTILITIES-102 15 ST NE-UP	36.76			101 1151		1010
	01/27/20	CITY UTILITIES-102 15 ST NE-BE	36.76			101 1151		1010
	01/27/20	CITY UTILITIES-LIONS PARK SHEL	19.07			101 522 4522	380	1010

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	01/27/20	CITY UTILITIES-85 W VETS (VACA	36.76			101 522 4522	380	1010
		Total for Vendor:	30,952.54					
33572	E	5691 FURTHER-FSA	48.05					
	39326448	02/11/20 FLEX REIMBURSEMENT	48.05			101 2177		1010
		Total for Vendor:	48.05					
33569	E	108 MN DEPARTMENT OF REVENUE	21,349.00					
	02/10/20	JAN.-UTILITIES SALES TAX	374.00			601 2025		1010
	02/10/20	JAN.-UTILITIES SALES TAX	19,348.00			604 2025		1010
	02/10/20	JAN.-SALES TAX PAYABLE	26.00			101 2025		1010
	02/10/20	JAN.-SALES TAX PAYABLE	10.00			211 2025		1010
	02/10/20	JAN.-SALES TAX PAYABLE	58.00			604 2025		1010
	02/10/20	JAN.-SALES TAX PAYABLE	60.00			877 2025		1010
	02/10/20	JAN.-USE TAX PAYABLE	2.00			101 2025		1010
	02/10/20	JAN.-USE TAX PAYABLE	84.00			604 2025		1010
	02/10/20	JAN.-USE TAX PAYABLE	17.00			609 2025		1010
	02/10/20	JAN.-UTIL-D C TRANSIT TAX	25.00			601 2026		1010
	02/10/20	JAN.-UTIL-D C TRANSIT TAX	1,325.00			604 2026		1010
	02/10/20	JAN.-D C TRANSIT TAX PAYABLE	2.00			101 2026		1010
	02/10/20	JAN.-D C TRANSIT TAX PAYABLE	1.00			211 2026		1010
	02/10/20	JAN.-D C TRANSIT TAX PAYABLE	4.00			604 2026		1010
	02/10/20	JAN.-D C TRANSIT TAX PAYABLE	4.00			877 2026		1010
	02/10/20	JAN.-D C TRANSIT-USE TAX	8.00			604 2026		1010
	02/10/20	JAN.-D C TRANSIT-USE TAX	1.00			609 2026		1010
		Total for Vendor:	21,349.00					
33570	E	973 MN DEPT OF REVENUE	10,100.00					
	02/10/20	JAN.-LIQUOR STORE SALES TAX	9,587.00			609 2025		1010
	02/10/20	JAN.-LIQUOR STORE D C TRANSIT	513.00			609 2026		1010
		Total for Vendor:	10,100.00					
33639		5658 MN DNR ECOLOGICAL & WATER	1,011.90					
	1968-1609	02/12/20 ANN'L WATER PERMIT	1,011.90			601 943 4943	430	1010
		Total for Vendor:	1,011.90					
		# of Claims	6	Total:	63,461.49			
		Total Electronic Claims			62,449.59			
		Total Non-Electronic Claims			1011.90			

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CITY OF KASSON
401 5TH STREET SE
KASSON, MN 55944-2204

The claim batch dated _____ are approved for payment.

APPROVED See signature page Council Member
_____ Council Member

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33657		5098 CARDMEMBER SERVICE	1,573.17					
	01/02/20	SHOE POLISHER	78.37			101 210 4210	210	1010
	01/03/20	BATTERY	24.69			101 210 4210	220	1010
	01/02/20	SHOE POLISH	9.12			101 210 4210	220	1010
	01/06/20	BATTERY/9 CHAIRMATS	363.71			101 210 4210	210	1010
	01/14/20	RUNNELLS-USPCA K-9 TRIALS	70.00			101 210 4210	333	1010
	01/14/20	RUNNELLS-USPCA REG 18 MEMBERSH	50.00			101 210 4210	334	1010
	01/22/20	CERTIFICATES/CERTIF HOLDERS	36.65			101 220 4220	210	1010
	01/22/20	3 DESK TOP COMPUTERS	898.74			101 210 4210	240	1010
	01/27/20	AWARD CERTIFICATE PAPER	13.95			101 210 4210	210	1010
	01/24/20	STAMPS.COM	17.99			101 210 4210	325	1010
	01/28/20	PCH-INTELIUS SUBSCRIPTION	9.95			101 210 4210	210	1010
33658		5098 CARDMEMBER SERVICE	220.00					
	02/03/20	MN STATE FIRE CHIEFS MEMBERSHI	220.00			101 220 4220	334	1010
		Total for Vendor:	1,793.17					
		# of Claims	2	Total:				1,793.17

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CITY OF KASSON
Fund Summary for Claims
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Fund/Account	Amount
101 General Fund	
1010 CASH-OPERATING	\$1,793.17
Total:	\$1,793.17

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CITY OF KASSON
401 5TH STREET SE
KASSON. MN 55944-2204

The claim batch dated _____ are approved for payment.

APPROVED

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Council Member

Council Member

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Claim/	Check	Vendor #/Name/ Invoice #/Inv Date/Description	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object Proj	Cash Account
33647		3416 ADVANCED PLUMBING & HEATING INC	229.50					
	11231 02/20/20	REPAIR TOILET/REMOVE FIXTURES	229.50			101 210 4210	400	1010
		Total for Vendor:	229.50					
33581		5664 AMARIL UNIFORM COMPANY	196.13					
	IV164224 02/13/20	WHEELER-F R SWEATSHIRT	196.13			604 957 4957	214	1010
		Total for Vendor:	196.13					
33648		5542 ANCOM COMMUNICATIONS INC	273.00					
	93332 01/31/20	BATTERY	273.00			101 220 4220	210	1010
		Total for Vendor:	273.00					
33616		5049 ARTISAN BEER COMPANY	53.50					
	3402857 02/04/20	BEER	53.50			609 975 4975	252	1010
		Total for Vendor:	53.50					
33582		203 BAKER & TAYLOR INC	373.75					
	2035080581 01/29/20	BOOKS	58.43			211 550 4550	218	1010
	2035086597 01/31/20	BOOKS	15.36			211 550 4550	218	1010
	2035086597 01/31/20	AUDIO BOOKS	17.06			211 550 4550	219	1010
	2035100946 02/07/20	BOOKS	282.90			211 550 4550	218	1010
		Total for Vendor:	373.75					
33649		5158 BATTERIES PLUS BULBS	66.76					
	P22959623 01/07/20	BATTERIES	66.76			101 220 4220	210	1010
		Total for Vendor:	66.76					
33617		1012 BELLBOY CORPORATION	535.72					
	82742700 02/06/20	LIQUOR	405.55			609 975 4975	251	1010
	82742700 02/06/20	WINE	80.00			609 975 4975	251	1010
	82742700 02/06/20	FREIGHT	12.00			609 975 4975	335	1010
	100867900 02/06/20	CUPS FOR RESALE	38.17			609 975 4975	254	1010
		Total for Vendor:	535.72					

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33650		4708 BOUND TREE MEDICAL LLC	607.70					
	83496879	02/04/20 MEDICAL SUPPLIES	449.99			101 220 4220	240	1010
	83502814	02/10/20 MEDICAL SUPPLIES	157.71			101 220 4220	210	1010
		Total for Vendor:	607.70					
33618		5239 BREAKTHRU BEVERAGE MN WINE &	728.76					
	1081096052	02/05/20 LIQUOR	429.96			609 975 4975	251	1010
	1081096052	02/05/20 WINE	232.00			609 975 4975	251	1010
	1081096052	02/05/20 MIXES	52.00			609 975 4975	254	1010
	1081096052	02/05/20 FREIGHT	14.80			609 975 4975	335	1010
		Total for Vendor:	728.76					
33619		3385 CANNON RIVER WINERY	210.00					
	1700	02/11/20 WINE	210.00			609 975 4975	251	1010
		Total for Vendor:	210.00					
33583		5514 CEDA	10,907.00					
	01/02/20	1st QTR 2020-EDA SERVICES	10,907.00			290 650 4650	444	1010
		Total for Vendor:	10,907.00					
33584		2410 CENTRAL MN MUNICIPAL POWER AGE	210,200.23					
	6756	01/31/20 CMPA DUES-JANUARY	1,500.00			604 959 4959	334	1010
	6756	01/31/20 FEES FOR SERVICES	1,686.11			604 959 4959	430	1010
	6756	01/31/20 PURCH'D POWER	171,300.22			604 956 4956	381	1010
	6756	01/31/20 PURCH'D POWER-TRANSMISSION	33,870.45			604 956 4956	381	1010
	6756	01/31/20 CAPACITY PURCHASED-JANUARY	658.10			604 956 4956	381	1010
	6756	01/31/20 CIP MONTHLY ASSMNT-JANUARY	1,308.30			604 959 4959	429	1010
	6769	01/31/20 cr-CIP MONTHLY ASSMNT-JANUARY	-122.95			604 959 4959	429	1010
		Total for Vendor:	210,200.23					
33620		5667 CINTAS	113.11					
	4042643885	02/13/20 MATS-L.S.	113.11			609 979 4979	410	1010
		Total for Vendor:	113.11					

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33651		2381 CUSTOM COMMUNICATIONS INC	94.50					
	451188	02/11/20 FIRE ALARM MONITOR 3/1-5/31	94.50*			211 550 4550	444	1010
		Total for Vendor:	94.50					
33585		69 DODGE COUNTY ENVIRONMENTAL	15.00					
	95294	01/30/20 APPLIANCE DISPOSAL	2.14			101 310 4310	430	1010
	95294	01/30/20 APPLIANCE DISPOSAL	2.14			101 312 4312	430	1010
	95294	01/30/20 APPLIANCE DISPOSAL	2.14			101 517 4517	430	1010
	95294	01/30/20 APPLIANCE DISPOSAL	2.14			601 943 4943	430	1010
	95294	01/30/20 APPLIANCE DISPOSAL	2.14			602 948 4948	430	1010
	95294	01/30/20 APPLIANCE DISPOSAL	2.16			604 957 4957	430	1010
	95294	01/30/20 APPLIANCE DISPOSAL	2.14			605 963 4963	430	1010
		Total for Vendor:	15.00					
33586		5156 DODGE COUNTY INDEPENDENT/DODGE	216.45					
	9155	02/06/20 2020 BUDGET SUMMARY	216.45			101 153 4153	351	1010
		Total for Vendor:	216.45					
33587		145 FESTIVAL IN THE PARK	10,000.00					
	02/12/20	2020 FESTIVAL DONATION	10,000.00*			101 111 4111	430	1010
		Total for Vendor:	10,000.00					
33652		2618 FIRE SAFETY USA INC	50.00					
	131159	02/05/20 2 CYCLE ENGINE OIL	50.00			101 220 4220	210	1010
		Total for Vendor:	50.00					
		*** Claim from another period (12/19) ****						
33660		5678 FURTHER	6.90					
	1454932	02/06/20 ADD'L DEC. PARTICIPANT FEES	6.90*			101 140 4140	440	1010
33661		5678 FURTHER	310.20					
	1454932	02/06/20 JAN.-PARTICIPANT FEES	155.10*			101 140 4140	440	1010
	1454932	02/06/20 FEB.-PARTICIPANT FEES	155.10*			101 140 4140	440	1010
		Total for Vendor:	317.10					

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33589		2462 HOISINGTON KOEGLER GROUP INC	7,187.48					
	019-041-5	02/09/20 CONSULTING-P&Z	7,187.48*			101 140 4140	440	1010
		Total for Vendor:	7,187.48					
33590		6099 IBISCH, TIMOTHY	5,000.00					
	02/11/20	RELOCATION EXPENSE REIMB'D	5,000.00*			101 111 4111	430	1010
		Total for Vendor:	5,000.00					
33591		2198 ITRON INC	1,203.23					
	546418	02/10/20 MAR-MAY MAINT & SUPPORT	240.64			601 944 4944	370	1010
	546418	02/10/20 MAR-MAY MAINT & SUPPORT	240.64			602 949 4949	370	1010
	546418	02/10/20 MAR-MAY MAINT & SUPPORT	481.31			604 959 4959	370	1010
	546418	02/10/20 MAR-MAY MAINT & SUPPORT	240.64			605 963 4963	370	1010
	546418	02/10/20 SALES TAX	4.57			604 959 4959	370	1010
	546418	02/10/20 SALES TAX	-4.57			604	2025	1010
	546418	02/10/20 D C TRANSIT TAX	0.33			604 959 4959	370	1010
	546418	02/10/20 D C TRANSIT TAX	-0.33			604	2026	1010
		Total for Vendor:	1,203.23					
33621		25 JOHNSON BROTHERS LIQUOR CO	2,174.29					
	1495884	02/04/20 LIQUOR	1,629.59			609 975 4975	251	1010
	1495885	02/04/20 WINE	507.70			609 975 4975	251	1010
	1495886	02/04/20 MIXES	37.00			609 975 4975	254	1010
		Total for Vendor:	2,174.29					
33653		6074 KACZMAREK, LINDSEY	344.14					
	02/20/20	K12 SCHOOLS HEARTSAVER eCARDS	196.65			101 220 4220	210	1010
	02/20/20	eBLS PROVIDER COURSE CARDS	147.49			101 220 4220	210	1010
		Total for Vendor:	344.14					
33593		35 KASSON HARDWARE HANK	963.82					
	01/31/20	R&M SUPPLIES-ICE & SNOW	47.55			101 312 4312	220	1010
	01/31/20	R&M SUPPLIES-STREETS	57.97			101 310 4310	220	1010
	01/31/20	OPER SUPPLIES-P D	14.98			101 210 4210	210	1010
	01/31/20	R&M SUPPLIES-PARKS	24.48			101 522 4522	220	1010
	01/31/20	R&M SUPPLIES-F D	76.45			101 220 4220	220	1010

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Claim/	Check	Vendor #/Name/ Invoice #/Inv Date/Description	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object Proj	Cash Account
	01/31/20	SMALL TOOLS-ELECTRIC	39.99			604 957 4957	240	1010
	01/31/20	SALES TAX	2.75			604 957 4957	240	1010
	01/31/20	SALES TAX	-2.75			604	2025	1010
	01/31/20	D C TRANSIT TAX	0.20			604 957 4957	240	1010
	01/31/20	D C TRANSIT TAX	-0.20			604	2026	1010
	01/31/20	SMALL TOOLS-WATER	51.96			601 943 4943	240	1010
	01/31/20	R&M SUPPLIES-ELECTRIC	57.96			604 957 4957	220	1010
	01/31/20	SALES TAX	3.98			604 957 4957	220	1010
	01/31/20	SALES TAX	-3.98			604	2025	1010
	01/31/20	D C TRANSIT TAX	0.29			604 957 4957	220	1010
	01/31/20	D C TRANSIT TAX	-0.29			604	2026	1010
	01/31/20	R&M SUPPLIES-WATER	54.97			601 943 4943	220	1010
	01/31/20	OPER SUPPLIES-L S	64.36			609 978 4978	210	1010
	01/31/20	SALES TAX	4.42			609 978 4978	210	1010
	01/31/20	SALES TAX	-4.42			609	2025	1010
	01/31/20	D C TRANSIT TAX	0.32			609 978 4978	210	1010
	01/31/20	D C TRANSIT TAX	-0.32			609	2026	1010
	01/31/20	OPER SUPPLIES-WATER	5.99			601 943 4943	210	1010
	01/31/20	CITY HALL SUPPLIES	43.41			101 140 4140	220	1010
	01/31/20	OPER SUPPLIES-WWTP OPERATIONS	142.32			602 947 4947	210	1010
	01/31/20	SMALL TOOLS-WWTP OPERATIONS	54.99			602 947 4947	240	1010
	01/31/20	SMALL TOOLS-ARENA	64.99			606 516 4516	240	1010
	01/31/20	R&M SUPPLIES-ARENA	161.45			606 516 4516	220	1010
		Total for Vendor:	963.82					
33631		157 LEAGUE OF MINNESOTA CITIES	109.00					
	317272	02/18/20 2020 LEGISLATIVE CONF-CITIES	109.00			101 140 4140	332	1010
		Total for Vendor:	109.00					
33594		5345 MAJESTIC EVENTS	1,500.00					
	07961	02/11/20 DEP.-PORTABLE STAGE-FESTIVAL	1,500.00*			877 100 4000	430	1010
		Total for Vendor:	1,500.00					
33635		385 MAXSON ELECTRIC INC	4,303.56					
	6530	02/10/20 REPAIR SWITCHES @ WELL	710.40			601 943 4943	400	1010
	6531	02/10/20 MOTOR REBUILD @ WWTP	1,484.36			602 947 4947	400	1010
	6532	02/10/20 REPL LAMPS, SWITCH @ WWTP	2,108.80			602 947 4947	400	1010
		Total for Vendor:	4,303.56					

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33595		2156 MCGRANN SHEA CARNIVAL STRAUGHN	1,460.00					
	131020	02/13/20 LEGAL-ELEC SERV TERR	1,460.00			604 959 4959	304	1010
		Total for Vendor:	1,460.00					
33596		2988 MCPA	50.00					
	02/13/20	LINDGREN MEMBERSHIP DUES	50.00			101 210 4210	333	1010
		Total for Vendor:	50.00					
33645		2617 MENARDS-ROCHESTER NORTH	179.98					
	59167	02/19/20 SHELIVING-WWTP	179.98			602 947 4947	210	1010
		Total for Vendor:	179.98					
33636		4636 METERING & TECHNOLOGY SOLUTIONS	2,711.76					
	16314	02/07/20 12 METERS W) ERTS	1,355.88			601 943 4943	260	1010
	16314	02/07/20 12 METERS W) ERTS	1,355.88			602 948 4948	260	1010
		Total for Vendor:	2,711.76					
33597		89 METRO SALES INC	428.06					
	INV1533068	02/07/20 QTRLY MAINT-B&W 2/13-5/12	17.68			101 140 4140	210	1010
	INV1533068	02/07/20 QTRLY MAINT-B&W 2/13-5/12	17.68			101 310 4310	210	1010
	INV1533068	02/07/20 QTRLY MAINT-B&W 2/13-5/12	17.68			101 191 4191	210	1010
	INV1533068	02/07/20 QTRLY MAINT-B&W 2/13-5/12	17.68			101 517 4517	210	1010
	INV1533068	02/07/20 QTRLY MAINT-B&W 2/13-5/12	17.68			290 650 4650	210	1010
	INV1533068	02/07/20 QTRLY MAINT-B&W 2/13-5/12	17.68			601 944 4944	210	1010
	INV1533068	02/07/20 QTRLY MAINT-B&W 2/13-5/12	17.68			602 949 4949	210	1010
	INV1533068	02/07/20 QTRLY MAINT-B&W 2/13-5/12	17.68			604 959 4959	210	1010
	INV1533068	02/07/20 QTRLY MAINT-B&W 2/13-5/12	17.67			605 963 4963	210	1010
	INV1533068	02/07/20 QTRLY MAINT-B&W 2/13-5/12	17.67			609 976 4976	430	1010
	INV1533068	02/07/20 SALES TAX	1.21			604 959 4959	210	1010
	INV1533068	02/07/20 SALES TAX	-1.21			604 2025		1010
	INV1533068	02/07/20 D C TRANSIT TAX	0.08			604 959 4959	210	1010
	INV1533068	02/07/20 D C TRANSIT TAX	-0.08			604 2026		1010
	INV1533068	02/07/20 SALES TAX	1.21			609 976 4976	430	1010
	INV1533068	02/07/20 SALES TAX	-1.21			609 2025		1010
	INV1533068	02/07/20 D C TRANSIT TAX	0.08			609 976 4976	430	1010
	INV1533068	02/07/20 D C TRANSIT TAX	-0.08			609 2026		1010

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	INV1533068	02/07/20 QTRLY MAINT-CLR 2/13-5/12	25.13			101 140 4140	210	1010
	INV1533068	02/07/20 QTRLY MAINT-CLR 2/13-5/12	25.13			101 310 4310	210	1010
	INV1533068	02/07/20 QTRLY MAINT-CLR 2/13-5/12	25.13			101 191 4191	210	1010
	INV1533068	02/07/20 QTRLY MAINT-CLR 2/13-5/12	25.13			101 517 4517	210	1010
	INV1533068	02/07/20 QTRLY MAINT-CLR 2/13-5/12	25.13			290 650 4650	210	1010
	INV1533068	02/07/20 QTRLY MAINT-CLR 2/13-5/12	25.13			601 944 4944	210	1010
	INV1533068	02/07/20 QTRLY MAINT-CLR 2/13-5/12	25.13			602 949 4949	210	1010
	INV1533068	02/07/20 QTRLY MAINT-CLR 2/13-5/12	25.13			604 959 4959	210	1010
	INV1533068	02/07/20 QTRLY MAINT-CLR 2/13-5/12	25.12			605 963 4963	210	1010
	INV1533068	02/07/20 QTRLY MAINT-CLR 2/13-5/12	25.12			609 976 4976	430	1010
	INV1533068	02/07/20 SALES TAX	1.72			604 959 4959	210	1010
	INV1533068	02/07/20 SALES TAX	-1.72			604 2025		1010
	INV1533068	02/07/20 D C TRANSIT TAX	0.12			604 959 4959	210	1010
	INV1533068	02/07/20 D C TRANSIT TAX	-0.12			604 2026		1010
	INV1533068	02/07/20 SALES TAX	1.72			609 976 4976	210	1010
	INV1533068	02/07/20 SALES TAX	-1.72			609 2025		1010
	INV1533068	02/07/20 D C TRANSIT TAX	0.12			609 976 4976	430	1010
	INV1533068	02/07/20 D C TRANSIT TAX	-0.12			609 2026		1010
		Total for Vendor:	428.06					
33632		2929 Minnesota GFOA	70.00					
	12590	02/18/20 ZAWORSKI DUES THRU 3/1/21	70.00			101 140 4140	334	1010
		Total for Vendor:	70.00					
33598		143 MN DEPT OF LABOR & INDUSTRY	10.00					
	ABR0229305	01/31/20 PRESS VESSEL REGISTRATION	10.00			101 522 4522	444	1010
		Total for Vendor:	10.00					
33599		729 MN DEPT OF PUBLIC SAFETY	400.00					
	2019M10712	02/05/20 HAZ MAT RESP ACT	75.00*			101 514 4514	430	1010
	2019M10712	02/05/20 HAZ CHEM INVENTORY	25.00*			101 514 4514	430	1010
	2019M10829	02/13/20 HAZ MAT RESP ACT-WELL 2	75.00			601 943 4943	430	1010
	2019M10829	02/13/20 HAZ CHEM INVENTORY-WELL 2	25.00			601 943 4943	430	1010
	2019M10829	02/13/20 HAZ MAT RESP ACT-WELL 3	75.00			601 943 4943	430	1010
	2019M10829	02/13/20 HAZ CHEM INVENTORY-WELL 3	25.00			601 943 4943	430	1010
	2019M10830	02/13/20 HAZ MAT RESP ACT-WELL 5	75.00			601 943 4943	430	1010
	2019M10830	02/13/20 HAZ CHEM INVENTORY-WELL 5	25.00			601 943 4943	430	1010
		Total for Vendor:	400.00					

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33633		142 MN MUNICIPAL UTILITIES ASSN	465.00					
	54924	01/06/20 HENDERSON-METER SCHOOL	465.00			604 959 4959	333	1010
		Total for Vendor:	465.00					
33600		144 MN POLLUTION CONTROL AGENCY	23.00					
	A1709	02/03/20 VOSEN-CLASS A WW OPER LIC	23.00			602 947 4947	430	1010
		Total for Vendor:	23.00					
33622		60 NORTHERN BEVERAGE DIST. CO. LL	2,649.90					
	607930	02/06/20 BEER	2,647.90			609 975 4975	252	1010
	607930	02/06/20 FREIGHT	2.00			609 975 4975	335	1010
		Total for Vendor:	2,649.90					
33601		983 OLMSTED MEDICAL CENTER	29.00					
	02/06/20	1 DRUG TEST	29.00			101 920 4920	433	1010
		Total for Vendor:	29.00					
33602		502 ON-SITE COMPUTERS INC	1,677.09					
	CW66660	01/31/20 PATCH MANAGEMENT-ANN'L	1,012.00			101 192 4192	370	1010
	CW66613	01/31/20 INSTALL 3 NEW SYSTEMS @ PD	665.09			101 210 4210	440	1010
		Total for Vendor:	1,677.09					
33603		5366 PARSONS	250.00					
	70644	02/10/20 DISK SPACE-BOARDROOM CAMERA	100.00*			101 111 4111	430	1010
	70644	02/10/20 DISK SPACE-BOARDROOM CAMERA	50.00*			101 191 4191	430	1010
	70644	02/10/20 DISK SPACE-BOARDROOM CAMERA	50.00			101 510 4510	430	1010
	70644	02/10/20 DISK SPACE-BOARDROOM CAMERA	50.00			290 650 4650	430	1010
		Total for Vendor:	250.00					
33641		58 PETTY CASH - CLERKS OFFICE	17.37					
	02/20/20	MDH WATER SAMPLES MAILING	4.60			601 944 4944	325	1010
	02/20/20	16 ST E PROJECT MAILING	2.05*			412 196 4196	430	1010
	02/20/20	WALL HANGERS-C H	10.72			101 140 4140	210	1010
		Total for Vendor:	17.37					

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33623		23 PHILLIPS WINE & SPIRITS	1,446.80					
	2699112	02/04/20 LIQUOR	927.80			609 975 4975	251	1010
	2699113	02/04/20 WINE	519.00			609 975 4975	251	1010
		Total for Vendor:	1,446.80					
33654		741 RIVERLAND COMMUNITY COLLEGE	95.00					
	528822	02/07/20 FF CODE-SKOGERBO	95.00			101 220 4220	330	1010
		Total for Vendor:	95.00					
33604		2079 ROCHESTER OVERHEAD DOOR INC	180.00					
	30881	02/04/20 SERVICE CALL-DOOR @ PWB	25.72			101 310 4310	400	1010
	30881	02/04/20 SERVICE CALL-DOOR @ PWB	25.72			101 312 4312	400	1010
	30881	02/04/20 SERVICE CALL-DOOR @ PWB	25.72			101 517 4517	400	1010
	30881	02/04/20 SERVICE CALL-DOOR @ PWB	25.71			601 943 4943	400	1010
	30881	02/04/20 SERVICE CALL-DOOR @ PWB	25.71			602 948 4948	400	1010
	30881	02/04/20 SERVICE CALL-DOOR @ PWB	25.71			604 957 4957	400	1010
	30881	02/04/20 SERVICE CALL-DOOR @ PWB	25.71			605 963 4963	400	1010
	30881	02/04/20 SALES TAX	1.77			604 957 4957	400	1010
	30881	02/04/20 SALES TAX	-1.77			604	2025	1010
	30881	02/04/20 D C TRANSIT TAX	0.13			604 957 4957	400	1010
	30881	02/04/20 D C TRANSIT TAX	-0.13			604	2026	1010
		Total for Vendor:	180.00					
33624		63 SCHOTT DIST CO INC	5,287.77					
	382268	02/06/20 BEER	5,213.77			609 975 4975	252	1010
	382268	02/06/20 NA BEVERAGE	74.00			609 975 4975	254	1010
		Total for Vendor:	5,287.77					
33605		64 SELCO	1,211.73					
	047425	02/06/20 FEB.-AUTOMATION & PC SUPPORT	1,449.34			211 550 4550	309	1010
	047425	02/06/20 PATRON LATE FEES-PD ON-LINE	-237.61			211 550 3513		1010
		Total for Vendor:	1,211.73					

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33642		2327 SEMVCET	7,649.09					
	2020-7	01/10/20 2020 AGENCY FUNDS	7,649.09			101 210 4210	334	1010
		Total for Vendor:	7,649.09					
33625		3850 SOUTHERN GLAZER'S OF MN	1,064.37					
	1920857	02/05/20 WINE	184.00			609 975 4975	251	1010
	1920857	02/05/20 LIQUOR	866.42			609 975 4975	251	1010
	1920857	02/05/20 FREIGHT	13.95			609 975 4975	335	1010
		Total for Vendor:	1,064.37					
33606		5708 STAPLES BUSINESS CREDIT	356.27					
	7304510244	02/06/20 1 CASE PAPER	32.99			101 210 4210	210	1010
	7304510244	02/06/20 1 CASE PAPER	32.99			211 550 4550	210	1010
	7304510244	02/06/20 PKG TAPE/PENS/LETTER OPENE	26.90			101 140 4140	210	1010
	7304510244	02/06/20 COPY PAPER	24.00			101 140 4140	210	1010
	7304510244	02/06/20 COPY PAPER	23.99			101 210 4210	210	1010
	7304510244	02/06/20 COPY PAPER	24.00			101 191 4191	210	1010
	7304510244	02/06/20 COPY PAPER	23.99			101 510 4510	210	1010
	7304510244	02/06/20 COPY PAPER	23.99			211 550 4550	210	1010
	7304510244	02/06/20 COPY PAPER	24.00			290 650 4650	210	1010
	7304510244	02/06/20 COPY PAPER	23.99			601 944 4944	210	1010
	7304510244	02/06/20 COPY PAPER	23.99			602 949 4949	210	1010
	7304510244	02/06/20 COPY PAPER	23.99			604 959 4959	210	1010
	7304510244	02/06/20 COPY PAPER	23.99			605 963 4963	210	1010
	7304510244	02/06/20 COPY PAPER	23.99			609 976 4976	210	1010
	7304510244	02/06/20 SALES TAX	1.65			604 959 4959	210	1010
	7304510244	02/06/20 SALES TAX	-1.65			604 2025		1010
	7304510244	02/06/20 D C TRANSIT TAX	0.12			604 959 4959	210	1010
	7304510244	02/06/20 D C TRANSIT TAX	-0.12			604 2026		1010
	7304510244	02/06/20 SALES TAX	1.65			609 976 4976	210	1010
	7304510244	02/06/20 SALES TAX	-1.65			609 2025		1010
	7304510244	02/06/20 D C TRANSIT TAX	0.12			609 976 4976	210	1010
	7304510244	02/06/20 D C TRANSIT TAX	-0.12			609 2026		1010
	7304510244	02/06/20 STAPLES ADJ CREDIT	-0.53			101 140 4140	210	1010
		Total for Vendor:	356.27					

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33637		5104 STAR ENERGY SERVICES	88.00					
	16199	01/31/20 MCGINN SERVICES-DER REPORT	88.00			604 957 4957	444	1010
		Total for Vendor:	88.00					
33607		3389 T & K TOWING SERVICE LLC	115.00					
	2990	01/25/20 TOW VEH TO IMPD-CHEV SILVERADO	115.00			101 210 4210	430	1010
		Total for Vendor:	115.00					
33608		498 TEIGEN PAPER & SUPPLY INC	305.01					
	367369	02/03/20 T TISSUE	76.58			606 516 4516	210	1010
	367420	02/03/20 FOLD TOWELS	28.78			101 140 4140	210	1010
	367420	02/03/20 URINAL BLOCKS	12.91			101 140 4140	220	1010
	366071	01/06/20 T TISSUE/CAN LINERS/SOAP	186.74			606 516 4516	210	1010
		Total for Vendor:	305.01					
33609		5834 THOMSON REUTERS - WEST	123.60					
	841797634	02/01/20 INVESTIGATIVE SUITE	123.60			101 210 4210	440	1010
		Total for Vendor:	123.60					
33655		6106 TRIPLE I SOLUTIONS	395.00					
	MNAvon0620	02/19/20 STRADTMANN-"SMUGGLERS INC"	395.00			101 210 4210	333	1010
		Total for Vendor:	395.00					
33610		3952 TRUGREEN	514.00					
	115457795	02/05/20 ICE MELT	57.12			101 140 4140	210	1010
	115457795	02/05/20 ICE MELT	57.11			101 210 4210	210	1010
	115457795	02/05/20 ICE MELT	57.11			101 220 4220	210	1010
	115457795	02/05/20 ICE MELT	57.11			101 522 4522	210	1010
	115457795	02/05/20 ICE MELT	57.11			211 550 4550	210	1010
	115457795	02/05/20 ICE MELT	57.11			602 948 4948	210	1010
	115457795	02/05/20 ICE MELT	57.11			606 516 4516	210	1010
	115457795	02/05/20 ICE MELT	57.11			101 310 4310	210	1010
	115457795	02/05/20 ICE MELT	57.11			609 978 4978	210	1010
	115457795	02/05/20 SALES TAX	3.93			609 978 4978	210	1010
	115457795	02/05/20 SALES TAX	-3.93			609	2025	1010
	115457795	02/05/20 D C TRANSIT TAX	0.29			609 978 4978	210	1010

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	115457795	02/05/20 D C TRANSIT TAX	-0.29			609 2026		1010
		Total for Vendor:	514.00					
33656		4108 ULTIMATE SAFETY CONCEPTS INC	207.68					
	186852	02/13/20 RAE SENSOR MODULE	207.68			101 220 4220	220	1010
		Total for Vendor:	207.68					
33643		5497 VOSEN, DAVID	172.99					
	02/19/20	BATTERY BACKUP-WWTP	172.99			602 947 4947	309	1010
		Total for Vendor:	172.99					
33626		5047 WATERVILLE FOOD & ICE INC	92.83					
	05-011969	02/06/20 ICE-LIQUOR STORE	92.83			609 975 4975	257	1010
		Total for Vendor:	92.83					
33611		637 WEBER, LETH & WOESSNER PLC	5,477.04					
	JAN '20	01/31/20 1.5 HRS LEGAL-CC	217.50			101 111 4111	304	1010
	JAN '20	01/31/20 20.7 HRS LEGAL-'17 STR ASSMN	2,977.00*			423 311 4311	430 41602	1010
	JAN '20	01/31/20 BIND 7 COPIES OF BRIEF	54.04*			423 311 4311	430 41602	1010
	JAN '20	01/31/20 2.3 HRS LEGAL-ADMINISTRATION	333.50			101 160 4160	304	1010
	JAN '20	01/31/20 11.4 HRS LEGAL-P&Z	1,653.00			101 191 4191	304	1010
	JAN '20	01/31/20 2.2 HRS LEGAL-WILKER	242.00			101 191 4191	304	1010
		Total for Vendor:	5,477.04					
33613		4086 WEIGEL, KRISTA	83.38					
	02/14/20	MILES-TAC CLASS 2/13/20	83.38			101 210 4210	333	1010
		Total for Vendor:	83.38					
33614		5182 WHKS & CO.	32,016.32					
	40651	02/11/20 I & I IMPLEMENTATION	9,516.32			602 948 4948	303	1010
	40652	02/11/20 SUMP PUMP/SAN SEWER INSPECT PR	22,500.00			602 948 4948	303	1010
		Total for Vendor:	32,016.32					
33627		2407 WINE MERCHANTS	144.00					
	7272869	02/04/20 WINE	144.00			609 975 4975	251	1010
		Total for Vendor:	144.00					

02/21/20
14:13:24

CITY OF KASSON
Claim Approval List
For the Accounting Period: 2/20
For Pay Date: 02/27/20

Page: 13 of 15
Report ID: AP100V

For Pay Date = 02/27/20
* ... Over spent expenditure

Claim/	Check	Vendor #/Name/ Invoice #/Inv Date/Description	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object Proj	Cash Account
33615		641 WOODWARD REPAIR LLC	180.00					
	0682-01	02/14/20 CL MTR DEPOSIT REFUND	180.00			604 2212		1010
		Total for Vendor:	180.00					
		# of Claims	66	Total:				325,600.77

CITY OF KASSON
Fund Summary for Claims
For the Accounting Period: 2/20

Fund/Account	Amount
101 General Fund	
1010 CASH-OPERATING	\$38,664.94
211 Library Fund	
1010 CASH-OPERATING	\$1,794.07
290 Economic Development	
1010 CASH-OPERATING	\$11,023.81
412 16th Street NE	
1010 CASH-OPERATING	\$2.05
423 3rd,4th 5th Av 2017 Street Assessment	
1010 CASH-OPERATING	\$3,031.04
601 Water Fund	
1010 CASH-OPERATING	\$2,819.09
602 Sewer Fund	
1010 CASH-OPERATING	\$37,931.04
604 Electric Fund	
1010 CASH-OPERATING	\$213,263.29
605 Storm Water	
1010 CASH-OPERATING	\$335.27
606 ICE ARENA	
1010 CASH-OPERATING	\$546.87
609 Liquor Fund	
1010 CASH-OPERATING	\$14,689.30
877 Festival in Park Fund	
1010 CASH-OPERATING	\$1,500.00
Total:	\$325,600.77

**CITY OF KASSON
RESOLUTION #2.X-20**

**RESOLUTION APPOINTING ELECTION JUDGES FOR THE
2020 PRESIDENTIAL PRIMARY**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF KASSON, MINNESOTA:

- A. The persons named are hereby appointed judges for the March 3, 2020 Presidential Primary Election, to be held at the Kasson-Mantorville High School in the South Gym, 101 16th St NE, City of Kasson.

Election Official – Linda Rappe

Mary Jane Kroulik

Carla Abel

Anna Redfern

Rosy Carlson

Laurie Boxrucker

Doug Robinson

Shelly Germundson

Jana Nawrocki

April Musselman

Nancy Gronvold

Chuck Coleman

Mary Jane Kroulik

- B. Judges of Election hereby appointed shall service from 6:00 AM to 8:00 PM and to completion of the count as required by law.
- C. Election judges shall be compensated at the rate of \$12.50 per hour.

Adopted this 26th day of February, 2020

ATTEST:

Linda Rappe, City Clerk

Chris McKern, Mayor

The motion for the adoption of the foregoing resolution was made by Council Member _____ and duly seconded by Council Member _____. Upon a vote being taken, the following members voted in favor thereof: _____. Those against same: _____.

KASSON PUBLIC LIBRARY (KPL) BOARD OF TRUSTEES MEETING MINUTES

Tuesday, February 11th, 2020, at 6:03pm in the Library

Present: Lisa Carlsen, Melissa Ferris, Acting President Jon Wright and Director Pat Shaffer-Gottschalk

Absent: Laurie Schultz (arriving at 6:24) and Tarik Kamel

Visitors: Tim Ibsch, Kasson City Administrator; John Talcott, representing Friends; Beverly Jorgenson, SELCO

Petitions to the Chair: Pat introduced City Administrator Tim Ibsch to the Board.

Amendments to Agenda: none

Minutes of the Jan 14th KPL Board Meeting: Motion to approve by Carlsen, 2nd by Ferris. Motion carried.

Minutes of the Jan 22nd KPL Special Board Meeting: Motion to approve by Ferris, 2nd by Carlsen. Motion carried.

Financial Reports/Payables: Gale minutes are down considerably; need to watch. Rochester Public Library (RPL) is now offering an instant card for Overdrive. RPL also offers Gale minutes, but a regular RPL card is required to access. Motion to approve by Ferris, 2nd by Wright. Motion carried.

Monthly Reports/Receivables: Motion to approve by Wright, 2nd by Ferris. Motion carried.

Director's Report:

- Ferris motioned to require Pat to use her remaining Circulation Technician comp time of 26.25 hours as vacation time within 6 months. Motion seconded by Wright. Motion carried.
- KPL received a \$2000 gift from Friends. Pat requested to designate the funds for SRP using the "Library Programs" line item. Special programming for SRP has been paid for by grant money, such as the MN Legacy Fund. Motion by Ferris, 2nd by Schultz. All ayes.

Building Report:

- John Talcott installed wall support brackets for the computer pedestals.
- 3 CO₂ detectors were purchased and installed in the break room, work room, and community room.
- On Feb 10th, Bowman Door Solutions adjusted the handicap delay to 10 seconds, widened the swing to 90°, and installed additional safety features. The cost was \$255. Door will require periodic adjustments due to patrons holding the automatic door open for others.
- Due to the snowstorm, the vents for the air exchange unit were packed with snow and created negative pressure within the KPL dome. Pat was able to gain entry and unplug the unit, allowing it to thaw. Charlie then came and cleared the snow from the vents.
- The MN Energy bill skyrocketed from \$130 to \$616 in January. Pat contacted them and requested an investigation.

Noteworthy Items:

- 2 authors were present for Blind Date with a Book on Feb 6th. It was attended by 40 patrons; concludes on Feb 27th.
- Friday staff meetings were added to plan SRP.
- 20-yr plan for KPL major expenses to be given to the city by Feb 15th.
- Mystery author Brian Freeman is set to visit KPL on May 12th at 7pm after the Board meeting.
- In addition to the \$2000 gift from Friends, KPL also accepted \$100 donation for building use and a \$20 memorial gift.

Committee Reports:

City Council: City concerns covered under the Director's Report.

Friends of the Library: Annual Meeting was held on Feb 1st. \$2000 donated to KPL.

SELCO Board of Director's Meeting: Quarterly meeting was held on Jan 28th. Beverly announced Pat as the new KPL Director, thanked Donovan for his help during the hiring process, and advertised KPL's Blind Date with a Book. SELCO is undergoing a salary compensation study. KPL's SELCO membership has a \$7500 base fee based on population. The contract is publicly available on the SELCO website. SELCO is going to sell the artwork which came with the facility and purchase new artwork reflecting the purpose of SELCO. MN Library Legislative Day is on Mar 31st; library supporters are encouraged to talk with their legislators regarding the importance of libraries serving the public. Donovan celebrated 20 years with SELCO.

Old Business: Safety Inspection Follow-up – KPL is now in full compliance.

New Business: Pat presented 2 options for staffing. Schultz motioned to proceed with hiring a Grade 2 Library Aide; 2nd by Carlsen. Motion passed. Ferris motioned to proceed with hiring a Library Assistant contingent on the City being unable to define the Library Aide position and hire in a timely matter; 2nd by Schultz. Motion passed.

General Discussion: none

Adjourn: 7:05pm

Respectfully submitted by: Laurie Schultz, secretary

SUPPLEMENT TO REFUSE HAULER APPLICATION

Please submit the following information along with the Application for Municipal License - General Form.

1. **Applicant's Name and Address:** Advanced Disposal Services Solid Waste Midwest LLC , 4245 Hwy 14 E , Rochester, MN

2. **Description of each vehicle used for city collection (be specific—Make, model, year and capacity of the body-yardage):**

see attached

3. **Employee name, address, chauffeur or driver license #:** _____

see attached

4. **Description of territory covered under this license application:** _____

City of Kasson

5. **Attach certificates of insurance coverage for vehicles/liability/workers compensation. City of Kasson must be listed as Additional Insured on General Liability and Commercial Auto policy.**

6. **Location of off street parking facility for vehicles:** 4245 Hwy 14 E , Rochester, MN 55903

7. **The State of Minnesota requires the MN Business ID number and the Federal ID number for all businesses licensed by the City.**

MN Business ID# 864-0377

FEIN 20-5987229



Advanced Disposal

City of Kasson

Driver

Brandon Royle

Jim Burke

Brandon Biddle

Jerry Parker

Steve Kraling

John Selkirk

License#



Truck #

201521

201522

172546

122524

345535

271510

Make of truck

Automated Side Loader

Automated Side Loader

Front End Loader

Front End Loader

Roll Off

Manual Side Loader

A. Zein

State of Minnesota,

County of Dodge } ss.

TO THE COMMON COUNCIL OF THE CITY

OF KASSON IN SAID COUNTY AND STATE:

The undersigned hereby applies for a license to carry on the business of refuse hauling at in the City limits of City of Kasson in said county and state for the term of one (1) year from the date hereof, subject to the laws of Minnesota and the ordinances of said City; and herewith tenders \$500.00 as the license fee therefore and completes the Supplemental Application attached.

The license will expire on March 31, 2021.

Skjeveland Enterprises

Dated Year 2020

Signature

SUPPLEMENT TO REFUSE HAULER APPLICATION

Please submit the following information along with the Application for Municipal License - General Form.

1. Applicant's Name and Address: Skjveland Enterprises
605 NW 32nd Ave. Owatonna, MN 55060

2. Description of each vehicle used for city collection (be specific—Make, model, year and capacity of the body-yardage):

#18: 2006 17 yds capacity - International
#20: 2017 Kenworth 20 yd. Capacity

#14: 2015 Freightliner - 25 yd. capacity

3. Employee name, address, chauffeur or driver license #: Chris Skjveland
6314 130th Ave. Claremont, MN 55924

4. Description of territory covered under this license application: City of Kasson
(Dodge County license)

5. Attach certificates of insurance coverage for vehicles/liability/workers compensation. City of Kasson must be listed as Additional Insured on General Liability and Commercial Auto policy.

6. Location of off street parking facility for vehicles: 605 NW 32nd Ave.
Owatonna, MN 55060

7. The State of Minnesota requires the MN Business ID number and the Federal ID number for all businesses licensed by the City.

MN Business ID# 9057353
FEIN 26-4071307

State of Minnesota,

County of Dodge

} ss.

TO THE COMMON COUNCIL

OF THE CITY

OF KASSON

IN SAID COUNTY AND STATE:

The undersigned hereby applies for a license to carry on the business of refuse hauling at in the City limits of City of Kasson in said county and state for the term of one (1) year from the date hereof, subject to the laws of Minnesota and the ordinances of said City; and herewith tenders \$ 500.00 as the license fee therefore

and completes the Supplemental Application attached.

The license will expire on March 31, 2021.

Sunshine Sanitation Inc.

Signature

Dated

2-4

Year 2020

SUPPLEMENT TO REFUSE HAULER APPLICATION

Please submit the following information along with the Application for Municipal License - General Form.

1. **Applicant's Name and Address:** Sunshine Sanitation
Po Box 113 Stewartville, MN 55976

2. **Description of each vehicle used for city collection (be specific—Make, model, year and capacity of the body-yardage):**

See Attached.

3. **Employee name, address, chauffeur or driver license #:** _____

Brady Keefe

Leroy Newell

4. **Description of territory covered under this license application:** Kasson Minnesota

5. **Attach certificates of insurance coverage for vehicles/liability/workers compensation. City of Kasson must be listed as Additional Insured on General Liability and Commercial Auto policy.**

6. **Location of off street parking facility for vehicles:** 750 County Rd 1010 SE
Stewartville, MN 55976

7. **The State of Minnesota requires the MN Business ID number and the Federal ID number for all businesses licensed by the City.**

MN Business ID# 10586536

FEIN 90-0097509

State of Minnesota,

} ss.

County of Dodge

TO THE COMMON COUNCIL OF THE CITY OF KASSON IN SAID COUNTY AND STATE:

The undersigned hereby applies for a license to carry on the business of refuse hauling at in the City limits of City of Kasson in said county and state for the term of one (1) year from the date hereof, subject to the laws of Minnesota and the ordinances of said City; and herewith tenders \$ 500.00 as the license fee therefore and completes the Supplemental Application attached.

The license will expire on March 31, 2021.

Waste Management of Rochester

Dated Year 2020

[Handwritten Signature]

Signature

SUPPLEMENT TO REFUSE HAULER APPLICATION

Please submit the following information along with the Application for Municipal License - General Form.

1. **Applicant's Name and Address:** Waste Management of Rochester
6670 11th Ave SW Rochester MN 55902

2. **Description of each vehicle used for city collection (be specific—Make, model, year and capacity of the body-yardage):**
Please see attached

3. **Employee name, address, chauffeur or driver license #:** _____

4. **Description of territory covered under this license application:** _____
City of Kasson

5. **Attach certificates of insurance coverage for vehicles/liability/workers compensation. City of Kasson must be listed as Additional Insured on General Liability and Commercial Auto policy.**

6. **Location of off street parking facility for vehicles:** _____
6670 11th Ave SW Rochester MN 55902

7. **The State of Minnesota requires the MN Business ID number and the Federal ID number for all businesses licensed by the City.**
MN Business ID# 6756647
FEIN 36-2698820

ROCHESTER

WASTE MANAGEMENT OF MINNESOTA, INC.		ROCHESTER BU 2760 (OLMSTED COUNTY - COUNTY CODE 55)		FLEET REGISTER		CONTACT PERSON: JOE BRAZIL/JASON DAUER/JON DIEMER		License Renewals Address - Driver & Vehicle Services							
DISTRICT	UNIT	NUM.	TYPE	DEPT #	PROD #	LIC/ MO	MO/YR LEGAL THRU	LICENSE RENEWAL (Y/N)	COMMENTS	PLATE #	VEHICLE I.D. #	YR/MAKE/MODEL	# OF AXLES	LICENSE WEIGHT	PROCESS RENEWAL (Y/N)
ROCHESTER		102751	SASL	520	190	A/02	A/02	Feb-20		YBL2768	1FVHCF07RX39359	2007/FREIGHTLINER	3	57,000	Y
ROCHESTER		103114	SASL	520	190	A/02	A/02	Feb-20		YAZ2440	5VDCD61F08H206935	2008/AUTOCAR	3	57,000	Y
ROCHESTER		103115	SASL	520	190	A/02	A/02	Feb-20		YBA2305	5VDCD61F28H206936	2008/AUTOCAR	3	57,000	Y
ROCHESTER		103119	SASL	520	190	A/02	A/02	Feb-20		YBD8417	5VDCD61F98H206934	2008/AUTOCAR	3	57,000	Y
ROCHESTER		103215	DASL	520	190	A/02	A/02	Feb-20		YBA6483	5VDCD61F59H207868	2008/AUTOCAR	3	57,000	Y
ROCHESTER		103229	SASL	520	190	A/02	A/02	Feb-20		YBA6460	5VDCD61F39H207898	2009/AUTOCAR	3	57,000	Y
ROCHESTER		103230	SASL	520	190	A/02	A/02	Feb-20		YBA6466	5VDCD61F59H207899	2009/AUTOCAR	3	57,000	Y
ROCHESTER		103231	SASL	520	190	A/02	A/02	Feb-20		YBL7566	5VDCD61F89H207900	2009/AUTOCAR	3	57,000	Y
ROCHESTER		103232	SASL	520	190	A/02	A/02	Feb-20		YBA6462	5VDCD61FX9H207901	2009/AUTOCAR	3	57,000	Y
ROCHESTER		103246	DASL	520	190	A/02	A/02	Feb-20		YBA6495	5VDCD61F39H208193	2008/AUTOCAR	3	54,999	Y
ROCHESTER		103247	SASL	520	190	A/02	A/02	Feb-20		YBW3963	5VDCD61F59H208194	2009/AUTOCAR	3	57,000	Y
ROCHESTER		105431	ASL	520	190	A/02	A/02	Feb-20		YBR5462	1M2LR02CXHM001764	2017/MACK	3	57,000	Y
ROCHESTER		105431	ASL	520	190	A/02	A/02	Feb-20		YBR5463	1M2LR02C3HM001783	2017/MACK	3	57,000	Y
ROCHESTER		105595	ASL	520	190	A/02	A/02	Feb-20		YBT4852	1M2LR02C9HM002761	2017/MACK	3	57,000	Y
ROCHESTER		105596	ASL	520	190	A/02	A/02	Feb-20		YBT4851	1M2LR02C0HM002762	2017/MACK	3	57,000	Y
ROCHESTER		105918	ASL	520	190	A/02	A/02	Feb-20		YBU9280	1M2LR02C1IM003747	2018/MACK	3	57,000	Y
ROCHESTER		105992	ASL	520	190	A/02	A/02	Feb-20		YBV1114	3BPZL70XOFF280405	2015/PETERBILT	3	57,000	Y
ROCHESTER		106145	ASL	520	190	A/02	A/02	Feb-20		YBR3364	3BPZLJ0X1EF238675	2014/PETERBILT	3	57,000	Y
ROCHESTER		106383	ASL	520	190	A/02	A/02	Feb-20		YBX8510	1M2LR1G5LIM002957	2020/MACK	3	57,000	Y
ROCHESTER		210385	SFEL	520	120	A/02	A/02	Feb-20		YBW2647	1M2AV02C2AM006482	2010/MACK	4	63,000	Y
ROCHESTER		210386	SFEL	520	120	A/02	A/02	Feb-20		YBL7567	1M2AV02C4AM006483	2010/MACK	4	63,000	Y
ROCHESTER		210452	SFEL	520	120	A/02	A/02	Feb-20		YBW9047	1M2AV02C6BM007314	2011/MACK	4	63,000	Y
ROCHESTER		210477	SFEL	520	120	A/02	A/02	Feb-20		YBN9541	5VCACLF09H208878	2009/AUTOCAR	4	63,000	Y
ROCHESTER		210487	SFEL	520	120	A/02	A/02	Feb-20		YBT4892	1M2AV02CX8M007316	2011/MACK	4	63,000	Y
ROCHESTER		210489	SFEL	520	120	A/02	A/02	Feb-20		YBH6986	1M2AV02C3BM007318	2011/MACK	4	63,000	Y
ROCHESTER		408635	RO	520	260	A/02	A/02	Feb-20		YBG8724	1M2P267C02M062789	2002/MACK	4	63,000	Y
ROCHESTER		409033	RO	520	260	A/02	A/02	Feb-20		YBK8249	1M2P267C82M064922	2002/MACK	4	63,000	Y
ROCHESTER		409240	RO	520	260	A/02	A/02	Feb-20		YBU9258	1M2P267C22M064821	2002/MACK	4	63,000	Y
ROCHESTER		410208	RO	520	260	A/02	A/02	Feb-20		YBM8883	1M2AG11C63M007123	2003/MACK	4	63,000	Y
ROCHESTER		413926	RO	520	260	A/02	A/02	Feb-20		YBP7802	2FZHAZCV16AV12569	2006/STERLING	3	57,000	Y

Indicates original title is missing.

A. J. C. V

State of Minnesota,

} ss.

County of Dodge

TO THE COMMON COUNCIL OF THE CITY

OF KASSON IN SAID COUNTY AND STATE:

The undersigned hereby applies for a license to carry on the business of refuse hauling at in the City limits of City of Kasson in said county and state for the term of one (1) year from the date hereof, subject to the laws of Minnesota and the ordinances of said City; and herewith tenders \$ 500.00 as the license fee therefore and completes the Supplemental Application attached.

The license will expire on March 31, 2021.

Hometown Haulers LLC

Dated Year 2020

Signature

SUPPLEMENT TO REFUSE HAULER APPLICATION

Please submit the following information along with the Application for Municipal License - General Form.

1. Applicant's Name and Address: Home town Haulers, LLC

2. Description of each vehicle used for city collection (be specific—Make, model, year and capacity of the body-yardage):

see attached

3. Employee name, address, chauffeur or driver license #: Landon Koss, 917 6th Ave NW Dodge Center MN 55927

4. Description of territory covered under this license application: All of Kasson inside of city limits

5. Attach certificates of insurance coverage for vehicles/liability/workers compensation. City of Kasson must be listed as Additional Insured on General Liability and Commercial Auto policy.

6. Location of off street parking facility for vehicles: 11 3rd Ave SW Dodge Center MN

7. The State of Minnesota requires the MN Business ID number and the Federal ID number for all businesses licensed by the City.
MN Business ID# 3301027
FEIN 46-4213883

List of Trucks

- (2) 2007 International, 25yd McNeilus Rearload Body
- (1) 2007 Freightliner M2, 25yd McNeilus Rearload Body
- (1) 2007 Nissan, 11yd McNeilus Rearload Body
- (1) 2005 International, 20yd McNeilus Rearload Body
- (1) 2006 Peterbilt, 28yd McNeilus Auto Reach Body
- (1) 2013 Autocar, 28yd McNeilus Auto Reach Body
- (1) 1998 Volvo Roll off Truck
- (1) 2020 Peterbilt rear load 25 yard

CONFERENCE REQUEST

Name: Paul Lindgren

Name of Meeting: MCPA Conf.

Place of Meeting: Stillwater mn.

Published dates of Meeting: _____

Attendance dates: May 11 - May 15 Registration Costs: \$425 + hotel

Travel: Rider _____ Driver _____ Vehicle: City _____ Personal _____

Purpose: _____ Licensure/Certification _____ Specific Training

_____ Attendance Explain: _____

Previous Education Courses: _____

Approvals: _____
Department Head


City Administrator

_____ Council Approval

from Kent 2-13-20

LECTOR

...ent/Owner of the National
...tion (NICP, Inc.), a global
...pany specializing in
...n Environmental Design.
...aw enforcement career in
...eld a variety of positions.
...om the Tampa Police
...y Relations Bureau as a
...He was instrumental in
...Tampa's first CPTED
...ore Business District,
...ness District in Florida. He
...review process for the
...t Greenways and Trails
...te over 80 miles of trails.
...vention
...through the
...Training Institute in
...for colleges throughout
...nized as a Crime
...ough the International
...on Practitioners. Art holds
...in Criminology from the
...a.
...crime prevention and city
...rt was awarded the
...tion Association Crime
...the Year in 2000.

Course Registration

Please check which class you are attending
StFillwater, MN (May 11-15, 2020)

- \$425 MCPA Member
 \$475 non-MCPA Member

The registration deadline is:

March 29, 2020

*Fee includes materials and continental breakfast

Lunch will be on your own

Name Paul Lindgren

Agency/Organization Kasson Police Dept.

Address 19 E. Main Street

City/ State/ Zip Kasson, MN 56944

Phone 507-634-3881

E-mail Address Paul.Lindgren@KassonPolice.com

Method of Payment
(Full payment due with registration)

- Check # _____ Amount \$ _____
 Purchase Order Amount \$ _____

Signature Paul Lindgren

Please send registration and payment to:

Chaska Police Department
Attn: Julie Janke
2 City Hall Plaza
Chaska, MN 55318

Checks payable to MCPA

COURSE OUTLINE

40 Hour Basic CPTED

May 11-15, 2020

Day 1

- Introduction to CPTED
- CPTED Definitions & Strategies
- CPTED & the Design process
- "Design Out Crime" Program
- Barriers: Real vs Symbolic-Landscaping, Fencing & Interior Walls
- Introduction to lighting
- Report writing

Day 2

- Lighting for Safety & Security
- Planning, Zoning & CPTED
- "Designs For Walkable Neighborhoods"
- Community Enrichment-Using Design Strategies (Practical Exercise 1)

Day 3

- Traffic Calming & CPTED
- Writing a CPTED Ordinance/Overlay Districts
- Understanding Site Plans
- Site Plan Review
- Group Site Plan Review (Practical Exercise 2)
- Group Site Plan Presentation
- CPTED Around the Globe

Day 4

- CPTED Report Writing
- Sample Field Assessments
- Preparation/Assignments/Field Assessments
- Field Assessments
- In Class Preparation

Day 5

- CPTED Exam
- In Class Preparation
- Class Presentations (Practical exercise 3)

HOTEL ACCOMODATIONS

Grand Stay Hotel & Suites

2200 West Frontage Rd
Stillwater MN 55082
651.430.2699

Room rate for Two Queen beds is \$74.99 plus tax.

Ask for Abdul (Manager) and the "CPTED" rate.

This rate is good until April 11, 2020.

This property offers complimentary daily breakfast and is located 2 miles from the Washington County Government Center.

Comfort Inn & Suites

2000 Washington Ave S
Stillwater MN 55082
651.275.1401

Room rate is \$125.00 plus tax.

Ask for the "CPTED" rate. This rate is good until April 11, 2020. This property offers a complimentary

daily breakfast and is located 2 miles from the Washington County Government Center.

Sponsored By

THE MINNESOTA CRIME PREVENTION ASSOCIATION

INVITES YOU TO ATTEND

Crime Prevention Through Environmental Design

WASHINGTON COUNTY
GOVERNMENT CENTER
14949 62ND STREET NORTH
STILLWATER MN

CONFERENCE REQUEST

Name: Jesse Hasel

Name of Meeting: 4 Pillars of Policing

Place of Meeting: RPSTC Rochester

Published dates of Meeting: None

Attendance dates: Apr. 1 @ 7th Registration Costs: \$350.00

Travel: Rider Driver Vehicle: City Personal

Purpose: Licensure/Certification Specific Training

Attendance Explain: 16 hr mental health/bias training

Previous Education Courses: _____

Approvals: [Signature] [Signature] _____
Department Head City Administrator Council Approval

Conference Request

Name: Joshua Hanson

Name of Meeting: Advanced ICS-400 Command and General Staff-Complex Incidents

Place of Meeting: Red Wing

Published dates of Meeting: 03/24/20-03/25/20

Attendance dates: 03/24/20-03/25/20

Registration costs: Free

Travel: Driver

Vehicle: City

Purpose: Specialized training

Previous Education courses:

Approvals:



Department Head



Administrator

Council Approval

Conference Request

Name: Joshua Hanson

Name of Meeting: TZD Southeast MN Workshop

Place of Meeting: Rochester

Published dates of Meeting: 05/06/2020

Attendance dates: 05/06/2020

Registration costs: Free

Travel: Driver

Vehicle: City

Purpose: Specialized training

Previous Education courses:

Approvals:



Department Head



Administrator

Council Approval

CONFERENCE REQUEST

Name: Jason Peck

Name of Meeting: The Four Pillars of Policing

Place of Meeting: Rochester

Published dates of Meeting: April 6 + 7, 2020

Attendance dates: SAA Registration Costs: \$350.00

Travel: Rider Driver Vehicle: City Personal

Purpose: Licensure/Certification Specific Training

Attendance Explain: _____

Previous Education Courses: _____

Approvals: [Signature]
Department Head

[Signature]
City Administrator

Council Approval



Minnesota Department of Public Safety
 Alcohol & Gambling Enforcement Division
 445 Minnesota Street, 1600
 St Paul, Minnesota 55101
 651-201-7507

RENEWAL OF LIQUOR, WINE, CLUB OR 3.2% LICENSES

No license will be approve or released until the \$20 Retailer ID Card fee is received by Alcohol and Gambling Enforcement

Licensee: Please verify your license information contained below. Make corrections if necessary and sign. City Clerk/County Auditor should submit this signed renewal with completed license and licensee liquor liability for the new license period. City Clerk/County Auditor are also required by M.S. 340A.404 S.3 to report any license cancellation.

License Code: ONSS License Period Ending: 3/31/2020 Iden: 986
 Issuing Authority: Kasson
 Licensee Name: American Legion 333
 Trade Name: Adolph Oiseth Post
 Address: 212 W Main St
 Kasson, MN 55944
 Business Phone: 507-634-4353
 License Fees: Off Sale: \$0.00 On Sale: \$1,000.00 Sunday: \$200.00

*Subject to
 Complete Mrs
 info.*

By signing this renewal application, applicant certifies that there has been no change in ownership on the above named licensee. For changes in ownership, the licensee named above, or for new licensees, full applications should be used. See back of this application for further information needed to complete this renewal.

Applicant's signature on this renewal confirms the following: Failure to report any of the following may result in civil penalties.

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3. Licensee confirms that for the past five years it has not had a liquor license revoked for any liquor law violation (state or local). If a revocation has occurred, please give details on the back of this renewal, then sign below.
4. Licensee confirms that during the past five years it or its employees have not been cited for any civil or criminal liquor law violations. If violations have occurred, please give details on back of this renewal, then sign below.
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6. Licensee confirms that Workers Compensation insurance will be kept in effect during the license period. Licensee has attached a liquor liability insurance certificate that corresponds with the license period in city/county where license is issued.

Licensee has attached a liquor liability insurance certificate that corresponds with the license period in city/county where license is issued. \$100,000 in cash or securities or \$100,000 surety bond may be submitted in lieu of liquor liability.(3.2 liquor licenses are exempt if sales are less than \$25,000 at on sale, or \$50,000 at off sale.)

Christy Ersehen Licensee Signature DOB SSN 1/22/2020 Date
 (Signature certifies all above information to be correct and license has been approved by city/county.)

 City Clerk/Auditor Signature Date
 (Signature certifies that renewal of a liquor, wine or club license has been approved by the city/county as stated above.)

 County Attorney Signature Date
 County Board issued licenses only(Signature certifies licensee is eligible for license).

 Police/Sheriff Signature Date
 Signature certifies licensee or associates have been checked for any state/local liquor law violations (criminal/civil) during the past five years. Report violations on back, then sign here.



Minnesota Department of Public Safety
 Alcohol & Gambling Enforcement Division
 445 Minnesota Street, 1600
 St Paul, Minnesota 55101
 651-201-7507

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License Code: ONSS License Period Ending: 3/31/2020 Iden: 40365
 Issuing Authority: Kasson
 Licensee Name: Events by Saker LLC
 Trade Name: Events by Saker
 Address: 401 8th St SE
 Kasson, MN 55944
 Business Phone: 5076347400
 License Fees: Off Sale: \$0.00 On Sale: \$1,000.00 Sunday: \$200.00

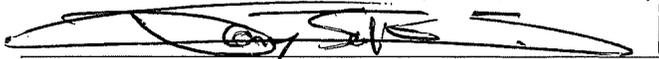
*Subject to
 complete
 ins. info*

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 Licensee Signature
 (Signature certifies all above information to be correct and license has been approved by city/county.)

DOB SSN

Date 2/1/2020

City Clerk/Auditor Signature _____ Date _____
 (Signature certifies that renewal of a liquor, wine or club license has been approved by the city/county as stated above.)

County Attorney Signature _____ Date _____
 County Board issued licenses only (Signature certifies licensee is eligible for license).

Police/Sheriff Signature _____ Date _____
 Signature certifies licensee or associates have been checked for any state/local liquor law violations (criminal/civil) during the past five years. Report violations on back, then sign here.



Minnesota Department of Public Safety
 Alcohol & Gambling Enforcement Division
 445 Minnesota Street, 1600
 St Paul, Minnesota 55101
 651-201-7507

RENEWAL OF LIQUOR, WINE, CLUB OR 3.2% LICENSES

No license will be approve or released until the \$20 Retailer ID Card fee is received by Alcohol and Gambling Enforcement

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License Code: ONSS License Period Ending: 3/31/2020 Iden: 6819
 Issuing Authority: Kasson
 Licensee Name: Galuska Inc.
 Trade Name: Pete's Repeat
 Address: 27 W Main St
 Kasson, MN 55944
 Business Phone: 5076347500
 License Fees: Off Sale: \$0.00 On Sale: \$1,000.00 Sunday: \$200.00

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Licensee Signature: Pete Galuska DOB: SSN: Date: 2/10/2020
 (Signature certifies all above information to be correct and license has been approved by city/county.)

City Clerk/Auditor Signature: _____ Date: _____
 (Signature certifies that renewal of a liquor, wine or club license has been approved by the city/county as stated above.)

County Attorney Signature: _____ Date: _____
 County Board issued licenses only (Signature certifies licensee is eligible for license).

Police/Sheriff Signature: _____ Date: _____
 Signature certifies licensee or associates have been checked for any state/local liquor law violations (criminal/civil) during the past five years. Report violations on back, then sign here.



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License Code: 3.2OFSL License Period Ending: 3/31/2020 Iden: 14752
 Issuing Authority: Kasson
 Licensee Name: Kwik Trip Inc.
 Trade Name: Kwik Trip #619
 Address: 200 8th Street SE
 Kasson, MN 55944
 Business Phone: 5076344651
 License Fees: Off Sale: \$100.00 On Sale: \$0.00 Sunday: \$0.00

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Licensee Signature: Ronald J. Feltner DOB: SSN: Date: 1/16/2020
 (Signature certifies all above information to be correct and license has been approved by city/county.)

City Clerk/Auditor Signature _____ Date _____
 (Signature certifies that renewal of a liquor, wine or club license has been approved by the city/county as stated above.)

County Attorney Signature _____ Date _____
 County Board issued licenses only (Signature certifies licensee is eligible for license).

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License Code: 3.2OFSL License Period Ending: 4/1/2020 Iden: 72694
 Issuing Authority: Kasson
 Licensee Name: Casey's Retail Company
 Trade Name: Casey's General Store #3840
 Address: 403 Mantorville Ave South
 Kasson, MN 55944
 Business Phone: 515-965-6517
 License Fees: Off Sale: \$50.00 On Sale: \$0.00 Sunday: \$0.00

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Julia L. Jackowski INCORP: 04/14/2004 FED ID #20-1025921 01/20/2020
 Licensee Signature: JULIA L. JACKOWSKI, SECRETARY FOR CASEY'S RETAIL COMPANY DOB SSN Date
 (Signature certifies all above information to be correct and license has been approved by city/county.)

City Clerk/Auditor Signature Date
 (Signature certifies that renewal of a liquor, wine or club license has been approved by the city/county as stated above.)

County Attorney Signature Date
 County Board issued licenses only (Signature certifies licensee is eligible for license).

Police/Sheriff Signature Date
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CASEY'S GENERAL STORES, INC. COMPANY

P.O. Box 3001 • One SE Convenience Blvd • Ankeny, Iowa • 50021 • 515-965-6100
Federal Tax ID # 20-1025921
Date of Incorporation: April 14, 2004

Effective 9/26/19

OFFICERS

John C. Soupene, President
3150 NW 82nd Avenue
Ankeny, IA 50023

Richardt T. Schappert, Vice President
2911 – 152nd Court
Urbandale, IA 50323

Julia L. Jackowski, Secretary
9813 Iltis Drive
Urbandale, IA 50322

William J. Walljasper, Treasurer
2112 SW Woodside Court
Ankeny, IA 50023

Douglas M. Beech, Assistant Secretary
729 NE Brook Haven Drive
Ankeny, IA 50021

BOARD OF DIRECTORS

John C. Soupene, Chairman
3150 NW 82nd Avenue
Ankeny, IA 50023

Brian J. Johnson
9129 NW 73rd Circle
Johnston, IA 50131

William J. Walljasper
2112 SW Woodside Ct.
Ankeny, IA 50023

Richardt T. Schappert
2911 – 152nd Court
Urbandale, IA 50323

Nothing for Hanson

3268	Appleton	08/20/13 - \$75 fine
3300	Avon	3/16/2015Warning Letter
2996	Butterfield	3/27/2015Warning Letter
1751	Cambridge #1	11/12/14 - \$300 fine
1647	Cokato	09/12/14 - Warning Letter
2873	Eagle Lake	5/25/2014
2589	Elysian	01/08/16 (FDA)Warning Letter
1688	Glencoe #1	06/17/13
2010	Glencoe #2	06/17/13
1660	Jackson	04/09/14 - \$75 fine
2540	Lathrop	8/6/2014
2398	Lonsdale #1	11/03/14 (Warning Letter)
2696	Madison Lake	5/25/201403/16/15 (FDA) Warning Letter
1748	Marshall #1	11/29/07 - \$75 fine08/28/08 - \$200 fine10/1/2009 - \$250 fine - 30 day/S
1847	Milaca	01/28/13 - \$75 fine
2085	Montevideo #2	6/26/2013
2202	Moorhead #1	04/16/14 - \$75 fine
3361	Moorhead #4	02/10/16 (FDA)Warning Letter
1742	Morris	03/21/16 (FDA)Warning Letter
2571	Mountain Lake	5/11/201410/16/14 - Warning Letter (FDA)
2399	New Prague	12/21/12 - \$200 fine
1988	Ramsey	04/04/13 - \$500 fine03/13/15 (FDA) Warning Letter
3277	Redwood Falls #2	11/06/15 (FDA)Warning Letter
1643	Richmond	04/15/16 (FDA)Warning Letter
1767	Rochester #1	5/16/20124/22/15 (FDA) Warning Letter
1738	Sauk Centre	2/23/2015Warning Letter
2999	Sherburn	2/16/2016 (FDA)Warning Letter
2276	St. Cloud #1	02/06/15
3000	St. James #2	4/2/2015Warning Letter
3002	St. James #3	4/2/2015Warning Letter
2223	St. Joseph	04/12/16 (FDA)
2622	Tracy	11/13/2013
3003	Trimont	12/19/14 (Warning Letter)
1782	Wadena	12/05/12 - \$75 fine (\$1.13 service fee)10/22/14 - \$200 fine
1777	Waseca #1	01/29/13
3005	Welcome	12/31/13
1776	Windom	03/26/13 - \$75 fine
1673	Winsted	10/14/13 - \$100 fine (City)
2809	Zumbrota #1	11/13/2014

Chapter

- 50. PUBLIC WORKS GENERALLY
- 51. GARBAGE AND REFUSE
- 52. STORM SEWER UTILITY
- 53. WATER AND SEWERS
- 54. ELECTRICITY AND NATURAL GAS FRANCHISE
- 55. PUBLIC RIGHTS-OF-WAY

CHAPTER 50: PUBLIC WORKS GENERALLY

Section

General Provisions

- 50.01 Specifications
- 50.02 Definitions
- 50.03 Subdivisions
- 50.04 Financing
- 50.05 Amendments
- 50.06 Conflicting provisions

Construction Standards

- 50.20 Generally
- 50.21 Water mains and wells
- 50.22 Sewer mains
- 50.23 Service connections
- 50.24 Sidewalks and boulevards
- 50.25 Streets
- 50.26 Drainage
- 50.27 Connection of sump pump systems to storm sewer or drain tile lines

- 50.99 Penalty

Statutory reference:

Authority of city relative to public works generally, see M.S. § 412.221(6), (7), (11), (18)

GENERAL PROVISIONS

§ 50.01 SPECIFICATIONS.

The following specifications shall apply to all public works constructed in the city:

- (A) The State Department of Transportation, *Standard Specifications for Highway Construction*; and
- (B) *Standard Utilities Specifications*, City Engineer Association of Minnesota.

(Prior Code, § 18.1-1) (Ord. 556, passed - -; Ord. 748, passed - -)

§ 50.02 DEFINITIONS.

All definitions, terms and abbreviations listed in *Standard Specifications for Highway Construction* shall apply with the following amendments.

(A) The words **COMMISSIONER**, **DEPARTMENT** and **CONTRACTING AUTHORITY** shall be construed to mean the city.

(B) The word **ENGINEER** shall refer to the City Engineer or his or her authorized representative.

(Prior Code, § 18.1-2) (Ord. 556, passed - -; Ord. 748, passed - -)

§ 50.03 SUBDIVISIONS.

All platting and all subdividing of lands within the city shall be done in accordance with Chapter 152 of this code.

(Prior Code, § 18.1-3) (Ord. 556, passed - -; Ord. 748, passed - -)

§ 50.04 FINANCING.

(A) *Generally.*

(1) *Petition for improvements.* All petitions for improvements shall be made no later than January 31 of the year the improvements are to be constructed.

(2) *Petition and waiver.* When improvements are to be constructed in new developments, the City Council may require the developer to sign a petition and waiver, the form of which may be found on file in the office of the Administrator.

(3) *Hearing.* All hearings, as outlined in state statutes and city ordinances, shall be held as required.

(B) *In undeveloped lands.* **UNDEVELOPED LAND** is defined as all areas in the city that are open without any infrastructure improvements, and where the land is usually owned by a developer. In undeveloped lands, public improvements may be installed by the city and assessed to the benefitted property (public financing), or may be financed by the property owner or owners (private financing). The City Council shall make the final decision as to which method of financing will be used.

(1) *Public financing.* In this method of financing, all public improvements will be installed by the city and the costs paid in the following manner.

(a) All storm drainage costs will be assessed to the development on a per lot basis.

(b) All sanitary sewer and water main construction costs will be assessed on a per front foot basis.

(c) All service line construction costs will be paid by the city and assessed on a per unit basis.

(d) All street construction costs, including grading, base, curb and gutter and surfacing, will be assessed on a per foot basis.

(e) Trunk line sewer and water main construction costs will be assessed to the benefitted property on a per lot basis.

(f) All assessments shall be made over a period of 15 years, with a simple interest charge to be set by the City Council.

(g) No assessments will be deferred.

(h) Electrical power lines and transformers shall be installed by the city. The cost of power lines and transformers will be shared by and between the city and the owner/developer. The cost of electrical power lines and transformers to owners/developers shall be set by resolution of the City Council. The city shall furnish and install the meter. The owner/developer shall furnish the service line wire, trench and electric meter socket, which shall comply with the following specifications:

1. Meter socket specifications: Milbank 100 amp U7487XL or equivalent 200 amp U7040XL or equivalent;

2. Service wire specifications: 100 - 150 amps, 2/0 conductor; and (200 amps and services longer than 200 feet or special requirements: 4/0 conductor.)

3. Trenching. Depth according to State Electrical Code for electric services. Warning tape above service line. Upon occupancy of the property, it will be the owner's responsibility to maintain the service line to the house. Prior to the installation of any temporary or permanent electrical connections, the owner/developer shall pay the appropriate fee to the City Administrator's office together with building permit fees and other applicable charges for obtaining the building permit.

(i) The front footage of irregular lots shall be defined as the area of the lot divided by the average lot depth of the rectangular lots in that subdivision.

(j) The property owner or developer shall place in escrow a sum of money equal to 10% of the estimated construction costs. The sum shall be refunded after the first year's special assessments have been paid on the public improvement. With City Council approval, an "irrevocable letter of credit" may be substituted for the escrowed money.

(k) The owner of any property so assessed may, at any time prior to certification of the assessment to the County Auditor, pay to the City Administrator the whole of the assessment on the property, or he or she may make a partial payment pursuant to the ordinance providing therefor, with interest accrued to the date of the payment, and thereafter interest is accrued on the remaining balance of the partially prepaid assessment; except that, no interest shall be charged if the entire assessment is paid within 30 days from the adoption of the assessment.

(l) Where a valid petition and waiver agreement is in place, the City Council may offer to accept interest only payments for three years in order to facilitate development.

(2) *Private financing.* This method of financing shall be used in the following manner: all work shall be performed at the sole expense of the developer or property owner and in accordance with plans, specifications and contract conditions approved by the city. The contractor/developer/property owner shall

place in escrow a sum of money equal to the estimated construction cost or may provide the city with an irrevocable letter of credit equal to the total cost of the project in lieu of the escrowed funds. The developer or property owner shall enter into a contract with the city, the form of which may be found on file in the office of the Administrator. This contract shall include provisions for inspection of construction by the City Engineer or his or her authorized representative.

(3) *Assessment.* In the case of partial reconstruction of a street or construction of a limited number of infrastructure items in developed areas or in areas that are a mixture of developed land and undeveloped land, the city shall assess the benefitted properties on a case by case basis.

(Prior Code, § 18.1-4) (Ord. 556, passed - -; Ord. 627, passed - -; Ord. 652, passed - -; Ord. 682, passed 2-17-1993; Ord. 684, passed 5-19-1993; Ord. 685, passed - -; Ord. 748, passed - -; Ord. 761, passed - -; Ord. 778, passed - -; Ord. 865, passed 11-22-2016)

§ 50.05 AMENDMENTS.

On recommendation of the City Planning and Zoning Commission, by its own motion, or upon petitions, the Council may cause to be prepared amendments supplementing or changing the regulations herein established. All proposed amendments shall be submitted to the Council for adoption in accordance with established procedures.

(Prior Code, § 18.1-5) (Ord. 556, passed - -; Ord. 748, passed - -)

§ 50.06 CONFLICTING PROVISIONS.

Whenever any provision of this chapter imposes restrictions which are more restrictive than those imposed by provisions of existing laws or ordinances, the provisions of this chapter shall govern.

(Prior Code, § 18.1-6) (Ord. 556, passed - -; Ord. 748, passed - -)

CONSTRUCTION STANDARDS

§ 50.20 GENERALLY.

(A) All plans for public works in the city shall be approved by the City Engineer and the City Council.

(B) The City Engineer shall be a civil engineer registered with the state.

(C) All level and grade information shown on construction plans shall be expressed in terms of mean sea level elevation as established by U.S.C.G.S.

(D) All assessment rolls shall be prepared by the City Administrator, with the assistance of the City Engineer.

(E) The construction of public works in the city, including sidewalks, curbs and service connections, shall be performed by city forces, forces under contract with the city or persons or firms having a permit to work on public property.

(F) The City Engineer shall coordinate the use of public property and rights-of-way by public utility companies.

(Prior Code, § 18.1-8) (Ord. 556, passed - -; Ord. 748, passed - -)

§ 50.21 WATER MAINS AND WELLS.

(A) All additions to the water system in the city shall generally conform to the standards of the A.W.W.A., Great Lakes & Upper Mississippi River Board of State Sanitary Engineers, and shall be approved by the State Department of Health.

(B) All mains shall be placed at a depth of not less than seven feet below the final ground or street surface.

(C) All fire hydrants shall be equipped with two two and one-half inch hose nozzles with national standard threads (No. 7532) and one four and one-half inch pumper nozzle with national standard threads (No. 40524).

(D) All extensions to the water system shall be approved by the State Department of Health.

(Prior Code, § 18.1-9) (Ord. 556, passed - -; Ord. 748, passed - -)

§ 50.22 SEWER MAINS.

(A) All sewer main construction shall generally conform to accepted engineering practice and to M.P.C.A. and E.P.A. design standards.

(B) All sewer main extensions shall be approved by the state pollution control agency.

(C) All sewer mains shall be constructed at a grade of not less than 0.4%.

(D) All sewer main and service line construction shall meet the air test requirements as defined in the specifications.

(E) All sewer mains shall be constructed of a P.V.C. material conforming to A.S.T.M.D. 3034, SDR 35.

(Prior Code, § 18.1-10) (Ord. 556, passed - -; Ord. 748, passed - -)

§ 50.23 SERVICE CONNECTIONS.

(A) The material used in service connections shall be as follows: water, type "K" copper; sanitary sewer, cast iron standard weight or ductile iron; subdrain, P.V.C.

(B) The minimum sizes for service lines shall be as follows: water, three-fourths inch for single unit residential, as required by the State Plumbing Code for other than single unit residential; sanitary sewer, four-inch for one- and two-unit residential, as required by the State Plumbing Code for other than one- and two-unit residential; subdrain, four inch.

(C) A separate service line shall be constructed to each individual lot or parcel in the city.

(D) The property owner shall be responsible for the maintenance of the service connection from the building to the main.

(E) It shall be the responsibility of the property owner to fit and equip the water service connection with a curb box, which shall be located, whenever possible, in the boulevard adjacent to each lot or parcel. When the water curb box cannot be located in a boulevard adjacent to each lot or parcel, the curb box shall be placed in another location, to be approved by the city. The water curb box shall be constructed in keeping with the State Plumbing Code. The top of the curb box shall be level with the finish grade. No permanent improvements shall be placed over the water curb box.

(F) (1) The city shall furnish the meter for all new construction electrical connections. The owner/developer shall furnish trenching and shall provide the meter socket and service wire, which shall comply with city specifications available in the office of the City Administrator and the City Electrical Supervisor. The city shall supply the pole for connection of an overhead electric service line. All connections shall be made under the supervision of the Public Utility Department.

(2) The city shall furnish power to a pedestal or transformer upon completion of the original installation, but shall not be responsible for repair and/or maintenance of electrical service lines thereafter. The owner/developer shall be responsible for dealing with all obstacles or obstructions including, but not limited to, trees, shrubs, bushes and storage buildings. The city shall be responsible for boulevard trees which interfere with electrical lines.

(3) A fee shall be paid to the city upon request by the owner/developer for installation of any temporary or permanent electrical hookup. The fee shall be set by resolution of the City Council. Upon receipt by the Administrator's office of the appropriate fee, the Public Utility Department shall be notified to install the temporary and/or permanent connection.

(Prior Code, § 18.1-11) (Ord. 556, passed - -; Ord. 613, passed - -; Ord. 748, passed - -; Ord. 865, passed 11-22-2016)

§ 50.24 SIDEWALKS AND BOULEVARDS.

Sidewalk improvements shall be constructed and financed in compliance with the sidewalk ordinance in effect at the time of construction.

(A) All sidewalks shall be constructed of concrete with a minimum thickness of four inches, a minimum width of four feet.

(B) Sidewalks in residential areas shall be located on the public right-of-way one foot from the property line. Sidewalks in commercial and industrial areas may be located immediately behind the curb.

(C) All sidewalks shall be constructed under the supervision of the city.

(D) The use of boulevards shall generally be reserved for trees, sidewalks and utilities. Any other use shall be approved by the City Council.

(Prior Code, § 18.1-12) (Ord. 556, passed - -; Ord. 748, passed - -)

§ 50.25 STREETS.

(A) All streets shall generally be constructed to State Department of Transportation standards.

(B) Residential streets shall be at least 36 feet in width and shall have a minimum axle capacity of seven tons. Arterial streets shall be at least 44 feet in width and shall have a minimum axle capacity of nine tons.

(C) Curb and gutter in residential areas shall be the drive over type. The City Council may elect to use M/DOT B-624 curb and gutter upon request of the property owners. The type of curb and gutter shall be the same in any one block. Curb and gutter in commercial areas shall be the M/DOT B-624 type.

(D) Ramps and other devices as recommended by the State Building Code shall be installed on all new street construction.

(Prior Code, § 18.1-13) (Ord. 556, passed - -; Ord. 748, passed - -)

§ 50.26 DRAINAGE.

(A) The design of storm drainage systems in the city shall generally conform to the standards outlined in the current State Department of Transportation *Drainage Manual* and to accepted engineering practice.

(B) Storm sewer systems shall be designed to accommodate a flow of not less than a Q5.

(C) Materials for drainage systems shall meet all state department of transportation requirements.

(D) A subdrain system shall be installed in all areas where possible. A ***SUBDRAIN SYSTEM*** is defined as an underground drainage system designed to reduce or eliminate the presence of excessive amounts of ground water.

(E) The hydraulic capacity of all natural waterways shall be substantially maintained and in no case shall their capacity be reduced below a Q100 flow. All state and federal flood regulations shall be complied with.

(F) The provisions of Chapter 53 of this code shall be strictly adhered to in the design, construction and maintenance of all drainage works.

(Prior Code, § 18.1-14) (Ord. 556, passed - -; Ord. 748, passed - -)

§ 50.27 CONNECTION OF SUMP PUMP SYSTEMS TO STORM SEWER OR DRAIN TILE LINES.

(A) All new homes equipped with foundation drainlines and sump pump wells shall be connected to the city storm sewer or to the city drain tile lines where available. The connection of sump pump systems to the city storm sewer or drain tile line system shall be made pursuant to specifications which are on file in the office of the Administrator of the city.

(B) The appropriate city staff person shall inspect the connection of sump pump systems to the city storm system or drain tile line systems. An inspection fee at a rate set annually by resolution of the City Council shall be paid at the time the building permit for a new home is issued.

(Prior Code, § 18.1-15) (Ord. 729, passed - -; Ord. 748, passed - -; Ord. 762, passed - -)

§ 50.99 PENALTY.

Violation of this chapter is a misdemeanor.

(Prior Code, § 18.1-7) (Ord. 556, passed - -; Ord. 748, passed - -)

CHAPTER 51: GARBAGE AND REFUSE

Section

General Provisions

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51.02 Open areas

Collection and Disposal Generally

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51.21 Refuse containers

51.22 Disposal generally

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Cross-reference:

Air pollution regulations, see § 95.40

Streets and Sidewalks, see Ch. 94

Water and Sewers, see Ch. 53

Statutory reference:

Authority of city to regulate garbage and refuse disposal, see M.S. § 412.221(22)

Rubbish disposal generally, see M.S. §§ 443.015 et seq.

GENERAL PROVISIONS

§ 51.01 WEED INSPECTOR.

(A) The Mayor shall be designated the Weed Inspector and may appoint one or more assistant Weed Inspectors, who shall have the same power, authority and responsibility of the Mayor in the capacity of Weed Inspector.

(B) Local Weed Inspectors shall examine all lands, including highways, roads and alleys, to determine the existence of noxious and other weeds and shall issue directives to the property owner as to proper prevention and eradication methods.

(C) An Assistant Weed Inspector shall be the Public Works Director who shall be compensated at the regular rate of pay for the Public Works Director position.

(Prior Code, § 10-1) (Ord. 769, passed - -; Ord. 784, passed - -)

§ 51.02 OPEN AREAS.

(A) *Generally.*

(1) All open areas and parts of premises shall be maintained and kept in a reasonably clean and neat condition. This requirement shall include, but not be limited to, the removal of dead trees, brush and weeds, garbage and refuse, the removal of inoperable machines, appliances, fixtures and equipment so damaged, deteriorated or obsolete as to have no substantial value and which constitute junk; the removal of lumber piles and building materials not being used in actual construction on the premises unless the premises are being used by a business dealing in or requiring the use of the lumber and materials; and the removal of tin cans, broken glass, broken furniture, mattresses, box springs, boxes, crates, cardboard, tires and other debris. Any weeds or tall grass growing upon any lot or parcel of land in the city are hereby declared to be a nuisance and dangerous to the health, safety and good order of the city.

(2) Nothing in this section shall restrict the activities of duly established and licensed junk yards.

(B) *Nonconforming motor vehicles.*

(1) **MOTOR VEHICLE** means every vehicle which is self-propelled.

(2) No person shall place, park, permit to remain, store or leave upon an open space area of any premises any motor vehicle unless it conforms with all of the following requirements.

(a) The vehicle must have affixed to it a valid current motor vehicle license.

(b) The vehicle must not lack essential parts that would render it inoperable.

(c) The vehicle must not be in a rusted, wrecked, partially dismantled or junked condition.

(3) If a motor vehicle fails to meet any of the above requirements, the owner or possessor of the motor vehicle shall be responsible to remove the motor vehicle to a duly licensed junkyard or other authorized place of deposit or storage within five working days of a demand by the city. In the event the owner or possessor of the motor vehicle cannot be located, then it shall be the responsibility of the owner of the premises to remove the motor vehicle to a duly licensed junkyard or other authorized place of deposit or storage within five working days of a demand by the city.

(C) *Violations a public health hazard.* A person in violation of divisions (A) or (B) above of this section shall be deemed to have created in the city a public health hazard, which is subject to abatement by the city as provided in division (D) below.

(D) *Abatement procedure.*

(1) If the owner or occupant thereof fails within five days after posting by first class mail of a notice to abate a public health hazard contained on any property, the city by and through its authorized personnel may enter upon the property and abate the public health hazard by any reasonable means, including contracting with a private person to do so.

(2) Any expenses incurred by the city in the abatement of a public health hazard under this section shall be the responsibility of the property owner and, if subsequently unpaid, may be assessed against the property as provided in M.S. § 429.101, as may be amended from time to time.

(Prior Code, § 10-1.1) (Ord. 752, passed - -)

COLLECTION AND DISPOSAL GENERALLY

§ 51.20 PRECOLLECTION PRACTICES; PREPARATION OF REFUSE.

Person accumulating garbage, rubbish or refuse shall comply with the following precollections procedures. Commercial establishments handling big cardboard boxes, wooden crates or similar items which cannot be placed in containers, as defined in § 51.21, shall keep the items indoors on an impervious surface or outdoors in fixed large metallic containers which are easily drained and so located as to be easily unloaded by the collector. The containers shall be kept covered at all times.

(Prior Code, § 10-2) (Ord. 752, passed - -)

§ 51.21 REFUSE CONTAINERS.

Refuse containers shall conform to the following regulations.

(A) *Construction.* All refuse containers shall be equipped with suitable handles and tight-fitting covers and shall be water-tight and vermin proof.

(B) *Conditions.* Refuse containers shall be kept by the responsible tenant in a neat, clean and sanitary condition so as to prevent insect breeding, nuisances and unsightly conditions. The containers shall be in good repair and free of ragged or sharp edges or other defects likely to injure or hamper the person using or collecting the contents thereof.

(C) *Replacement.* Any refuse container which does not conform to the provisions of this chapter shall be promptly replaced with a proper container by the responsible tenant or collector supplying the container. Failure to replace the improper container within ten days after receipt of written notice from the City Administrator's office to do so shall constitute a violation of this chapter and shall subject the responsible tenant or collector to the penalties provided therefor.

(D) *Location; identification.* All refuse containers shall be kept as near the rear of the premises as practicable, at the alley if there be an alley at the place, and shall be located so as to be easily accessible to the collector. The containers shall be kept above the ground or on an impervious surface. Each container shall bear the number of the property address or the name of the commercial establishment for the purpose of enabling the collector to return the container to the property and to correctly identify violators.

(Prior Code, § 10-3) (Ord. 752, passed - -)

§ 51.22 DISPOSAL GENERALLY.

It shall be unlawful for any person to collect, transport or dispose of refuse, except a responsible tenant with respect to his or her own refuse, a contractor with respect to his or her own construction waste and a collector licensed by the city.

(Prior Code, § 10-4) (Ord. 752, passed - -) Penalty, see § 10.99

§ 51.23 CONSTRUCTION WASTES.

(A) Construction wastes may be disposed of by the builder, contractor or person responsible therefor without a license or permit in a vehicle normally used for that purpose; provided that, when the construction wastes include paper or other material likely to scatter, the vehicle shall be enclosed or covered in a manner which will prevent the scattering.

(B) A licensed collector is not required to remove construction wastes which have not been stored, as provided in § 51.20, or which are in excess of the quantity agreed to be removed, unless separate arrangements therefor have been made.

(Prior Code, § 10-5) (Ord. 752, passed - -) Penalty, see § 10.99

§ 51.24 HAZARDOUS REFUSE.

No hazardous refuse such as radioactive materials, drugs, poisons, infectious wastes and similar materials shall be picked up by licensed collectors, but shall be stored and transported by the owners or the person responsible therefor to the county disposal area and disposed of in the manner prescribed by the County Environmental Quality Office.

(Prior Code, § 10-6) (Ord. 752, passed - -) Penalty, see § 10.99

§ 51.25 GARBAGE DISPOSAL UNITS.

Household food wastes may be disposed of by means of garbage disposal units which discharge ground garbage into the sewage system of the city.

(Prior Code, § 10-7) (Ord. 752, passed - -)

§ 51.26 TRANSPORTATION OF REFUSE.

It shall be unlawful for any person to haul or transport refuse over or upon any public street, alley or public grounds, unless it is hauled or transported in a tightly covered vehicle or container, so constructed that the

refuse cannot fall out or be scattered in transit.

(Prior Code, § 10-8) (Ord. 752, passed - -) Penalty, see § 10.99

§ 51.27 OPEN BURNING.

No person shall dispose of refuse by open burning or cause, suffer, allow or permit open burning of refuse in the city.

(Prior Code, § 10-9) (Ord. 752, passed - -) Penalty, see § 10.99

COLLECTORS

§ 51.40 LICENSE REQUIRED.

Any person desiring to engage in the business of collecting refuse in the city shall first obtain a collector's license from the city.

(Prior Code, § 10-10) (Ord. 752, passed - -)

§ 51.41 APPLICATION.

All applications for a collector's license shall be addressed to the City Council and shall be made on application forms provided by the City Administrator. The applications shall contain the following information:

- (A) The name and address of the applicant;
- (B) A complete description of each vehicle to be used in connection with the collection, including the make, model and year of the chassis and the make, model and capacity of the body;
- (C) The name and address of each employee of the applicant, together with his or her chauffeur's license number, when applicable;
- (D) A general description of the territory in which the applicant is operating or proposes to operate;
- (E) A statement of the applicant's insurance coverage, including the name of the insurance company and its local agent;
- (F) The location of the off-street parking facilities to be used by the applicant for parking his or her vehicles when not in operation; and
- (G) Other information as the City Administrator or Health Officer may require.

(Prior Code, § 10-11) (Ord. 752, passed - -)

§ 51.42 TERM.

Each collector's license granted by the City Council shall expire on March 31 following its issuance.

(Prior Code, § 10-12) (Ord. 752, passed - -)

§ 51.43 FEES.

The license fee for each collector's license shall be based upon the number of vehicles to be used in the collection of refuse and shall be set by resolution of the City Council each year. The total amount of the license fee must accompany the application for a license. In the event a collector terminates his or her business or his or her license is canceled by the City Council, no refund of the license fee or any portion thereof shall be made. In the event a licensed collector sells or transfers his or her vehicles to another or new collector, no additional fee shall be charged for the remainder of the license period.

(Prior Code, § 10-13) (Ord. 752, passed - -)

§ 51.44 ISSUANCE AND DISPLAY.

Whenever a collector's license is granted by the City Council, the license shall be issued by the City Administrator and signed by the Mayor. Each license and certificate of license shall specify the type of refuse to be collected by each vehicle covered.

(Prior Code, § 10-14) (Ord. 752, passed - -)

§ 51.45 REVOCATION OR SUSPENSION.

The City Council may revoke or suspend any collector's license for cause. Action revoking or suspending a collector's license shall be taken only after a hearing before the City Council upon at least ten-days' written notice to the collector.

(Prior Code, § 10-15) (Ord. 752, passed - -)

§ 51.46 VEHICLES.

All vehicles to be used in refuse collection shall conform to the following rules and regulations.

- (A) *Construction garbage.* The bodies of all vehicles to be used for the collection of refuse containing garbage shall be of metal construction and shall be fully enclosed. The bodies of the vehicles shall be so constructed, maintained and equipped that refuse cannot leak, spill or escape in any way from the vehicles. All vehicles shall have packer-type bodies.

(B) *Commercial rubbish.* The bodies of all vehicles used for the collection of commercial rubbish shall be so constructed and enclosed that the refuse cannot spill or escape in any way from the vehicles.

(C) *Cleanliness; odors.* All vehicles used in the collection of refuse shall be cleaned in a manner and at intervals as to keep the vehicles free of offensive odor.

(D) *Standing on street; parking.* No vehicle used for the collection of refuse shall be allowed to stand on any street, alley or public ground for any period of time longer than is reasonably necessary to make collection; and all refuse shall be hauled away and disposed of promptly following its collection. Each collector shall provide off-street parking facilities in an area not zoned or used for residential purposes, where vehicles used by him or her for the collection of refuse shall be parked or stored when not in actual operation.

(E) *Control of hazardous equipment.* All hazardous equipment such as packer-type bodies shall be attended while in operation.

(Prior Code, § 10-16) (Ord. 752, passed - -) Penalty, see § 10.99

§ 51.47 REGULATIONS GENERALLY.

(A) *Insurance.* Each licensed collector shall have and keep in force at all times public liability insurance covering each vehicle used by him or her for refuse collection. The limits of the insurance coverage on each vehicle shall be minimum for bodily injury and minimum for property damage as regulated by the state statute. Each insurance policy shall name the city as an insured and shall provide that the policy cannot be canceled, except upon ten-days' written notice to the city.

(B) *Frequency and time of collections.* The collection of refuse from residences shall be made at least once every two weeks and from commercial establishments at least once weekly. All collections shall be made between the hours of 7:00 a.m. and 6:30 p.m. All such collections shall not be made on Sundays or the following holidays unless authorized by the Health Officer: New Year's Day, Memorial Day, Fourth of July, Labor Day, Thanksgiving and Christmas.

(C) *Employees.* Each collector shall employ clean, courteous and competent employees at all times and shall investigate all complaints about employees, equipment and service. Whenever a complaint is referred to a collector by the City Administrator's office, a written report shall be made by the collector to the City Administrator's office setting forth the investigation, findings and action on the complaint.

(D) *Removal of refuse for fee.* Each collector shall remove refuse from premises not served by him or her for regular refuse collection upon request of the responsible tenant, at a reasonable charge; provided that, the removal is within the capabilities of the employees and equipment.

(E) *Collection during emergency and the like.* Whenever an emergency or unforeseen or extraordinary condition arises, the City Administrator's office may order the collection of refuse at the times and in the manner as the circumstances require; and each collector shall abide by the order of the City Administrator's office.

(Prior Code, § 10-17) (Ord. 752, passed - -)

CHAPTER 52: STORM SEWER UTILITY

Section

- 52.01 Storm sewer system; statutory authority
- 52.02 Findings and determinations
- 52.03 Rates and charges
- 52.04 Adjustments of charges
- 52.05 Excluded lands
- 52.06 Supplying information
- 52.07 Estimated charges
- 52.08 Billing and collections
- 52.09 Penalties and remedies for delinquency or default in paying billings
- 52.10 Use of revenues
- 52.11 Development fees

§ 52.01 STORM SEWER SYSTEM; STATUTORY AUTHORITY.

M.S. § 444.075, as may be amended from time to time, authorizes cities to impose just and reasonable charges for the use and availability of storm sewer facilities ("charges"). By this section, the city elects to exercise the authority.

(Prior Code, § 28.2-1) (Ord. 808, passed - -)

§ 52.02 FINDINGS AND DETERMINATIONS.

In providing for the charges, the findings and determinations set out herein are made.

(A) In the exercise of its governmental authority and in order to promote the public health, safety, convenience and general welfare, the city has constructed, operated and maintained a storm sewer system ("the system"). This section is adopted in the further exercise of the authority and for the same purposes.

(B) The system, as constructed, heretofore has been financed and paid for through the imposition of special assessments and ad valorem taxes. The financing methods were appropriate to the circumstances at the time they were used. It is now necessary and desirable to provide an alternative method of recovering some or all of the future costs of improving, maintaining and operating the system through the imposition of charges as provided in this section.

(C) In imposing charges, it is necessary to establish a methodology that undertakes to make them just and equitable. Taking into account the status of completion of the system, past methods of recovering system costs, the topography of the city and other relevant factors, it is determined that it would be just and equitable to assign responsibility for some or all of the future costs of operating, maintaining and improving the system on the basis of the expected storm water runoff from the various parcels of land within the city during a standard one-year rainfall event.

(D) Assigning costs and making charges based upon the typical storm water runoff cannot be done with mathematical precision but can only be accomplished within reasonable and practical limits. The provisions of this section undertake to establish a reasonable and practical methodology for making the charges.

(Prior Code, § 28.2-2) (Ord. 808, passed - -)

§ 52.03 RATES AND CHARGES.

(A) *Residential equivalent factor.* Rates and charges for the use and availability of the system are to be determined through the use of a "residential equivalent factor" ("REF"). For the purposes of this section, one **REF** is defined as the ratio of the average volume of surface water runoff coming from one acre of land and subjected to a particular use, to the average volume of runoff coming from one acre of land subjected to typical single-family residential use within the city during a standard one-year rainfall event.

(B) *Determination of REFs for land uses.*

(1) The REFs for the following land uses within the city and the billing classifications for those land uses are as follows.

<i>Listed as Land Uses</i>	<i>REF</i>	<i>Classification</i>
Single-family and two-family residential	1.00	Classification 1

(2) Public and private schools and institutional uses, airport, churches, multiple-family residential, commercial and industrial uses, Classification 2, REF according to the chart below.

2 acres or less	REF 2
2.1 to 4.99 acres	REF 3
5 acres or more	1 REF/acre of impervious surface, with a minimum of 2 REF

(C) *Other land uses.* Other land uses not listed in the foregoing table are to be classified by the City Administrator by assigning them to the classes most nearly like the listed uses, from the standpoint of probable hydrologic response. Appeals from the City Administrator's determination of the proper classifications may be made to the City Council in the same manner as other appeals from administrative determinations.

(D) *Establishing basic rate.* In determining charges, the Council may by resolution establish a basic system rate to be charged for each REF. The charge to be made against each parcel of land will then be determined by multiplying the REF for the parcel's land use classification times the basic system rate.

(Prior Code, § 28.2-3) (Ord. 808, passed - -)

§ 52.04 ADJUSTMENTS OF CHARGES.

The City Council may, by resolution, from time to time, adopt policies providing for the adjustment of charges for parcels or grounds of parcels, based upon hydrologic data supplied by affected property owners, demonstrating an actual hydrologic response substantially different from the REF being used for the parcel or parcels. The adjustment may be made only after receiving the recommendation of the City Administrator and may not be made effective retroactively. If the adjustment would have the effect of changing the REF for all or substantially all of the land uses in a particular classification, however, the adjustment must be accomplished by amending the REF table in § 52.03(B) above.

(Prior Code, § 28.2-4) (Ord. 808, passed - -)

§ 52.05 EXCLUDED LANDS.

A charge for system availability of service will not be made against land which is either:

(A) Public street right-of-way; or

(B) Vacant and unimproved with substantially all of its surface having vegetation as ground cover.

(Prior Code, § 28.2-5) (Ord. 808, passed - -)

§ 52.06 SUPPLYING INFORMATION.

The owner, occupant or person in charge of any premises must supply the city with such information as the city may reasonably request related to the use, development and area of the premises. Willful failure to provide the information or to falsify it is a violation of this section.

(Prior Code, § 28.2-6) (Ord. 808, passed - -)

§ 52.07 ESTIMATED CHARGES.

If the owner, occupant or person in charge of any premises fails or refuses to provide the information requested, as provided in § 52.06 above, the charge for the premises must be estimated and billed in accordance with the estimate, based upon information then available to the city.

(Prior Code, § 28.2-7) (Ord. 808, passed - -)

§ 52.08 BILLING AND COLLECTIONS.

Bills for charges for the use and availability of the system must be rendered by the Finance Department in accordance with usual and customary practice in rendering of water and sanitary sewer service bills. Bills must be rendered monthly, must be payable at the office of the City Finance Department and may be rendered in conjunction with billings for water or sanitary sewer service, or both.

(Prior Code, § 28.2-8) (Ord. 808, passed - -)

§ 52.09 PENALTIES AND REMEDIES FOR DELINQUENCY OR DEFAULT IN PAYING BILLINGS.

Penalties and remedies for late payments or nonpayment of billings are the same as those applicable to billings rendered for water and sanitary sewer service.

(Prior Code, § 28.2-9) (Ord. 808, passed - -)

§ 52.10 USE OF REVENUES.

Revenues received from charges are to be placed in a Storm Sewer System Enterprise Fund Account and used first to pay the normal, reasonable and current costs of operating and maintaining the system. Revenues from time to time received in excess of the costs may be used to finance improvements to, and betterment of, the system.

(Prior Code, § 28.2-10) (Ord. 808, passed - -)

§ 52.11 DEVELOPMENT FEES.

Fees for the construction of regional storm water infrastructure in newly developing areas will be established by City Council resolution with the revenues to be placed in a Storm Sewer Enterprise Fund Account.

(Prior Code, § 28.2-11) (Ord. 808, passed - -)

CHAPTER 53: WATER AND SEWERS

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Statutory reference:

*Authorizing city to provide and maintain a sewer and a water works system, see M.S. § 412.221(6), (11)
Waterworks, sewers, drains and storm sewers generally, see M.S. §§ 444.075et seq.*

GENERAL PROVISIONS

§ 53.001 LEADERS AND CONNECTION WITH STORM SEWER REQUIRED; PROCEDURE IN CASE OF NONCOMPLIANCE.

(A) Every building without a yard adequate to absorb the surface water collected from the building shall be equipped with proper metallic leaders for conducting water from its roof in a manner as shall protect the walls and foundation from damage and shall be connected with a public storm sewer whenever there is a sewer available in any abutting street or alley. The leaders shall be so placed and the connection shall be so made that no water flows upon any public sidewalk or damages any street or alley abutting the building.
(Prior Code, § 23-1)

(B) Whenever a building does not comply with one or more of the requirements of division (A) above, the City Administrator shall serve a notice on the owner of the building requiring him or her to install the necessary roof drainage facilities and to make connection with a storm sewer as required by division (A) above. It shall be unlawful for any owner to fail to comply with the requirements of division (A) above within 30 days of the service upon him or her of notice to do so.

(Prior Code, § 23-2)

(Ord. 430, passed - -) Penalty, see § 53.999

§ 53.002 SEWER ACCESS CHARGES AND WATER ACCESS CHARGES.

A sewer access charge and a water access charge is hereby established to apply to any newly platted or replatted parcel of land in the city which hereafter is connected to the city sanitary sewer and water service. The sewer access charge and the water access charge shall be in an amount established by resolution of the City Council from time to time. The sewer access charge and the water access charge shall be payable at the time of the approval of the final plat of the subject property.

(Prior Code, § 23-3) (Ord. 776, passed - -)

§ 53.003 WATER AND/OR SEWER FEES.

The following fees and charges shall be imposed for access to the sanitary sewer and water systems of the city.

(A) *Water tapping fee.* See § 53.027. The water tapping fee shall be in an amount to be determined by the City Council.

(B) *Water connection fee.* See § 53.028. The water connection fee shall be in an amount to be determined by the City Council.

(C) *Water access charge.* See §§ 53.002 and 53.026. The water access charge shall be in an amount to be determined by the City Council.

(D) *Sewer tapping fee.* See § 53.027. The sewer tapping fee shall be in an amount to be determined by the City Council.

(E) *Sewer connection fee.* See § 53.061(B). The sewer connection fee shall be in an amount to be determined by the City Council.

(F) *Sewer access charge.* See § 53.002. The sewer access charge shall be in an amount to be determined by the City Council.

(Prior Code, § 23-4) (Ord. 776, passed - -)

WATER USE

§ 53.020 WATER SERVICE CHARGES.

(A) The minimum monthly charge to each user shall be in an amount to be determined by the City Council. This amount shall be charged to each single-family household and commercial customer and is subject to change by the City Council

(B) The minimum monthly charge shall be multiplied by the number of units of any multi-family household or mobile home park where there is only one meter.

(C) The water user rate shall in an amount to be determined by the City Council.

(Prior Code, § 23-6) (Ord. 737, passed - -; Ord. 759, passed - -; Ord. 788, passed - -; Ord. 809, passed - -; Ord. 823, passed - -; Ord. 825, passed 1-28-2008; Ord. 833, passed 11-25-2008; Ord. 836, passed 5-27-2009)

§ 53.021 WATER CONNECTION FEE FOR SAFE DRINKING WATER TESTING PROGRAM.

Commencing with the July, 1992, water billing, a fee as set by the State Department of Health shall be assessed to each water service connection of the city's water supply.

(Prior Code, § 23-7) (Ord. 673, passed - -; Ord. 759, passed - -)

§ 53.022 USE OF WATER WITHOUT METER; TAMPERING WITH METER; DEPOSIT UPON INSTALLATION OF METER.

It shall be unlawful for any person having control of any premises to permit the taking of water from the waterworks system of the city without authority or without passing the water through an accurate water meter installed in the service line of the premises. No person, but an authorized representative of the city, shall open or repair any water meter of the city. It is hereby made the duty of the owner, occupant and lessee of any premises of the city to notify the proper city authorities of any meter failing to properly measure the water consumed on the premises. Meters shall be installed at city expense, but each water patron shall make a deposit, in an amount to be determined by resolution of the City Council, unless he or she is the owner of the premises; except that, water patrons who are seasonal in their use of water and not users of water for a full year shall make a deposit in the same amount, unless the patron is the owner of the premises, which deposit shall be returned upon termination of service and surrender of the meter to the city.

(Prior Code, § 23-8) (Ord. 431, passed - -; Ord. 586, passed - -; Ord. 759, passed - -) Penalty, see § 53.999

§ 53.023 BILLS; PROCEDURE GENERALLY; PROCEDURE UPON FAILURE TO PAY.

(A) Bills for water service shall be rendered to the owner, lessee or occupant of each premises connected with the systems on the first day of each month for water and sewer service furnished during the preceding month. Bills for water service shall be due and payable in the office of the City Administrator on or before the fifteenth day of each month. To each bill not paid upon or before the date, there shall be added a penalty of 10% of the amount of the respective bills.

(Prior Code, § 23-9)

(B) (1) It is the policy of the city to discontinue utility service to customers by reason of nonpayment of bills only after notice and a meaningful opportunity to be heard on disputed bills. The city's form for application for utility service and all bills shall contain, in addition to the title, address, room number, and telephone number of the official in charge of billing, clearly visible and easily readable provisions to the effect:

(a) That all bills are due and payable on or before the date set forth on the bill; and
(b) That if any bill is not paid by or before that date, a second bill will be mailed containing a cutoff notice that if the bill is not paid within ten days of the mailing of the second bill, service will be discontinued for nonpayment; and

(c) That any customer disputing the correctness of his or her bill shall have a right to a hearing at which time he or she may be represented in person and by counsel or any other person of his choosing and may present orally or in writing his or her complaint and contentions to the city official in charge of utility billing. This official shall be authorized to order that the customer's service not be discontinued and shall have the authority to make a final determination of the customer's complaint.

(2) Requests for delays or waiver of payment will not be entertained; only questions of proper and correct billing will be considered. In the absence of payment of the bill rendered or resort to the hearing procedure provided herein, service will be discontinued at the time specified, but in no event until the charges have been due and unpaid for at least 30 days.

(3) When it becomes necessary for the city to discontinue utility service to a customer for nonpayment of bills, service will be reinstated only after all bills for service then due have been paid, along with a turn-on charge as determined by the City Council.

(Prior Code, § 23-10)

(Ord. 431, passed - -; Ord. 759, passed - -)

§ 53.024 ESTIMATED WATER METER READING CHARGES.

After two consecutive meter reading estimates by the Billing Department on any one utility customer account, a fee shall be charged, as set by resolution of the City Council. The same fee shall be charged for each and every following consecutive estimated meter reading. Customers wishing to avoid the estimate charge must call in the meter reading when a request tag is left by the meter reader.

(Prior Code, § 23-11) (Ord. 650, passed - -; Ord. 759, passed - -)

§ 53.025 WATER REVENUE FUND.

There is created a separate fund of the city to be designated as the Water Revenue Fund, into which shall be paid all water charges, water connection charges and application and inspection fees for water service. From the Fund shall be paid all costs of operating, maintaining, connecting premises and inspection of the system according to sound accounting practice. Net revenues shall be used for improvement of the system and for other city purposes as the City Council shall from time to time determine.

(Prior Code, § 23-12) (Ord. 431, passed - -; Ord. 759, passed - -)

§ 53.026 WATER CONNECTION PERMIT; REQUIRED; APPLICATION.

No premises shall be connected with the waterworks of the city, except upon written permit issued by the City Administrator or other authorized representative of the city, which permit shall be issued only upon a written application therefor, describing the premises to be connected, the location of water lines to be connected, the materials to be used, the use to which the premises is to be put, the person who is to perform the work and other information as may be reasonably required.

(Prior Code, § 23-13) (Ord. 431, passed - -; Ord. 759, passed - -) Penalty, see § 53.999

§ 53.027 TAPPING FEES.

No person or persons, association, partnership, firm, corporation, contractor or developer shall make any tap into the waterworks or sanitary sewer systems, except when authorized by a representative of the city. For the inspection of the sewer and water tapping, there is a special tapping inspection fee per sewer connection and per water connection, in an amount to be determined by resolution of the City Council, which the fee shall accompany each application for a connection. The application shall be accompanied by a \$2,000 surety bond, certified check or cash deposit in the sum of \$2,000 to safeguard the city on the performance of the work in accordance with rules, regulations and ordinances of the city. All costs related to the work, labor and materials used in the making of the sewer and water tapplings shall be the responsibility of the person, association, partnership, firm, corporation, contractor or developer.

(Prior Code, § 23-14) (Ord. 431, passed - -; Ord. passed 3-19-1975; Ord. 672, passed - -; Ord. 759, passed - -) Penalty, see § 53.999

§ 53.028 WATER CONNECTION FEE.

No person shall make any connection into the waterworks system without paying a water connection fee, in an amount to be determined by resolution of the City Council. The water connection fee represents a charge for the privilege of using the waterworks system of the city and is in addition to the tapping fees set forth in §

53.027.

(Prior Code, § 23-15) (Ord. 759, passed - -) Penalty, see § 53.999

§ 53.029 TERMINATION AND RESTORATION OF SERVICE.

No person, except an authorized representative of the city, shall turn on or off any curbcock or corporation cock in the water main system of the city.

(Prior Code, § 23-16) (Ord. 431, passed - -; Ord. 759, passed - -) Penalty, see § 53.999

§ 53.030 NONESSENTIAL WATER USAGE UPON CRITICAL WATER DEFICIENCY.

(A) *Purpose.* This section establishes water conservation restrictions; and the plan will be in effect at any time the governor declares by executive order a critical water deficiency, pursuant to M.S. § 103G.291.

(B) *Application.*

(1) This section applies to all customers of public water suppliers who own or control water use on any premises.

(2) No person shall make, cause, use, or permit the use of water received from a public water supply for residential, commercial, industrial, governmental, or any other purpose in any manner contrary to any provision in this section.

(C) *Mandatory emergency water conservation measures.* Upon declaration of a critical water deficiency, the following mandatory restrictions upon nonessential water use shall be enforced:

(1) Outdoor irrigation of yards, gardens, golf courses, parklands, and other non-agricultural land, except for those areas irrigated with reclaimed water, is prohibited.

(2) Washing or spraying of sidewalks, driveways, parking areas, tennis courts, patios, or other paved areas with water from any pressurized source, including garden hoses, except to alleviate immediate health or safety hazards, is prohibited.

(3) The outdoor use of any water-based play apparatus connected to a pressurized source is prohibited.

(4) Restaurants and other food service establishments are prohibited from serving water to their customers, unless water is specifically requested by the customer.

(5) The filling of private swimming pools, fountains, spas, or other exterior water features is prohibited.

(6) The washing of automobiles, trucks, trailers, and other types of mobile equipment is prohibited, except at facilities equipped with wash water recirculation systems, and for vehicles requiring frequent washing to protect public health, safety, and welfare.

(D) *Violation.*

(1) Upon discovery of a first violation, the violator shall be issued, either personally or by mail, a warning letter that sets forth the violation and which shall describe the remedy and the penalty for future violations.

(2) Upon subsequent violations at the same location, the violator shall be issued, either personally or by mail, a citation that sets forth the violation and shall describe the remedy.

(E) *Enforcement.* The City Administrator or his/her designee is authorized to designate city employees or law enforcement personnel to enforce the provisions of this section.

(Ord. 871, passed 3-14-2018) Penalty, see § 53.999

SEWER USE GENERALLY

§ 53.040 DEFINITIONS.

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

AUTHORITY. The city.

BIOCHEMICAL OXYGEN DEMAND (BOD). The quantity of oxygen, expressed in mg/l, utilized in the biochemical oxidation of organic matter under standard laboratory procedures in five days at 20°C.

BUILDING DRAIN. The part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste and other drainage pipes inside the walls of a building and conveys it to the building sewer beginning three feet outside the building wall.

(1) **BUILDING DRAIN (SANITARY).** A building drain which conveys sanitary or industrial sewage only.

(2) **BUILDING SEWER.** The extension from the building drain to the public sewer or other place of disposal (also called **HOUSE CONNECTION**).

(3) **BUILDING SEWER (SANITARY).** A building sewer which conveys sanitary or industrial sewage only.

(4) **BUILDING SEWER (STORM).** A building sewer which conveys storm water or other clearwater drainage, but no sanitary or industrial sewage.

CLASSES OF USERS. The division of wastewater treatment customers by waste characteristics and process or discharge similarities.

(1) **COMMERCIAL.** Transient lodging, retail and wholesale establishments or places engaged in selling merchandise for personal, household or industrial consumption and/or rendering services to others.

(2) **GOVERNMENTAL.** Legislative, judicial, administrative and regulatory activities of federal, state and local governments, such as courthouses, police and fire stations, city halls and similar governmental users.

(3) **INDUSTRIAL.** Manufacturing activities involving the mechanical or chemical transformation of materials or substances into other products. These activities occur in establishments usually described as plants, factories or mills and characteristically use power driven machines and material handling equipment.

(4) **INSTITUTIONAL.** Social, charitable, religious and educational activities such as schools, churches, hospitals, nursing homes, penal institutions and similar institutional users.

(5) **RESIDENTIAL.** All dwelling units such as detached, semi-detached and row houses, mobile homes, garden and standard apartments, permanent multi-family dwellings. (Transient lodging, considered commercial in nature, is not included.)

COMPATIBLE POLLUTANT. Biochemical oxygen demand, suspended solids, pH and fecal coliform bacteria, plus additional pollutants identified in the NPDES permit if the treatment works was designed to treat the pollutants and in fact does remove the pollutants to a substantial degree. The term **SUBSTANTIAL DEGREE** is not subject to precise definition, but generally contemplates removals in the order of 80% or greater. Minor incidental removals in the order of 10% to 30% are not considered substantial. Examples of the additional pollutants which may be considered compatible include:

- (1) Chemical oxygen demand;
- (2) Total organic carbon;
- (3) Phosphorus and phosphorus compounds;
- (4) Nitrogen and nitrogen compounds; and
- (5) Fats, oils and greases of animal or vegetable origin (except as prohibited where these materials would interfere with the operation of the treatment works).

DEPRECIATION. An annual operating cost reflecting capital consumption and obsolescence (reduction of future service potential) of the treatment works.

EASEMENT. An acquired legal right for the specific use of land owned by others.

FECAL COLIFORM. Any of a number of organisms common to the intestinal tract of humans and animals, whose presence in sanitary sewage is an indicator of pollution.

FLOATABLE OIL. Oil, fat or grease in a physical state, such that it will separate by gravity from wastewater by treatment in a pretreatment facility approved by the authority.

GARBAGE. Solid waste from the domestic and commercial preparation, cooking and dispensing of food, and from the commercial handling, storage and sale of produce.

INCOMPATIBLE POLLUTANT. Any pollutant that is not defined as a compatible pollutant, including nonbiodegradable dissolved solids.

INFILTRATION. The water entering a sewer system, including building drains and sewers, from the ground through such means as, but not limited to, defective pipes, pipe joints, connections or manhole walls.

INFILTRATION does not include and is distinguished from inflow.

INFILTRATION/INFLOW. The total quantity of water from both infiltration and inflow without distinguishing the source.

INFLOW. The water discharge into a sewer system, including building drains and sewers, from the sources as, but not limited to, roof leaders, cellar, yard and area drains, foundation drains, unpolluted cooling water discharges, drains from springs and swampy areas, manhole covers, cross-connections from storm sewers and combined sewers, catch basins, storm waters, surface runoff, street wash waters or drainage. **INFLOW** does not include, and is distinguished from, infiltration.

MAJOR CONTRIBUTING INDUSTRY. An industry that:

- (1) Has a flow of 50,000 gallons or more per average work day;
- (2) Has a flow greater than 5% of the flow carried by the municipal system receiving the waste;
- (3) Has in its waste a toxic pollutant in toxic amounts as defined in standards issued under 33 U.S.C. §

1317(a); or

(4) Has a significant impact, either singly or in combination with other contributing industries, on a treatment works or on the quality of effluent from that treatment works.

NATURAL OUTLET. Any outlet, including storm sewers and combined sewer overflows, into a watercourse, pond, ditch, lake or other body of surface or ground water.

NORMAL DOMESTIC SEWAGE. As defined for the purposes of determining surcharge, wastewater or sewage having an average daily suspended solids concentration of not more than 330 mg/l, and average daily BOD of not more than 280 mg/l (an average daily phosphorus concentration of 11 mg/l and containing not more than 2.5 mg/l of Hexane soluble matter (grease and oil)).

NPDES PERMIT. A permit issued under the National Pollutant Discharge Elimination System for discharge of wastewaters to the navigable waters of the United States pursuant to 33 U.S.C. § 1342.

OPERATION AND MAINTENANCE COSTS. All costs, direct and indirect (other than debt service), necessary to ensure adequate wastewater treatment on a continuing basis, conform with all related federal, state and local requirements and assure optimal long term facility management. These costs include **DEPRECIATION** and **REPLACEMENT**.

PERSON. Any individual, firm, company, association, society, corporation or group discharging any wastewater to wastewater treatment works.

pH. The reciprocal of the logarithm of the hydrogen ion concentration. The concentration is the weight of hydrogen ions in grams per liter of solution.

PRETREATMENT. The treatment of industrial sewage from privately-owned industrial sources prior to introduction into a public treatment works.

PRIVATE SEWER. A sewer which is not owned by a public authority.

PROPERLY SHREDDED GARBAGE. The waste from the preparation, cooking and dispensing of food that has been shredded to a degree that all particles will be carried freely under flow conditions normally prevailing in public sewers, with no particle greater than three-eighths inch in any dimension.

PUBLIC AUTHORITY. Any governmental agency having jurisdiction by law over construction and use of a wastewater collection or treatment facility.

PUBLIC SEWER. A sewer which is owned and controlled by the public authority and will consist of the following increments.

(1) **COLLECTOR SEWER.** A sewer whose primary purpose is to collect wastewaters from individual point source discharges.

(2) **INTERCEPTOR SEWER.** A sewer whose primary purpose is to transport wastewater from collector sewers to a treatment facility.

(3) **FORCE MAIN.** A pipe in which wastewater is carried under pressure.

(4) **PUMPING STATION.** A station positioned in the public sewer service at which wastewater is pumped to a higher level.

REPLACEMENT. Expenditures for obtaining and installing equipment, accessories or appurtenances which are necessary during the service life of the treatment works to maintain the capacity and performance for which the works were designed and constructed.

SANITARY SEWER. A sewer which carries sanitary and industrial wastes, and to which storm, surface and ground water are not intentionally admitted.

SEWAGE. The combination of the liquid and water-carried wastes from residences, commercial buildings, industrial plants and institutions (including polluted cooling water). The two most common types of **SEWAGE** are:

(1) **INDUSTRIAL SEWAGE.** A combination of liquid and water-carried wastes discharged from any industrial establishment, and resulting from any trade or process carried on in that establishment; this shall include the wastes from pretreatment facilities and polluted cooling water.

(2) **SANITARY SEWAGE.** The combination of liquid and water-carried wastes discharged from toilet and other sanitary plumbing facilities.

SIGNIFICANT INDUSTRY. Any industry that will contribute greater than 10% of the design flow or design pollutant loading of the treatment works.

SLUG. Any discharge of water or wastewater which in concentration of any given constituent or in quantity of flow exceeds for any period of duration longer than 15 minutes more than five times the average 24-hour concentration of flows during normal operation.

STANDARD METHODS. The laboratory procedures set forth in the latest edition, at the time of analysis, of *Standard Methods for the Examination of Water and Wastewater*, prepared and published jointly by the American Public Health Association, the American Water Works Association and the Water Pollution Control Federation.

STORM SEWER. A sewer for conveying water, ground water or unpolluted water from any source and to which sanitary and/or industrial wastes are not intentionally admitted.

SUSPENDED SOLIDS. Solids that either float on the surface of or are in suspension in water, sewage or other liquids and which are removable by laboratory filtering.

TOTAL SOLIDS. The sum of suspended and dissolved solids.

TOXIC AMOUNT. Concentrations of any pollutant or combination of pollutants which, upon exposure to or assimilation into any organism, will cause adverse effects, such as cancer, genetic mutations and physiological manifestations, as defined in standards issued pursuant to 33 U.S.C. § 1317(a).

UNPOLLUTED WATER. Water of quality equal to or better than the effluent criteria in effect, or water that would not cause violation of receiving water quality standards and would not be benefitted by discharge to the sanitary sewers and wastewater treatment facilities provided.

USER CHARGE. A charge levied on users of a wastewater treatment works for the cost of operation and maintenance of the works pursuant to 33 U.S.C. § 1284(b).

VOLATILE ORGANIC MATTER. The material in the sewage solids transformed to gases or vapors when heated at 550°C for 15 to 20 minutes.

WASTEWATER TREATMENT WORKS. The structures, equipment and processes required to collect, transport and treat domestic and industrial wastes and dispose of the effluent and accumulated residual solids.

WATERCOURSE. A natural or artificial channel for the passage of water either continuously or intermittently.

WATERWORKS. All facilities for water supply, filtration plant, storage reservoir, water lines and services and booster stations for obtaining, treating and distributing potable water.

(Prior Code, § 23-18) (Ord. 554, passed - -; Ord. 759, passed - -)

§ 53.041 AUTHORITY OF ENFORCING AGENT.

(A) The approving authority shall be permitted to gain access to the properties as may be necessary for the purpose of inspection, observation, measurement, sampling and testing in accordance with provisions of these regulations. Any person found to be violating any provisions of this subchapter shall be served by the city with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. Any person who shall continue any violation beyond the time limit shall be guilty of violation of the service contract and shall be summarily disconnected from the sanitary sewer and/or water service. The disconnection and reconnection would be at the total expense of the customer.

(B) Where acids and chemicals damaging to sewer lines or treatment processes are released to the sewer causing rapid deterioration of these structures or interfering with proper treatment of sewage, the approving authority is authorized to immediately terminate services by the measures as are necessary to protect the facilities.

(Prior Code, § 23-19) (Ord. 554, passed - -; Ord. 759, passed - -) Penalty, see § 53.999

SEWER USE REGULATIONS

§ 53.055 DISPOSAL OF WASTE IN UNSANITARY MANNER PROHIBITED.

It shall be unlawful for any person to place, deposit or permit to be deposited in any unsanitary manner on public or private property within the city or in any area under the jurisdiction of the city any human or animal excrement, garbage or other objectionable waste.

(Prior Code, § 23-21) (Ord. 554, passed - -; Ord. 759, passed - -) Penalty, see § 53.999

§ 53.056 DISCHARGE OF SEWAGE AND THE LIKE TO NATURAL OUTLETS RESTRICTED.

It shall be unlawful to discharge to any natural outlet within the city or in any area under the jurisdiction of the city any sewage or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this subchapter and the NPDES permit.

(Prior Code, § 23-22) (Ord. 554, passed - -; Ord. 759, passed - -) Penalty, see § 53.999

§ 53.057 USE OF PRIVIES AND THE LIKE RESTRICTED.

(A) Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool or other facility intended or used for the disposal of sewage.

(B) Private sewage collection and disposal systems will not be permitted within the city limits, except

individual disposal systems which may be permitted by special permit in outlying rural areas not served by the city sanitary sewer system.

(Prior Code, § 23-23) (Ord. 554, passed - -; Ord. 759, passed - -) Penalty, see § 53.999

§ 53.058 INSTALLATION OF TOILET FACILITIES AND CONNECTION TO PUBLIC SEWER REQUIRED.

The owner of any house, building or property used for human occupancy, employment, recreation or other purposes situated within the city and abutting on any street, alley or right-of-way in which there is now located or may in the future be located any public sanitary sewer of the city is hereby required at his or her expense to install suitable toilet facilities therein, and to connect the facilities directly with the proper public sewer in accordance with the provisions of this subchapter within 90 days after date of official notice to do so.

(Prior Code, § 23-24) (Ord. 554, passed - -; Ord. 759, passed - -) Penalty, see § 53.999

§ 53.059 COMPLIANCE WITH STANDARDS REQUIRED.

All disposal by any person into the sewer system is unlawful except those discharges in compliance with federal standards promulgated pursuant to the federal act and more stringent state and local standards.

(Prior Code, § 23-25) (Ord. 554, passed - -; Ord. 759, passed - -) Penalty, see § 53.999

§ 53.060 SEWER CONNECTION PERMIT; REQUIRED; APPLICATION.

No premises shall uncover, make any connections with or opening into, use, alter or disturb an public sewer or appurtenance thereto except upon written permit issued by the City Administrator or other authorized representative of the city, which permit shall be issued only upon a written application therefor, describing the premises to be opened or connected, the location of sewer lines, the materials to be used, the use to which the premises is to be put, the person who is to perform the work and other information as may be reasonably required.

(Prior Code, § 23-26) (Ord. 554, passed - -; Ord. 759, passed - -) Penalty, see § 53.999

§ 53.061 BUILDING SEWERS; PERMITS; FEE; RESPONSIBILITY; AND THE LIKE.

(A) (1) (a) There shall be two classes of building sewer permits:

1. For residential and commercial service; and
2. For service to establishments producing industrial wastes.

(b) In either case, the owner or his or her agent shall make application on a special form furnished by the City Council. The permit application shall be supplemented by any plans, specifications or other information considered pertinent in the judgment of the City Council. The industry, as a condition of permit authorization, must provide information describing its wastewater constituents, characteristics and type of activity.

(2) A building sewer permit will only be issued and a sewer connection shall only be allowed if it can be demonstrated that the downstream sewerage facilities, including sewers, pump stations and wastewater treatment facilities, have sufficient reserve capacity to adequately and efficiently handle the additional anticipated waste load.

(Prior Code, § 23-27)

(B) No premises shall be connected with the sanitary sewer system of the city, except upon the payment of a connection charge as determined by resolution of the City Council. The connection charge shall be paid to the City Administrator at the time when application for a permit to connect with the sanitary sewer system is made. The connection charge shall be returned to the applicant should the application be refused.

(Prior Code, § 23-28)

(C) All costs and expenses incident to the installation and connection of the building sewer shall be borne by the owner. The owner shall indemnify the city from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.

(Prior Code, § 23-29)

(D) A separate and independent building sewer shall be provided for every building.

(Prior Code, § 23-30)

(E) Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the city, to meet all requirements of this subchapter.

(Prior Code, § 23-31)

(F) (1) All sewer construction shall conform to the State Plumbing Code.

(2) Whenever possible, the building sewer shall be brought to the building at an elevation below the

basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by the building drain shall be lifted by a means which is approved in accordance with division (F)(1) above and discharged to the building sewer.

(3) No person shall make connection of roof downspouts, exterior foundation drains, areaway drains or other sources of surface runoff or ground water to a building sewer or building drain which in turn is connected directly or indirectly to a public sanitary sewer.

(4) All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the city.

(Prior Code, § 23-32)

(G) All building drains which have backup problems shall have a backwater valve installed at the owner's expense and it shall be the owner's responsibility to see that the backwater valve is kept clean and workable. The city will assume no liability for any damages resulting from backup.

(Prior Code, § 23-33)

(Ord. 554, passed - -; Ord. 759, passed - -) Penalty, see § 53.999

§ 53.062 PROHIBITED DISCHARGES.

(A) (1) No person shall discharge, or cause to be discharged, any storm water, surface water, ground water, roof runoff, subsurface drainage, uncontaminated cooling water or unpolluted industrial process waters to any sanitary sewer.

(2) Storm water and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as storm sewers or to a natural outlet approved by the city. Industrial cooling water or unpolluted process waters may be discharged, on approval of the city, to a storm sewer or natural outlet.

(B) No person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewers:

(1) Any gasoline, benzene, naphtha, fuel oil or other flammable or explosive liquid, solid or gas;

(2) Any waters or wastes containing toxic or poisonous solids, liquids or gases in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in the receiving waters of the sewage treatment plant;

(3) Any waters or wastes having a pH lower than 5.5 or having any other corrosive property capable of causing damage or hazard to structures, equipment and personnel of the sewage works; and/or

(4) Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the sewage works such as, but not limited to, ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, whole blood, paunch manure, hair and fleshings, entrails and paper dishes, cups, milk containers and the like, either whole or ground by garbage grinders.

(C) No person shall discharge or cause to be discharged the following described substances, materials, waters or wastes if it appears likely in the opinion of the city that the wastes can harm either the sewers, sewage treatment process or equipment; have an adverse effect on the receiving stream; or can otherwise endanger life, limb or public property or constitute a nuisance. In forming the opinion as to acceptability of these wastes, the city will give consideration to the factors as the quantities of subject wastes in relation to flows and velocities in the sewers, materials of construction of the sewers, nature of the sewage treatment process, capacity of the sewage treatment plant and maximum limits established by regulatory agencies. The substances prohibited are:

(1) Any liquid or vapor having a temperature higher than 150°F (65°C);

(2) Any waters or wastes containing toxic or poisonous materials; or oils, whether emulsified or not, in excess of 100 mg/l or containing substances which may solidify or become viscous at temperatures between 32° and 150°F (0° and 65°C);

(3) Any garbage that has not been properly shredded. The installation and operation of any garbage grinder equipped with a motor of three-fourths horsepower or greater shall be subject to the review and approval of the city;

(4) Any waters or wastes containing strong, acid, iron pickling wastes or concentrated plating solutions whether neutralized or not;

(5) Any waters or wastes containing iron, chromium, copper, zinc or similar objectionable or toxic

substances; or wastes exerting an excessive chlorine requirement, to a degree that any such material received in the composite sewage at the sewage treatment works exceeds the limits established by the city for the materials;

(6) Any waters or wastes containing phenols or other taste or odor producing substances, in concentrations as may exceed limits as established by the city in compliance with applicable state and federal regulations;

(7) Any radioactive wastes or isotopes of a half-life or concentration as may exceed limits established by the city in compliance with applicable state or federal regulations;

(8) Any waters or wastes having a pH in excess of 9.5;

(9) Any mercury or any of its compounds in excess of 0.0005 mg/l as Hg at any time except as permitted by the city in compliance with applicable state and federal regulations;

(10) Any cyanide in excess of 0.025 mg/l at any time except as permitted by the city in compliance with applicable state and federal regulations;

(11) Material which exerts or causes:

(a) Unusual concentrations of inert suspended solids (such as, but not limited to, fullers earth, lime slurries and lime residues) or of dissolved solids (such as, but not limited to, sodium chloride and sodium sulfate);

(b) Excessive discoloration (such as, but not limited to, dye wastes and vegetable tanning solutions);

(c) Unusual BOD, chemical oxygen demand or chlorine requirements in quantities as to constitute a significant load on the sewage treatment works; and/or

(d) Unusual volume of flow or concentrations of wastes constituting "slugs", as defined herein.

(12) Waters or wastes containing substances which are not amenable to treatment or reduction by the sewage treatment processes employed, or are amenable to treatment only to a degree that the sewage treatment plant effluent cannot meet the requirements of agencies having jurisdiction over discharge to the receiving waters.

(D) (1) If any waters or wastes are discharged or are proposed to be discharged to the public sewers, which waters contain the substances or possess the characteristics enumerated in division (C) of this section and/or which are in violation of the standards for pretreatment provided in Chapter 1, EPA Rules and Regulations, subchapter D, Water Programs Part 128 Pretreatment Standards, Federal Register Volume 38, No. 215, Thursday, 11-8-1973, and any amendments thereto, and which in the judgment of the city may have a deleterious effect upon the sewage works, processes, equipment or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the city may:

(a) Reject the wastes;

(b) Require pretreatment to an acceptable condition for discharge to the public sewers;

(c) Require control over the quantities and rates of discharge; and/or

(d) Require payment to cover the added costs of handling and treating the wastes not covered by existing taxes or sewer charges under the provisions hereof.

(2) If the city permits the pretreatment of equalization of waste flows, the design and installation of the plants and equipment shall be subject to the review and approval of the city and subject to the requirements of all applicable codes, ordinances and laws.

(Prior Code, § 23-34) (Ord. 554, passed - -; Ord. 759, passed - -)

§ 53.063 GREASE, OIL AND SAND TRAPS.

Grease, oil and sand traps shall be provided when, in the opinion of the city, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand or other harmful ingredients; except that, the traps shall not be required for private living quarters or dwelling units. All traps shall comply with the State Plumbing Code and shall be so located as to be readily and easily accessible for cleaning and inspection.

(Prior Code, § 23-35) (Ord. 554, passed - -; Ord. 759, passed - -)

§ 53.064 CONTROL MANHOLE.

When required by the city, the owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable control manhole together with necessary meters and other appurtenances in the building sewer to facilitate observation, sampling and measurement of the wastes. The manhole, when required, shall be accessibly and safely located and shall be constructed in accordance with the plans approved by the city. The manhole shall be installed by the owner at his or her expense and shall be

maintained by him or her so as to be safe and accessible at all times.

(Prior Code, § 23-36) (Ord. 554, passed - -; Ord. 759, passed - -)

§ 53.065 OWNER TO MAINTAIN PRELIMINARY TREATMENT FACILITIES AND THE LIKE.

Where preliminary treatment or flow-equalizing facilities are provided, they shall be maintained continuously in satisfactory and effective operation by the owner at his or her expense.

(Prior Code, § 23-37) (Ord. 554, passed - -; Ord. 759, passed - -)

§ 53.066 LABORATORY MEASUREMENTS, TESTS AND THE LIKE TO BE PROVIDED.

(A) The owner of any property serviced by a building sewer carrying industrial wastes shall provide laboratory measurements, tests and analyses of waters and wastes to illustrate compliance with this subchapter and any special conditions for discharge established by the city or regulatory agencies having jurisdiction over the discharge. The number, type and frequency of laboratory analyses to be performed by the owner shall be as stipulated by the city, but no less than once per year the industry must supply a complete analysis of the constituents of the wastewater. The owner shall report the results of measurements and laboratory analyses to the city at the times and in a manner as prescribed by the city. The owner shall bear the expense of all measurements, analyses and reporting required by the city. At such times as deemed necessary, the city reserves the right to take measurements and samples for analysis by an outside laboratory service.

(B) (1) All measurements, tests and analyses of the characteristics of waters and wastes to which reference is made in this subchapter shall be determined in accordance with the latest edition of *Standard Methods for the Examination of Water and Wastewater*, published by the American Public Health Association.

(2) Sampling shall be carried out by customarily accepted methods to reflect the effect of constituents upon the sewage works and to determine the existence of health hazards.

(Prior Code, § 23-38) (Ord. 554, passed - -; Ord. 759, passed - -)

§ 53.067 DAMAGING, TAMPERING WITH AND THE LIKE SEWAGE WORKS PROHIBITED.

(A) No unauthorized person shall maliciously, willfully or negligently break, damage, destroy or tamper with any structure, appurtenance or equipment which is a part of the sewage works.

(B) Any person violating this provision shall be subject to immediate arrest under a charge of disorderly conduct.

(Prior Code, § 23-39) (Ord. 554, passed - -; Ord. 759, passed - -) Penalty, see § 53.999

§ 53.068 CONNECTION WITH SEWER FOR PURPOSE OF DRAINING ROOFS, UNDERGROUND DRAINS AND THE LIKE.

(A) No person shall directly or indirectly connect with or make use of, in any manner or nature, the public sanitary sewer of the city for the purpose of draining roof drains, underground drains or wastewater of any nature.

(B) (1) Any person who violates this section by directly or indirectly connecting with the sanitary sewer system will have upon notice from the city ~~30 days~~ 90 days to disconnect or discontinue the direct or indirect use into the sanitary sewer.

(2) If, at the end of the ~~30 days~~ 90 days, the connection is not terminated, disconnected or discontinued, the City Superintendent shall disconnect, discontinue or terminate in any manner necessary the unlawful use of the sanitary sewer, at the expense of the owner of the real estate. The cost and expense of the removal shall be assessed against and shall be a lien upon the property.

(C) Any removal of a direct or indirect hookup performed by the City Superintendent pursuant to this section shall be reported to City Council indicating the property where the removal took place and the cost and expenses incurred because of the removal.

(D) Any levy and assessment upon and against property pursuant to this section shall be done in accordance with the rules and regulations governing assessments by the city.

(Prior Code, § 23-40) (Ord. 431, passed - -; Ord. passed 8-16-1971; Ord. 759, passed - -) Penalty, see § 53.999

RATES AND CHARGES

§ 53.080 CHARGES.

Every residential household, commercial complex, commercial business or industry shall pay to the city the amount set forth under this subchapter for the proper operation of the sewage treatment plant and collection system. Any building which is privately owned, whether occupied or not, shall be subject to this payment.

Comment [BK1]: Changed to 90 days just be consistent with sump ordinance.

Any established multi-dwelling or mobile home park shall make payment based on the number of units as established by the system of payment. The payment shall be applied to each unit on the system, including those who disconnect for a period of time.

(Prior Code, § 23-41) (Ord. 759, passed - -)

§ 53.081 WASTEWATER SERVICE CHARGES; GENERALLY; MEASUREMENT OF FLOW FOR COMPUTATIONS; FORMULA.

(A) (1) (a) The wastewater service charge for the use of and for service supplied by the wastewater facilities of the city shall consist of a basic user charge for operation and maintenance plus replacement, a debt service charge and a surcharge, if applicable.

(b) The debt service shall be computed by dividing the annual debt service of all outstanding loans by the number of users. Through further divisions, the monthly debt service charges can be computed.

(c) The basic user charge shall be based on water usage as recorded by water meters and/or sewage meters for wastes having the following normal concentration:

1. A five-day, 20°C biochemical oxygen demand of 280 mg/l; and
2. A suspended solids (SS) content of 330 mg/l.

(2) It shall consist of operation and maintenance costs, plus replacement and shall be computed as follows:

(a) Estimate the projected annual revenue required to operate and maintain the wastewater facilities including a replacement fund for the year, for all works categories;

(b) Compute costs per 1,000 gallons for normal sewage strength; and

(c) Compute surcharge costs per 1,000 gallons per mg/l in excess of normal sewage strength for BOD and SS.

(3) A surcharge will be levied to all users whose waters exceed the maximum concentrations for BOD (280 mg/l) and SS (330 mg/l). The surcharge will be based on water meters and/or sewage meters for all wastes which exceed the 280 mg/l, 330 mg/l, BOD and SS, respectively. Division (C) below specifies the procedure to compute a surcharge.

(4) (a) The adequacy of the wastewater service charge shall be reviewed annually by the City Administrator for the city in the annual audit report. The wastewater service charge shall be revised periodically to reflect a change in debt service or a change in operation and maintenance costs including replacement costs.

(b) The city shall revise the user charges to accomplish the following:

1. Maintain the proportionate distributions, operation and maintenance costs among users and user classes as required herein; and

2. Generate sufficient revenue to pay the total operation and maintenance costs necessary to properly operate and maintain the treatment works.

(c) Apply excess revenues collected from a class of users to the cost of operation and maintenance attributable to that class for the next year and adjust the rate accordingly.

(Prior Code, § 23-42)

(B) The volume of flow used for computing basic user charges and surcharges shall be the metered water consumption of each defined unit for each corresponding month to the lowest even increment of 1,000 gallons. For residential customers only, the city shall set, by resolution, the maximum number of gallons of water per month a unit may consume and still qualify for the basic user charges and surcharges.

(1) If the person discharging wastes into the public sewers procures any part, or all, of his or her water from sources other than the public waterworks system, all or a part of which is discharged into the public sewers, the person shall install and maintain, at his or her expense, water meters of a type approved by the city for the purpose of determining the volume of water obtained from these other sources.

(2) Devices for measuring the volume of waste discharged may be required by the city if these volumes cannot otherwise be determined from the metered water consumption records.

(3) Metering devices for determining the volume of waste shall be installed, owned and maintained by the person. Following approval and installation, the meters may not be removed, unless service is cancelled, without the consent of the city.

(Prior Code, § 23-43)

(C) The wastewater service charge shall be computed by the following formula:

$$TC = DS + AF + UR + SC$$

- (1) TC = Total amount of wastewater charges (\$) per billing period.
- (2) DS = Debt service charge, if any.
- (3) AF = Administrative fee for all related administrative costs.
- (4) UR = User rate for operation, maintenance and replacement (§ 53.083).
- (5) SC = Amount of surcharge (§ 53.082).
- (6) Bc = \$0.11/BOD5.
- (7) Sc = \$0.06/# suspended solids.
- (8) B = BOD5 - 280 mg/l.
- (9) S = SS - 330 mg/l.

(Prior Code, § 23-44)

(Ord. 554, passed - -; Ord. 759, passed - -; Ord. 786, passed - -)

§ 53.082 COMPUTATION OF SURCHARGES.

(A) The rates of surcharges for BOD5 and SS shall be as follows:

$CS = (Bc(B) + Sc(S)Vu)$

(B) The concentration of wastes used for computing surcharges shall be established by waste sampling.

Waste sampling shall be performed as often as may be deemed necessary by the city and shall be binding as a basis for surcharges.

(Prior Code, § 23-45) (Ord. 554, passed - -; Ord. 759, passed - -)

§ 53.083 MINIMUM CHARGE.

(A) The minimum monthly charge to each user regardless of usage shall be in an amount to be determined by City Council. This amount shall be charged to each single-family household and commercial customer and is subject to change by City Council.

(B) The minimum monthly charge shall be multiplied by the number of units of any multi-family household or mobile home park where there is only one meter.

(C) The sanitary sewer rate shall be in an amount to be determined by the City Council.

(Prior Code, § 23-48) (Ord. 759, passed - -; Ord. 798, passed - -; Ord. 815, passed - -; Ord. 823, passed - -; Ord. 825, passed 1-28-2008; Ord. 833, passed 11-25-2008; Am. Ord. 837, passed 11-12-2009; Am. Ord. 839, passed 5-26-2010)

§ 53.084 WASTEWATER USER RATE.

(A) The wastewater user rate will be in an amount to be determined by City Council.

(B) This rate will be effective 12-15-2008, with the January, 2009, billing reflecting the new rate.

(Prior Code, § 23-49) (Ord. 786, passed - -; Ord. 788, passed - -; Ord. 798, passed - -; Ord. 815, passed - -; Ord. 823, passed - -; Ord. 825, passed 1-28-2008; Ord. 833, passed 11-25-2008; Am. Ord. 837, passed 11-12-2009; Am. Ord. 839, passed 5-26-2010)

§ 53.085 EFFECTIVE DATE.

The rate shall be effective with the July 1, 2010, billing.

(Prior Code, § 23-50) (Ord. 759, passed - -; Ord. 798, passed - -; Ord. 815, passed - -; Ord. 823, passed - -; Ord. 825, passed 1-28-2008; Ord. 833, passed 11-25-2008; Am. Ord. 837, passed 11-12-2009; Am. Ord. 839, passed 5-26-2010)

§ 53.086 BILLS; PROCEDURE GENERALLY; OUTDOOR WATER USE; LIENS; NOTICE; FORECLOSURE.

(A) (1) (a) It is the policy of the city to discontinue utility service to customers by reason of nonpayment of bills only after notice and a meaningful opportunity to be heard on disputed bills. The city's form for application for utility service and all bills shall contain, in addition to the title, address, room number, and telephone number of the official in charge of billing, clearly visible and easily readable provisions to the effect:

1. That all bills are due and payable on or before the date set forth on the bill; and
2. That if any bill is not paid by or before that date, a second bill will be mailed containing a cutoff notice that if the bill is not paid within ten days of the mailing of the second bill, service will be discontinued for nonpayment; and
3. That any customer disputing the correctness of his or her bill shall have a right to a hearing, at which time he or she may be represented in person and by counsel or any other person of his or her choosing, and may present orally or in writing his or her complaint and contentions to the city official in charge of utility billing. This official shall be authorized to order that the customer's service not be discontinued and

shall have the authority to make a final determination of the customer's complaint.

(b) Requests for delays or waiver of payment will not be entertained; only questions of proper and correct billing will be considered. In the absence of payment of the bill rendered or resort to the hearing procedure provided herein, service will be discontinued at the time specified, but in no event until the charges have been due and unpaid for at least 30 days.

(c) When it becomes necessary for the city to discontinue utility service to a customer for nonpayment of bills, service will be reinstated only after all bills for service then due have been paid, along with a turn-on charge as set out in the city rate ordinance.

(2) The owner of the premises, the occupant thereof and the user of the service shall be jointly and severally liable to pay for service to the premises and the service is furnished to the premises by the city only upon the condition that the owner of the premises, occupant or user of the services are jointly and severally liable therefor to the city.

(Prior Code, § 23-51)

(B) Sewer billing for outdoor water use through the primary meter for residential customers shall be billed in the same manner as all other water usage. All other customers shall be required to purchase a separate meter to offset the cost of water not passing through the public sewage system. The cost of a second meter, installation and remoting shall be borne by the property owner.

(Prior Code, § 23-52)

(C) (1) (a) Whenever a bill for sewer service remains unpaid for 45 days after it has been rendered, the City Administrator shall file with the County Recorder a statement of lien claim. This statement shall contain the legal description of the premises served, the amount of the unpaid bill and a notice that the city claims a lien for this amount as well as for all charges subsequent to the period covered by the bill.

(b) If the user whose bill is unpaid is not the owner of the premises and the City Administrator has notice of this, notice shall be mailed to the owner of the premises if his or her address is known to the Administrator, whenever the bill remains unpaid for the period of 45 days after it has been rendered.

(c) The failure of the City Administrator to record the lien or to mail the notice or the failure of the owner to receive the notice shall not affect the right to foreclose the lien for unpaid bills as mentioned in the foregoing section.

(2) Property subject to a lien for unpaid charges shall be sold for nonpayment of the same, and the proceeds of the sale shall be applied to pay the charges, after deducting costs, as is the case in the foreclosure of statutory liens. The foreclosure shall be by bill-in-equity in the name of the city. The City Attorney is hereby authorized and directed to institute the proceedings in the name of the city in any court having jurisdiction over the matters against any property for which the bill has remained unpaid 45 days after it has been rendered.

(Prior Code, § 23-53)

(Ord. 554, passed - -; Ord. 759, passed - -; Ord. 786, passed - -; Ord. 836, passed 5-27-2009)

§ 53.087 DISPOSITION OF REVENUES.

(A) All revenues and money derived from the operation of the sewerage system shall be deposited in the Sewerage Account of the Sewerage Fund. All revenues and money shall be held by the City Administrator separate and apart from his or her private funds and separate and apart from all other funds of the city. There shall be two separate funds, one for operation, maintenance and replacement and one for debt service.

(B) The City Administrator shall receive all revenues from the sewerage system and all other funds and money incident to the operation of the system as the same may be delivered to him or her and deposit the same in the amount of the Fund designated as the Sewerage Fund of the city. The Administrator shall administer the Fund in every respect in the manner provided by statute.

(Prior Code, § 23-54) (Ord. 554, passed - -; Ord. 759, passed - -)

§ 53.088 ACCOUNTS; ANNUAL AUDIT.

(A) The City Administrator shall establish a proper system of accounts and shall keep proper books, records and accounts in which complete and correct entries shall be made of all transactions relative to the sewerage system and, at regular annual intervals, he or she shall cause to be made an audit by an independent auditing concern of the books to show the receipts and disbursements of the sewerage system.

(B) In addition to the customary operating statements, the annual audit report shall also reflect the revenues and operating expenses of the wastewater facilities, including a replacement cost, to indicate that sewer service charges do in fact meet these regulations. In this regard, the financial information to be shown

in the audit report shall include the following:

- (1) Flow data showing total gallons received at the wastewater plant for the current fiscal year;
- (2) Billing data to show total number of gallons billed;
- (3) Debt service for the next succeeding fiscal year;
- (4) Number of users connected to the system;
- (5) Number of nonmetered users; and
- (6) A list of users discharging nondomestic wastes (industrial users) and volume of waste discharged.

(Prior Code, § 23-55) (Ord. 554, passed - -; Ord. 759, passed - -)

§ 53.089 NOTICE OF RATES.

(A) Each user shall be notified at least annually, in conjunction with the regular billing, of the rate and that portion of the user charges which are attributable to wastewater treatment services.

(B) A copy of the rates and charges, properly certified by the City Administrator, shall be filed in the office of the County Register of Deeds and shall be deemed notice to all owners of real estate of the charges of the sewerage system of the city on their properties.

(Prior Code, § 23-56) (Ord. 554, passed - -; Ord. 759, passed - -)

§ 53.090 ACCESS TO RECORDS.

The United States Environmental Protection Agency or its authorized representative shall have access to any books, documents, papers and records of the city which are applicable to the city system of user charges for the purpose of making audit, examination, excerpts and transactions thereof to ensure compliance with the terms of the special and general conditions to any federal grant.

(Prior Code, § 23-57) (Ord. 554, passed - -; Ord. 759, passed - -)

SUMP PUMP REQUIREMENTS

§ 53.105 STORM WATER DISCHARGE PROHIBITED.

(A) It shall be unlawful for any owner, occupant or user of any premises to direct into or allow any storm water, ground water, roof run-off, pond overflow, well water or water from residential, industrial or commercial air conditioning systems to drain into the sanitary sewer system of the city.

(B) No rainspout, or other form of surface drainage and no foundation drainage or sump pump shall be connected or any substance other than sanitary sewage discharged into any sanitary sewer, except as provided herein.

(C) It is unlawful for any person or residence to discharge any water from roof, surface, drain tile, footing tiles, swimming pools, hot tubs or other natural precipitation into the sanitary sewer or adjoining properties.

(Prior Code, § 23-61) (Ord. 817, passed - -) Penalty, see § 53.999

§ 53.106 SUMP PUMP DISCHARGE.

(A) Dwellings, buildings and structures may use a permanently installed sump pump and discharge line to the outside to prevent the inflow infiltration of clear water into the sanitary sewer, except as provided herein.

(B) A permanent installation shall provide for year-round discharge capability, to the outside of the building, connected to a storm sewer or discharged through the curb to the street.

(C) The discharge line from the sump pump shall be of rigid construction without valves or quick connection for altering the path of the discharge.

(D) No discharge shall direct so as to impact neighboring properties or any city street, sidewalk or right-of-way. The City may allow installation of a locked "winter/summer" valve in individual circumstances to abate nuisance icing where no subdrain/storm sewer and other reasonable alternative exists, only with review and express permission of the City.

(Prior Code, § 23-62) (Ord. 817, passed - -) Penalty, see § 53.999

§ 52.107 SUMP PUMP AND DRAIN TILE SYSTEM.

A drain tile, sump basket, pump, electrical receptacle and pipe connection to the outside may be installed in any existing building and new buildings within the city, provided the design and installation complies with the provisions of this section and passes inspection by the Building Official.

(Prior Code, § 23-63) (Ord. 817, passed - -)

DISCHARGE OF SURFACE WATERS PROHIBITED

§ 53.120 OTHER PROHIBITED DISCHARGES.

No person shall discharge or cause to be discharged any storm water, ground water, roof run-off, yard drainage, yard fountain, pond overflow or any substance other than sanitary sewage into the sanitary

Comment [BK2]: Added. Allows valving with permission.

collection system.

(Prior Code, § 23-71) (Ord. 817, passed - -) Penalty, see § 53.999

§ 53.121 DISCONNECTION.

Any person, firm or corporation having a roof drain, sump pump, swimming pool discharge, cistern overflow pipe or any surface drain now connected and/or discharging into the sanitary sewer system shall disconnect and/or remove same prior to 5-31-2006. Any disconnects or openings in the sanitary sewer shall be sealed.

(Prior Code, § 23-72) (Ord. 817, passed - -) Penalty, see § 53.999

§ 53.122 SUMP PUMP.

Sump pumps shall have a discharge system installed to the outside wall of the building. The pipe attachment shall be a permanent fitting such as PVC pipe with glued fittings. The discharge shall extend at least three feet outside of the foundation wall. When a sump pit exists in any building, it shall have a pump installed: no empty pits shall be permitted.

(Prior Code, § 23-73) (Ord. 817, passed - -) Penalty, see § 53.999

§ 53.123 INSPECTION.

Every person owning improved real estate that discharges into the city's sanitary sewer system shall allow the city employees, or their designees, to inspect the buildings to confirm that there is no sump pump or other prohibited discharge into the sanitary sewer system. Any person refusing to allow his or her property to be inspected shall immediately become subject to the surcharge hereinafter provided for. The owner of any such property may meet the requirements of this section by contracting with a licensed plumber who is authorized to do business in the city to perform such inspection. Such plumber shall inspect the owner's property and shall complete, sign and return an inspection form to the City, documenting the results of the inspections. The inspection form shall be furnished to the property owner or licensed plumber upon request. All costs associated with an inspection by a licensed plumber retained by the property owner under this section shall be the responsibility of the property owner.

The owner of any improved real estate shall have a period of thirty (30) days from the date the city sends a written notice to the owner requesting admittance to the owner's property for an inspection, to either allow a city inspection of the property, or to contract with a licensed plumber to perform the inspection, and notify the city of the results thereof. Such inspection, whether performed by the city inspection, or by the licensed plumber hired by the property owner, shall be completed within said thirty (30) day period. Upon completion of city inspection of a property, or upon the city's receipt of an inspection form from the licensed plumber hired by the owner of the property, if the city shall determine whether any such property is improperly discharging storm water into city sanitary sewer system, then the owner shall have a period of ninety (90) days from the date the city sends such written notice to the owner, to obtain a plumbing permit, and to disconnect owner's sump pump or other prohibited discharge into the city sanitary sewer system and to request-reinspection, certifying that all work necessary to disconnect the owner's sump pump or other prohibited discharge from said property into the city sanitary sewer system has been completed. All work that is necessary to comply with the provisions of this division which requires the insurance of any plumbing, building, or other permit under this code shall be inspected by the city.

(Prior Code, § 23-74) (Ord. 817, passed - -) Penalty, see § 53.999

§ 53.124 SURCHARGE.

A surcharge in an amount to be determined by City Council is hereby imposed and shall be added to every sewer billing mailed on and after 11-1-2007, to property owners who are not in compliance with this section, and to property owners who have refused entry to city employees, or their designees, to determine compliance. Said surcharge shall commence on the first day of the month following the expiration of the thirty (30) day period set forth for inspection, or the ninety (90) day period set forth for correction of deficiencies, as applicable, when either the property owner has failed to timely allow city inspection or has failed to timely correct any illegal connections to the city sanitary sewer system. The surcharge shall be added every month, until the property is in compliance. The imposition of the surcharge shall, in no way, limit the right of the city to seek relief under § 53.068 or to seek an injunction in District Court ordering the property owner to discontinue the nonconforming connection to the sanitary sewer system or from pursuing other legal remedies available. This monthly surcharge is intended to offset the added cost to the city associated with having the city wastewater collection, conveyance and treatment systems process clear or clean water (Inflow/Infiltration) unnecessarily, when the status of the property owner's connection or

Comment [BK3]: Added. This for enforcement. Prevents ppl from just removing sump pump to become compliant.

Comment [BK4]: Added. Right to hire private plumber

Comment [BK5]: Added. Timeline.

Comment [BK6]: Added. Surcharge timeline.

non-connection to the city sanitary sewer system cannot be ascertained, or when the owner has failed to timely disconnect any discharge of storm water to the city sanitary sewer system. (Prior Code, § 23-75) (Ord. 817, passed - -; Ord. 824, passed - -)

§ 53.125 RIGHT TO INSPECTION.

Upon verified compliance with this section, the city reserves the right to inspect the property at least yearly to verify continuing compliance herewith. (Prior Code, § 23-76) (Ord. 817, passed - -)

BACKFLOW PREVENTION AND CROSS-CONNECTION

§ 53.135 GENERAL POLICY.

The purpose of this subchapter is:

(A) To protect the health and welfare of users of the public potable water supply from the possibility of contamination or pollution of the potable water system(s) under the direct authority of the public water utility.

(B) To promote for the control and/or elimination of existing cross connections (actual or potential) between the customer's potable water system(s) and other environment containing substance(s).

(C) To provide for the maintenance of a continuing program of cross connection control which will systematically and effectively prevent the contamination or pollution of all potable water system(s) under the direct authority of the public water utility (PWU). (Ord. 2670, passed - -)

§ 53.136 DEFINITIONS.

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

BACKFLOW. The undesirable flow of water or mixtures of water and other liquids, gases or other substances under positive or reduced pressure into the Water Utility (hereinafter "Utility") potable supply of water from any source.

BACKFLOW PREVENTION. A means designed to prevent backflow caused by backpressure or back-siphonage; most commonly categorized as air gap, reduced pressure principle assembly, double check valve assembly, pressure vacuum breaker assembly, back siphonage vacuum breaker (spill resistant vacuum breaker) assembly, atmospheric vacuum breaker, hose connection vacuum breaker, hose connection backflow preventer, backflow preventer with intermediate atmospheric vent, and barometric loop.

BACKPRESSURE. An elevation of pressure in the downstream piping system (i.e., pump, elevation of piping, or steam and/or air pressure) above the utility supply pressure, which would cause or tend to cause a reversal of the normal direction of flow.

BACK-SIPHONAGE. The flow of water or other liquids, mixtures or substances into the utility's potable water supply system from any source caused by the sudden reduction of pressure in the utility's potable water supply system.

CROSS-CONNECTION. Any physical connection or arrangement between two otherwise separate systems, one of which contains potable water from the Utility, and the other containing water from a private source, water of unknown or questionable safety, or steam, gases, or chemicals, whereby there may be a flow from one system to the other, the direction of flow depending on the pressure differential between the two systems.

CROSS-CONNECTION CONTROL MANUAL. Policies for cross connection control and backflow prevention for the city. (Ord. 2670, passed - -)

§ 53.137 CROSS-CONNECTION PROHIBITED.

No person shall establish or permit to be established or maintain or permit to be maintained any cross-connection. No interconnection shall be established whereby potable water from a private, auxiliary or emergency water supply, other than the public water supply of the utility, may enter the potable water supply of the utility, unless such private, auxiliary, or emergency water supply and the method of connection and use of such supply shall have been approved by the utility and the State of Minnesota. (Ord. 2670, passed - -) Penalty, see § 53.999

§ 53.138 RESPONSIBILITY.

The Department of Public Water and Utilities Department shall be responsible for the protection of the public potable water distribution system from contamination or pollution due to the backflow of

Comment [BK7]: Added. Surcharge is for added treatment costs.

contaminants or pollutant. The utility shall charge fees according to the utilities cross-connection control manual for maintaining a comprehensive cross connection control protection plan.

(Ord. 2670, passed - -)

§ 53.139 OWNER RESPONSIBILITY.

The property owner shall be responsible for the protection of customer's potable water system. For the elimination of or protection from all cross connection on their premises. The owner shall, at their expense, install, maintain, and test any and all backflow preventers on their premises in compliance with Department of Public Water and the Utilities Cross Connection Control Manual. The property owner shall have corrected any malfunction, revealed by periodic testing, of any backflow preventer on their premises. The property owner shall inform the utility of any proposed or modified cross-connections and also any existing cross-connections that are not protected by an approved backflow prevention means. The property owner shall not install a by-pass around any backflow preventer unless there is a backflow preventer of the same type in the by-pass. Property owners who cannot shut down operation for testing of the backflow prevention assembly must supply additional assembly necessary to allow testing to take place. In the event the property owner installs potable water using fixtures, equipment or appurtenances upstream of a backflow preventer, such must have its own approved backflow prevention means. The property owner is required to follow the protection practices described in the American Water Works Association publication AWWA M14 titled *Recommended Practice for Backflow Prevention and Cross-Connection Control*, United States Environmental Protection Agency titled *Cross Connection Control Manual* and the *Utilities Cross Connection Control Manual*; unless the utility requires or authorizes other means of protecting the potable water system. These requirements or authorizations will be at the discretion of the utility.

(Ord. 2670, passed - -) Penalty, see § 53.999

§ 53.140 INSPECTIONS.

It shall be the duty of the utility to cause inspection to be made of all properties serviced by the utility where cross-connection with the public water system is deemed possible. Residential properties serviced by the utility shall be inspected on a 15-year interval. The utility may, but is not required to, perform the cross-connection inspection of the owner's property. If, in the opinion of the utility, the utility is not able to perform the inspection the property owners must, at their own expense, have the plumbing inspected for cross-connections by a certified cross-connection control inspector/surveyor. All non-residential properties serviced by the utility shall be inspected on a two-year interval. The utility may, but is not required to, perform the cross-connection inspection of the owner's property. If, in the opinion of the utility, the utility is not able to perform the inspection, the property owners must, at their own expense, have the plumbing inspected for cross-connections by a certified cross-connection control inspector/surveyor who is a state certified plumber. The frequency of required inspections and re-inspections, based on potential health hazards involved, may be shortened by the utility.

(Ord. 2670, passed - -)

§ 53.141 RIGHT OF ENTRY.

Upon presentation of credentials, representatives of the utility shall have the right to request entry at any reasonable time to examine any property served by a connection to the public potable water system of the utility for cross-connections. If entry is refused, such representatives shall obtain a special inspection warrant. The utility shall charge the property owner a fee to be determined by the City Council per day for refusal to allow entry to examine any property. Upon request, the owner, lessee, or occupant of any property so served shall furnish to the inspection agency any pertinent information regarding the piping system on such property.

(Ord. 2670, passed - -)

§ 53.142 AUTHORITY TO DISCONTINUE SERVICE.

The Utility is hereby authorized and directed to discontinue water service to any property wherein any connection in violation of this section exists and to take such other precautionary measures deemed necessary to eliminate any damage of contamination of the potable water system. Water service shall be discontinued if the means of backflow prevention required by the utility is not installed, tested, maintained, and repaired in compliance with this subchapter, Department of Public Utilities and the *Utilities Cross Connection Control Manual*, or if it is found that the means of backflow prevention required by this subchapter has been removed or bypassed. Water service shall be discontinued only after reasonable notice and opportunity for hearing except as provided in § 53.144.

(Ord. 2670, passed - -)

§ 53.143 RECONNECTION OF SERVICE.

Water service to any property discontinued under the provisions of this subchapter shall not be restored until the cross-connection has been eliminated or a backflow prevention means approved by the Utility has been installed in compliance with the provisions of this section.

(Ord. 2670, passed - -) Penalty, see § 53.999

§ 53.144 EMERGENCY DISCONTINUANCE OF SERVICE.

If it is determined by the utility that a cross-connection or an emergency endangers public health, safety, or welfare and requires immediate action, service may be immediately discontinued. The owner, lessee, or occupant shall have an opportunity for a hearing within ten days of such emergency discontinuance. Such hearing shall be before the City Water Department and shall conform to all existing due process requirements.

(Ord. 2670, passed - -)

§ 53.145 ADDITIONAL PROTECTION.

In the case of premises having a:

- (A) Internal cross-connections that cannot be permanently corrected or controlled;
- (B) Intricate plumbing and piping arrangements or where entry to all portions of the premises is not readily accessible for inspection purposes, making it impracticable or impossible to ascertain whether or not dangerous cross-connections exist, the public water system shall be protected against backflow from the premises by installing an approved backflow preventer in the service line. In the case of any premises where there is any material dangerous to health that is handled in such a manner that, in the opinion of the utility, could create an actual or potential hazard to the public water system, an approved air-gap separation or an approved reduced-pressure principle assembly shall protect the public water system. Examples of premises where these conditions will exist include sewage treatment plants, hospitals, mortuaries, plating plants, and car wash establishments. In the case of any premises where, in the opinion of the utility, an undue health threat is posed because of the presence of toxic substances, the utility may require an approved air gap or reduced pressure principle assembly at the service connection to protect the public water system. This requirement will be at the discretion of the utility.

(Ord. 2670, passed - -)

§ 53.146 PUBLIC WATER SUPPLIES.

This section does not supersede the State of Minnesota Water Supplies Code, but is supplementary to it.

(Ord. 2670, passed - -)

§ 53.147 PLUMBING CODE.

This section does not supersede the State of Minnesota Chapter 4715, but is supplementary to it.

(Ord. 2670, passed - -)

§ 53.999 PENALTY.

(A) Any person violating any provision of this chapter for which no specific penalty is prescribed shall be subject to § 10.99.

(B) Any person who violates or fails to comply with any of the provisions of §§ 53.020 through 53.029 shall be guilty of a misdemeanor and, upon conviction, subject to misdemeanor penalties. Each day that the violation is permitted to exist shall constitute a separate offense.

(Prior Code, § 23-17)

(C) Any person violating any provisions of § 53.041 shall be guilty of a misdemeanor and, upon conviction, subject to misdemeanor penalties. Each day of each violation shall be deemed a separate offense. Any person violating any of the provisions of § 53.041 shall become liable to the city for any expense, loss or damage occasioned the city by reason of the violation.

(Prior Code, § 23-19)

(D) (1) Any person found to be violating any provision of §§ 53.055 through 53.068, except § 53.067, shall be served by the city with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in the notice, permanently cease all violations. The city may revoke any permit for sewage disposal as a result of any violation of any provision of §§ 53.055 through 53.068.

(2) Any person who shall continue any violation beyond the time limit provided for in division (D)(1) above shall be guilty of a misdemeanor and shall be subject to the maximum penalties provided by the law

for a misdemeanor conviction.

(3) Any person violating any of the provisions of §§ 53.055 through 53.068 shall be liable to the city for any and all damages caused by the violation.

(Prior Code, § 23-20)

(E) Any person violating any provisions of §§ 53.080 through 53.090 shall be guilty of a misdemeanor offense and, upon conviction, be subject to misdemeanor penalties.

(Prior Code, § 23-58)

(Ord. 538, passed - -; Ord. 554, passed - -; Res. 623, passed - -; Ord. 759, passed - -)

CHAPTER 54: ELECTRICITY AND NATURAL GAS FRANCHISE

Section

Rates and Charges for Electrical Service

- 54.01 Rates and regulations; Council to establish
- 54.02 Payment; failure to pay
- 54.03 To become lien on land
- 54.04 Deposits; billing; notice required for certain service
- 54.05 Return of deposit upon termination of service and payment of bill
- 54.06 Service fee may be charged upon change in ownership, possession of premises or disconnection
- 54.07 Rolling average budget plan
- 54.08 Estimated electric meter reading charges
- 54.09 Test meter charges and regulations established
- 54.10 Protection of electrical facilities
- 54.11 Load management controllers

Franchise Granted to Peoples Natural Gas

- 54.25 Franchise granted
- 54.26 Term
- 54.27 Governing rules and regulations
- 54.28 Construction
- 54.29 Maintenance
- 54.30 Extension of company facilities
- 54.31 Relocation of company facilities
- 54.32 Confidential information
- 54.33 Force majeure
- 54.34 Hold harmless
- 54.35 Notices

- 54.99 Penalty

Cross-reference:

Fire protection generally, see Ch. 91 of this Code

Interference with transmission lines by trees, see § 93.10

Water and sewers generally, see Ch. 53 of this Code

Statutory reference:

Electricity and electricians generally, see M.S. §§ 326.241 to 326.248

For state law as to authority of city to regulate construction of buildings, see M.S. § 412.221(28)

Public utilities generally, see M.S. §§ 412.321 to 412.391

RATES AND CHARGES FOR ELECTRICAL SERVICES

§ 54.01 RATES AND REGULATIONS; COUNCIL TO ESTABLISH.

The City Council shall set the rates and the time of payment for electrical service from time to time. The City Council may also establish regulations by resolution concerning the use, availability, furnishing of electrical energy in the city and fees in conjunction therewith. By reference see Ch. 50, Public Works Generally, as amended by Ordinance 682, passed 2-17-1993 and Ordinance 684, passed 5-19-1993, §§

50.04(B) and (C).

(Prior Code, § 7-16) (Ord. 439, passed 8-29-1967; Ord. 684, passed 5-19-1993)

§ 54.02 PAYMENT; FAILURE TO PAY.

The user of electrical energy furnished and provided by the city shall be liable and responsible for the payment of all charges and rates in connection with such use, and upon default of payment of such charges and rates within the time permitted, the city shall have the right and is hereby granted the right to discontinue furnishing electrical energy to such user, and when such electrical energy is discontinued, no person shall thereafter reestablish such connection without authorization from the city, nor until the service fee established by § 54.06 is paid and payment in full of the overdue electrical bill has been received by the city. (Prior Code, § 7-18) (Ord. 439, passed 8-29-1967; Ord. 515, passed - -; Ord. 624, passed - -)

§ 54.03 TO BECOME LIEN ON LAND.

In the event the user or users of such electrical energy fail to pay for such electrical energy when due and payable, the delinquent account shall be certified to the county auditor and levied against the lands in question and assessed against such land or lands in the form of taxes.

(Prior Code, § 7-19) (Ord. 439, passed 8-29-1967)

§ 54.04 DEPOSITS; BILLING; NOTICE REQUIRED FOR CERTAIN SERVICE.

(A) Deposits shall be made in the city office by all customers who are not bona fide owners of premises occupied at a rate set annually by resolution of the City Council.

(B) Bills shall be mailed on the first day of the month. Penalties shall be attached after the fifteenth of the month without special notice. Service shall be disconnected if bills are not paid by the twenty-fifth of the month. A service fee will be made in accordance with § 54.06.

(C) Prior notice must be given for:

(1) New three phase service.

(2) Single phase service for 200 amperes or more.

(3) Electricians, developers or contractors to furnish meter socket in accordance with recommended list provided by Kasson Public Utilities, a copy of which is available at the City Administrator's office and at the office of the utilities superintendent.

(Prior Code, § 7-20) (Ord. 439, passed 8-29-1967; Ord. 515, passed - -; Ord. 640, passed - -; Ord. 653, passed - -; Ord. 762, passed - -)

§ 54.05 RETURN OF DEPOSIT UPON TERMINATION OF SERVICE AND PAYMENT OF BILL.

All customer deposits as required by this subchapter shall be subject to the following:

(A) Upon termination of service with all bills paid, the deposit shall be returned to the customer within 45 days, less than deductions made in accordance with division (C).

(B) Interest shall be paid on deposits in excess of \$20 at the rate of 6% per year. The city may, at its option, pay the interest at intervals it chooses but at least annually, by direct payment, or as a credit on bills.

(C) At the time the deposit is made, the city shall furnish the customer with a written receipt specifying the conditions, if any, upon which the deposit will be diminished upon return.

(D) Advance payments or prepayments shall not be construed as being a deposit.

(Prior Code, § 7-21) (Res. 169, passed - -)

§ 54.06 SERVICE FEE MAY BE CHARGED UPON CHANGE IN OWNERSHIP, POSSESSION OF PREMISES, OR DISCONNECTION.

When there is a change in ownership, possession of residential or commercial property or disconnection, and unless arrangements are made in advance with the City Administrator's office, the City shall have the option of terminating electrical service to such property and of charging a service fee for the reinstatement of such services:

(A) Service fee for reinstatement of electrical services during city business hours, 7:00 a.m. to 3:30 p.m., Monday through Friday, at a rate set by the City Council.

(B) No services shall be reinstated from 3:30 p.m. to 7:00 a.m. and no services shall be reinstated on weekends or holidays.

(Prior Code, § 7-22) (Ord. 515, passed - -; Ord. 623, passed - -; Ord. 762, passed - -)

§ 54.07 ROLLING AVERAGE BILLING PLAN.

A budget billing plan is hereby established for city public utilities customers who request the plan, subject to the following rules and regulations:

(A) All current billing charges must be paid in full to be eligible for the plan.

(B) Enrollment shall be subsequent to the next billing cycle.

(C) Billing is based on an average usage for the previous 13 months and amounts due will vary slightly with each billing.

(D) If budget plan accounts are delinquent two times in a calendar year, they will be removed from the plan, and must establish a good payment record for one year before being eligible for the plan again.

(E) The due date for budget plan accounts shall be the same as that established for regular monthly billing customers.

(Prior Code, § 7-23) (Res. 912, passed - -)

§ 54.08 ESTIMATED ELECTRIC METER READING CHARGES.

After two consecutive meter reading estimates by the billing department on any one utility customer account, a fee at a rate set annually by the City Council shall be charged. A fee at a rate set annually by the City Council shall be charged for each every following consecutive estimated meter reading. Customers wishing to avoid the estimate charge must call in the meter reading when a request tag is left by the meter reader.

(Prior Code, § 7-24) (Ord. 650, passed - -; Ord. 762, passed - -)

§ 54.09 TEST METER CHARGES AND REGULATIONS ESTABLISHED.

A fee at a rate set annually by the City Council, paid in advance, at the public utility office shall be charged to the user or users of electrical energy requesting installation of a test meter for the purpose of evaluating accuracy of an in-place meter. Accuracy shall be determined within a 5% range or actual KWH's metered by the test meter. Kasson public utilities shall replace the in-place meter should there be a variance of over five KWH low or high from actual KWH's as calibrated by the test meter.

(Prior Code, § 7-25) (Res. 1382A, passed - -; Ord. 762, passed - -)

§ 54.10 PROTECTION OF ELECTRICAL FACILITIES.

The customer shall use reasonable diligence to protect the facilities of Kasson public utilities used on the customer's premises, and to prevent tampering or interference with such facilities. Kasson public utilities may disconnect service in cases where the electrical meter and/or wiring on the customer's premises have been tampered with or energy is unmetered. In cases of such unauthorized use of service, the Kasson public utilities will continue service only after the customer has agreed to pay for the unmetered energy used, pay all costs of discovery and investigation, and make provisions and pay charges for metering charges as may be required by Kasson public utilities. Failure to enter into and to comply with such an agreement shall be cause to discontinue service.

(Prior Code, § 7-26) (Ord. 749, passed - -)

§ 54.11 LOAD MANAGEMENT CONTROLLERS.

The Kasson Electric Utility shall require load management controllers on new houses permitted after January 1, 2014 with central air conditioner units; and, on replacement central air conditioner units permitted after January 1, 2014. Conservation Improvement Program incentives shall be available to all houses utilizing load management controllers on central air conditioner units.

(Ord. 858, passed 1-13-2016)

FRANCHISE GRANTED TO PEOPLES NATURAL GAS

§ 54.25 FRANCHISE GRANTED.

The City of Kasson, Minnesota (hereinafter referred to as "grantor"), hereby grants a nonexclusive franchise to Peoples Natural Gas, a division of UtiliCorp United Inc., a Delaware corporation (hereinafter called "grantee"), its lessees, successors and assigns. This repeals the franchise previously granted by Ordinance No. 492. Grantee is hereby granted the right, privilege, franchise, permission, and authority to construct, maintain, operate and extend in the present and future streets, alleys, avenues, bridges, public rights-of-way and public places as are now within the present or future limits of said grantor, a natural gas distribution system for the purpose of supplying natural gas or processed gas for all purposes to the inhabitants of said grantor and consumers in the vicinity thereof, and for the distribution of natural gas from or through said grantor to points beyond the limits thereof. Grantor further grants grantee the right, permission and authority to lay, install, maintain, and operate over, across and along all of the streets, avenues, alleys, bridges, public rights-of-way and public places of grantor all mains, services, pipes, conduits, and appliances necessary or convenient for transmitting, transporting, distributing, and supplying natural gas for all purposes for which it may be used, and to do all other things necessary and proper in providing natural gas service to the inhabitants of grantor and in carrying on such business.

(Prior Code, § 7-28) (Ord. 781, passed - -)

§ 54.26 TERM.

The rights and privileges granted by this subchapter shall remain in effect for a period of 25 years from the effective date of this subchapter.

(Prior Code, § 7-29) (Ord. 781, passed - -)

§ 54.27 GOVERNING RULES AND REGULATIONS.

This subchapter is granted subject to all conditions, limitations, and immunities now provided for, or as hereafter amended, and applicable to the operations of a public utility, by the laws of the State of Minnesota. The rates to be charged by grantee for service within the present or future corporate limits of grantor and the rules and regulations regarding the character, quality and standards of service to be furnished by grantee shall be under the jurisdiction and control of such regulatory body or bodies as may, from time to time, be vested by law with authority and jurisdiction over the rates, regulations and quality and standards of service to be supplied by grantee. Provided, however, should any judicial, regulatory or legislative body, having proper jurisdiction, take any action that precludes grantee from recovering from its customers any cost associated with services provided hereunder, then grantee and grantor shall renegotiate the terms of this subchapter in accordance with the action taken, so as to allow grantee to be made whole economically. In determining the rights and duties of the grantee, the terms of this franchise subchapter shall take precedence over any conflicting terms or requirements contained in any other article enacted by the grantor

(Prior Code, § 7-30) (Ord. 781, passed - -)

§ 54.28 CONSTRUCTION.

Any pavements, sidewalks or curbing taken up and any and all excavations made shall be done in such a manner as to cause only such inconvenience to the inhabitants of grantor and to the general public as is reasonably necessary; and repairs and replacements shall be made promptly by grantee; leaving such properties in as good condition as existed immediately prior to excavation.

(Prior Code, § 7-31) (Ord. 781, passed - -)

§ 54.29 MAINTENANCE.

Grantee agrees that for the term of this grant, it will use its best efforts to maintain facilities and equipment sufficient to meet the current and future energy requirements of grantor, its inhabitants and industries. While maintaining its facilities and equipment, grantee shall obtain permits as required by ordinance, except that in emergency situations, grantee shall take immediate unilateral actions as it determines are necessary to protect the public health, safety, and welfare; in which case, grantee shall notify grantor as soon as reasonably possible.

(Prior Code, § 7-32) (Ord. 781, passed - -)

§ 54.30 EXTENSION OF COMPANY FACILITIES.

Upon receipt and acceptance of a valid application for service, grantee shall, subject to its own economic feasibility criteria, make reasonable extensions of its distribution facilities to serve customers located within the current or future corporate limits of grantor. No obligation shall extend to, or be binding upon, grantee to extend its facilities if grantee is, for any reason, unable to obtain and deliver an adequate energy supply.

(Prior Code, § 7-33) (Ord. 781, passed - -)

§ 54.31 RELOCATION OF COMPANY FACILITIES.

If grantor elects to change the grade of or otherwise alter any street, alley, avenue, bridge, public right-of-way or public place for a public purpose, grantee, upon reasonable notice from grantor, shall remove and relocate its facilities or equipment situated in the public rights-of-way, if such removal is necessary to prevent interference and not merely for the convenience of the grantor, at the cost and expense of grantee. If grantor orders or requests grantee to relocate its facilities or equipment primarily for non-public purposes or the primary benefit of a commercial or private project, or as a result of the initial request of a commercial or private developer or other nonpublic entity, and such removal is necessary to prevent interference and not merely for the convenience of the grantor or other right-of-way user, grantee shall receive reimbursement for the cost of such relocation as a precondition to relocating its facilities or equipment. Grantor shall consider reasonable alternatives in designing its public works projects so as not arbitrarily to cause grantee unreasonable additional expense in exercising its authority under this section. Grantor shall also provide a reasonable alternative location for grantee's facilities.

(Prior Code, § 7-34) (Ord. 781, passed - -)

§ 54.32 CONFIDENTIAL INFORMATION.

Grantor acknowledges that certain information it might request pursuant to this franchise may be of a proprietary and confidential nature. If grantee requests that any information provided by grantee to grantor be kept confidential due to such proprietary or commercial value, grantor and its employees, agents, and representatives shall maintain the confidentiality of that information. If grantor is requested or required by legal or administrative process to disclose any such confidential information, grantor shall promptly notify grantee of such request or requirement so that grantee may seek an appropriate protective order or other relief. Grantor shall use all reasonable efforts to ensure that the confidentiality of grantee's confidential information is maintained.

(Prior Code, § 7-35) (Ord. 781, passed - -)

§ 54.33 FORCE MAJEURE.

It shall not be a breach or default under this franchise if either party fails to perform its obligations hereunder due to force majeure. Force majeure shall include, but not be limited to, the following: (1) physical events such as acts of God, landslides, lightning, earthquakes, fires, freezing, storms, floods, washouts, explosions, breakage or accident or necessity of repairs to machinery, equipment or distribution or transmission lines; (2) acts of others such as strikes, work-force stoppages, riots, sabotage, insurrections or wars; (3) governmental actions such as necessity for compliance with any court order, law, statute, ordinance, executive order, or regulation promulgated by a governmental authority having jurisdiction; and any other causes, whether of the kind herein enumerated or otherwise not reasonably within the control of the affected party to prevent or overcome. Each party shall make reasonable efforts to avoid force majeure and to resolve such event as promptly as reasonably possible once it occurs in order to resume performance; provided, however, that this provision shall not obligate a party to settle any labor strike.

(Prior Code, § 7-36) (Ord. 781, passed - -)

§ 54.34 HOLD HARMLESS.

Grantee, during the term of this subchapter, agrees to save harmless grantor from and against all claims, demands, losses and expenses arising directly out of the negligence of grantee, its employees or agents, in the constructing, operating, and maintaining of distribution and transmission facilities or appliances of grantee; provided, however, that grantee need not save harmless grantor from claims, demands, losses and expenses arising out of the negligence of grantor, its employees or agents.

(Prior Code, § 7-37) (Ord. 781, passed - -)

§ 54.35 NOTICES.

Any notices required to be given hereunder shall be sent to the following:

(A) If to grantee: Vice President, Customer Operations, UtiliCorp United Inc., 20 W. Ninth Street, Kansas City, Missouri 64105.

(B) If to grantor: City Administrator, 401 Fifth Street SE, Kasson, Minnesota 55944-2204.

(Prior Code, § 7-38)

§ 54.99 PENALTY.

(A) Any person who violates any provision of this chapter for which no penalty is set out shall be subject to § 10.99.

(B) Any person who violates §§ 54.01 to 54.10 above is guilty of a misdemeanor.

(Prior Code, § 7-27) (Ord. 749, passed - -)

CHAPTER 55: PUBLIC RIGHTS-OF-WAY

Section

Right-of-Way Management

- 55.01 Election to manage the public rights-of-way
- 55.02 Definitions
- 55.03 Permit requirement
- 55.04 Permit applications
- 55.05 Issuance of permits; conditions
- 55.06 Permit fees
- 55.07 Right-of-way patching and restoration
- 55.08 Supplementary applications
- 55.09 Denial of permit
- 55.10 Installation requirements

- 55.11 Inspection
- 55.12 Work done without a permit
- 55.13 Supplementary notification
- 55.14 Revocation of permits
- 55.15 Mapping data
- 55.16 Location facilities
- 55.17 Pre-excavation facilities location
- 55.18 Damage to other facilities
- 55.19 Right-of-way vacation
- 55.20 Indemnification and liability
- 55.21 Abandoned and unusable facilities
- 55.22 Appeal
- 55.23 Reservation of regulatory and police powers

RIGHT-OF-WAY MANAGEMENT

§ 55.01 ELECTION TO MANAGE THE PUBLIC RIGHTS-OF-WAY.

Pursuant to the authority granted to the city under state and federal statutory, administrative and common law, the city hereby elects, pursuant M.S. § 237.163 subd. 2(b), to manage rights-of-way within its jurisdiction.

(Ord. 870, passed 11-22-2017)

§ 55.02 DEFINITIONS.

The definitions included in M.S. § 237.162, Minnesota Rules 7810.0100, subps. 1 through 25 are hereby adopted by reference and are incorporated into this chapter as if set out in full.

(Ord. 870, passed 11-22-2017)

§ 55.03 PERMIT REQUIREMENT.

(A) *Permit required.* Except as otherwise provided in this subchapter, no person may obstruct or excavate any right-of-way without first having obtained the appropriate right-of-way permit from the city to do so.

(1) *Excavation permit.* An excavation permit is required to excavate that part of the right-of-way described in such permit and to hinder free and open passage over the specified portion of the right-of-way by placing facilities described therein, to the extent and for the duration specified therein.

(2) *Obstruction permit.* An obstruction permit is required to hinder free and open passage over the specified portion of right-of-way by placing equipment described therein on the right-of-way, to the extent and for the duration specified therein. An obstruction permit is not required if a person already possesses a valid excavation permit for the same project.

(B) *Permit extensions.* No person may excavate or obstruct the right-of-way beyond the date or dates specified in the permit unless (i) such person makes a supplementary application for another right-of-way permit before the expiration of the initial permit, and (ii) a new permit or permit extension is granted.

(C) *Delay penalty.* In accordance with Minnesota Rule 7819.1000, subp. 3 and notwithstanding division (B) of this section, the city shall establish and impose a delay penalty for unreasonable delays in right-of-way excavation, obstruction, patching, or restoration. The delay penalty shall be established from time to time by City Council resolution.

(D) *Permit display.* Permits issued under this chapter shall be conspicuously displayed or otherwise available at all times at the indicated work site and shall be available for inspection by the city.

(Ord. 870, passed 11-22-2017)

§ 55.04 PERMIT APPLICATIONS.

Application for a permit is made to the city. Right-of-way permit applications shall contain, and will be considered complete only upon compliance with, the requirements of the following provisions:

(A) Submission of a completed permit application form, including all required attachments, and scaled drawings showing the location and area of the proposed project and the location of all known existing and proposed facilities, and the following information:

(1) Each permittee's name, Gopher One-Call registration certificate number, address and email address, if applicable, and telephone and facsimile numbers.

(2) The name, address and email address, if applicable, and telephone and facsimile numbers of a local representative. The local representative or designee shall be available at all times.

(3) A certificate of insurance of self-insurance:

(a) Verifying that an insurance policy has been issued to the permittee by an insurance company licensed to do business in the State of Minnesota, or a form of self-insurance acceptable to the city.

(b) Verifying that the permittee is insured against claims for personal injury, including death, as well as claims for property damage arising out of the:

1. Use and occupancy of the right-of-way by the permittee, its officers, agents, employees and permittees; and

2. Placement and use of facilities and equipment in the right-of-way by the permittee, its officers, agents, employees and permittees, including, but not limited to, protection against liability arising from completed operations, damage of underground facilities and collapse of property;

(c) Naming the city as an additional insured as to whom the coverages required herein are in force and applicable and for whom defense will be provided as to all such coverages;

(d) Requiring that the city be notified 30 days in advance of cancelation of the policy or material modification of a coverage term;

(e) Indicating comprehensive liability coverage, automobile liability coverage, workers compensation and umbrella coverage established by the city in amounts sufficient to protect the city and the public and to carry out the purposes and policies of this chapter.

(f) The city may require a copy of the actual insurance policies.

(g) A copy of the person's order granting a certificate of authority from the Minnesota Public Utilities Commission or other applicable state or federal agency, where the person is lawfully required to have such certificate from said commission or other state or federal agency.

(B) Payment of money due the city for:

(1) Permit fees, estimated restoration costs and other management costs;

(2) Prior obstructions or excavations;

(3) Any undisputed loss, damage, or expense suffered by the city because of applicant's prior excavations or obstructions of the rights-of-way or any emergency actions taken by the city;

(4) Franchise fees or other charges, if applicable.

(Ord. 870, passed 11-22-2017)

§ 55.05 ISSUANCE OF PERMIT; CONDITIONS.

(A) *Permit issuance.* If the applicant has satisfied the requirements of this chapter, the city shall issue a permit.

(B) *Conditions.* The city may impose reasonable conditions upon the issuance of the permit and the performance of the applicant thereunder to protect the health, safety and welfare or when necessary to protect the right-of-way and its current use. In addition, a permittee shall comply with all requirements of local, state and federal laws, including but not limited to M.S. §§ 216D.01 - .09 (Gopher One Call Excavation Notice System) and Minnesota Rules Chapter 7560.

(C) *Trenchless excavation.* As a condition of all applicable permits, permittees employing trenchless excavation methods, including but not limited to Horizontal Directional Drilling, shall follow all requirements set forth in Minnesota Statutes, Chapter 216D and Minnesota Rules Chapter 7560, and shall require potholing or open cutting over existing underground utilities before excavating as determined by the city.

(Ord. 870, passed 11-22-2017)

§ 55.06 PERMIT FEES.

The city shall establish permit fees in an amount sufficient to recover public expense and/or development fees in connection with the consideration of the application.

(A) *Excavation permit fee.* The city shall establish an Excavation permit fee in an amount sufficient to recover the following costs:

(1) The city management costs;

(2) Degradation costs, if applicable.

(B) *Obstruction permit fee.* The city shall establish the obstruction permit fee and shall be in an amount sufficient to recover the city management costs.

(C) *Payment of permit fees.* No excavation permit or obstruction permit shall be issued without payment of excavation or obstruction permit fees. The city may allow applicant to pay such fees within 30 days of billing.

(D) *Nonrefundable.* Permit fees that were paid for a permit that the city has revoked for a breach as stated

in § 55.14 are not refundable.

(E) *Application to franchises.* Unless otherwise agreed to in a franchise, management costs may be charged separately from and in addition to the franchise fees imposed on a right-of-way user in the franchise. (Ord. 870, passed 11-22-2017)

§ 55.07 RIGHT-OF-WAY PATCHING AND RESTORATION.

(A) *Timing.* The work to be done under the excavation permit, and the patching and restoration of the right-of-way as required herein, must be completed within the dates specified in the permit, increased by as many days as work could not be done because of circumstances beyond the control of the permittee or when work was prohibited as unseasonal or unreasonable.

(B) *Patch and restoration.* Permittee shall patch its own work. The city may choose either to have the permittee restore the right-of-way or to restore the right-of-way itself.

(1) *City restoration.* If the city restores the right-of-way, permittee shall pay the costs thereof within 30 days of billing. If, following such restoration, the pavement settles due to permittee's improper backfilling, the permittee shall pay to the city, within 30 days of billing, all costs associated with correcting the defective work.

(2) *Permittee restoration.* If the permittee restores the right-of-way itself, it shall at the time of application for an excavation permit post a construction performance bond in accordance with the provisions of Minnesota Rule 7819.3000.

(3) *Degradation fee in lieu of restoration.* In lieu of right-of-way restoration, a right-of-way user may elect to pay a degradation fee. However, the right-of-way user shall remain responsible for patching and the degradation fee shall not include the cost to accomplish these responsibilities.

(C) *Standards.* The permittee shall perform excavation, backfilling, patching and restoration according to the standards and with the materials specified by the city and shall comply with Minnesota Rule 7819.1100.

(D) *Duty to correct defects.* The permittee shall correct defects in patching or restoration performed by permittee or its agents. The permittee upon notification from the city, shall correct all restoration work to the extent necessary, using the method required by the city. Said work shall be completed within five calendar days of the receipt of the notice from the city, not including days during which work cannot be done because of circumstances constituting force majeure or days when work is prohibited as unseasonable or unreasonable.

(E) *Failure to restore.* If the permittee fails to restore the right-of-way in the manner and to the condition required by the city, or fails to satisfactorily and timely complete all restoration required by the city, the city at its option may do such work. In that event the permittee shall pay to the city, within 30 days of billing, the cost of restoring the right-of-way. If permittee fails to pay as required, the city may exercise its rights under the construction performance bond.

(Ord. 870, passed 11-22-2017)

§ 55.08 SUPPLEMENTARY APPLICATIONS.

(A) *Limitation on area.* A right-of-way permit is valid only for the area of the right-of-way specified in the permit. No permittee may do any work outside the area specified in the permit, except as provided herein. Any permittee which determines that an area greater than that specified in the permit must be obstructed or excavated must, before working in that greater area:

(1) Make application for a permit extension and pay any additional fees required thereby; and

(2) Be granted a new permit or permit extension.

(B) *Limitation on dates.* A right-of-way permit is valid only for the dates specified in the permit. No permittee may begin its work before the permit start date or, except as provided herein, continue working after the end date. If a permittee does not finish the work by the permit end date, it must apply for a new permit for the additional time it needs, and receive the new permit or an extension of the old permit before working after the end date of the previous permit. This supplementary application must be submitted before the permit end date.

(Ord. 870, passed 11-22-2017)

§ 55.09 DENIAL OF PERMIT.

The city may deny a permit for failure to meet the requirements and conditions of this chapter or if the city determines that the denial is necessary to protect the health, safety, and welfare or when necessary to protect the right-of-way and its current use.

(Ord. 870, passed 11-22-2017)

§ 55.10 INSTALLATION REQUIREMENTS.

The excavation, backfilling, patching and restoration, and all other work performed in the right-of-way shall be done in conformance with Minnesota Rules 7819.1100 and 7819.5000 and other applicable local requirements, in so far as they are not inconsistent with the M.S. §§ 237.162 and 237.163. Installation of service laterals shall be performed in accordance with Minnesota Rules Chapter 7560 and these ordinances. Service lateral installation is further subject to those requirements and conditions set forth by the city in the applicable permits and/or agreements referenced in § 55.03(B).

(Ord. 870, passed 11-22-2017)

§ 55.11 INSPECTION.

(A) *Notice of completion.* When the work under any permit hereunder is completed, the permittee shall furnish a completion certificate in accordance Minnesota Rule 7819.1300.

(B) *Site inspection.* Permittee shall make the work-site available to the city and to all others as authorized by law for inspection at all reasonable times during the execution of and upon completion of the work.

(C) *Authority of Director.*

(1) At the time of inspection, the director may order the immediate cessation of any work which poses a serious threat to the life, health, safety or well-being of the public.

(2) The director may issue an order to the permittee for any work that does not conform to the terms of the permit or other applicable standards, conditions, or codes. The order shall state that failure to correct the violation will be cause for revocation of the permit. Within ten days after issuance of the order, the permittee shall present proof to the director that the violation has been corrected. If such proof has not been presented within the required time, the director may revoke the permit pursuant to § 55.23.

(Ord. 870, passed 11-22-2017)

§ 55.12 WORK DONE WITHOUT A PERMIT.

(A) *Emergency situations.* Each registrant shall immediately notify the director of any event regarding its facilities that it considers to be an emergency. The owner of the facilities may proceed to take whatever actions are necessary to respond to the emergency. Excavators' notification to Gopher State One Call regarding an emergency situation does not fulfill this requirement. Within two business days after the occurrence of the emergency, the owner shall apply for the necessary permits, pay the fees associated therewith, and fulfill the rest of the requirements necessary to bring itself into compliance with this chapter for the actions it took in response to the emergency. If the city becomes aware of an emergency regarding facilities, the city will attempt to contact the local representative of each facility owner affected, or potentially affected, by the emergency. In any event, the city may take whatever action it deems necessary to respond to the emergency, the cost of which shall be borne by the person whose facilities occasioned the emergency.

(B) *Non-emergency situations.* Except in an emergency, any person who, without first having obtained the necessary permit, obstructs or excavates a right-of-way must subsequently obtain a permit and, as a penalty, pay double the normal fee for said permit, pay double all the other fees required by the city code, deposit with the city the fees necessary to correct any damage to the right-of-way, and comply with all of the requirements of this chapter.

(Ord. 870, passed 11-22-2017)

§ 55.13 SUPPLEMENTARY NOTIFICATION.

If the obstruction or excavation of the right-of-way begins later or ends sooner than the date given on the permit, permittee shall notify the city of the accurate information as soon as this information is known.

(Ord. 870, passed 11-22-2017)

§ 55.14 REVOCATION OF PERMITS.

(A) *Substantial breach.* The city reserves its right, as provided herein, to revoke any right-of-way permit without a fee refund, if there is a substantial breach of the terms and conditions of any statute, ordinance, rule or regulation, or any material condition of the permit. A substantial breach by permittee shall include, but shall not be limited to, the following:

- (1) The violation of any material provision of the right-of-way permit;
- (2) An evasion or attempt to evade any material provision of the right-of-way permit, or the perpetration or attempt to perpetrate any fraud or deceit upon the city or its citizens;
- (3) Any material misrepresentation of fact in the application for a right-of-way permit;
- (4) The failure to complete the work in a timely manner, unless a permit extension is obtained or unless

the failure to complete work is due to reasons beyond the permittee's control; or

(5) The failure to correct, in a timely manner, work that does not conform to a condition indicated on an order issued pursuant to § 55.11.

(B) *Written notice of breach.* If the city determines that the permittee has committed a substantial breach of a term or condition of any statute, ordinance, rule, regulation or any condition of the permit, the city shall make a written demand upon the permittee to remedy such violation. The demand shall state that continued violations may be cause for revocation of the permit. A substantial breach, as stated above, will allow the city, at its discretion, to place additional or revised conditions on the permit to mitigate and remedy the breach.

(C) *Response to notice of breach.* Within 24 hours of receiving notification of the breach, permittee shall provide the city with a plan, acceptable to the city, which will cure the breach. Permittee's failure to so contact the city, or permittee's failure to timely submit an acceptable plan, or permittee's failure to reasonably implement the approved plan, shall be cause for immediate revocation of the permit. Further, permittee's failure to so contact the city, or permittee's failure to submit an acceptable plan, or permittee's failure to reasonably implement the approved plan, shall automatically place the permittee on probation for one full year.

(D) *Automatic revocation.* If a permittee, while on probation, commits a breach as outlined above, permittee's permit will automatically be revoked and permittee will not be allowed further permits for one full year, except for emergency repairs.

(E) *Reimbursement of city costs.* If a permit is revoked, the permittee shall also reimburse the city for the city's reasonable costs, including restoration costs and the costs of collection and reasonable attorneys' fees incurred in connection with such revocation.

(Ord. 870, passed 11-22-2017)

§ 55.15 MAPPING DATA.

(A) *Information required.* Each registrant and permittee shall provide mapping information required by the city in accordance with Minnesota Rules 7819.4000 and 7819.4100. Within 90 days following completion of any work pursuant to a permit, the permittee shall provide the director accurate maps and drawings certifying the "as-built" location of all equipment installed, owed and maintained by the permittee. Such maps and drawings shall include the horizontal and vertical location of all facilities and equipment and shall be provided consistent with the city's electronic mapping system, when practical or as a condition imposed by the director. Failure to provide maps and drawings pursuant to this division shall be grounds for revoking the permit holder's registration.

(B) *Service laterals.* All permits issued for the installation or repair of service laterals, other than minor repairs as defined in Minnesota Rules 7560.0150 subpart 2, shall require the permittee's use of appropriate means of establishing the horizontal locations of installed service laterals and the service lateral vertical locations in those cases where the director reasonably requires it. Permittees or their subcontractors shall submit to the director evidence satisfactory to the director of the installed service lateral locations. Compliance with this division and with applicable Gopher State One Call law and Minnesota Rules governing service laterals installed after December 31, 2005 shall be a condition of any city approval necessary for:

(1) Payments to contractors working on a public improvement project including those under M.S. Chapter 429; and

(2) City approval under development agreements or other subdivision or site plan approval under M.S. Chapter 462. The city shall reasonably determine the appropriate method of providing such information. Failure to provide prompt and accurate information on the service laterals installed may result in the revocation of the permit issued for the work or future permits to the offending permittee or its subcontractors. (Ord. 870, passed 11-22-2017)

§ 55.16 LOCATION FACILITIES.

(A) Placement, location, and relocation of facilities must comply with the Act, with other applicable law, and with Minnesota Rules 7819.3100, 7819.5000 and 7819.5100, to the extent the rules do not limit authority otherwise available to cities.

(B) (1) *Corridors.* The city may assign a specific area within the right-of-way, or any particular segment thereof as may be necessary, for each type of facilities that is or, pursuant to current technology, the city expects will someday be located within the right-of-way. All excavation, obstruction, or other permits issued

by the city involving the installation or replacement of facilities shall designate the proper corridor for the facilities at issue.

(2) Any registrant who has facilities in the right-of-way in a position at variance with the corridors established by the city shall, no later than at the time of the next reconstruction or excavation of the area where the facilities are located, move the facilities to the assigned position within the right-of-way, unless this requirement is waived by the city for good cause shown, upon consideration of such factors as the remaining economic life of the facilities, public safety, customer service needs and hardship to the registrant.

(C) *Nuisance*. One year after the passage of this chapter, any facilities found in a right-of-way that have not been registered shall be deemed to be a nuisance. The city may exercise any remedies or rights it has at law or in equity, including, but not limited to, abating the nuisance or taking possession of the facilities and restoring the right-of-way to a useable condition.

(D) *Limitation of space*. To protect health, safety, and welfare, or when necessary to protect the right-of-way and its current use, the city shall have the power to prohibit or limit the placement of new or additional facilities within the right-of-way. In making such decisions, the city shall strive to the extent possible to accommodate all existing and potential users of the right-of-way, but shall be guided primarily by considerations of the public interest, the public's needs for the particular utility service, the condition of the right-of-way, the time of year with respect to essential utilities, the protection of existing facilities in the right-of-way, and future city plans for public improvements and development projects which have been determined to be in the public interest.

(Ord. 870, passed 11-22-2017)

§ 55.17 PRE-EXCAVATION FACILITIES LOCATION.

In addition to complying with the requirements of M.S. 216D.01-.09 ("One Call Excavation Notice System") before the start date of any right-of-way excavation, each registrant who has facilities or equipment in the area to be excavated shall mark the horizontal and vertical placement of all said facilities. Any registrant whose facilities are less than 20 inches below a concrete or asphalt surface shall notify and work closely with the excavation contractor to establish the exact location of its facilities and the best procedure for excavation.

(Ord. 870, passed 11-22-2017)

§ 55.18 DAMAGE TO OTHER FACILITIES.

When the city does work in the right-of-way and finds it necessary to maintain, support, or move a registrant's facilities to protect it, the city shall notify the local representative as early as is reasonably possible. The costs associated therewith will be billed to the facility owner and must be paid within 30 days from the date of billing. Each facility owner shall be responsible for the cost of repairing any facilities in the right-of-way which it or its facilities damage. Each facility owner shall be responsible for the cost of repairing any damage to the facilities of another registrant caused during the city's response to an emergency occasioned by that registrant's facilities.

(Ord. 870, passed 11-22-2017)

§ 55.19 RIGHT-OF-WAY VACATION.

Reservation of right. If the city vacates a right-of-way that contains facilities, the facility owner's rights in the vacated right-of-way are governed by Minnesota Rules 7819.3200.

(Ord. 870, passed 11-22-2017)

§ 55.20 INDEMNIFICATION AND LIABILITY.

By applying for and accepting a permit under this chapter, a permittee agrees to defend and indemnify the city in accordance with the provisions of Minnesota Rule 7819.1250.

(Ord. 870, passed 11-22-2017)

§ 55.21 ABANDONED AND UNUSABLE FACILITIES.

(A) *Discontinued operations*. A registrant who has determined to discontinue all or a portion of its operations in the city must provide information satisfactory to the city that the registrant's obligations for its facilities in the right-of-way under this chapter have been lawfully assumed by another registrant.

(B) *Removal*. Any person who has abandoned facilities in any right-of-way shall remove them from that right-of-way if required in conjunction with other right-of-way repair, excavation, or construction, unless this requirement is waived by the city.

(Ord. 870, passed 11-22-2017)

§ 55.22 APPEAL.

A right-of-way user that: (1) has been denied registration; (2) has been denied a permit; (3) has had a permit revoked; (4) believes that the fees imposed are not in conformity with M.S. § 237.163, Subd. 6; or (5) disputes a determination of the city regarding § 55.11 may have the denial, revocation, fee imposition, or decision reviewed, upon written request, by the City Council. The City Council shall act on a timely written request at its next regularly scheduled meeting. A decision by the City Council affirming the denial, revocation, or fee imposition will be in writing and supported by written findings establishing the reasonableness of the decision.

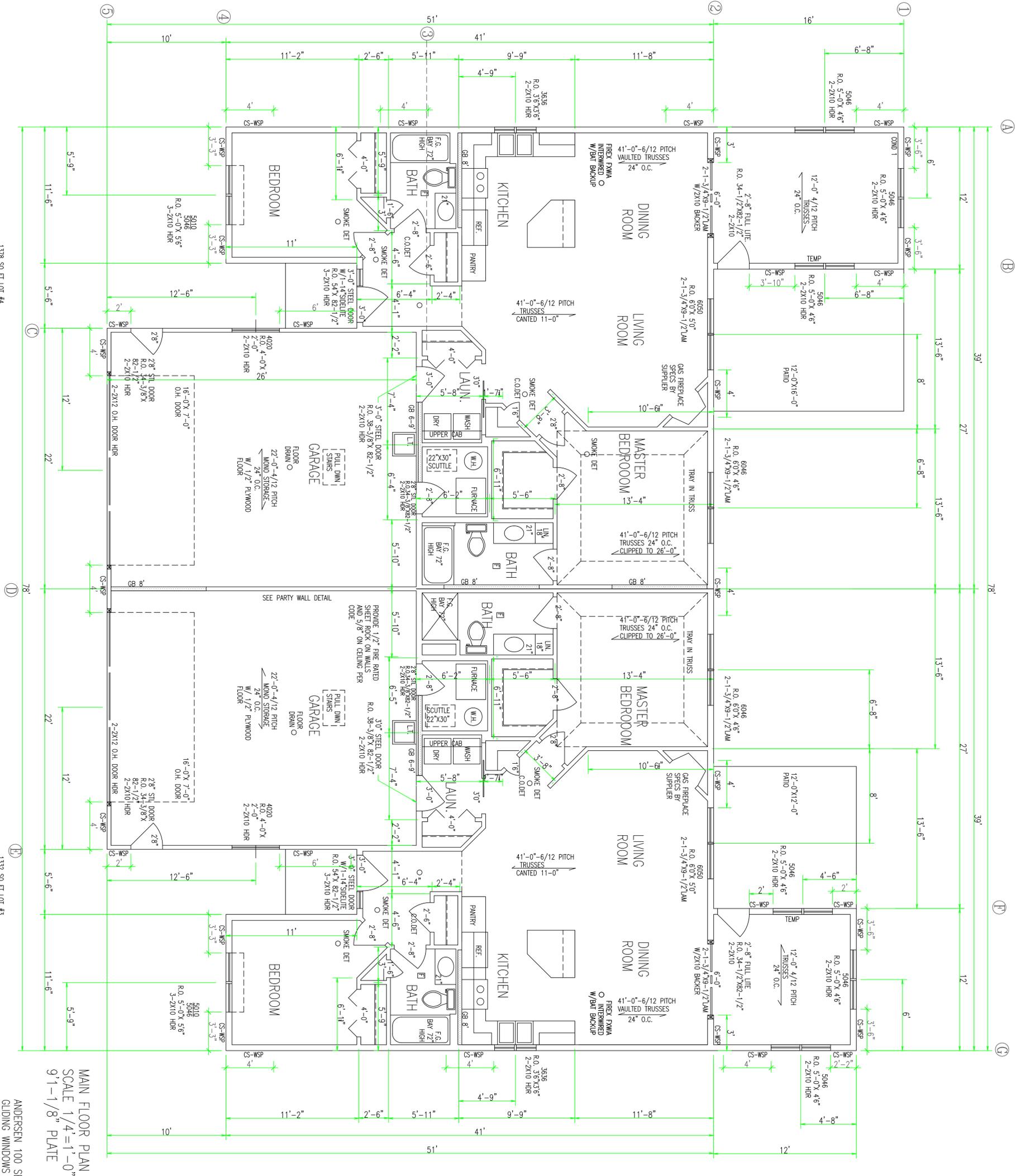
(Ord. 870, passed 11-22-2017)

§ 55.23 RESERVATION OF REGULATORY AND POLICE POWERS.

A permittee's rights are subject to the regulatory and police powers of the city to adopt and enforce general ordinances as necessary to protect the health, safety and welfare of the public.

(Ord. 870, passed 11-22-2017)

NOTE: WDWS WIDER THAN 4'-1" TO HAVE 2-2X6 CRIPPLE



MAIN FLOOR PLAN
SCALE 1/4"=1'-0"
9'1-1/8" PLATE

ANDERSEN 100 SERIES
GLIDING WINDOWS

1378 SQ. FT. LOT #4
CLOSE RESIDENCE

1332 SQ. FT. LOT #3

NO.	5-6-15
DATE	1/3/22
BY	MAIN
SCALE	1/4"
REV.	159150
SHEET	3 OF 3

OWNER:
KASSON WEST SIDE
CLOSE RESIDENCE
LOT# 4 LOT#3

BIGELOW ENTERPRISES INC
706 CO RD 3 NORTH WEST BYRON, Mn. 55920
(507) 275-2280

THESE PLANS ARE INTENDED BY AS A GUIDE FOR BUILDERS WHO ARE KNOWLEDGABLE ABOUT NORMAL CONSTRUCTION STANDARDS AND LOCAL CODES AND PRACTICES. BIGELOW ENTERPRISES, INC. WILL REUSE OTHER PLANS TO CORRECT ANY ERRORS OR OMISSIONS DISCOVERED AND REPORTED TO THE BUILDER BEFORE START OF HIS WORK. ANY ERRORS, OMISSIONS OR IMPROPER CONSTRUCTION THEREAFTER.

- GENERAL NOTES
1. ADD 1/2" TO WINDOW OPENINGS FOR INSULATION
 2. ALL WINDOWS ARE LOW E.
 3. VERIFY WINDOW R.O. WITH XXXXXXXX WINDOW SUPPLIER.
 4. CENTRAL CIRCULATION SYSTEM

2905 South Broadway
Rochester, MN 55904-5515
Phone: 507.288.3923
Fax: 507.288.2675
Email: rochester@whks.com
Website: www.whks.com



February 19, 2020

Mr. Tim Ibisch
City Administrator
City of Kasson
401 5th St. SE
Kasson, MN 55944

RE: Kasson, MN
Bigelow Voigt Eighth
Review of Revised Preliminary Plat (Dated: 02/01/2020)

Dear Tim:

We have reviewed the revised preliminary plat as submitted for the referenced project, as requested. We offer the following comments on the submitted plat.

General Comments

1. The subject property to be platted is Zoned R-1.
2. Figure 4.4 Potential Greenways and figure 6.1 Potential Parks, Trails and Greenways of the City of Kasson Comprehensive Plan both depict a potential greenway/open space and a trail along existing drainage way.
3. The applicant is proposing single family detached and single family attached (zero lot line) uses. The single family attached (zero lot line) use is a conditional use and requires a conditional use permit.
4. A Planned Unit Development is required due to the proposed Private streets.
5. The subject property is located within Flood Zone C (areas of minimal flood hazard).
6. Any existing wetlands shall be depicted on the final plat and construction plan set.
7. Additional comments may follow upon review of the final construction plan set, final plat and drainage plans and report.

Preliminary Plat

1. Any covenants or deed restrictions shall be provided with the final plat submittal.
2. A maintenance agreement for the maintenance of the Private Streets shall be provided with the final plat submittal.
3. Lot widths at the building line shall be provided in the final construction plans.
4. The future trail along the stream (behind Block 3) should be depicted. The grading plan should account for the trail grading. The future trail will be constructed by the City at a later date.
5. Existing adjoining water, sewer and storm shall be depicted, and the sizes shall be clearly labeled.
6. The proposed sanitary sewer system is not shown.
7. The existing ten-foot U.E. along the easterly boundary line of Bigelow Voigt 7 shall be added to the plat.
8. A permanent turnaround shall be provided at the end of 12th Street NW. The proposed hammerhead turnaround does not meet City ordinance. The acceptability of the proposed configuration will be discussed with City staff during final construction plan review.
9. The 100-year design storm shall be contained within Outlot "A" or within a drainage easement.
10. The water service for Wilker runs across the project area. The Developer shall provide an adequate water service for Wilker as part of the project.
11. The wet ponds shall be sized to provide rate control for the 2-year, 10-year and 100-year Atlas 14 design storms for the post development condition to equal or less than pre development conditions for the tributary portions of Bigelow Voigt 7th and Bigelow Voigt 8th. The wet ponds shall also be designed to comply with NPDES permit requirements.
12. On street parking along the Private Streets shall be prohibited due to the proposed 20-foot width.
13. We recommend that a five-foot wide ADA compliant sidewalk be provided along the Private Streets.

Mr. Tim Ibisch
February 19, 2020
Page 3 of 3

We recommend approval of the revised preliminary plat conditional upon the above items being addressed and resubmitted.

Please contact us if you have any questions.

Sincerely,

WHKS & co.



Brandon W. Theobald, P.E.

BWT/bwt

Cc: Charlie Bradford, Public Works Director
Linda Rappe, City Clerk
Melanie Leth, City Attorney
Laura Chamberlain, HKG inc., Consulting Planner
Rich Massey, WSE & Massey Land Surveying and Engineering
Les Conway, WSE & Massey Land Surveying and Engineering
Tony Bigelow, Developer



ATTACHMENT 2

RECOMMENDATIONS FROM PLANNING & ZONING COMMISSION

Conditional Use Permit for PUD

The Planning and Zoning Commission recommends to City Council approval of the Conditional Use Permit for a Planned Unit Development: Preliminary Development Plan and Final Development Plan, with the following conditions:

1. The applicant shall resubmit the drawing labeled on 11/20/2019 as “General Development Plan” with a new label “Planned Unit Development: Preliminary Development Plan and Final Development Plan”; the following conditions shall refer to this drawing as “PUD” **Complete**
2. The PUD shall be drawn at a scale so that the subject site takes up the majority of the drawing page, such as 1 inch = 100 feet **Complete**
3. The following changes shall be made to the PUD drawing
 - a. The PUD shall have a list of lot types and the number of lots **Complete**
 - b. The general location of the trail shall be shown on the PUD **Complete**; the portion shown running along 12th Avenue NW/12th Street should be shown the same width as the rest of the trail; the west lot line for Block 1, Lot 1 should be moved slightly to the east to allow for the trail width to be entirely within Outlot A
 - c. Setback lines shall be added to all residential lots within the PUD **Complete**
 - d. Lot width at the building setback line shall be added to all residential lots within the PUD and will be verified by staff to ensure compliance with the R-1 zoning district **Measurement not added, but staff could determine using drawing scale – all lots meet minimum lot width at the building line for R-1 District**
 - e. The PUD shall show calculations for the shown hardcover (building, driveway, patio) and show that these counts do not exceed 40% per lot **Not provided; but applicant has requested varying from R-1 to allow up to 55% hardcover; applicant should still show that 55% hardcover is not exceeded**
 - f. The PUD shall show the general building pad location on all residential lots **Complete**
 - g. The existing contours of the PUD and the preliminary plat shall be updated to match between the documents as well as both sets labeled clearly **Complete**
4. The following shall be submitted as a supplemental material in addition to the PUD drawing:
 - a. The applicant shall submit general proposed design of buildings for both SFD and SFA housing types; these design diagrams shall show side-views with elevation/building height indicated **Provided for SFA units; side view of SFD not provided**
 - b. The organization proposed to own and maintain Outlot A and any other public or private open space shall be submitted **Notation regarding proposed ownership of Outlot A (city)**

- has not been added; notation stating that no other public or private open space has been added
- c. The organization proposed to own and maintain the private road/Outlot B shall be submitted Notation regarding proposed ownership of Outlots B & C (HOA?) has not been added
 - d. A landscaping plan shall be submitted, in particular showing locations of green space, vegetative plantings, and types of plantings Notation stating that no landscaping for the development is proposed has been added to the PUD document
5. The following shall also apply: On-Going Conditions
- a. Association documents shall be submitted to the City that establishes ownership of common areas, accepts responsibility for the maintenance of those areas, commits the association to professional management and establishes an adequate funding mechanism for that maintenance. Any change in association management must be approved by the Planning and Zoning Commission
 - b. The single-family attached dwellings shall be attached on the side, and only on the side, to another single-family dwelling.
 - c. The applicant shall record all covenant and deed restrictions on all property which will abut the common line. The covenants and deed restrictions shall:
 - i. Provide access for repair and maintenance of common walls, service lines and overhangs;
 - ii. Provide for easements for service lines, common walls, footings and overhangs; and
 - iii. Provide for restrictions to limit changes in color, material and design of the dwelling.

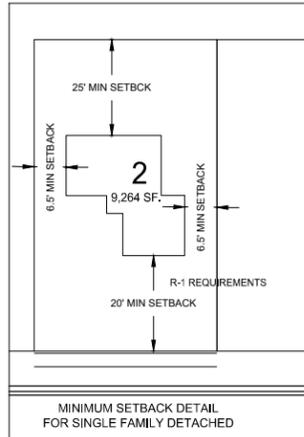
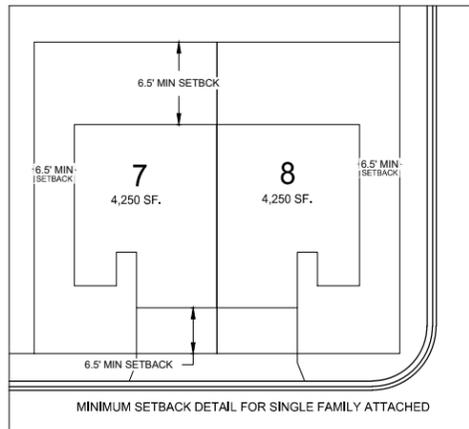
Preliminary Plat

The Planning and Zoning Commission recommends to City Council preliminary approval of the plat, with the following conditions:

1. The applicant shall resubmit the drawing labeled on 11/20/2019 as “Conditional Use Permit” with a new label “Preliminary Plat”; the following conditions shall refer to this drawing as “preliminary plat” **Complete**
2. The following changes shall be made to the preliminary plat:
 - a. Update the “number of lots” calculation shown in the “General Notes” section **Complete**
 - b. The general location of the trail shall be shown on the Preliminary Plat Not included, but added to the PUD Document
 - c. Setback lines shall be added to all residential lots within the Preliminary Plat Not included, but added to the PUD Document
 - d. Lot width at the building setback line shall be added to all residential lots within the Preliminary Plat and will be verified by staff to ensure compliance with the R-1 zoning district Not included, but verified with the PUD Document
 - e. The existing contours of the PUD and the preliminary plat shall be updated to match between the documents as well as both sets labeled clearly **Complete**
 - f. All existing adjoining road names, owners of adjoining unplatted parcels and adjoining subdivision names shall be clearly depicted on the plat **Complete**

- g. Items related to easements:
 - i. All elements listed as “Utility Easements” or “U.E.” on the preliminary plat shall be labeled as “Drainage and Utility Easements” or “D&U”, as a condition of approval Not Complete, however, “Utility Easement (U.E.) Defined” clarifies that drainage included within U.E – some places on the plat shown as U.E, other places shown at D.E. & U.E.; label should be consistent throughout plan
 - ii. Drainage and utility easements shall be shown on each individual residential lot; this includes rear yard drainage and utility easements; Not complete
 - 1. Drainage and utility easements on the shared lot line of single-family attached lots need not be shown
 - iii. Ten foot utility easements shall be provided along the street frontage for the Private Streets Complete
 - iv. The existing ten foot U.E. along the easterly boundary line of Bigelow Voigt 7 shall be added to the plat. Not complete
 - h. Items related to roads:
 - i. A temporary turn-around shall be shown for 12th Street NW around Block 2 Lot 8 and Block 6 Lot 12 Complete; road made private and permanent cul-de-sac added
 - ii. A temporary turn-around shall be shown for 11th Avenue NW around Block 1 Lot 3 and Block 2 Lot 1 Not complete
 - i. Items related to utilities:
 - i. Existing adjoining water, sewer and storm shall be depicted, and the sizes shall be clearly labeled Complete
 - ii. The 2003 wetland exception area shall be depicted on the plat Complete
 - iii. The 100 year design storm shall be contained within Outlot “A” or within a drainage easement Complete
 - iv. The water service for Wilker runs across the project area. The Developer shall provide an adequate water service for Wilker as part of the project Shown on PUD document, but not Preliminary Plat
3. The following changes shall be made to the Preliminary Construction Plans: No updated Preliminary Construction Plans submitted
- a. A wetland delineation report shall be submitted
 - b. A certificate of survey of the site including the delineated wetland shall be submitted
 - c. A grading and drainage plan for the preliminary plat shall be submitted and shall be reviewed by the City Engineer
 - i. The grading and drainage plan shall address the conditions of the existing contours shown on the PUD drawing related to Block 6 lots 7-12, as well as Block 2 lots 7 and 8 No longer applicable
 - ii. If significant slopes exist on these lots, the grading and drainage plan shall address the proposed grading of these lots to make them buildable but also not create drainage and erosion issues for neighboring properties No longer applicable
 - iii. Soil erosion and sedimentation control elements during construction as well as permanent facilities shall be included with the grading and drainage plan

- iv. The existing 5' U.E. along the easterly boundary line of Bigelow Voigt 7th shall be depicted on the grading and drainage plan
- d. The Preliminary Construction Plans shall be updated to show sidewalks that are 5' wide
 - i. The plans shall include 5' sidewalks on at least one side of the private streets
- e. A hydrant shall be provided at each intersection. Hydrant locations and spacing shall also accommodate the existing portions of 12th Avenue NE and 11th Avenue NW to their intersections with 10th Street NW to ensure proper hydrant spacing and coverage. Hydrant locations and spacing shall be reviewed by the City Fire Chief.
- f. A blow off hydrant shall be provided at every watermain dead end
- g. The wet ponds shall be sized to provide rate control for the 2 year, 10 year and 100 year Atlas 14 design storms for the post development condition to equal or less than pre development conditions for the tributary portions of Bigelow Voigt 7th and Bigelow Voigt 8th. The wet ponds shall also be designed to comply with NPDES permit requirements
- h. Removed hydrants shall be salvaged to the City
- i. The pipe crowns for differing storm sewer pipes sizes shall be aligned at manhole junctions
- j. Turning movements shall be provided in the final construction plan set for the Private Streets to illustrate accessibility for emergency vehicles and approved by the Fire Chief
- k. On street parking along the Private Streets shall be prohibited due to the proposed 20 foot width
 - i. The applicant shall be required to install "No Parking" signs on the Private Streets and submit general sign plans for the signs with the Final Plat "No Parking" sign locations shown on PUD
- l. Other changes as indicated by the City Engineer in their letter to the City Administrator dated December 4, 2019, as drawn on the plans attached to the letter.



NOTE
MUNSON LANE = OUTLOT B
NO PARKING EITHER SIDE OF THE STREET
TELEMARK DRIVE = OUTLOT C
NO PARKING EITHER SIDE OF THE STREET
NO COMMON GREEN SPACE, OPEN SPACE,
OR LANDSCAPING IS PROPOSED FOR R-1
OR PUD
DENSITY OVERALL = 3.64 UNITS/ ACRE

	LOT SIZE AND LAYOUT REQUIREMENTS				PUD VARY FROM R-1
	R-1 REQUIREMENTS		PUD PROPOSED		
	SFD	SFA	SFD	SFA	
LOT AREA	7,920 SF MIN	4,000 SF MIN	8,709 SF TO 13,060 SF	4,250 SF TO 8,185 SF	NO
LOT WIDTH- AT STREET	45' MIN	30' MIN	64' TO 169'	45' TO 101'	NO
LOT WIDTH- AT BUILDING	66' MIN	45' MIN	66' MIN	45' MIN	NO
YARD SETBACKS	FRONT: 20' REAR: 20' SIDE: 6.5'	FRONT: 6.5' REAR: 6.5' SIDE: 6.5'	FRONT: 20' REAR: 20' SIDE: 6.5'	FRONT: 6.5' REAR: 6.5' SIDE: 6.5'	NO
HARDCOVER	40% MAX	40% MAX	55% MAX		YES
BUILDING HEIGHT	35' OR 2.5 STORIES	35' OR 2.5 STORIES	MAXIMUM 35' OR 2.5 STORIES		NO

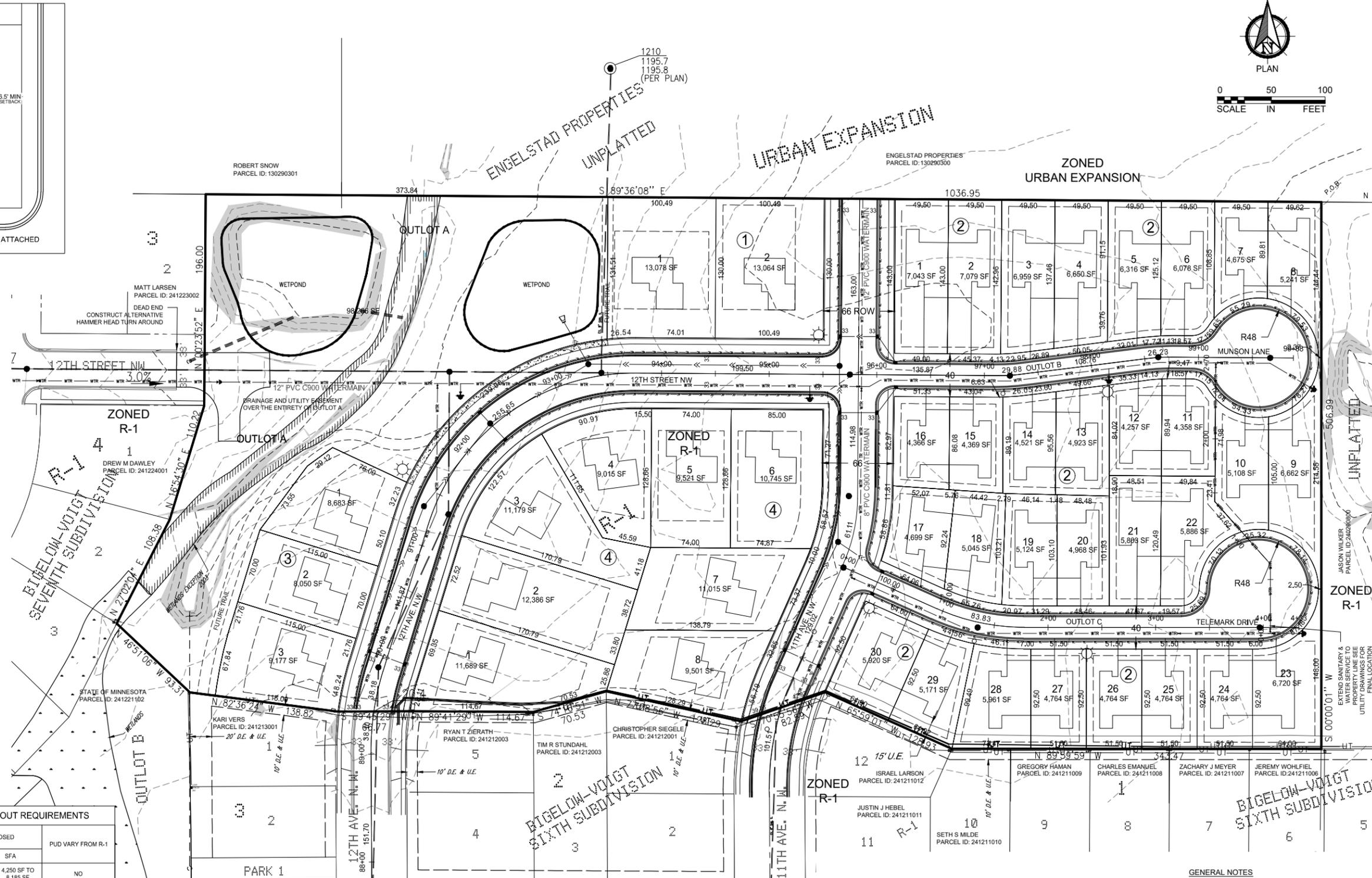
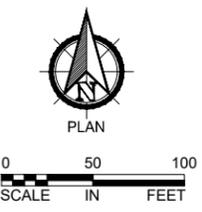
LEGAL DESCRIPTION:

DESCRIPTION OF RECORD (DOC. #A-226301)

That part of the South One-Half of the Southeast Quarter of Section 29, Township 107 North, Range 16 West, Dodge County, Minnesota, described as follows:

Commencing at the northeast corner of the South One-Half of said Southeast Quarter; thence North 89 degrees 36 minutes 08 seconds West (NOTE: All bearings are in relationship with the Dodge County Coordinate System NAD '83, Adjusted 1996) along the North line of said South One-Half of the Southeast Quarter, 410.00 feet to the POINT OF BEGINNING; thence South 00 degrees 00 minutes 01 seconds West, parallel with the East line of said Southeast Quarter, 506.99 feet to the North line of BIGELOW-VOIGT SIXTH SUBDIVISION; thence North 89 degrees 59 minutes 59 seconds West, (NOTE: the next 8 courses are along the North line of said BIGELOW-VOIGT SIXTH SUBDIVISION), 343.46 feet; thence North 65 degrees 59 minutes 01 seconds West, 128.93 feet; thence South 70 degrees 55 minutes 56 seconds West, 82.59 feet; thence North 77 degrees 28 minutes 56 seconds West, 128.29 feet; thence South 74 degrees 16 minutes 51 seconds West, 70.53 feet; thence North 89 degrees 41 minutes 29 seconds West, 114.67 feet; thence South 89 degrees 45 minutes 29 seconds West, 66.77 feet; thence North 82 degrees 36 minutes 24 seconds West, 138.82 feet to the Northwest corner of said subdivision and to the Northeast corner of Outlot B, BIGELOW-VOIGT SEVENTH SUBDIVISION; thence North 46 degrees 51 minutes 06 seconds West, along the Northerly line of said Outlot B, 93.31 feet to the Easterly line of Block 4, said BIGELOW-VOIGT SEVENTH SUBDIVISION; thence North 27 degrees 02 minutes 04 seconds East, along said Easterly line, 108.38 feet; thence North 16 degrees 54 minutes 30 seconds East, along the East line of said subdivision, 196.00 feet to the Northeast corner thereof and to the North line of said South One-Half of the Southeast Quarter, thence South 89 degrees 36 minutes 08 seconds East, along said North line, 1036.95 feet to the point of beginning.

Said Parcel contains 11.81 acres more or less. Said parcel is subject to a 15.00 foot Utility Easement lying Northerly of and parallel with the Northerly line of Block 1, said BIGELOW-VOIGT SIXTH SUBDIVISION, and is subject to any other easements or encumbrances of record.



OWNER / DEVELOPER

Bigelow Voigt, LLC
4057 28th Street NW Suite 100
Rochester, MN 55901
PH. NO. 507-529-1161

CIVIL ENGINEERS / SURVEYORS

WSE MASSEY ENGINEERING & SURVEYING
P.O. BOX 100
KASSON, MN. 55944
PH. NO. 507-634-4505

UTILITY EASEMENT (U.E.) Defined:

An unobstructed easement for the construction and maintenance of all necessary underground or surface public utilities including rights to conduct drainage and trimming on said easement.

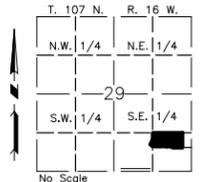
GENERAL NOTES

Number of lot = 43
Single Family Detached = 13
Single Family Attached = 30
Number of outlots = 3
Total area of property = 11.81 acres

LEGEND

- STEEP SLOPE
- EXISTING CONTOURS
- WATERMAIN PIPE
- STORM SEWER PIPE
- SANITARY PIPE
- SETBACK LINE
- STREET LIGHT
- STREET SIGN-NO PARKING

PROPERTY LOCATION MAP



WSE MASSEY
Engineering & Surveying
PH. NO. 507-634-4505
PLANS@WSE.ENGINEERING
www.wse.engineering

KASSON OFFICE
P.O. BOX 100
33 B E VETERANS
MEMORIAL HIGHWAY
KASSON, MN 55944

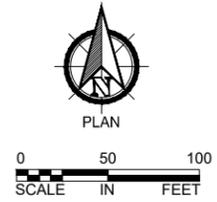
PLAINVIEW OFFICE
320 WEST BROADWAY
SUITE 3
PLAINVIEW, MN 55964

REV.	DATE	DESCRIPTION

**BIGELOW VOIGT EIGHTH
KASSON, MINNESOTA
PRELIMINARY AND FINAL DEVELOPMENT PLAN**

THIS SURVEY AND DRAWING
WAS PREPARED FOR THE
EXCLUSIVE USE OF:

SCALE: _____ NONE
DATE: _____ 02/10/2020
DRAWN BY: _____ T.A.C.
JOB NUMBER: _____ 023.2-19001
DWG. FILE: _____



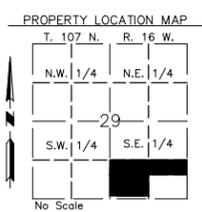
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DESCRIPTION OF RECORD (DOC. #A-226301)

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Commencing at the northeast corner of the South One-Half of said Southeast Quarter; thence North 89 degrees 36 minutes 08 seconds West (NOTE: All bearings are in relationship with the Dodge County Coordinate System NAD 83, Adjusted 1996) along the North line of said South One-Half of the Southeast Quarter, 410.00 feet to the POINT OF BEGINNING; thence South 00 degrees 00 minutes 01 seconds West, parallel with the East line of said Southeast Quarter, 506.99 feet to the North line of BIGELOW-VOIGT SIXTH SUBDIVISION; thence North 89 degrees 59 minutes 59 seconds West, (NOTE: the next 8 courses are along the North line of said BIGELOW-VOIGT SIXTH SUBDIVISION), 343.46 feet; thence North 65 degrees 59 minutes 01 seconds West, 128.93 feet; thence South 70 degrees 55 minutes 56 seconds West, 82.59 feet; thence North 77 degrees 28 minutes 56 seconds West, 128.29 feet; thence South 74 degrees 16 minutes 51 seconds West, 70.53 feet; thence North 89 degrees 41 minutes 29 seconds West, 114.67 feet; thence South 89 degrees 45 minutes 29 seconds West, 66.77 feet; thence North 82 degrees 36 minutes 24 seconds West, 138.82 feet to the Northwest corner of said subdivision and to the Northeast corner of Outlot B, BIGELOW-VOIGT SEVENTH SUBDIVISION; thence North 46 degrees 51 minutes 06 seconds West, along the Northerly line of said Outlot B, 93.31 feet to the Easterly line of Block 4, said BIGELOW-VOIGT SEVENTH SUBDIVISION; thence North 27 degrees 02 minutes 04 seconds East, along said Easterly line, 108.38 feet; thence North 16 degrees 54 minutes 30 seconds East, along the East line of said subdivision, 196.00 feet to the Northeast corner thereof and to the North line of said South One-Half of the Southeast Quarter, thence South 89 degrees 36 minutes 08 seconds East, along said North line, 1036.95 feet to the point of beginning.

Said Parcel contains 11.81 acres more or less.
Said parcel is subject to a 15.00 foot Utility Easement lying Northerly of and parallel with the Northerly line of Block 1, said BIGELOW-VOIGT SIXTH SUBDIVISION, and is subject to any other easements or encumbrances of record.



OWNER / DEVELOPER

Bigelow Voigt Dev. LLC
4057 28th Street NW Suite 100
Rochester, mn 55901
PH. NO. 507-529-1161

CIVIL ENGINEERS / SURVEYORS

WSE MASSEY ENGINEERING & SURVEYING
P.O. BOX 100
KASSON, MN. 55944
PH. NO. 507-634-4505

UTILITY EASEMENT (U.E.) Defined:

An unobstructed easement for the construction and maintenance of all necessary underground or surface public utilities including rights to conduct drainage and trimming on said easement.

GENERAL NOTES

- Number of lot = 43
- Number of outlots = 3
- Total area of property = 11.81 acres

LEGEND

- STEEP SLOPE
- EXISTING CONTOURS
- WATERMAIN PIPE
- STORM SEWER PIPE
- SANITARY PIPE

REV.	DATE	DESCRIPTION

**BIGELOW VOIGT EIGHTH
KASSON, MINNESOTA
PRELIMINARY PLAT**

THIS SURVEY AND DRAWING
WAS PREPARED FOR THE
EXCLUSIVE USE OF:

SCALE: NONE
DATE: 02/10/2020
DRAWN BY: T.A.C.
JOB NUMBER: 023.2-19001
DWG. FILE:

023.2-19001CT01.dwg

PUBLIC IMPROVEMENTS TO SERVE BIGELOW VOIGT EIGHTH

Kasson, MN

Issue Date - 11/20/2019 Preliminary Plat Submittal



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OWNER / DEVELOPER

Bigelow Voigt Dev, LLC
 4057 28th Street NW Suite 100
 Rochester, mn 55901
 PH. NO. 507-529-1161

CIVIL ENGINEERS / SURVEYORS

WSE & MASSEY LAND SURVEYING & ENGINEERING
 P.O. BOX 100
 KASSON, MN. 55944
 PH. NO. 507-634-4505



PROJECT LOCATION

...DODGE..... COUNTY

...KASSON..... DISTRICT

UTILITY QUALITY LEVEL

The subsurface utility information in this plan is quality level D.
 This quality level was determined according to the guidelines of CIASCE 38-2, entitled "Standard Guidelines for the Collection and Depiction of Existing Subsurface Utility Data."

BENCHMARK ELEVATION = 1235.22
 TOP NUT HYDRANT AT THE NORTH SIDE OF 3RD STREET N.E. & 12 AVENUE N.E.

LEGEND	
—1245—	DENOTES PROPOSED CONTOUR ANNOTATION
x 46.84	DENOTES PROPOSED SPOT ELEVATION
→	DENOTES DRAINAGE DIRECTION
—SF—	DENOTES SILT FENCE OR BIOROLL PER 7-01SDP
○	DENOTES INLET PROTECTION PER 7-05SDP
▨	DENOTES PROPOSED EROSION MAT
▨	DENOTES PROPOSED BITUMINOUS
~	DENOTES EXISTING CONTOURS
—	DENOTES TREE LINE
—	DENOTES WATERMAIN PIPE
—>	DENOTES STORM SEWER PIPE
—>	DENOTES SANITARY PIPE

INDEX TO PLANS	
Sheet Title	Sht. No.
TITLE SHEET	1
TYPICAL SECTION	2
ALIGNMENT PLAN	3
UTILITY PROFILES	4-10
POND DETAIL	11

This plan contains 11 Total sheets

Approved By: _____ Date _____
 City Engineer



MASSEY
 LAND SURVEYING
 & ENGINEERING

P.O. BOX 100
 KASSON, MN 55944
 PH. NO. 507-634-4505

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

Les Conway
 Les Conway

23292 11/20/19
 Number Date



BIGELOW VOIGT EIGHTH
 KASSON, MINNESOTA

THIS SURVEY AND DRAWING WAS PREPARED FOR THE EXCLUSIVE USE OF:

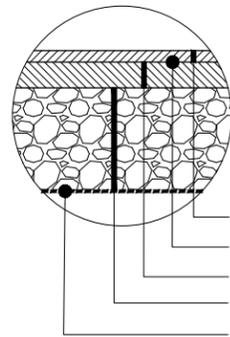
SCALE: _____ NONE
 DATE: 11/20/2019
 DRAWN BY: _____ T.A.C.
 JOB NUMBER: 023.2-19001
 DWG. FILE: _____
 REVISION DATE: _____

Project Number 23.2-19001

SHEET 1 OF 11

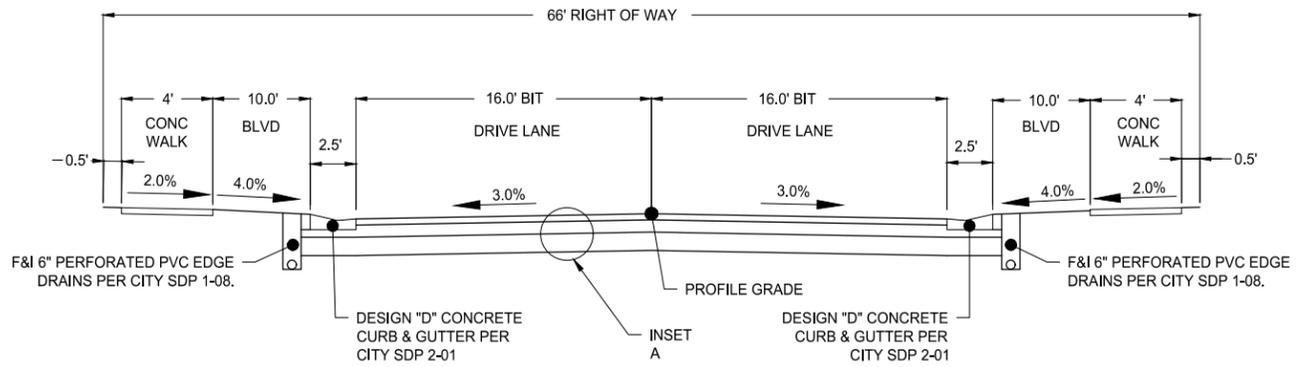
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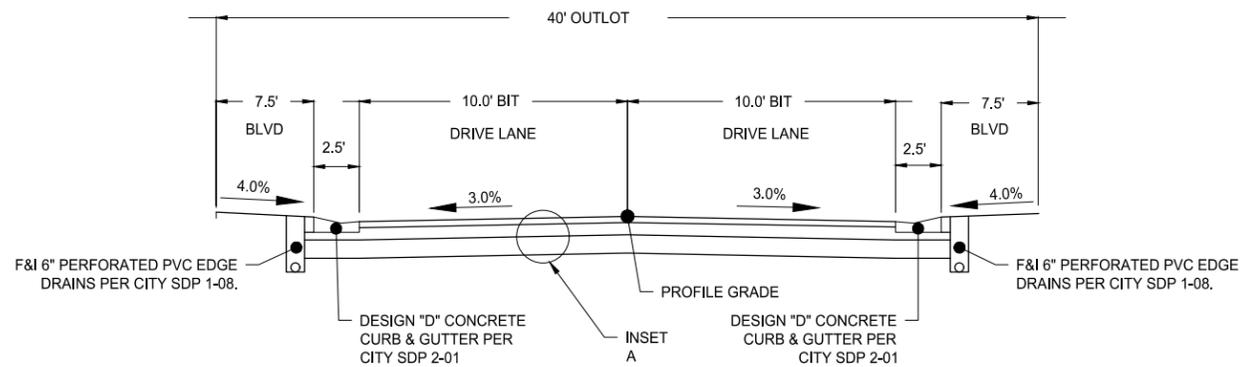


INSET A
BITUMINOUS ROAD SECTION

- 1.5" BITUMINOUS WEAR COURSE, MN DOT 2360
- 2357 BITUMINOUS TACK COAT
- 2.5" BITUMINOUS BASE COURSE, MN DOT 2360
- 8" MN DOT CLASS 5 AGGREGATE BASE
- MnDOT TYPE V GEOTEXTILE SEPARATION FABRIC



12th STREET N.W. & 11th AVENUE N.W.



PRIVATE STREET



MASSEY
LAND SURVEYING
& ENGINEERING

P.O. BOX 100
KASSON, MN 55944
PH. NO. 507-634-4505

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Les Conway
Les Conway

23292 11/20/19
Number Date

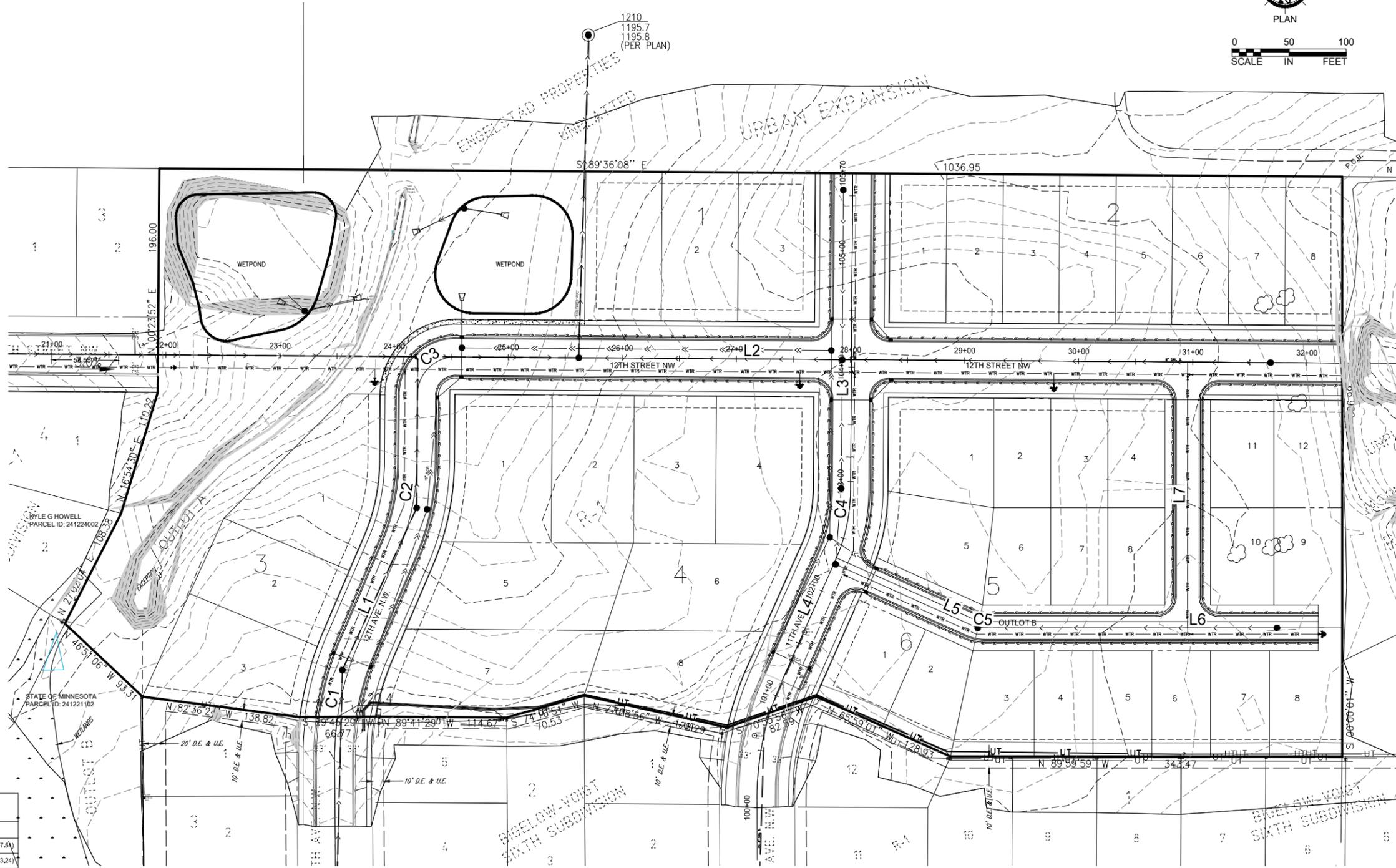
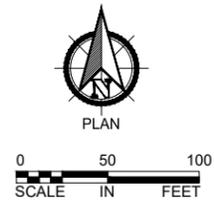


BIGELOW VOIGT EIGHTH
KASSON, MINNESOTA

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DWG. FILE:
REVISION DATE:

11/20/2019 10:54:14 AM

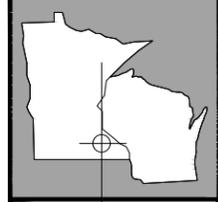


Line Table: Alignments

Line #	Length	Direction	Start Point	End Point
L3	114.98	N0° 23' 52.30"E	(540800.81,175032.57)	(540801.60,175147.54)
L4	129.02	N23° 53' 02.60"E	(540735.80,174855.27)	(540788.04,174973.24)
L5	131.62	S65° 59' 01.74"E	(540786.26,174969.24)	(540906.48,174915.67)
L6	297.16	S89° 59' 59.32"E	(540918.69,174913.07)	(541215.85,174913.07)
L7	232.42	N0° 00' 00.68"E	(541096.35,174913.07)	(541096.35,175145.50)
L1	90.65	N23° 13' 15.23"E	(540368.89,174897.25)	(540404.83,174980.56)
L2	779.29	S89° 36' 06.62"E	(540454.97,175149.95)	(541234.24,175144.53)

Curve Table: Alignments

Curve #	Radius	Length	Chord Direction	Start Point	End Point
C4	149.08	61.11	N12° 08' 27.45"E	(540788.04,174973.24)	(540800.81,175032.57)
C5	30.00	12.57	S77° 59' 30.53"E	(540906.48,174915.67)	(540918.69,174913.07)
C1	250.00	102.73	N11° 26' 55.25"E	(540348.84,174797.27)	(540368.89,174897.25)
C2	200.00	79.67	N11° 48' 33.77"E	(540404.83,174980.56)	(540420.83,175058.03)
C3	33.50	52.62	N45° 23' 52.30"E	(540421.23,175116.88)	(540454.97,175149.95)



MASSEY
LAND SURVEYING
& ENGINEERING

P.O. BOX 100
KASSON, MN 55944
PH. NO. 507-634-4505

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

Les Conway
Les Conway

23292 11/20/19
Number Date

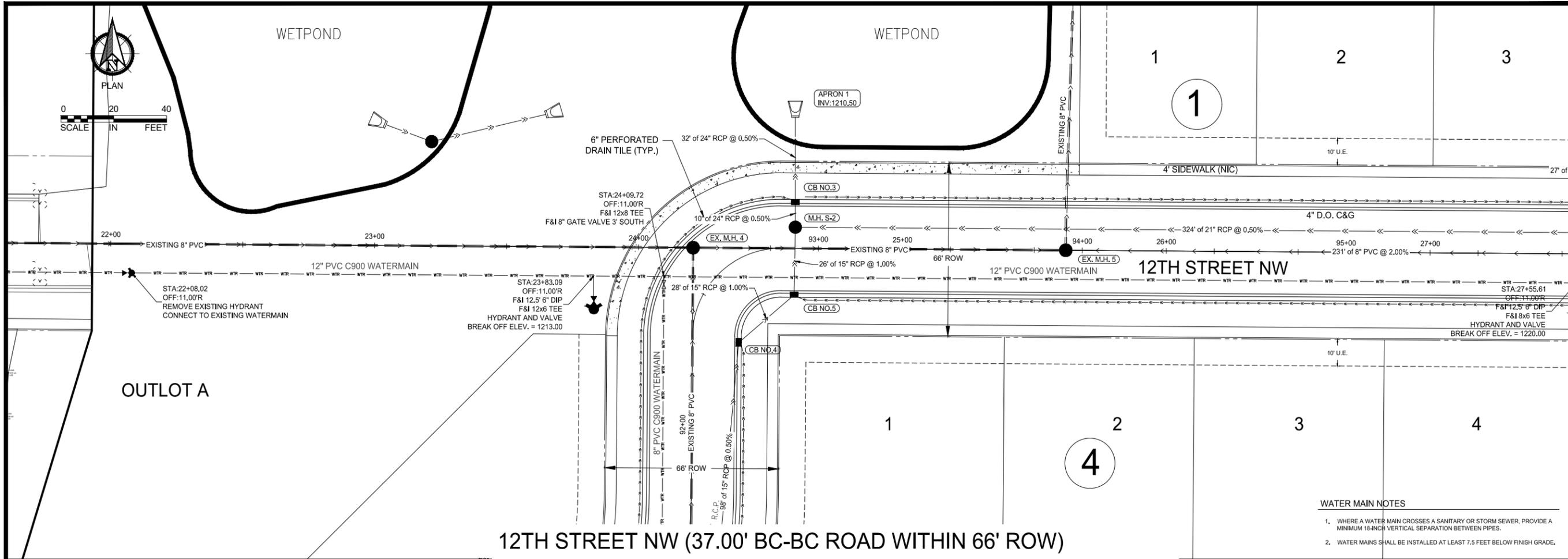


BIGELOW VOIGT EIGHTH
KASSON, MINNESOTA

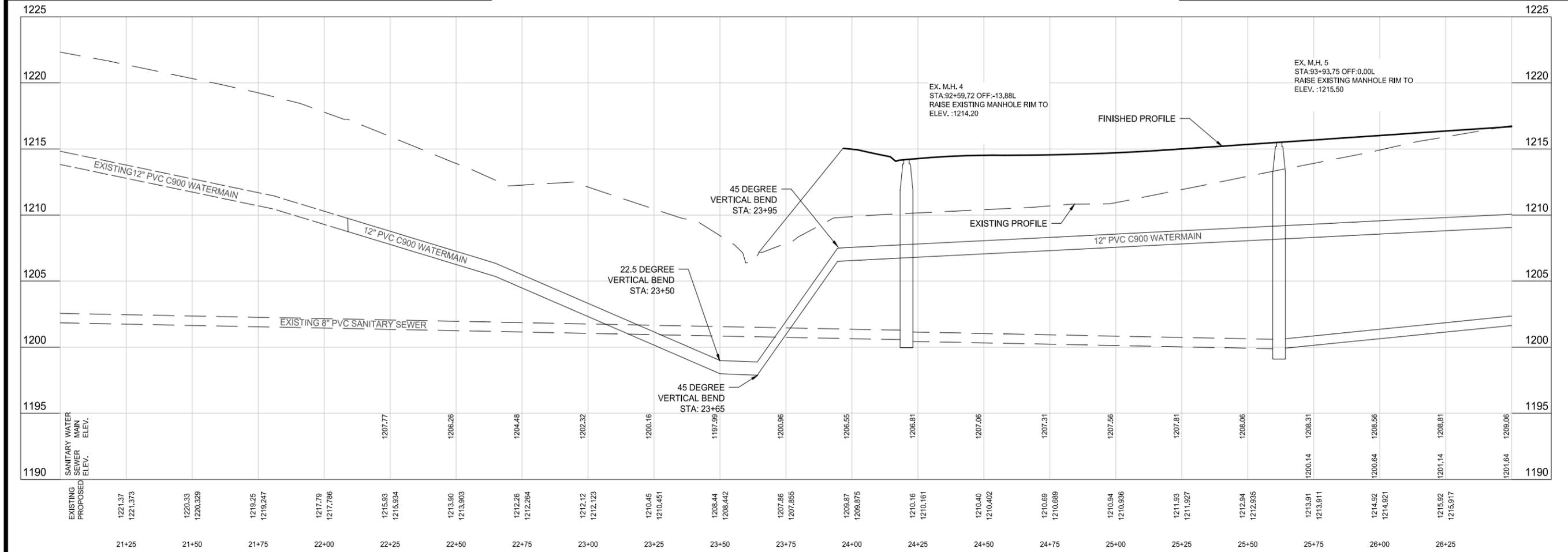
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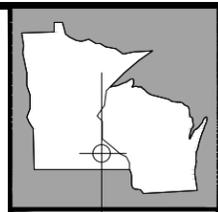
023.2-19001CG_UP01.dwg



- WATER MAIN NOTES**
- WHERE A WATER MAIN CROSSES A SANITARY OR STORM SEWER, PROVIDE A MINIMUM 18-INCH VERTICAL SEPARATION BETWEEN PIPES.
 - WATER MAINS SHALL BE INSTALLED AT LEAST 7.5 FEET BELOW FINISH GRADE.



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LAND SURVEYING
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PH. NO. 507-634-4505

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Les Conway
Les Conway

23292 11/20/19
Number Date



BIGELOW VOIGT EIGHTH KASSON, MINNESOTA

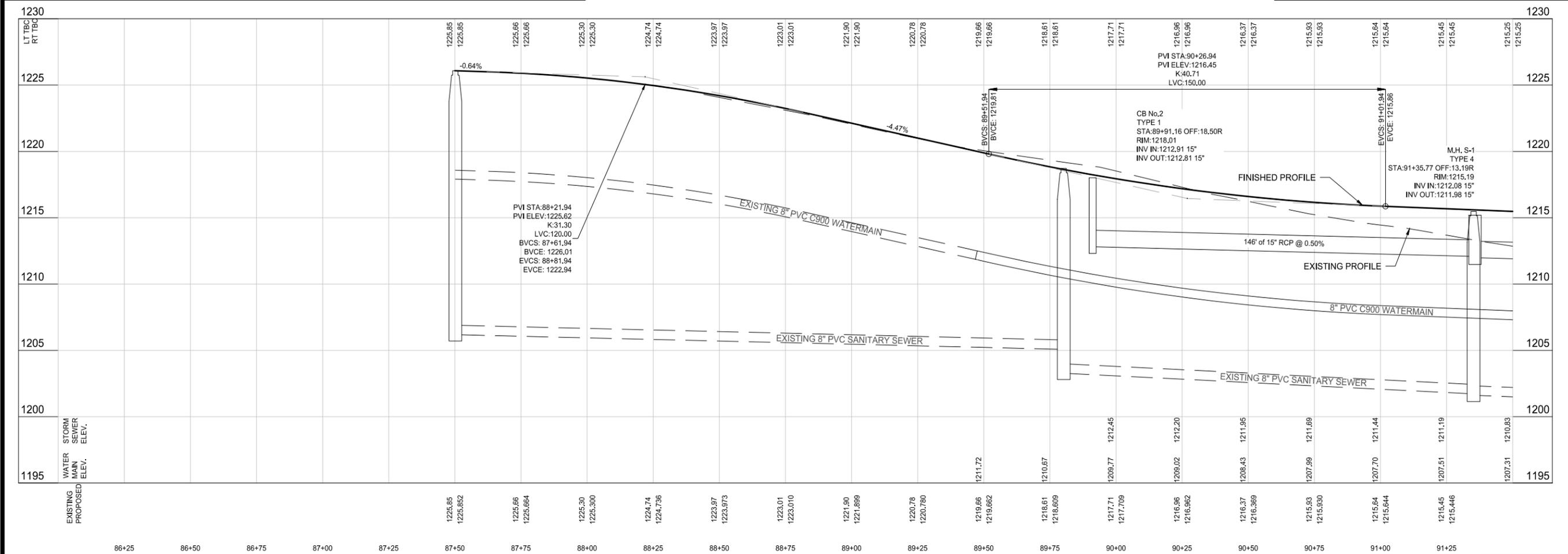
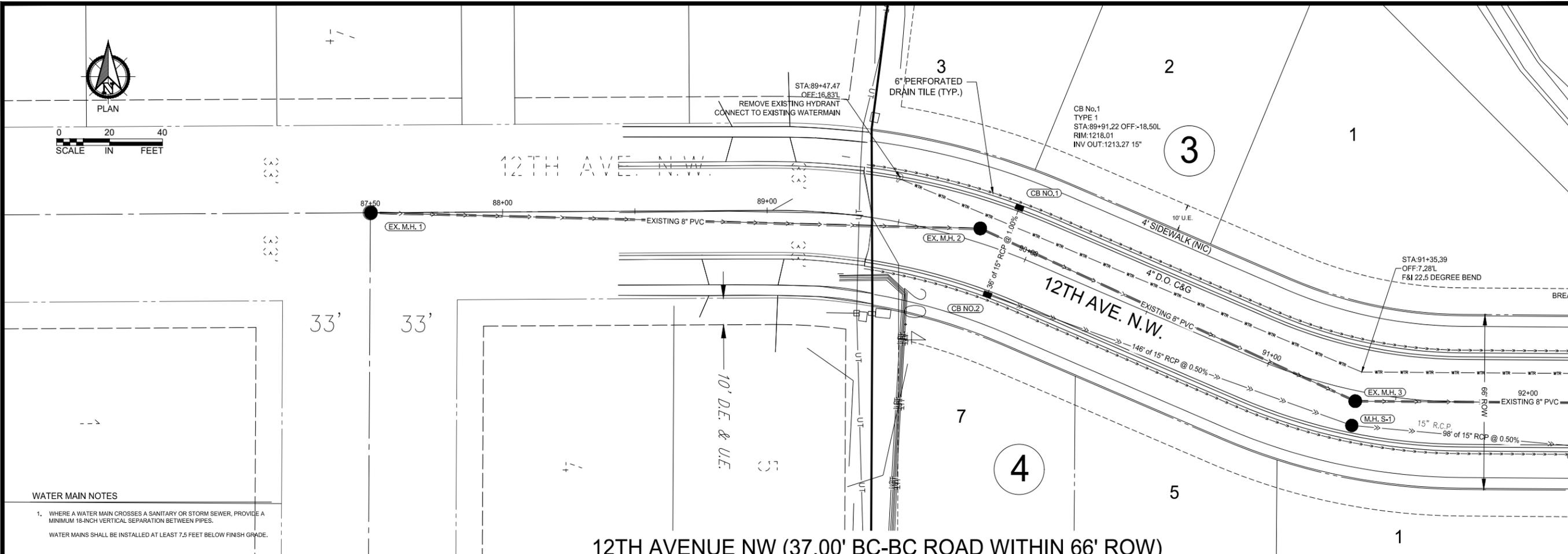
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DRAWN BY: T.A.C.
JOB NUMBER: 023.2-19001
DWG. FILE:
REVISION DATE:

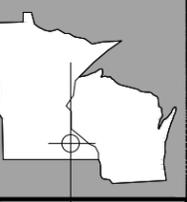
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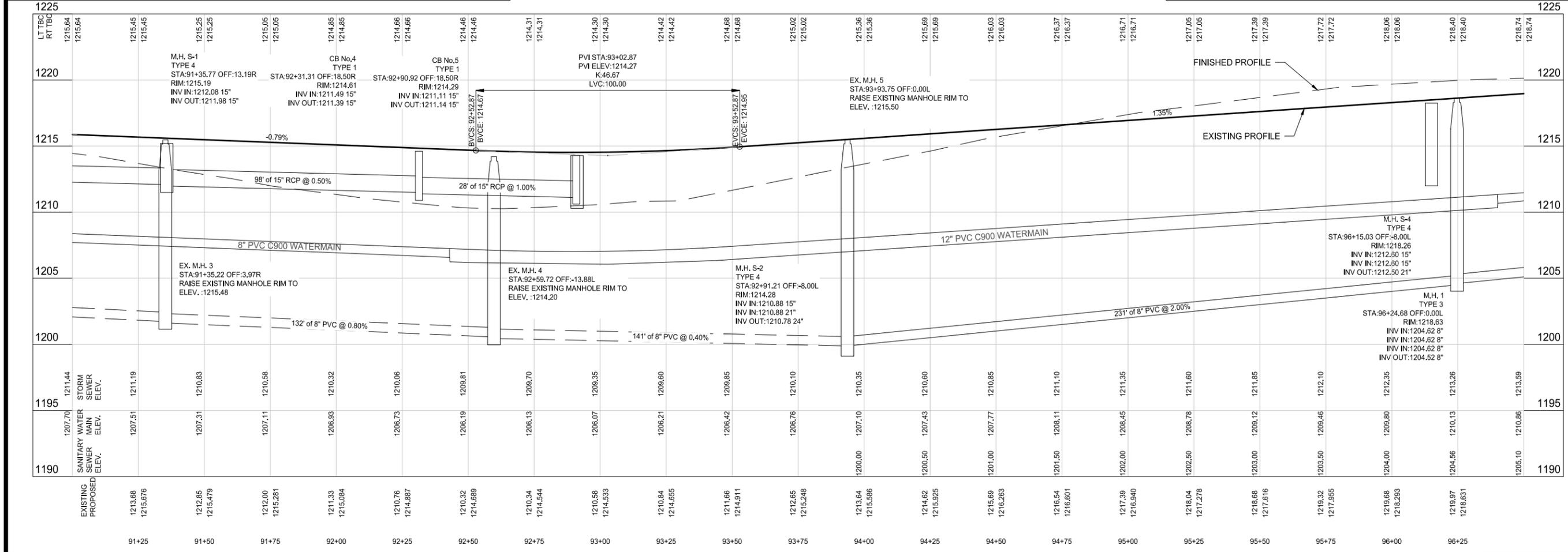
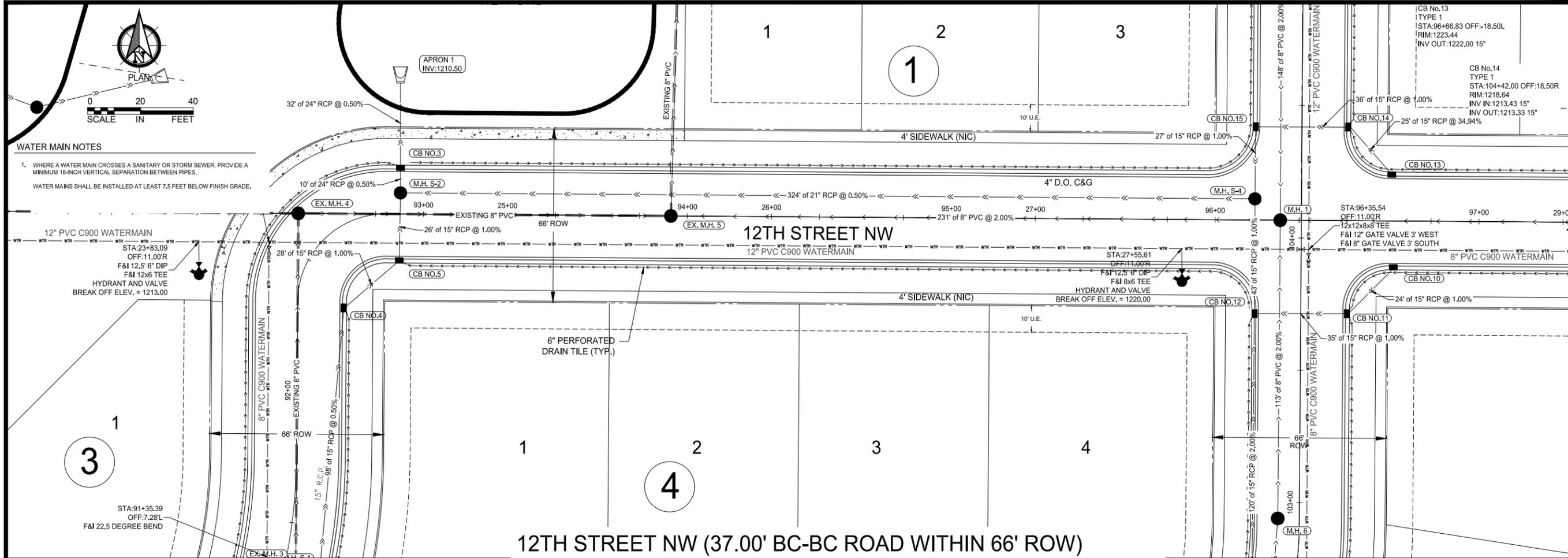


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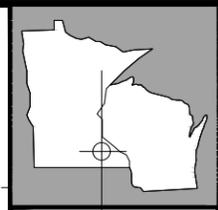


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WATER MAIN NOTES

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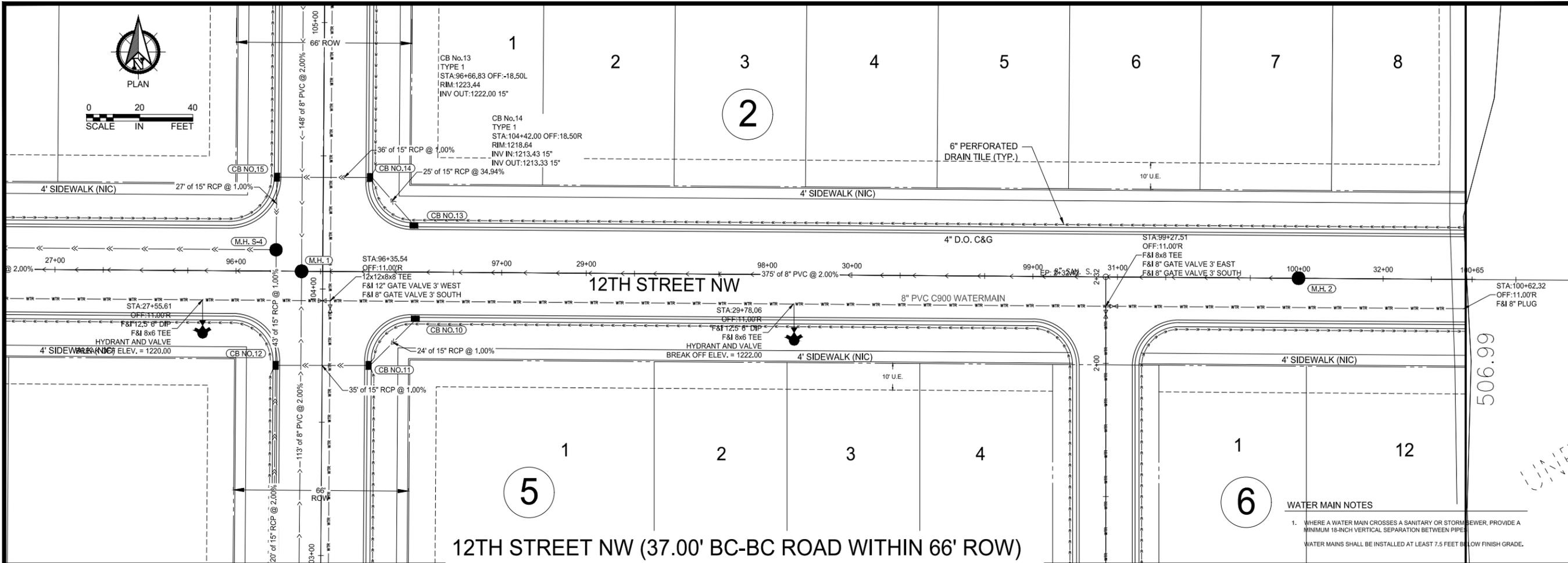


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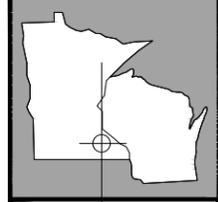
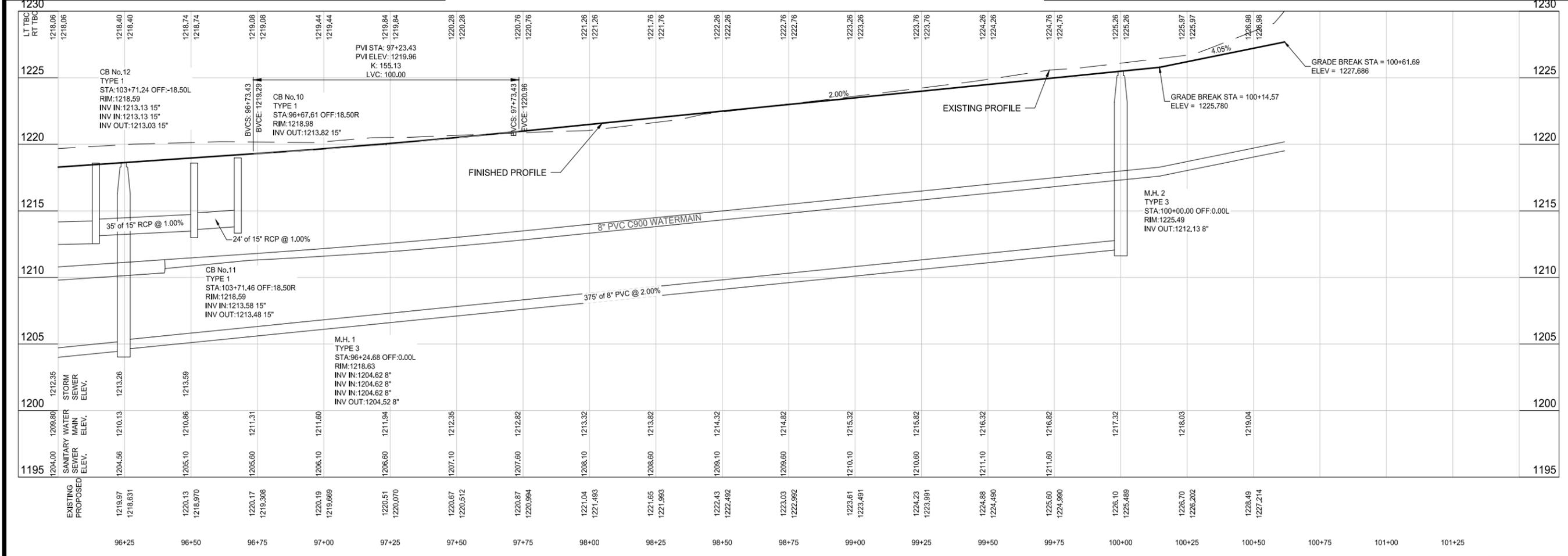
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12TH STREET NW (37.00' BC-BC ROAD WITHIN 66' ROW)

WATER MAIN NOTES

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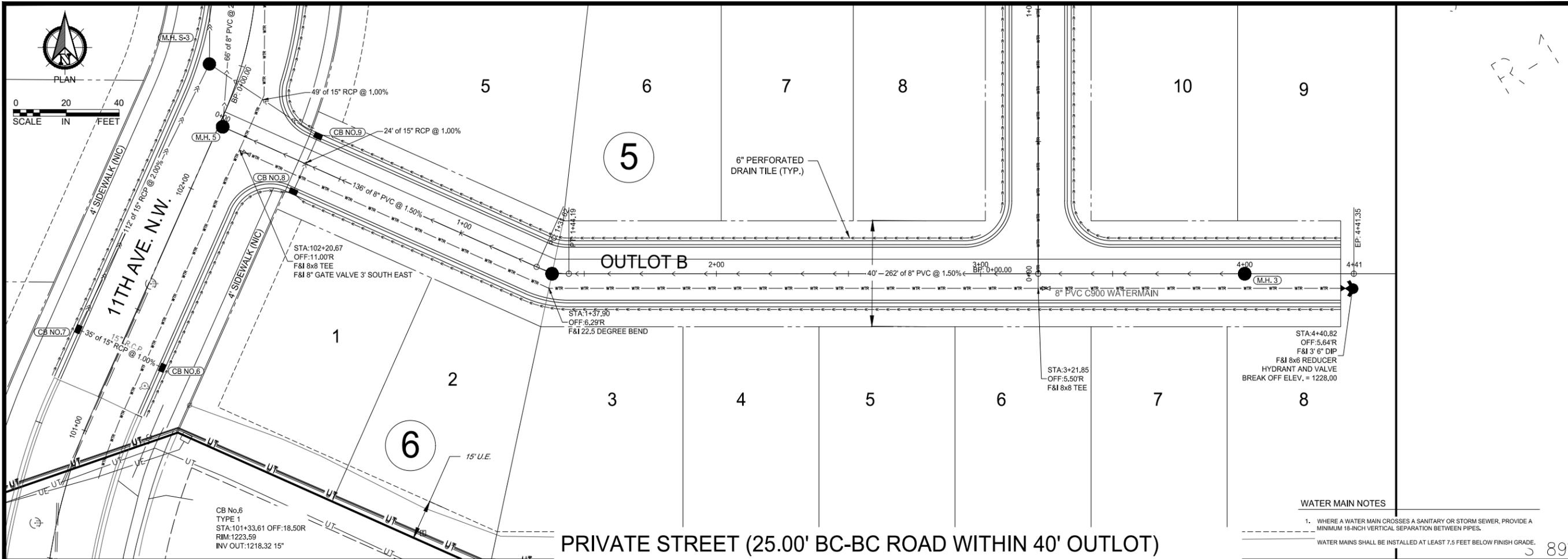
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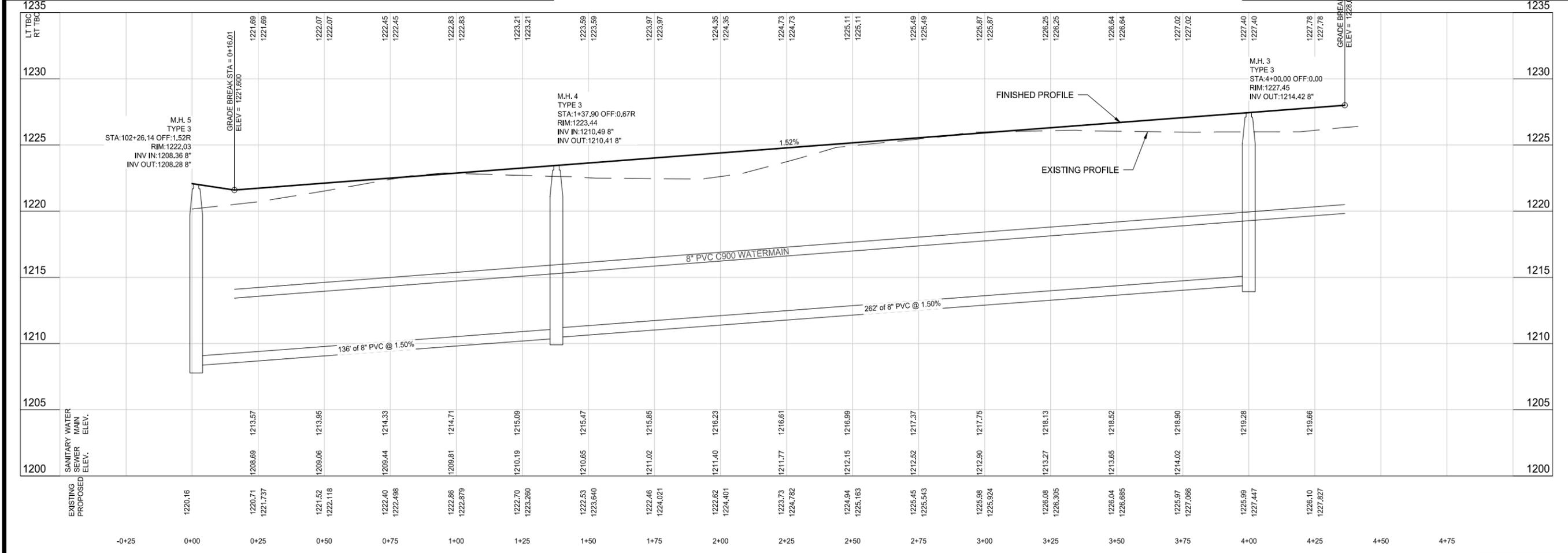
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WATER MAIN NOTES

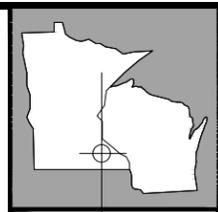
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EXISTING
SEWER MAIN
ELEV.

SANITARY WATER
SEWER MAIN
PROPOSED
ELEV.



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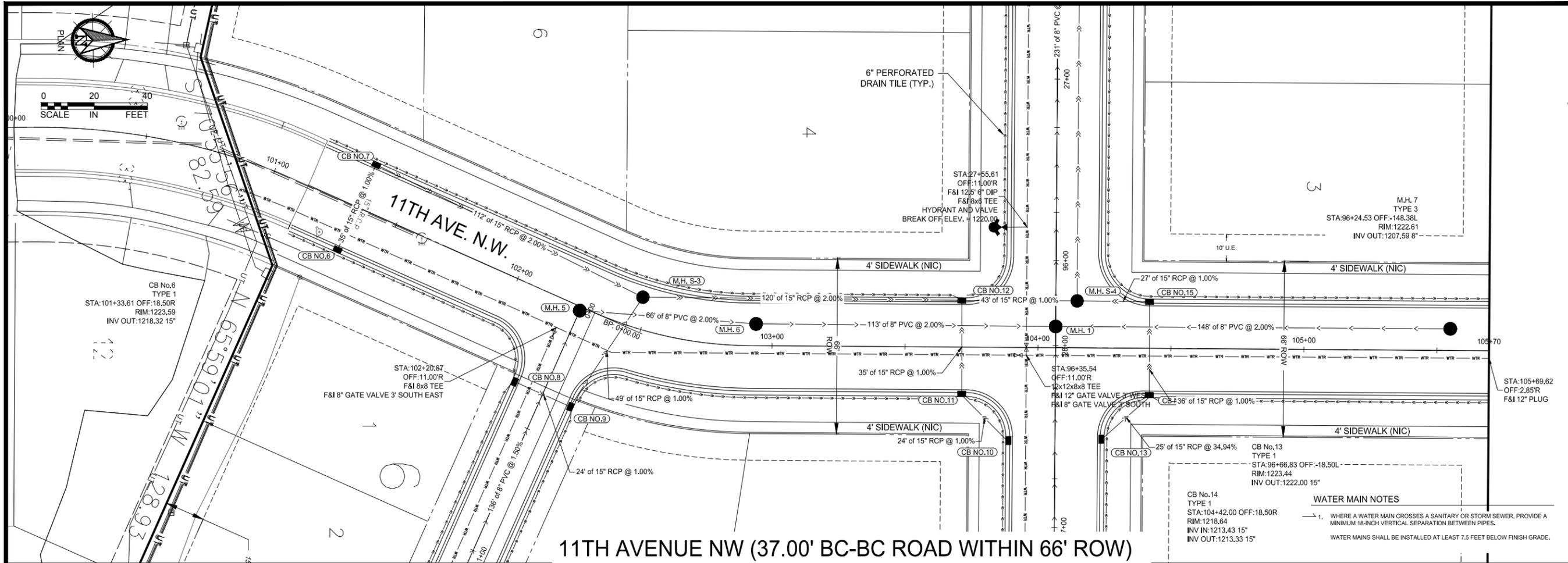


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KASSON, MINNESOTA

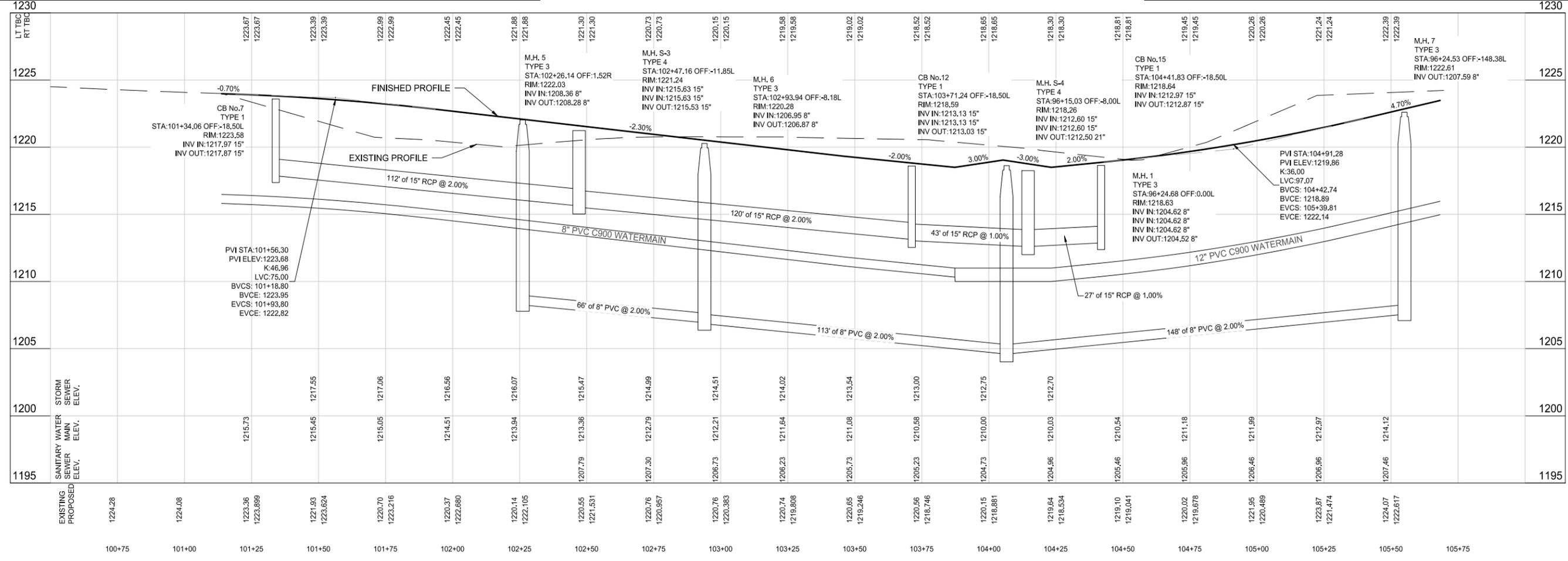
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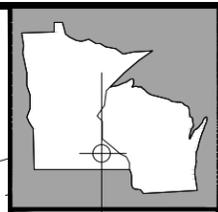
11TH AVENUE NW (37.00' BC-BC ROAD WITHIN 66' ROW)



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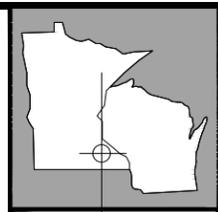
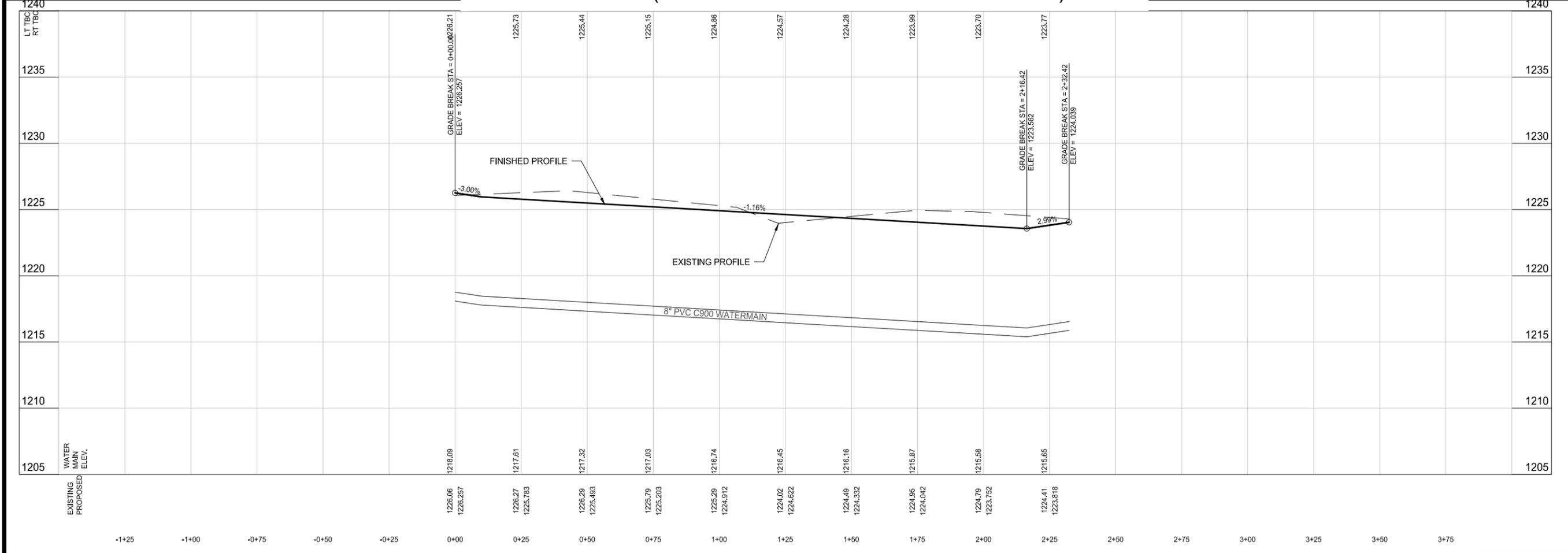
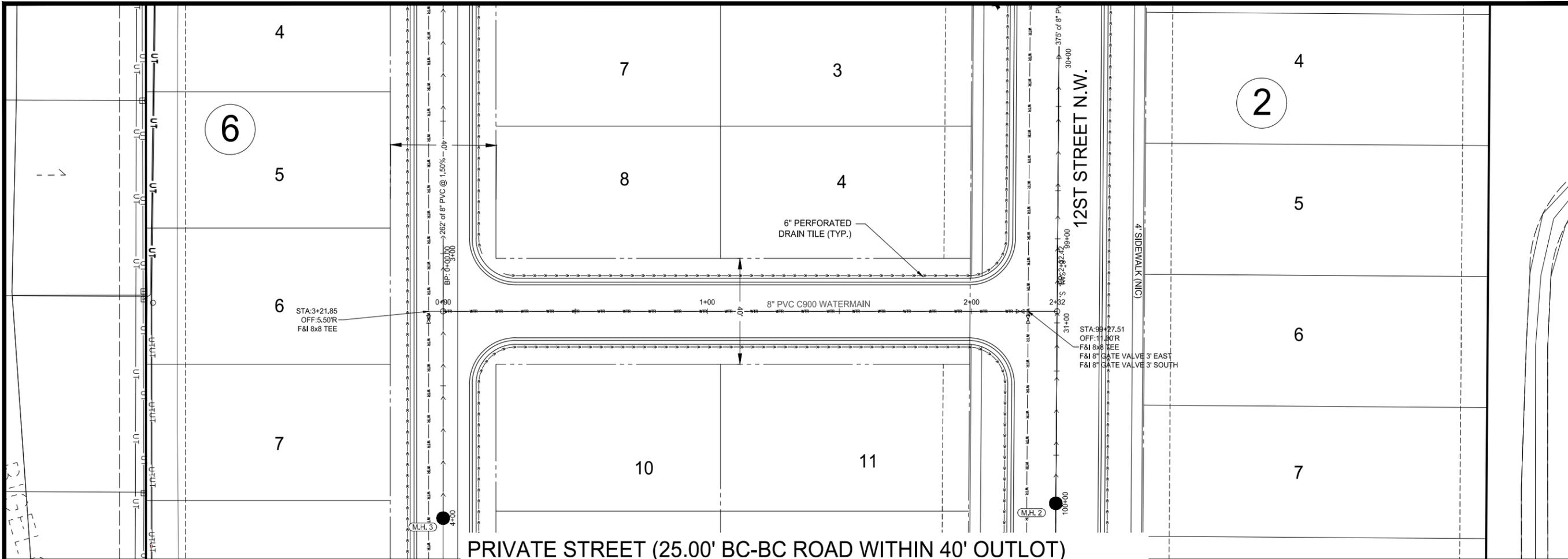


BIGELOW VOIGT EIGHTH
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Les Conway
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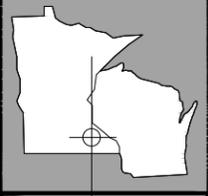
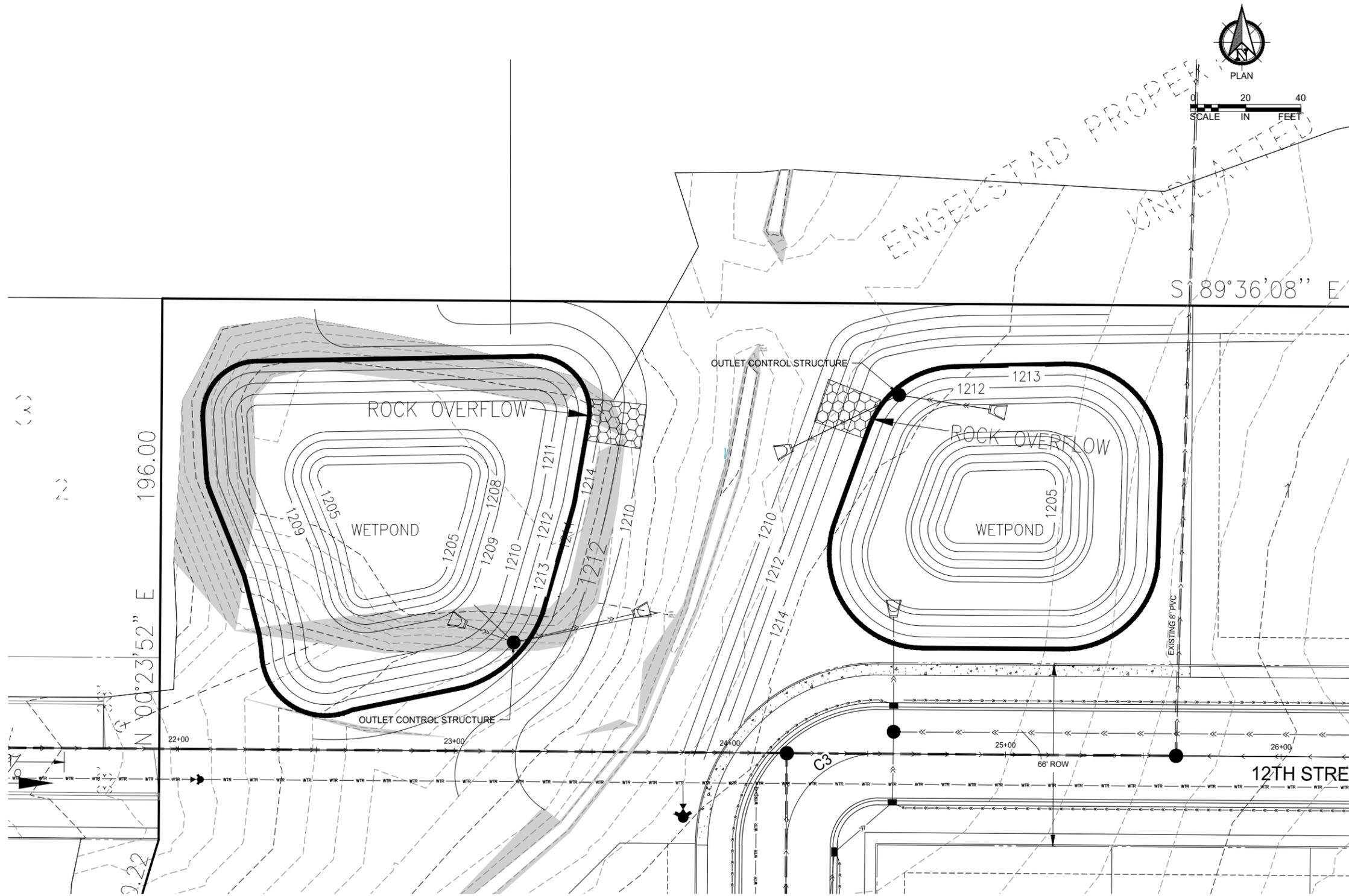
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DWG. FILE:
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STAFF REPORT

TO: City Council
FROM: Laura Chamberlain, Consulting Planner, HKGi
DATE: February 19, 2020
SUBJECT: Bigelow Voigt 8th Addition – Conditional Use Permit for a Planned Unit Development (PUD) Preliminary & Final Development Plan that allows for single family attached residential units; Preliminary Plat

APPLICANT: Bigelow Voigt Development, LLC
OWNER: Bigelow Voigt Development, LLC
LOCATION: PID No. 240290700
MEETING DATE: February 26, 2020
COMPREHENSIVE PLAN: LDR – Low Density Residential
ZONING: R-1 Single Family Residential District

OVERVIEW

The applicant, Bigelow Voigt Development, LLC., represented by Tony Bigelow, has applied for approval of a Conditional Use Permit for a Planned Unit Development and Preliminary Plat for the property located at PID No. 240290700. The proposed development, called Bigelow Voigt 8th Addition, will subdivide one existing parcel located on the northwest border of Kasson.

The applicant is proposing a subdivision of the 11.8 acre parcel into 13 single family detached lots, 30 single family attached (twin home) lots, one outlot for stormwater and two outlots for private roads. Due to the private roads, the applicant has proposed this site for a Planned Unit Development (PUD), which requires a Conditional Use Permit (CUP). The use of single family attached homes in the R-1 zoning district also requires a CUP, however, the CUP for the PUD will incorporate the use, thus an additional CUP is not required. In addition to the CUP for the PUD, the applicant has applied for a Preliminary Plat.

PLANNING COMMISSION

The Planning and Zoning Commission held a public hearing and reviewed the subdivision and PUD requests at their January 13, 2019 meeting. No members of the public spoke at the meeting to voice their comments regarding the project.

The Planning and Zoning Commissioners focused much of their discussion on the staff recommendation to have 12th Street Northwest go through the site, connecting to the west. The applicant and their engineer commented that installing a road connection over the drainage way would

limit the drainage of the area, and possibly augment existing flooding concerns in the area. Commissioners agreed with the applicant, noting that 12th Street Northwest is not meant to be a primary road in the area, however, that the Commission should create a plan for future road alignments in the urban growth areas, particularly when a crossing over the drainage way will be appropriate.

The Planning and Zoning Commission voted to recommend approval of the Preliminary Plat and CUP for a PUD, both with a list of conditions provided in the P&Z Staff Report, minus those conditions related to the extension of 12th Street Northwest.

UPDATED SUBMITTAL

Since the Planning and Zoning Commission meeting, the applicant met with City Staff to talk through the conditions recommended by the Commission. As a result of that conversation, the applicant has resubmitted the PUD Preliminary and Final Development Plan and the Preliminary Plat. The following changes have been made to the overall development since the Commissioners reviewed the plans at their meeting on January 13th, 2020:

1. As 12th Street Northwest is not going through, the applicant is proposing a hammerhead turn around for the existing 12th Street Northwest stub at the western edge of the site.
 - a. *Staff suggest that the design of this hammerhead turn around be brought up to City standards and approved by the City Fire Chief at time of Final Plat application*
2. The applicant is no longer showing 12th Street Northwest stubbing at the eastern border of the property; instead, the applicant has proposed a private street (new Outlot B) at the intersection of 11th Avenue NW and 12th Street NW, with a cul-de-sac to allow for circulation of fire and safety vehicles. The previous private street (now Outlot C) has also been reconfigured to accommodate a cul-de-sac turn around
3. The reconfiguration of the private streets has allowed for the creation of more single family attached (SFA) lots; the previous plans showed 28 SFA units, while the updated plans show 30 SFA units
4. The angle of 12th Avenue NW into 12th Street N has been slightly adjusted, as has the sizing of the east wetpond on Outlot A
 - a. Both of these adjustments have resulted in the loss of one single family detached (SFD) lot in Block 1; the previous plans showed 14 total SFD units, while the updated plans show 13 SFD units
 - b. *Staff suggest that the name of the road be updated to be simplified into one road name during Final Plat submittal; the naming of the road shall be approved by the Public Works Director, the City Fire Chief, and the City Chief of Police*
5. With the changes in unit counts, the total density of the site has also changed; previous plans had a density of 3.56 units/acre, while the new plans have a density of 3.64 units/acre. This density still fits within the Comprehensive Plan land use guidance for the site, which is 2 to 4 units per acre.
6. The applicant has provided information on how the PUD differs from the regulations of underlying zoning, R-1.
 - a. The PUD meets R-1 standards for the following:
 - i. Lot Area
 - ii. Lot Width (at street and building line)

- iii. Setbacks for all yards
- iv. Building height
- b. The PUD differs from R-1 standards by proposing a higher hardcover maximum
 - i. R-1: 40%; PUD: 55%
 - ii. *Staff suggest that this hardcover maximum only apply to the SFA lots, and that the SFD lots within the PUD retain the 40% maximum*
- 7. The applicant has added a possible future alignment of a trail through Outlot A
 - a. *Staff suggest the alignment of this trail be shifted slightly to connect to Outlot B of Bigelow-Voigt 7th Addition and that the portion running along 12th Avenue NW/12th Street N be shown the same width as the rest of the trail*
 - b. *Staff also suggest that the west lot line of Block 1, Lot 1 be moved slightly to the east to accommodate the entire trail width on Outlot A*

These changes address many of the conditions recommended by the Planning and Zoning Commission. Attachment 1 includes an updated review by City Engineer, Brandon Theobald. Attachment 2 reviews the recommended conditions given by the Planning and Zoning Commission, with their status in **red**. Items with a **red underline** still need to be addressed and should remain as conditions of approval.

Attachments 3 and 4 are draft resolutions for approval with the updated conditions for your consideration. Additional staff suggestions related to the updated materials have been included within these conditions.

ATTACHMENTS

1. Updated review by City Engineer, Brandon Theobald, dated February 19, 2020
2. Recommendation from Planning Commission
3. Draft Resolution for a Conditional Use Permit allowing a Planned Unit Development for Bigelow Voigt 8th Addition
4. Draft Resolution for a Preliminary Plat for Bigelow Voigt 8th Addition
5. Bigelow Voigt 8th Addition – Preliminary and Final Development Plan, dated February 10, 2020
6. Bigelow Voigt 8th Addition – Preliminary Plat, dated February 10, 2020
7. Bigelow Voigt 8th Addition – SFA Building Details, dated May 6th, 2015
8. Bigelow Voigt 8th Addition – Preliminary Public Improvements Plan, dated November 20, 2019
9. Planning and Zoning Commission Staff Report, January 13, 2020
10. Planning and Zoning Commission meeting minutes, January 13, 2020

STAFF REPORT

TO: Planning and Zoning Commission
FROM: Laura Chamberlain, Consulting Planner, HKGi
DATE: January 9, 2020
SUBJECT: Bigelow Voigt 8th Addition – Conditional Use Permit for a Planned Unit Development (PUD) Preliminary & Final Development Plan that allows for single family attached residential units; Preliminary Plat
APPLICANT: Bigelow Voigt Development, LLC
OWNER: Bigelow Voigt Development, LLC
LOCATION: PID No. 240290700
MEETING DATE: January 13, 2020
COMPREHENSIVE PLAN: LDR – Low Density Residential
ZONING: R-1 Single Family Residential District

OVERVIEW

The applicant, Bigelow Voigt Development, LLC., represented by Tony Bigelow, has applied for approval of a Conditional Use Permit for a Planned Unit Development and Preliminary Plat for the property located at PID No. 240290700. The proposed development, called Bigelow Voigt 8th Addition, will subdivide one existing parcel located on the northwest border of Kasson.



The applicant originally applied for a General Development Plan, Preliminary Plat, and Conditional Use Permit for single-family attached residences and the application was originally intended to be reviewed at the Planning and Zoning Commission meeting on December 9th, 2019. In their review, city staff and the City Engineer identified the proposed private streets in the subdivision would also require a Planned Unit Development (PUD). The applicant requested an extension to be considered at the next meeting to give them time to submit an application for a PUD.

The City's PUD process requires a Conditional Use Permit to approve a PUD. Additionally, the PUD process includes two steps: the Preliminary Development Plan and the Final Development Plan. The city is allowing the applicant to combine the preliminary and final development plans into one consideration; these elements supersede the need for a General Development Plan as in traditional subdivision process. The PUD process also allows for the preliminary plat to be considered at the same time as the PUD. Finally, the PUD approved through CUP has the capacity to include the elements of the single-family attached dwelling conditional use permit without requiring an additional permit

As these process elements have shifted since the applicant's original submittal, some changes will need to be made to the application's drawings:

1. The drawing titled "Revised General Development Plan" with revision date 11/20/2019 should be renamed "Planned Unit Development: Preliminary and Final Development Plan" – this report will from now on refer to this exhibit as "PUD"
2. The drawing titled "Conditional Use Permit" with date 11/20/2019 should be renamed "Preliminary Plat" – this report will from now on refer to this exhibit at "Preliminary Plat"

The PUD and the Preliminary Plat show the subdivision of the 11.81 acre property into 42 residential lots (14 single family detached residential parcels and 28 single family attached residential parcels) as well an outlot for stormwater ponding and an outlot for private streets.

The applicant is seeking approval of the Preliminary Plat and approval of a Conditional Use Permit for a PUD with a Preliminary and Final Development Plan.

BACKGROUND

- This is the most recent phase of development of a series of Bigelow Voigt developments in western Kasson.
- The subject site had been part of previous General Development Plans reviewed by the Planning and Zoning Commission. The last GDP can be seen in an attachment which will be provided at the meeting

REVIEW PROCEDURE

The applications submitted include the following subdivision requests:

- Preliminary Plat approval
- Conditional Use Permit approval for a Planned Unit Development (PUD) Preliminary & Final Development Plan that allows for single family attached residential units

60-Day Land Use Application Review Process

Pursuant to Minnesota State Statutes Section 15.99, local government agencies are required to approve or deny land use requests within 60 days. Within the 60-day period, an automatic extension of no more than 60 days can be obtained by providing the applicant written notice containing the reason for the extension and specifying how much additional time is needed. For the purpose of Minnesota Statutes Section 15.99, “Day 1” for the Conditional Use Permit for a PUD application was determined to be December 19, 2019. The City’s deadline for action is on February 17, 2020.

120-Day Subdivision Review Process

Pursuant to Minnesota State Statutes Section 462.358, local government agencies are required to approve or deny subdivision requests within 120 days. “Day 1” is determined to be November 20, 2019 in accordance with Minnesota Statutes 645.15. The 120-day timeline for the preliminary plat expires on March 19, 2020.

Public Hearing

City Code Section 152.052 requires that a public hearing for review of the preliminary plat be held by the Planning and Zoning Commission. The public hearing notice for the preliminary plat was published in the Dodge County Independent on November 28, 2019 and posted on the City website on December 5, 2019. The preliminary plat public hearing notice was mailed to all affected property owners located within 350 feet of the subject properties on November 27, 2019. Prior to the scheduled public hearing at the December 9, 2019 Planning and Zoning Commission meeting, the applicant requested that the public hearing be tabled until the next scheduled Planning and Zoning Commission meeting, as staff had identified that a Planned Unit Development would be required for the application.

City Code Section 154.340 requires that a public hearing for review of the final development plan of a Planned Unit Development be held by the Planning and Zoning Commission. The public hearing notice for the Conditional Use Permit for a PUD was published in the Dodge County Independent on January 2, 2020 and posted on the City website on January 2, 2020. The preliminary plat public hearing notice was mailed to all affected property owners located within 350 feet of the subject properties on January 2, 2020.

DEVELOPMENT SUBMITTAL REVIEW

The following is a review of the submitted materials as they relate to the City of Kasson’s adopted 2040 Comprehensive Plan, the Subdivision Ordinance (Chapter 152 of the City Code), and the Zoning Ordinance (Chapter 154 of the City Code). Additional elements related to technical aspects of subdivision have been reviewed by the City Engineer and are addressed later in this report.

Comprehensive Plan and Zoning

Land Use

The City’s Comprehensive Plan guides this area for Low Density Residential and Open Space land uses.

- Low Density Residential consists of single family detached residential as the prevailing development type but may also consist of limited amounts of two unit buildings (twin homes or

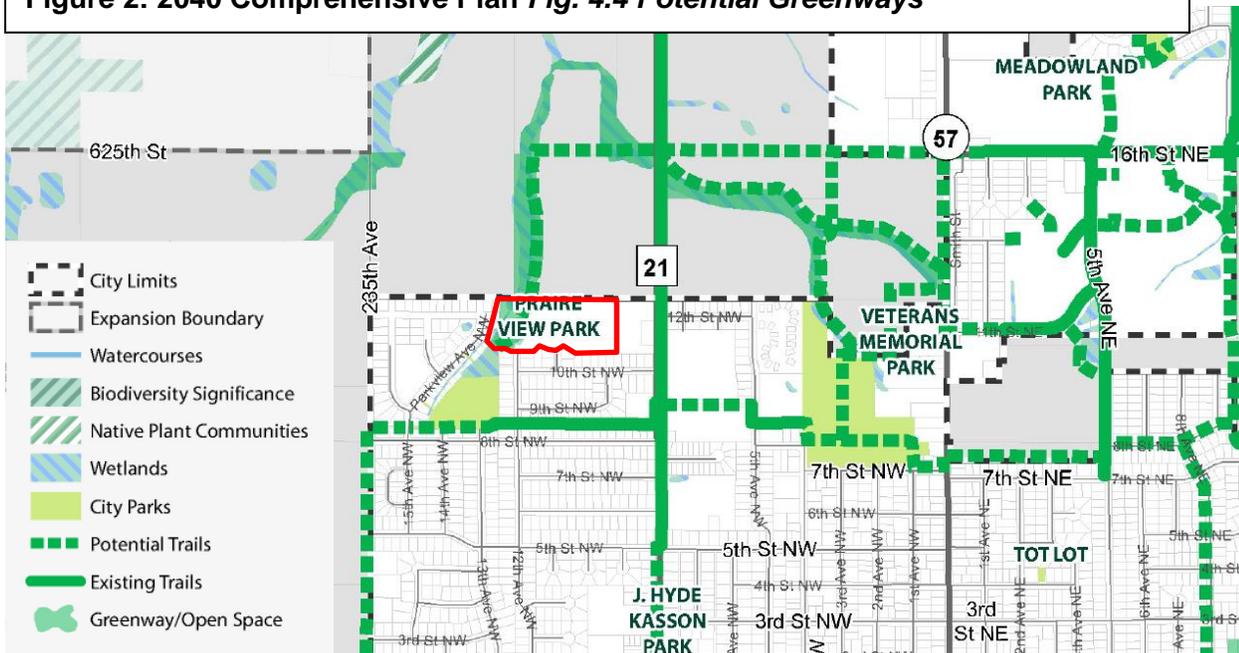
duplexes). Density of development within the Low Density Residential areas falls within a range of 2 to 4 housing units per acre (detached lot sizes ranging from 8,000 to 20,000 square feet).

- The PUD and the Preliminary Plat show 42 residential units on an estimated 11.81 acres of land, resulting in a density of 3.56 units per acre, which is within the Low Density Residential land use designation.
- As a condition of approval, the PUD should have a list of lot types and the number of lots of each type
- As a condition of approval, the Preliminary Plat should update the “number of lots” calculation shown in the “General Notes” section
- Open Space represents areas where the community intends to preserve and manage the valued natural resources. Open space is passive in character. Recreational trails may be included in open space corridors where appropriate, but development is kept to a minimum.
 - The PUD and the Preliminary Plat show the areas designated as Open Space to be entirely located within Outlot A, which will be used for open space as well as stormwater retention.

The City’s Comprehensive Plan also designates this area’s open space to contribute to a greenway/natural area system throughout the city, connecting the city’s natural resources through trails and passive open space. Future trails are shown on the site along the western side, connecting Prairie View Park to future trail connections north of the site.

- The PUD and preliminary plat do not indicate where a trail will be placed on the Outlot A
 - The general location of the trail should be shown on the PUD and Preliminary Plat as a condition of approval
 - If a useable location of a trail cannot be shown within Outlot A, the applicant should find an alternative alignment through the site and dedicate the land required for the trail.

Figure 2: 2040 Comprehensive Plan Fig. 4.4 Potential Greenways

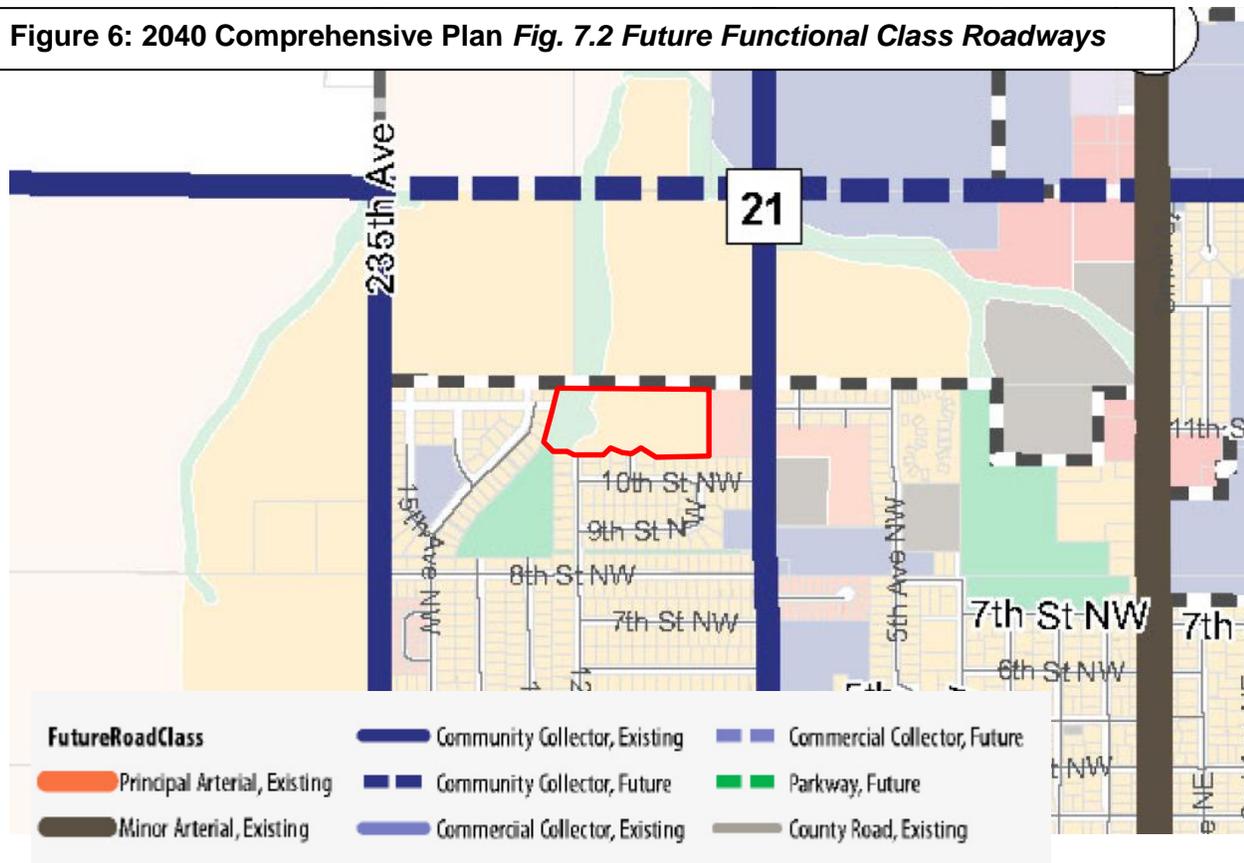


Transportation

The site does not have any future functional class roadways going through the site; however, it is centrally located between current and future Community Collector Roads on 240 Avenue (CR 21), 235 Avenue, and 16th Street NW. The subject site should develop a network of local roads that allow for connections between these collectors not just for this site but for neighboring sites. This will result in a network of local roadways that increase connectivity throughout the community, in line with the 2040 Comprehensive Plan Goal 7.1 and Policies 7.1.1 and 7.1.4:

- Goal 7.1: “Offer a greater degree of connectivity for all roadway users in future developments”
 - Policy 7.1.1 “Require new neighborhoods to have multiple ingress and egress points from local streets connecting to collector and arterial street systems”
 - Policy 7.1.4 “Plan beyond a specific development projects boundaries. Roads and trails do not just end [at] a particular project’s edges. As development is proposed in new growth areas make sure that the circulation system considers how adjacent property might develop and how a circulation system works for the larger area and connects to the collector and arterial roadway system.”

Figure 6: 2040 Comprehensive Plan Fig. 7.2 Future Functional Class Roadways



New local roads are guided to have sidewalks constructed on both sides of the roads, to increase the network of non-vehicle transportation throughout the city.

Zoning

The site is currently zoned R-1 Single Family Residential. The proposed use of single-family detached dwellings is a permitted use in the R-1 Zoning District; the proposed use of single family attached residential units is conditionally permitted in the R-1 Zoning District. As part of the PUD, the single-family attached units would become an approved use for this site, thus not requiring separate CUP approval. The city code's conditions for single-family attached dwellings should still be conditions of approval of the PUD. Those conditions are listed in Sec. 154.085:

1. The dwelling shall be attached on the side, and only on the side, to another single-family dwelling.
2. The applicant shall record all covenant and deed restrictions on all property which will abut the common line. The covenants and deed restrictions shall:
 - a. Provide access for repair and maintenance of common walls, service lines and overhangs;
 - b. Provide for easements for service lines, common walls, footings and overhangs; and
 - c. Provide for restrictions to limit changes in color, material and design of the dwelling.

Surrounding Land Uses

The site has the following land uses in the immediate proximity:

- To the north are agricultural uses that are slated for low density residential uses in the future
- To the east is a nursery/landscaping business that is slated for medium density residential uses in the future
- To the south and west are existing single family residential subdivisions

The proposed uses for the site fit with the existing and future character of the area

Preliminary Plat

The purpose of a preliminary plat is to give preliminary review and approval of the subdivision of land that meets the guidance of the City's Comprehensive Plan and the standards of the subdivision and zoning ordinances. The approval of a preliminary plat gives developers the right to develop the site as shown within the preliminary plat, as long as the final plat substantially meets the standards and conditions of the preliminary plat approval. This right lasts one year after preliminary approval and two years after final approval, unless otherwise agreed upon between the developer and the City. With that in mind, the preliminary plat should be reviewed with care and a technical eye. Conditions of approval are common, and should be addressed by the applicant, submitted to the City and approved by appropriate staff before the City will accept a final plat application.

As the elements of the Preliminary Plat and the PUD are intertwined, this report will cover those in detail under the "Site Plan Review" section.

Conditional Use Permit for PUD

The City of Kasson uses the Conditional Use Permit (CUP) as the regulatory tool for allowing a Planned Unit Development (PUD) in the City. The PUD design and development standards identified will be established within the resolution to approve the CUP.

CUP Considerations

Conditional Use Permits may be allowed with appropriate restrictions in accordance with the findings listed in Sec. 154.029(A):

1. Certain conditions as detailed in this chapter exist;
2. The use or development conforms to the comprehensive plan; and,
3. Is compatible with the existing area

In addition to the above, specific conditions for a Planned Unit Development are also required by Sec. 154.338(A):

1. The planned unit development is consistent with the comprehensive plan of the city;
2. The planned unit development is an effective and unified treatment of the development plan and provides for the preservation of unique natural amenities such as streams, stream banks, wooded cover, rough terrain and similar areas;
3. The planned unit development will be developed to harmonize with any existing or proposed development in the areas surrounding the project site;
4. The proposed primary uses are listed as either permitted or conditional uses in the zoning district in which the proposed development is located; and
5. Financing is available to the applicant on conditions and in an amount which is sufficient to assure completion of the planned unit development.

Site Plan Review

The following review will assess all aspects of the Preliminary Plat and the PUD Final Development Plan and highlight any areas where the proposed PUD varies from the underlying zoning.

Lot Size and Layout Requirements

	R-1 Requirement		PUD Proposed		PUD Vary from R-1?	Notes
	SFD	SFA	SFD	SFA		
Lot Area	7,920 sf min	4,000 sf min	8,709 sf to 13,060 sf	4,250 sf to 8,185 sf	No	
Lot Width – at Street	45’ min	30’ min	64’ to 159’	45’ to 101’	No	
Lot Width – at Building Line	66’ min	45’ min	Not provided		Unknown	Add to PUD & Preliminary Plat as condition of approval
Yard Setbacks	Front: 20’ Rear: 20’ Side: 20’	Front: 6.5’ Rear: 6.5’ Side: 6.5’	Not provided		Unknown	Add to PUD & Preliminary Plat as condition of approval
Hardcover	40% max	40% max	Not provided		Unknown	Add to PUD as condition of approval Finalized hardcover will be reviewed

					and verified at the time of building permit application
Building Height	35' or 2.5 stories	35' or 2.5 stories	Not provided	Unknown	Submit general proposed design of buildings as condition of approval of PUD Finalized building height will be reviewed and verified at the time of building permit application

Wetlands, Floodplain, Grading and Stormwater Management

- Wetlands – there is an existing wetland in the northwestern corner of the site that also serves as a stormwater drainage area for the site.
 - The preliminary plat does not include a wetland delineation
 - A wetland delineation report should be submitted as a condition of approval of the preliminary plat
 - A certificate of survey of the site including the delineated wetland should be submitted as a condition of approval for the preliminary plat
- Floodplain – there is no mapped floodplain present on the site
- Grading
 - Both the preliminary plat and the PUD show “existing contours”, however, these contours do not match each other between the drawings.
 - Additionally, these contours are not labeled with the elevation on the Preliminary Plat
 - As a condition of approval, the existing contours of the PUD and the preliminary plat should be updated to match between the documents as well as both sets labeled clearly
 - No grading plan has been submitted with the application
 - A grading plan and drainage plan for the preliminary plat should be required as a condition of approval and should be reviewed by the City Engineer
 - The existing contours shown on the PUD drawing show significant slope/elevation change over Block 6 lots 7-12, as well as Block 2 lots 7 and 8; these elevations/contours are not reflected on the preliminary plat, so it is unclear what the existing conditions are on the site
 - As mentioned above, the existing contours should match on these two drawings
 - If significant slopes exist on these lots, the grading and drainage plan needs to address the proposed grading of these lots to make them buildable but also not create drainage and erosion issues for neighboring properties
 - There are steep slopes shown on the Preliminary Plat within Outlot A. These steep slopes should be protected from erosion.
 - Soil erosion and sedimentation control elements during construction as well as permanent facilities need to be included with the grading and drainage plan mentioned above
- Stormwater Management

- Drainage and Utility Easements – the applicant has shown drainage and utility easements on each block of the preliminary plat
 - All elements listed as “Utility Easements” or “U.E.” on the preliminary plat should be labeled as “Drainage and Utility Easements” or “D&U”, as a condition of approval
 - Drainage and utility easements should be shown on each individual residential lot as a condition of approval; this includes rear yard drainage and utility easements
- The existing wetland on Outlot A will serve the stormwater needs of the site. An additional wetpond is also proposed on Outlot A to serve the stormwater needs of the site. The design of the drainage and stormwater system to the ponds should meet all standards of the City Engineer

Utilities

- Public water and sanitary sewer utilities are available to the site.
- The sewer access charge (SAC) and water access charge (WAC) for the project shall be determined as part of final plat which shall be the responsibility of the applicant.
- Sewer connection and water connection fees shall be applied to individual buildings during the building permit process.

Open Space and Landscaping

- Sec. 154.339(A)(2) states: “a minimum of 30% of the PUD, residential development is recommended to be maintained in green space consisting of vegetative plantings such as grass, trees, shrubs or flowers. No portion of sidewalks, boulevards or paved areas should be considered in calculating the green space.”
- Open space for the development as a whole seems to be contained in Outlot A.
 - At 2.03 acres, that is approximately 17% of the site
 - i. The total area of Outlot A may be decreased, as an extension of 12th street NW through the Outlot is recommended elsewhere in this report
 - Typically, the open space recommendation of Sec. 154.339(A)(2) would apply if the open space of the PUD was commonly owned, where an association owned the yard and lawn areas of the development, and individual lots only covered the building footprint area
 - PUDs are required to indicate the organization proposed to own and maintain public or private open space
 - i. No such indication of ownership was submitted with the PUD
 - ii. As a condition of approval, the organization proposed to own and maintain Outlot A and any other public or private open space shall be submitted
- No Landscaping Plan has been submitted with the PUD
 - As a condition of approval, a landscaping plan should be submitted, in particular showing locations of green space, vegetative plantings, and types of plantings

Park Dedication

- The current PUD and preliminary plat show the development having no recreational facilities; as such, a park dedication fee as provided by City Code Sec. 152.023, in lieu of land dedication would be recommended by Staff.

- As indicated previously, the Comprehensive Plan proposes a trail within Outlot A; the PUD and preliminary plat should show what areas are useable within Outlot A to accommodate the trail.
 - That useable area can be assessed for its value and contribute to the overall dedication of land allowed through Sec. 152.023
 - If no area is useable within Outlot A, the applicant should show an alternative useable alignment through the development for the trail
- The required amount for park dedication shall be determined as part of the final plat.

Roads/Access/ROW

- The PUD and Preliminary Plat show the installation of public roads (12th Avenue NW, 12th Street NW, and 11th Avenue NW) and private roads (Outlot B)
- The applicant has shown 12th Street NW turning into 12th Avenue NW, however, this conflicts with previous general development plans for the area as well as goals of the Comprehensive Plan
 - As a condition of approval, the PUD and Preliminary Plat and Preliminary Construction Plans should show 12th Street NW going through the site, connecting to the existing 12th Street NW in Bigelow-Voigt 7th Addition to the west and the future extension of 12th Street NW through the Wilker parcel to the east
- Right of way for 12th Avenue NW, 12th Street NW, and 11th Avenue NW is 66 feet, which meets city design standards
- Temporary turn-arounds are needed for roads where future extensions will be on neighboring properties
 - As a condition of approval, a temporary turn-around should be shown for 12th Street NW around Block 2 Lot 8 and Block 6 Lot 12
 - As a condition of approval, a temporary turn-around should be shown for 11th Avenue NW around Block 1 Lot 3 and Block 2 Lot 1
- The developer has proposed private roads for the access of Block 5 Lots 5, 6, 7, 8 and Block 6 Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10. The existence of private roads on the application triggered the need for a PUD.
 - The outlot for this private road is 40' wide, with a drive aisle 20' wide
 - No sidewalks are shown on the private road
 - Proposed ownership and maintenance of the private road have not been indicated
 - As a condition of approval, the PUD should indicate the proposed ownership and maintenance of the private road/Outlot B
- Sidewalks are shown on the Preliminary Construction Plans for both sides of 12th Avenue NW, 12th Street NW, and 11th Avenue NW;
 - The Preliminary Construction Plans show sidewalks as 4' wide; city code requires public sidewalks to be 5' wide
 - As a condition of approval, the Preliminary Construction Plans should be updated to show sidewalks that are 5' wide

STAFF / CONSULTANT / AGENCY REVIEW

City Staff Review

Review comments by the Admin/Zoning Administrator, Finance, Electric, Zoning Clerk, and Public Works Director may be found in the memo in Attachment D.

City Engineer Review

The City Engineer, in consultation with City Administrative and Public Works Staff, has prepared the letter in Attachment E to address engineering and utility related concerns for the proposed development. At this time the applicant has only provided conceptual plans for engineering review. Detailed plans will be required before final approvals. The applicant is advised that if in preparing the detailed plans substantive changes are required to the preliminary plat, an amendment to the preliminary plat approval may be required.

City Fire Chief Review

In their review of the application, the City Fire Chief had the following comments:

1. Re: Private streets- it is VERY difficult to maneuver the streets (it would be easiest to get rid of the private roads)
2. The streets would have to be "no parking"---- and even then, if there are two fire trucks side by side on the street, the street would then become impassable.
3. 12th Street needs to go all the way through for fire protection services
4. What are the sizes of the ponds (and depth) (for possible future water
5. rescue)
6. There needs to be a turnaround at the 2 streets on the east side and would prefer a hammerhead turnaround (not a cul de sac).
7. Will need to know final hydrant placement

RECOMMENDATIONS

Conditional Use Permit for PUD

Staff recommends that the Planning and Zoning Commission table the recommendation for the CUP for PUD. There are a number of items that need to be submitted by the applicant for consideration with the PUD that the Planning and Zoning Commission will want to review before making their recommendation.

Should the Planning and Zoning Commission want to recommend to City Council approval of the Conditional Use Permit for a Planned Unit Development: Preliminary Development Plan and Final Development Plan, the following conditions are suggested:

1. The applicant shall resubmit the drawing labeled on 11/20/2019 as "General Development Plan" with a new label "Planned Unit Development: Preliminary Development Plan and Final Development Plan"; the following conditions shall refer to this drawing as "PUD"
2. The PUD shall be drawn at a scale so that the subject site takes up the majority of the drawing page, such as 1 inch = 100 feet

3. The following changes shall be made to the PUD drawing
 - a. The PUD shall have a list of lot types and the number of lots
 - b. The general location of the trail shall be shown on the PUD
 - c. Setback lines shall be added to all residential lots within the PUD
 - d. Lot width at the building setback line shall be added to all residential lots within the PUD and will be verified by staff to ensure compliance with the R-1 zoning district
 - e. The PUD shall show calculations for the shown hardcover (building, driveway, patio) and show that these counts do not exceed 40% per lot
 - f. The PUD shall show the general building pad location on all residential lots
 - g. The existing contours of the PUD and the preliminary plat shall be updated to match between the documents as well as both sets labeled clearly
 - h. As a condition of approval, the PUD and Preliminary Plat and Preliminary Construction Plans should show 12th Street NW going through the site, connecting to the existing 12th Street NW in Bigelow-Voigt 7th Addition to the west and the future extension of 12th Street NW through the Wilker parcel to the east
4. The following shall be submitted as a supplemental material in addition to the PUD drawing:
 - a. The applicant shall submit general proposed design of buildings for both SFD and SFA housing types; these design diagrams shall show side-views with elevation/building height indicated
 - b. The organization proposed to own and maintain Outlot A and any other public or private open space shall be submitted
 - c. The organization proposed to own and maintain the private road/Outlot B shall be submitted
 - d. A landscaping plan shall be submitted, in particular showing locations of green space, vegetative plantings, and types of plantings
5. The following shall also apply:
 - a. Association documents shall be submitted to the City that establishes ownership of common areas, accepts responsibility for the maintenance of those areas, commits the association to professional management and establishes an adequate funding mechanism for that maintenance. Any change in association management must be approved by the Planning and Zoning Commission
 - b. The single-family attached dwellings shall be attached on the side, and only on the side, to another single-family dwelling.
 - c. The applicant shall record all covenant and deed restrictions on all property which will abut the common line. The covenants and deed restrictions shall:
 - i. Provide access for repair and maintenance of common walls, service lines and overhangs;
 - ii. Provide for easements for service lines, common walls, footings and overhangs; and
 - iii. Provide for restrictions to limit changes in color, material and design of the dwelling.

This recommendation is based on the following findings of fact:

1. The proposed use is compatible with the existing area

2. The planned unit development is consistent with the comprehensive plan of the city;
3. The planned unit development is an effective and unified treatment of the development plan and provides for the preservation of unique natural amenities such as streams, stream banks, wooded cover, rough terrain and similar areas;
4. The planned unit development will be developed to harmonize with any existing or proposed development in the areas surrounding the project site;
5. The proposed primary uses are listed as either permitted or conditional uses in the zoning district in which the proposed development is located; and
6. Financing is available to the applicant on conditions and in an amount which is sufficient to assure completion of the planned unit development.

Preliminary Plat

Staff recommends that the Planning and Zoning Commission table the recommendation for the Preliminary Plat. As the Preliminary Plat and the PUD are so intertwined, the Preliminary Plat should be decided on at the same time as the PUD.

Should the Planning and Zoning Commission want to recommend to City Council preliminary approval of the plat, the following conditions are suggested:

1. The applicant shall resubmit the drawing labeled on 11/20/2019 as “Conditional Use Permit” with a new label “Preliminary Plat”; the following conditions shall refer to this drawing as “preliminary plat”
2. The following changes shall be made to the preliminary plat:
 - a. Update the “number of lots” calculation shown in the “General Notes” section
 - b. The general location of the trail shall be shown on the Preliminary Plat
 - c. Setback lines shall be added to all residential lots within the Preliminary Plat
 - d. Lot width at the building setback line shall be added to all residential lots within the Preliminary Plat and will be verified by staff to ensure compliance with the R-1 zoning district
 - e. The existing contours of the PUD and the preliminary plat shall be updated to match between the documents as well as both sets labeled clearly
 - f. All existing adjoining road names, owners of adjoining unplatted parcels and adjoining subdivision names shall be clearly depicted on the plat
 - g. Items related to easements:
 - i. All elements listed as “Utility Easements” or “U.E.” on the preliminary plat shall be labeled as “Drainage and Utility Easements” or “D&U”, as a condition of approval
 - ii. Drainage and utility easements shall be shown on each individual residential lot; this includes rear yard drainage and utility easements;
 1. Drainage and utility easements on the shared lot line of single-family attached lots need not be shown
 - iii. Ten foot utility easements shall be provided along the street frontage for the Private Streets
 - iv. The existing ten foot U.E. along the easterly boundary line of Bigelow Voigt 7 shall be added to the plat.
 - h. Items related to roads:

- i. The Preliminary Plat shall show 12th Street NW going through the site, connecting to the existing 12th Street NW in Bigelow-Voigt 7th Addition to the west and the future extension of 12th Street NW through the Wilker parcel to the east
 - ii. A temporary turn-around shall be shown for 12th Street NW around Block 2 Lot 8 and Block 6 Lot 12
 - iii. A temporary turn-around shall be shown for 11th Avenue NW around Block 1 Lot 3 and Block 2 Lot 1
 - i. Items related to utilities:
 - ii. Existing adjoining water, sewer and storm shall be depicted, and the sizes shall be clearly labeled
 - iii. The 2003 wetland exception area shall be depicted on the plat
 - iv. The 100 year design storm shall be contained within Outlot “A” or within a drainage easement
 - v. The water service for Wilker runs across the project area. The Developer shall provide an adequate water service for Wilker as part of the project
3. The following changes shall be made to the Preliminary Construction Plans:
 - a. A wetland delineation report shall be submitted
 - b. A certificate of survey of the site including the delineated wetland shall be submitted
 - c. A grading and drainage plan for the preliminary plat shall be submitted and shall be reviewed by the City Engineer
 - i. The grading and drainage plan shall address the conditions of the existing contours shown on the PUD drawing related to Block 6 lots 7-12, as well as Block 2 lots 7 and 8
 - ii. If significant slopes exist on these lots, the grading and drainage plan shall address the proposed grading of these lots to make them buildable but also not create drainage and erosion issues for neighboring properties
 - iii. Soil erosion and sedimentation control elements during construction as well as permanent facilities shall be included with the grading and drainage plan
 - iv. The existing 5’ U.E. along the easterly boundary line of Bigelow Voigt 7th shall be depicted on the grading and drainage plan
 - d. The Preliminary Construction Plans shall be updated to show sidewalks that are 5’ wide
 - i. The plans shall include 5’ sidewalks on at least one side of the private streets
 - e. A hydrant shall be provided at each intersection. Hydrant locations and spacing shall also accommodate the existing portions of 12th Avenue NE and 11th Avenue NW to their intersections with 10th Street NW to ensure proper hydrant spacing and coverage. Hydrant locations and spacing shall be reviewed by the City Fire Chief.
 - f. A blow off hydrant shall be provided at every watermain dead end
 - g. The wet ponds shall be sized to provide rate control for the 2 year, 10 year and 100 year Atlas 14 design storms for the post development condition to equal or less than pre development conditions for the tributary portions of Bigelow Voigt 7th and Bigelow Voigt 8th. The wet ponds shall also be designed to comply with NPDES permit requirements
 - h. Removed hydrants shall be salvaged to the City
 - i. The pipe crowns for differing storm sewer pipes sizes shall be aligned at manhole junctions

- j. Turning movements shall be provided in the final construction plan set for the Private Streets to illustrate accessibility for emergency vehicles and approved by the Fire Chief
- k. On street parking along the Private Streets shall be prohibited due to the proposed 20 foot width
 - i. The applicant shall be required to install “No Parking” signs on the Private Streets and submit general sign plans for the signs with the Final Plat
- l. Other changes as indicated by the City Engineer in their letter to the City Administrator dated December 4, 2019, as drawn on the plans attached to the letter.

This recommendation is based on the following findings of fact:

- 1. The proposed preliminary plat, with conditions, is consistent with the Comprehensive Plan and policies of the City of Kasson.
- 2. The physical characteristics of the site are suitable for the type of development and use being proposed.
- 3. The proposed development will not negatively impact the health, safety, or welfare of the community.
- 4. The proposed preliminary plat, with conditions, gives effective protection to the natural resources of the community, especially ground water and surface waters.

PLANNING AND ZONING COMMISSION ACTIONS

After the discussion, the Planning and Zoning Commission could take one of the following actions (actions recommended by Staff are **bolded**):

Conditional Use Permit for PUD

- 1. **Table the request to the next Planning and Zoning Commission meeting and provide direction to Staff and the applicant as to the additional information needed.**
- 2. Recommend approval with the recommended conditions and findings of fact as presented by Staff.
- 3. Recommend denial with findings of fact (provide own).

Preliminary Plat

- 1. **Table the request to the next Planning and Zoning Commission meeting and provide direction to Staff and the applicant as to the additional information needed.**
- 2. Recommend approval with the recommended conditions and findings of fact as presented by Staff.
- 3. Recommend denial with findings of fact (provide own).

ATTACHMENTS

- A. Bigelow Voigt 8th Addition – “General Development Plan” dated November 20, 2019 to be renamed “Planned Unit Development: Preliminary and Final Development Plan”

- B. Bigelow Voigt 8th Addition – “Conditional Use Permit” dated November 20, 2019 to be renamed “Preliminary Plat”
- C. Bigelow Voigt 8th Addition – Preliminary Construction Plans “Public Improvements to Serve Bigelow Voigt Eighth,” dated November 20, 2019
- D. City Staff Review Comments, dated December 5, 2019
- E. City Engineer Letter – Review of General Development Plan, Preliminary Plat, Preliminary Construction Plans and Conditional Use Exhibit, dated December 4, 2019

**CITY OF KASSON
RESOLUTION # XX-20**

**RESOLUTION APPROVING A CONDITIONAL USE PERMIT FOR A PLANNED
UNIT DEVELOPMENT FOR THE PROPERTY AT PID No. 240290700, KNOWN AS
BIGELOW VOIGT 8TH ADDITION**

WHEREAS, the applicant, Bigelow Voigt Development, LLC. represented by Tony Bigelow, on November 20, 2019 submitted a request for a Conditional Use Permit (CUP) for a Planned Unit Development (PUD) for the property at PID No. 240290700; and,

WHEREAS, the subject site is generally located north of 10th Street NW to the west of 8th Avenue NW (County Road 21) at the northwest border of Kasson; and,

WHEREAS, the applicant is proposing to plat the 11.8 acre parcel into 13 single family detached lots, 30 single family attached lots, and three outlots; and,

WHEREAS, the Kasson Code of Ordinances, in Section 154.336 authorizes the City Council to allow a planned unit development with a conditional use permit in the City; and

WHEREAS, the proposed use of single family detached residential is listed as a permitted use for the R-1 District in Section 154.146 and the proposed use of single family attached residential is listed as a conditional use for the R-1 District in Section 154.147; and,

WHEREAS, the PUD deviates from the R-1 District by allowing for the hardcover maximum to increase from 40% to 55% for single family attached lots, while all other R-1 District standards still apply; and,

WHEREAS, the PUD allows for two private roadways, located on Outlot B and Outlot C, which deviate from the road width requirements established in Sec. 152.071 of the Subdivision Ordinance; and,

WHEREAS, the appropriate City Staff and consultants have performed a technical review of the application;

WHEREAS, at a public hearing duly held on the 13th day of January, 2020, the Planning and Zoning Commission heard testimony of all persons wishing to comment; and

WHEREAS, following the public testimony and report of the technical review, the Planning and Zoning Commission reviewed all relevant information regarding the request for a Conditional Use Permit and recommended approval subject to conditions; and

WHEREAS, the City has considered the proposed project as it might affect public health, safety or welfare and will be imposing conditions upon the approval addressing these considerations; and

WHEREAS, the City Council has studied the practicality of the request, taking into consideration the present and future development of the property and the requirements of the Zoning, Subdivision Ordinances and other official controls.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF KASSON, MINNESOTA that the following findings are hereby adopted regarding the application for a Conditional Use Permit for a Planned Unit Development for PID No. 240290700, known as Bigelow Voigt 8th Addition:

1. The proposed use is compatible with the existing area
2. The planned unit development is consistent with the comprehensive plan of the city;
3. The planned unit development is an effective and unified treatment of the development plan and provides for the preservation of unique natural amenities such as streams, stream banks, wooded cover, rough terrain and similar areas;
4. The planned unit development will be developed to harmonize with any existing or proposed development in the areas surrounding the project site;
5. The proposed primary uses are listed as either permitted or conditional uses in the zoning district in which the proposed development is located; and
6. Financing is available to the applicant on conditions and in an amount which is sufficient to assure completion of the planned unit development.

BE IT FURTHER RESOLVED that the Conditional Use Permit for a Planned Unit Development for PID No. 240290700, known as Bigelow Voigt 8th Addition, is hereby approved, subject to the following conditions:

1. The following changes shall be made to the PUD drawing, and shall be submitted to the City and approved by the Zoning Administrator prior to recording the PUD with the County and prior to the applicant submitting a Final Plat application to the City for the subject site:
 - a. The general location of the trail shall be shown to be entirely on Outlot A
 - i. the portion shown running along 12th Avenue NW/12th Street should be shown the same width as the rest of the trail;
 - ii. the west lot line for Block 1, Lot 1 should be moved slightly to the east to allow for the trail width to be entirely within Outlot A
 - b. The PUD shall show calculations for the shown hardcover (building, driveway, patio) and show that these counts do not exceed 40% per lot for single family detached lots, and 55% per lot for single family attached lots
 - c. The applicant shall submit general proposed design of buildings for the single family detached lots; these design diagrams shall show side-views with elevation/building height indicated
 - d. The applicant shall add a notation regarding the proposed ownership of Outlot A by the City of Kasson
 - e. The applicant shall add a notation regarding the proposed ownership of Outlot B and Outlot C by a Home Owner's Association or some other private entity

2. Prior to the recording the final plat and development agreement, association documents shall be submitted to the City that establishes ownership of common areas, accepts responsibility for the maintenance of those areas, commits the association to professional management and establishes an adequate funding mechanism for that maintenance. Any change in association management must be approved by the Planning and Zoning Commission
3. The single-family attached dwellings shall be attached on the side, and only on the side, to another single-family dwelling.
4. The applicant shall record all covenant and deed restrictions on all property which will abut the common line. The covenants and deed restrictions shall:
 - a. Provide access for repair and maintenance of common walls, service lines and overhangs;
 - b. Provide for easements for service lines, common walls, footings and overhangs; and
 - c. Provide for restrictions to limit changes in color, material and design of the dwelling.
5. The applicant shall be responsible for payment of all costs associated with the conditional use permit application.
6. The applicant shall be responsible for recording the resolution(s) with Dodge County. The applicant is advised that the resolution(s) will not be released for recording until all conditions have been met.

Adopted this 26th day of February, 2020.

ATTEST:

Linda Rappe, City Clerk

Chris McKern, Mayor

The motion to approve the foregoing resolution was made by Council Member ____ and duly seconded by Council Member _____. Upon a vote being taken, the following members voted in favor thereof: _____. Those against same: _____.

**CITY OF KASSON
RESOLUTION # XX-20**

**RESOLUTION APPROVING THE PRELIMINARY PLAT FOR THE PROPERTY AT
PID No. 240290700, KNOWN AS BIGELOW VOIGT 8TH ADDITION**

WHEREAS, the applicant, Bigelow Voigt Development, LLC. represented by Tony Bigelow, on November 20, 2019 submitted a request for a Preliminary Plat, for the property at PID No. 240290700; and,

WHEREAS, the subject site is generally located north of 10th Street NW to the west of 8th Avenue NW (County Road 21) at the northwest border of Kasson; and,

WHEREAS, the applicant is proposing to plat the 11.8 acre parcel into 13 single family detached lots, 30 single family attached lots, and three outlots; and,

WHEREAS, the appropriate City Staff and consultants have performed a technical review of the application;

WHEREAS, at a public hearing duly held on the 13th day of January, 2020, the Planning and Zoning Commission heard testimony of all persons wishing to comment; and

WHEREAS, following the public testimony and report of the technical review, the Planning and Zoning Commission reviewed all relevant information regarding the proposed Preliminary Plat and recommended approval subject to conditions; and,

WHEREAS, the City has considered how the proposed project might affect public health, safety, or welfare and will be imposing conditions upon the approval addressing these considerations; and

WHEREAS, the City Council has studied the practicality of the preliminary plat and development plan, taking into consideration the present and future development of the property and the requirements of the Zoning, Subdivision Ordinances, and other official controls.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF KASSON, MINNESOTA that the following findings are hereby adopted regarding the application for a Preliminary Plat for PID No. 240290700, known as Bigelow Voigt 8th Addition:

1. The proposed preliminary plat, with conditions, is consistent with the Comprehensive Plan and policies of the City of Kasson.
2. The physical characteristics of the site are suitable for the type of development and use being proposed.
3. The proposed development will not negatively impact the health, safety, or welfare of the community.
4. The proposed preliminary plat, with conditions, gives effective protection to the natural resources of the community, especially ground water and surface waters.

BE IT FURTHER RESOLVED that the Preliminary Plat for PID No. 240290700, known as Bigelow Voigt 8th Addition, is hereby approved, subject to the following conditions:

1. Concurrent approval of the Conditional Use Permit for a Planned Unit Development application
2. The following changes shall be made to the Preliminary Plat drawing, and shall be submitted to the City and approved by the Zoning Administrator prior to the applicant submitting a Final Plat application to the City for the subject site:
 - a. The general location of the trail shall be shown on the Preliminary Plat
 - b. Setback lines shall be added to all residential lots within the Preliminary Plat
 - c. Labels and abbreviations for Utility Easements and Drainage and Utility Easements shall be updated to be consistent within the Preliminary Plat
 - d. Drainage and utility easements shall be shown on each individual residential lot; this includes rear yard drainage and utility easements
 - i. Drainage and utility easements on the shared lot line of single-family attached lots need not be shown
 - e. The existing ten foot utility easement along the easterly boundary line of Bigelow Voigt 7 shall be added to the Preliminary Plat
 - f. A temporary turn-around shall be shown for 11th Avenue NW around Block 1 Lot 3 and Block 2 Lot 1
 - g. The water service for the adjacent property to the east runs across the project area. The Developer shall provide an adequate water service for the adjacent property as part of the project
 - h. Hydrant locations and spacing shall be reviewed by the City Fire Chief.
 - i. Existing adjoining water, sewer and storm sewer shall be depicted, and the sizes shall be clearly labeled
 - j. The proposed sanitary sewer system shall be shown
3. The following changes shall be made to the Public Improvements supplemental materials to the Preliminary Plat, and shall be submitted to the City and approved by the Zoning Administrator prior to the applicant submitting a Final Plat application to the City for the subject site:
 - a. A wetland delineation report shall be submitted
 - b. A certificate of survey of the site including the delineated wetland shall be submitted
 - c. A grading and drainage plan for the preliminary plat shall be submitted and shall be reviewed by the City Engineer
 - i. Soil erosion and sedimentation control elements during construction as well as permanent facilities shall be included with the grading and drainage plan
 - ii. The existing 5' U.E. along the easterly boundary line of Bigelow Voigt 7th shall be depicted on the grading and drainage plan
 - iii. The grading plan should account for the trail grading; the future trail will be constructed by the City at a later date
 - d. The Preliminary Construction Plans shall be updated to show sidewalks that are 5' wide

- i. The plans shall include 5' sidewalks on at least one side of the private streets
 - e. Other changes as indicated by the City Engineer in their letter to the City Administrator dated December 4, 2019, as drawn on the plans attached to the letter.
- 4. The following conditions shall apply to the subdivision:
 - a. Any covenants or deed restrictions shall be provided with the final plat submittal
 - b. A hydrant shall be provided at each intersection. Hydrant locations and spacing shall also accommodate the existing portions of 12th Avenue NE and 11th Avenue NW to their intersections with 10th Street NW to ensure proper hydrant spacing and coverage.
 - c. A blow off hydrant shall be provided at every watermain dead end
 - d. The wet ponds shall be sized to provide rate control for the 2 year, 10 year and 100 year Atlas 14 design storms for the post development condition to equal or less than pre development conditions for the tributary portions of Bigelow Voigt 7th and Bigelow Voigt 8th. The wet ponds shall also be designed to comply with NPDES permit requirements
 - e. Removed hydrants shall be salvaged to the City
 - f. The pipe crowns for differing storm sewer pipes sizes shall be aligned at manhole junctions
 - g. Turning movements shall be provided in the final construction plan set for the Private Streets to illustrate accessibility for emergency vehicles and approved by the Fire Chief
 - i. A permanent turnaround shall be provided at the end of 12th Street NW; the acceptability of the proposed configuration will be discussed with City staff during final construction plan review
 - h. On street parking along the Private Streets shall be prohibited due to the proposed 20 foot width
 - i. The applicant shall be required to install "No Parking" signs on the Private Streets and submit general sign plans for the signs with the Final Plat
- 5. The applicant shall be responsible for payment of all costs associated with the preliminary plat application.

Adopted this 26th day of February, 2020.

ATTEST:

Linda Rappe, City Clerk

Chris McKern, Mayor

The motion to approve the foregoing resolution was made by Council Member ____ and duly seconded by Council Member _____. Upon a vote being taken, the following members voted in favor thereof: _____. Those against same: _____.



TREE
CITY
USA

CITY OF KASSON

401 FIFTH STREET SE
KASSON, MINNESOTA 55944-2204
PHONE: (507) 634-7071
FAX: (507) 634-4737

October 23, 2019

Fausto Cabral
District 6 State Aid Engineer
MnDOT District 6
2900 48th Street NW
Rochester, MN 55901

RE: Kasson, MN
TH 57 and 16th Street NW roundabout and 16th Street NW extension
2022 – 2023 Local Partnership Program (LPP) Application

Dear Mr. Cabral:

The City of Kasson is applying for \$1,300,000 of funding from 2022 – 2023 Local Partnership Program (LPP) for the roundabout proposed at the intersection of TH 57 and 16th Street NE in the City of Kasson, MN. The City of Kasson plans to use an additional \$2,700,000 of MSAS and local funds to fund the entire \$4,000,000 project. The proposed project includes Schedule 1-3 on the enclosed feasibility report. Schedules 4-5 will be completed later as a separate project.

Background

The City of Kasson is proposing to extend 16th Street N.W. from the intersection of TH 57 to C.S.A.H. 21 to continue to provide a robust regional transportation network. The proposed improvements have been identified in the City's Comprehensive Plan, Regional Transportation Plan and Capital Improvement Plan. The proposed improvements will provide a connection from a Minor Arterial (TH 57) to a Major Collector (C.S.A.H. 21). 16th Street NW is not currently on the City's MSAS system, but the City plans reallocate mileage to the proposed project corridor to allow for MSAS funding.

Project Benefits

The roundabout will provide benefits to both the community and the trunk highway system by improving traffic and pedestrian circulation and safety at the intersection.

Enclosed is a Functional Classification Map, Regional Transportation Map, Intersection Control Evaluation (ICE) report and Feasibility Report.

Please contact me with any questions.

Sincerely,

Nancy Zaworski, Interim City Administrator

Cc: Brandon W. Theobald, P.E., City Engineer

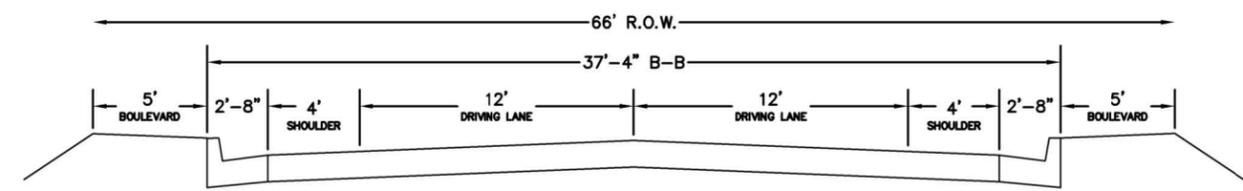
NO.	DATE	REVISIONS DESCRIPTION

FIGURE 2 - PROPOSED SCHEDULE
16TH ST NW EXTENSION
KASSON, MN
2019

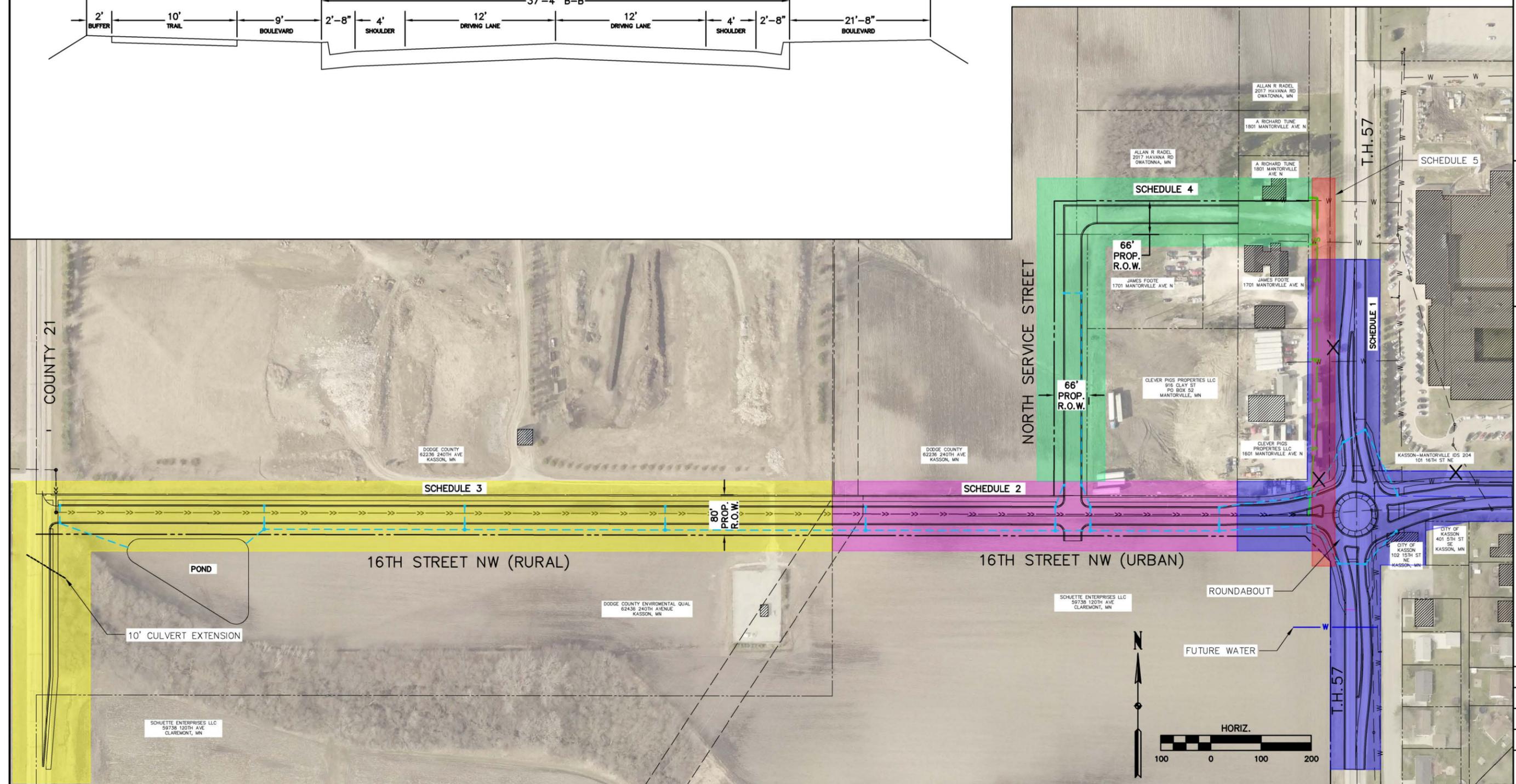
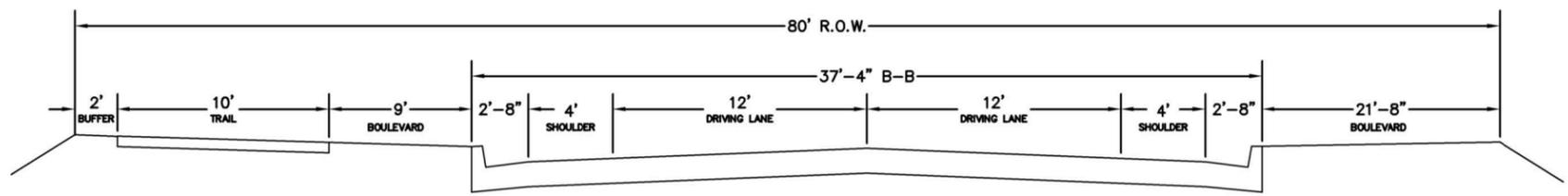
SCALE:	AS SHOWN
WHKS PROJECT NO.	
DRAWN BY:	MR
CHECKED BY:	BWT
SHEET	1 OF 1

- SCHEDULE 1
- SCHEDULE 2
- SCHEDULE 3
- SCHEDULE 4
- SCHEDULE 5
- EXISTING SANITARY SEWER FORCEMAIN
- PROPOSED SANITARY SEWER
- PROPOSED STORM SEWER
- X CLOSED ACCESS

NORTH SERVICE STREET



16TH STREET NW



CITY OF KASSON
RESOLUTION #x-x

A RESOLUTION AWARDING AND APPROVING
DEMOLITION OF STRUCTURES AT 85 E. VETERANS MEMORIAL HWY
AND 102 15TH ST NE

WHEREAS, the City Council of the City of Kasson solicited, received and opened quotes for Demolition of Structures at 85 E. Veterans Memorial Highway and 102 15th St N.E. on February 20, 2020; and,

WHEREAS, quotes received by the City of Kasson must be acted upon within 30 days of opening; and,

WHEREAS, the bids received for the project are over the engineering estimate but are favorable.

<i>Engineering Estimate</i>	\$ 45,000.00
Fraser Construction Co.	\$ 64,649.00
Swenke Ims Contracting, LLC	\$ 68,100.00
DeCook Excavating	\$ 67,800.00
Carl Bolander and Sons, LLC	\$ 92,963.00
Schumacher Excavating, Inc	\$ 94,785.00

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Kasson that the low bid submitted by Fraser Construction Co. in the amount of \$64,649.00 for Demolition of Structures at 85 E. Veterans Memorial Highway and 102 15th St N.E. is hereby approved.

Adopted by the Kasson City Council this 26th day of February 2020.

Mayor Chris McKern

ATTEST:

Linda Rappe, City Clerk

The motion for the adoption of the foregoing resolution was made by Council Member _____ and duly seconded by Council Member _____. Upon a vote being taken, the following members voted in favor thereof: _____. Those against same: _____

Sump Pump Program Public Informational Meeting



March 18, 2020

6:00 PM

Kasson Mantorville High School

Brandon Theobald, P.E. – City Engineer

Bryan Kaemingk, P.E. – Project Manager

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1

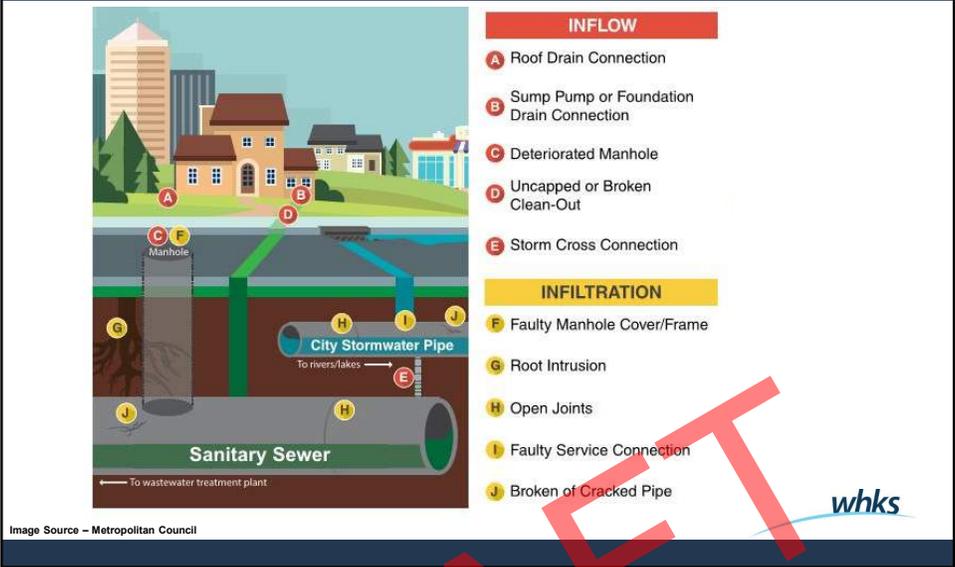
Meeting Objectives

- What is Infiltration and Inflow?
- Why are we doing this program?
- Discuss program approach and details
- Frequently asked questions

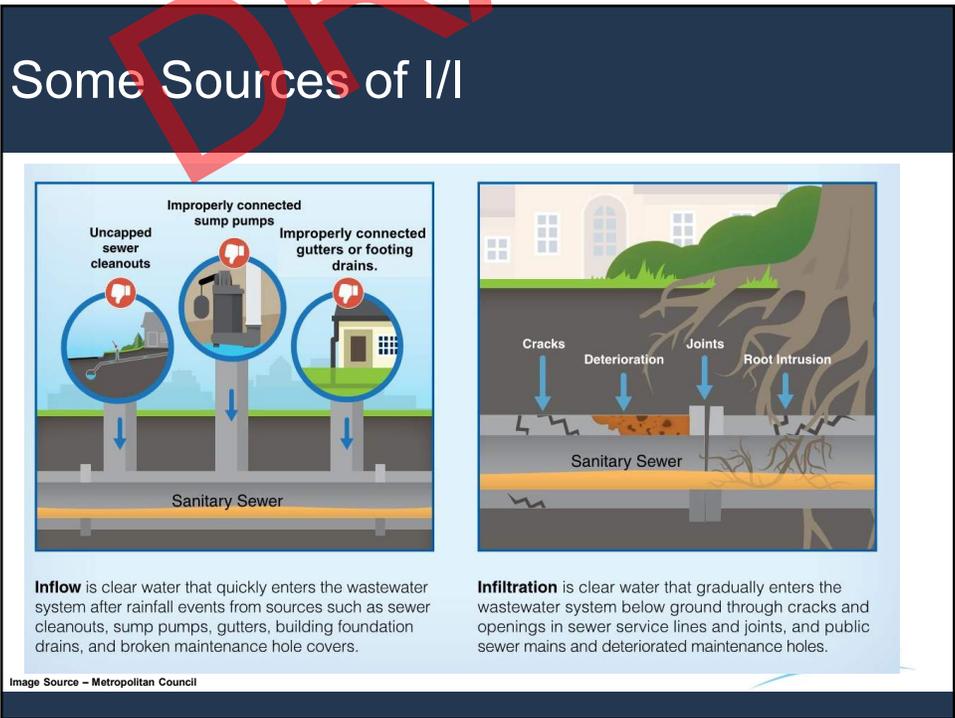
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2

What is I/I? Inflow and Infiltration



3



4

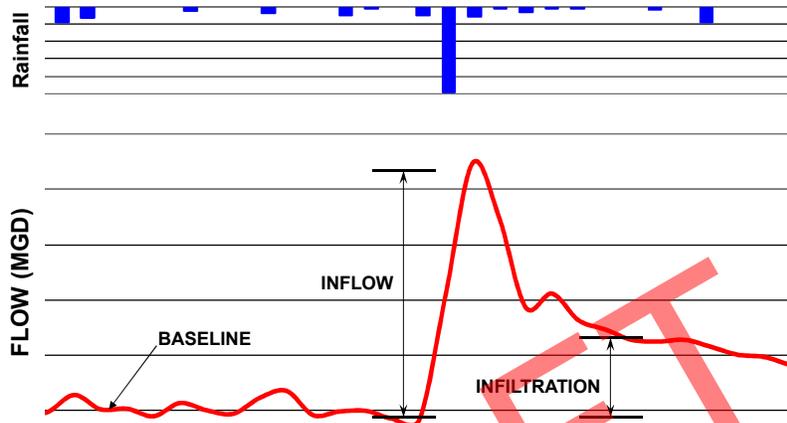
I/I in Kasson

Kasson System Description:

Average Dry Weather (ADW) flow (MGD): 0.67

Average Wet Weather (AWW) flow (MGD): 0.97

Peak Instantaneous Wet Weather (PIWW) flow (MGD): 6.8 **10 X average**



5

Consequences of Excessive I/I

Low customer satisfaction
Costs greater than needed
Potential health risks
Property damage
Regulatory actions



6

I/I's Effects on Kasson



- Sanitary Sewer Backups into Homes
- Sanitary Sewer Overflows into Waterways
- Sewer Infrastructure Size Increase
- Wastewater Treatment Plant Upgrades
- Sewer Rate Increases

whks

7

Why are we doing this program?

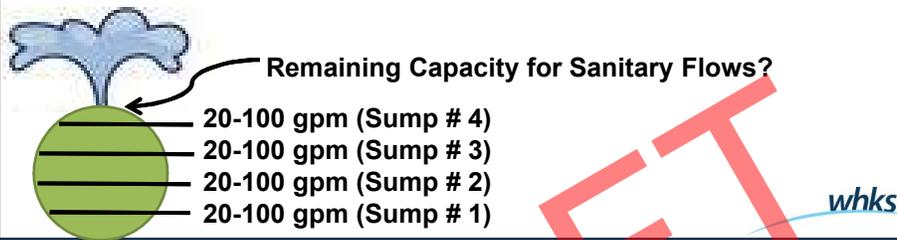
- Not a new program for City of Kasson
- Removing I/I from the sanitary sewer:
 - Saves Money: Reduces future rate increases
 - It's the Neighborly thing to do: Reduces potential for backups & property damage

whks

8

Why a Sump Pump Program?

- **A few sump pumps can make a big difference**
 - Typical sump pump 20-100 gpm a piece
 - Typical 8" sewer capacity 350 gpm.
 - **As few as FOUR pumps can take up the pipe capacity and cause a backup in the neighborhood.**



9

Sump Pump and Lateral Program Approach

- **Ordinance Modification**
- **Public Info**
- **Public Meetings**
- **Scheduling**
- **Inspections**

whks

10

Key Aspects to Ordinance Revision

Chapter 53 of Kasson Code of Ordinances prohibits clear water connections.

- Sump pumps, beaver drains, footing drains, etc are prohibited from discharging to sanitary sewer
- Rigid discharge piping, no valves or flex hose
- Sump pits must have pumps
- City, City's representative, or private plumber inspects
- Timeline
 - 30 days to inspect
 - **90 days** to correct **sump pump** deficiencies
 - **365 days** to correct **lateral** deficiencies
- City can issue \$100/month surcharge for violations or no inspection
- Petition and Waiver Program for Financing

11

Public Info



Kasson Sump & Lateral Inspection

[home](#) [program information](#) [FAQs](#) [notices](#) [inspection map](#) [contact](#) [schedule inspection](#)

SUMP PUMP & LATERAL INSPECTION PROGRAM

Updated 2/10/20

Received a Letter? [Click Here to Schedule an Inspection](#)

**** NEWS ****

A Public Informational

Information available in print and on the web at

- www.KassonSump.com
- City of Kasson Social Media

A successful program benefits the City by

- reducing backups,
- protecting health, and
- Controlling costs

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Invitation
to attend
public info
meeting
and
schedule
inspection



CITY OF KASSON

401 First Street SE
Kasson, Minnesota 56045-0204
Phone: (507) 634-7071
Fax: (507) 634-4122

March 21, 2020

TO: John Doe
Inspection for building at 123 Sample St
Login: (LoginNum)
Password (case sensitive): (Password)

RE: City Wide Sump Pump and Lateral Inspection Program

The City of Kasson's Chapter 53 of the Code of Ordinances prohibits the discharge of clear water into the sanitary sewer system. Clear water from sump pumps, ground sump pumps, footing drains, swimming pool, sewage collection system (basement), or other natural precipitation is prohibited from discharging or draining into the sanitary sewer system.

The City will be conducting mandatory sump pump and lateral inspections to verify that sump pumps, roof drains, footing drains, and other clear water discharges are not connected to the sanitary sewer system. All inspections will take place in 2020 only. The engineering firm, WHKS & Co., is coordinating this program and will serve as Project Coordinator.

This program is designed to ensure that all sump pumps and lateral lines are properly installed and maintained. The City will provide a list of participating contractors and a schedule of inspections. Residents are encouraged to schedule their inspections as early as possible to avoid any inconvenience. The City will provide a list of participating contractors and a schedule of inspections. Residents are encouraged to schedule their inspections as early as possible to avoid any inconvenience.

Sincerely,
City of Kasson



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Scheduling

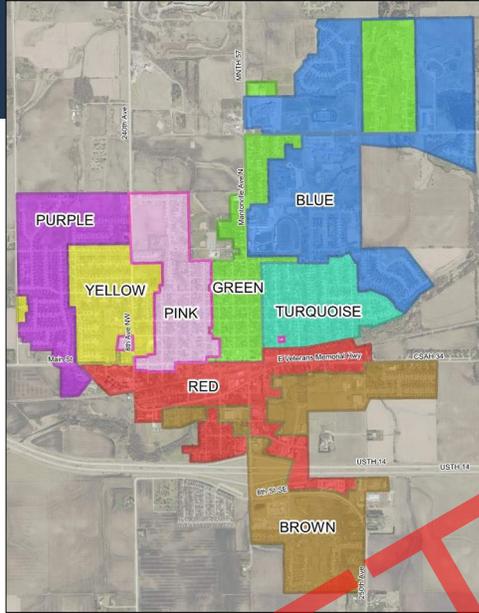
- **All inspections are scheduled, no door-to-door inspections.**
- **Scheduling is fast and easy**
- **Schedule through website or telephone**
- **Residents will receive a letter when it is time for their sector to schedule inspections.**



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Sectors

Interactive map available at KassonSump.com



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Scheduling and Info Website

KassonSump.com



Kasson Sump & Lateral Inspection

[home](#) [program information](#) [FAQs](#) [notices](#) [inspection map](#) [contact](#)

[schedule inspection](#)

SUMP PUMP & LATERAL INSPECTION PROGRAM

Updated 2/10/20

Received a Letter? [Click Here](#) to Schedule an Inspection

**** NEWS ****

A Public Informational

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Scheduling and Info Website

KassonSump.com

Schedule Inspection

This building does not have an inspection scheduled.

▶ **Schedule Inspection**
Select a time for an inspection of 1335456 test.

▶ **Edit Notes**
Provide special instructions for inspectors or other information about your property.

When inspection is complete, comeback here for report and lateral inspection video (if applicable).

Note - Report and lateral inspection video may take up to one (1) week after inspection is completed to be uploaded.

▶ **Lateral Inspection Video**

▶ **Inspection Report (PDF)**

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Scheduling and Info Website

KassonSump.com

Scheduling Calendar

			1	2	3	4	April 22 Click the time below to schedule. 7:15am - 7:30am 7:30am - 7:45am 9:15am - 9:30am 9:45am - 10:00am 10:30am - 10:45am 11:00am - 11:15am 11:15am - 11:30am 11:30am - 11:45am 11:45am - 12:00pm 12:00pm - 12:15pm 12:15pm - 12:30pm 12:45pm - 1:00pm 2:00pm - 2:15pm 2:15pm - 2:30pm 2:30pm - 2:45pm 2:45pm - 3:00pm 3:00pm - 3:15pm 3:15pm - 3:30pm 3:30pm - 3:45pm 3:45pm - 4:00pm 5:00pm - 5:15pm 5:15pm - 5:30pm 5:45pm - 6:00pm 6:00pm - 6:15pm
5	6	7	8	9	10	11	
12	13	14	15	16	17	18	
19	20	21	22	23	24	25	

18

Scheduling and Info Website

KassonSump.com

Resident Log Out & Appointment Confirmation

You are Logged Out

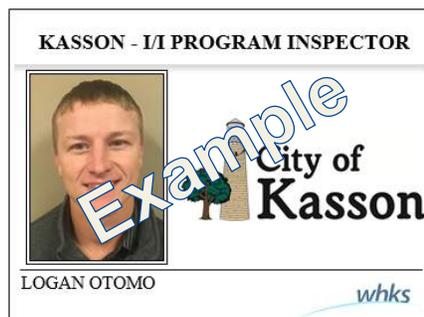
Yay!

You have logged out. You have an inspection appointment scheduled for 04/21/2015 8:00 AM Thank you for participating in this program.

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19

Inspector Identification

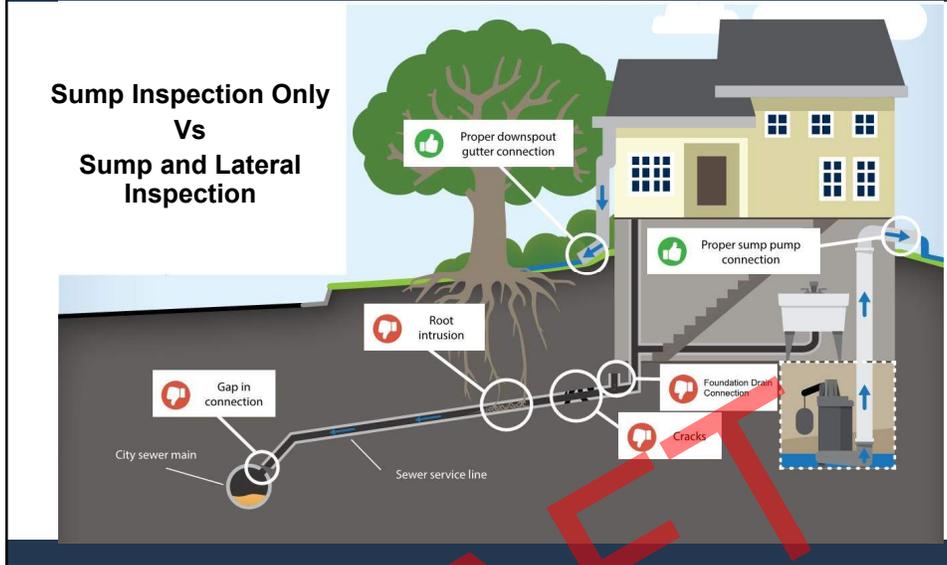


- All inspections are scheduled
- No door-to-door
- WHKS logos on
 - Badges
 - Clothing
 - Vehicles

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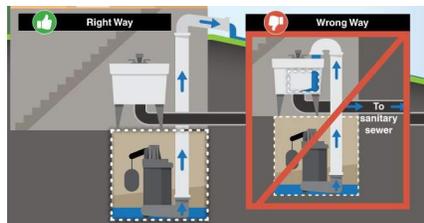
20

What are we looking for?



21

The Sump Inspection



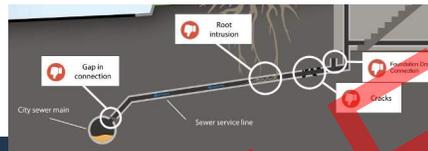
- Completed in 15 minutes
- Adult must be present
- Sump Inspection looks at:
 - Sump pumps
 - Beaver drains
 - Roof drains
 - Site grading
- Occupant and inspector signs
- Notice of Violation and instructional diagrams given if needed
- May Need a follow up Inspection

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22

The Sump and Lateral Inspection

- Completed in under 30 minutes
- Adult must be present
- Inspection includes a sump pump inspection.
- Lateral inspection
 - Camera down service lateral
 - Pipe Material, Size, and Condition
- **Footing Drain Connection (non compliant)**
 - **Should not be connected to sanitary sewer**
- Need access to lateral, i.e. cleanout.
- Occupant and inspector signs
- Notice of Violation and instructional diagrams given if needed
- May Need a follow up Inspection



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Inspection Type?

- All buildings are at least getting a sump inspection.
- Buildings built before 2000 are also getting a lateral inspection.
- Unless a part of recent Construction Projects
- Around the year 2000 building inspections started included footing drain inspections

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24

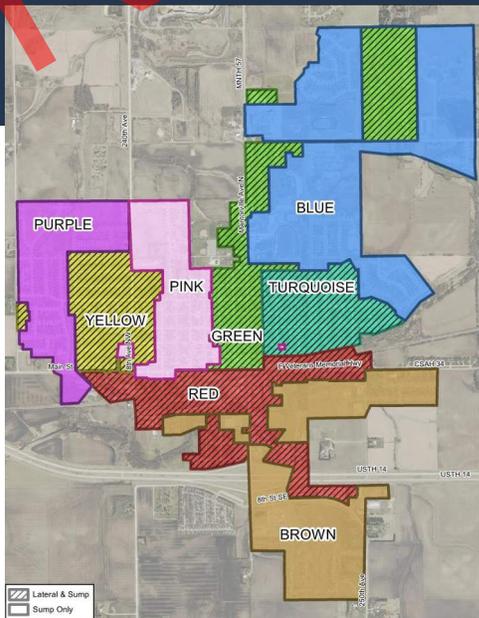
Inspection Type



whks

25

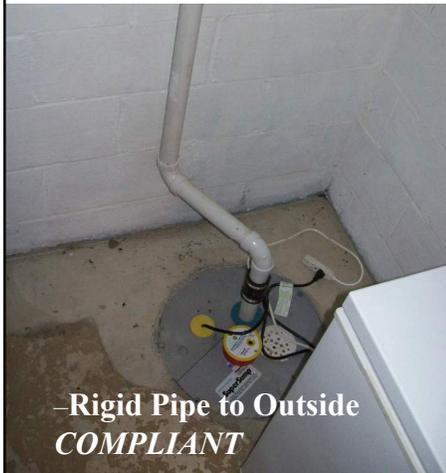
Interactive map available at KassonSump.com



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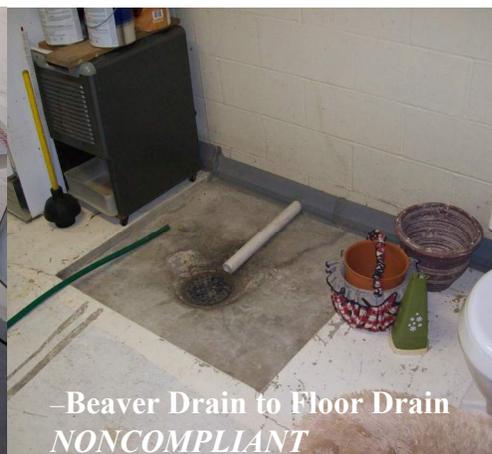
Installation Examples: Sump Pumps



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27

Installation Examples: Beaver Drains



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28

Installation Examples: Beaver Drain / Tile



29

Installation Examples: Footing Drain Connection



30

Inspection Form

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Approximate Inspection Timeline

Item	Date
Public Information Meeting	March 18, 2020
Sump Pump and Lateral Inspections	
Red Sector	March 2020
Yellow Sector	April 2020
Green Sector	May 2020
Turquoise Sector	June 2020
Sump Pump Inspections Only Inspection Blue, Pink, Purple, & Brown Sectors	Summer 2020 to Fall 2021
All Inspections Completed	Fall 2021



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Next Steps

1. Read Information on Website
2. Wait for scheduling letter to arrive.
 - (30 days to schedule)
3. Then contact us by phone or login to website to schedule the appointment.
4. Correct Noncompliant Connections (if applicable)
 - 90 days for Sump Pump
 - 365 days for Footing Drain

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Contact and Project Information

- Contact/ Project information
 - Bryan Kaemingk, P.E. 507-288-3923
 - Scheduling Website: KassonSump.com
 - Call toll- free: () -

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Questions?



whks

35

DRAFT

grade 2

Kasson Position Description

Classification: Library Aide

Department: Library Department

Reports to: Library Director

FLSA Classification: Hourly, Non-Exempt

Date of last revision: February 14, 2020

Position Summary

This position assists and communicates with patrons to provide high-quality customer service to library patrons and the public.

Essential Duties and Responsibilities

Patron Customer Service

- Answer phone and greets patrons in a manner promoting good customer service
- Utilizing the SELCO automation system, provide check-in and check-out of library materials, reserve materials, assess and collect fines, register new patrons, update status of materials
- Shelve books and materials
- Assist patrons with questions, in locating items, and with technology issues, photocopying, faxing, scanning
- Oversee supply of all circulation forms, flyers, handouts, calendars, etc.
- Reserve books for all library Book Clubs
- Scan all ILL arriving materials; notify patrons upon arrival of requests
- Assist with circulation of laptops and Chromebooks
- Develop and maintain a working knowledge of the Library Board and all City and Department procedures to facilitate compliance
- Develop respectful and cooperative relationships with co-workers, the public and outside vendors which help establish and maintain Kasson's reputation as a well-managed Library and City.
- Deal directly with patrons and residents to provide information in response to inquiries, concerns or requests about library and city services in a respectful and helpful way to establish and maintain Kasson's reputation as providing high-level customer satisfaction.

Summer Reading Program

- Assist with registration of Summer Reading Program participants
- Assist with Summer Reading Program in other ways as assigned;
- Assist in occasional after-hours library events (such as Summer Reading Program).

Assist Library Director

- Attend weekly staff meetings
- Perform other job-related duties as assigned or apparent
- Assist with Circulation reports
- Confers regularly with the Library Director to decide the timing and priority of work to be done; keeps the Director informed of all important matters and contributes to the overall mission of the Library.

Provides excellent customer service and high-quality service levels

- Other duties as assigned or apparent;

- Must be able to work independently;
- Develops and maintains a good working knowledge of all City and department policies and procedures to help facilitate compliance with such policies and procedures by all assigned personnel;
- Develops respectful and cooperative relationships with colleagues, the public and outside vendors to help establish and maintain Kasson's reputation as a well-maintained City;
- Deal directly with customers and residents to provide information in response to inquiries, concerns or requests about City services in a respectful and helpful way to establish and maintain Kasson's reputation as providing high-level of customer satisfaction.

While these areas are the primary focus of the position, we believe strongly in teamwork and employees will be called upon to perform a variety of duties as part of their role with the Library and City. It is expected that this position be fully-qualified and meet performance expectations. Individuals must be able to perform every essential function. Reasonable accommodations may be made to enable individuals with disabilities to perform all essential functions established for this position.

Qualifications

Education: High School Diploma or GED with some computer training or any equivalent combination of education, training and experience which provides the requisite knowledge and abilities for this position.

Requirements:

- Must obtain and maintain a valid MN Driver's License;
- Ability to adapt to situations involving the interpretations of feelings, ideas or facts in terms of personal viewpoint;
- Must be able to troubleshoot problems at the circulation desk;
- Ability to adapt to influence people about opinions, attitudes or judgments;
- Ability to adapt to perform repetitive work;
- Ability to adapt to perform under stress when confronted with crisis or emergency;
- Must have the ability to work cooperatively with a variety of people;
- Must have the ability to establish and maintain effective working relationships with library patrons and the general public.

Physical Demands and Working Conditions

- This work requires the regular exertion of up to 10 pounds of force and occasional exertion of up to 25 pounds;
- This work regularly requires standing, speaking or hearing and using hands to finger, handle or feel; also required is frequent walking, sitting, reaching with hands and arms, repetitive motions and occasionally requires climbing or balancing; stooping, kneeling, crawling or crouching, pushing or pulling and lifting; work requires close vision and distance vision;
- Must have the ability to adjust focus, depth perception, color perception and peripheral vision;
- Vocal communication is required for expressing or exchanging ideas by means of the spoken word and conveying detailed or important instructions to others accurately, loudly or quickly; hearing is required to perceive information at normal spoken word levels and to receive detailed information through oral communications and/or to make distinctions in sound.

Equipment Utilized

Regularly work inside and sedentary only 50% of time.

- Regular use of office equipment, telephone, computer, Microsoft and other necessary software programs, copier, scanner, fax.



To: City Council

Date: 02/26/20

Agenda Heading: City Administrator's Report

“After a good dinner, one can forgive anybody, even one's own relations.”

--- Oscar Wilde

- **Street Improvement District Bill.** The House Subcommittee on Local Government on Feb. 19 will consider a LMC-initiated bill that would give cities new authority to collect fees for street improvements. HF 1095 (Rep. Steve Elkins, DFL-Bloomington) would allow cities to create street improvement districts. Cities would have the authority to collect fees from property owners within a district to fund municipal street maintenance, construction, reconstruction, and facility upgrades. If enacted, this legislation would provide cities with an additional tool to build and maintain city streets. The Senate companion, SF 1271 (Sen. Dave Senjem, R-Rochester), has not been scheduled for a hearing. I will be interested to see what sort of appetite the Legislature has for items of this nature.
- **Park and Recreation Board Update.** The Parks Board held their regular meeting last week and they discussed a variety of topics. Amongst those were the consideration of Parkland dedication fees and the WPA wall issue. I provided information about the fees from Zumbrota, Byron, and Rochester and encouraged the Board to contemplate changes to our current structure. They discussed the need to revisit this issue on a more regular basis and debated maintaining the current format with a rise in the acre valuation vs. simply requiring a base amount per lot. After discuss, they opted to recommend a simple per lot cost of \$300. They felt this was the simplest way to calculate the amount to be charged. Next, they reviewed the status of the WPA wall project. Ron Unger, having been directed by me of the Council's desire for forward movement, advised them that he had contacted MRA, and that this spring, 2 masons would be available to review the wall and provide a second opinion. At this time, it seems prudent to forestall any additional activity until that is complete.
- **Mn DOT Open House.** Last Tuesday, the DOT hosted a public meeting to discuss their ongoing projects and concerns for the next year. It was well attended and there were a number of items which came out. Included in your packet are the updated maps of their project areas. There may be some changes however, the bulk of this money is already allocated. Members of the public asked questions, and that was very helpful especially as regards the new potential mini-roundabout that the City Council is contemplating for the 57/Main Street intersection. I think additional meetings of this sort will be conducive to reducing the public angst over these changes. Please let me know if you have any questions.

- **State Revenue Collections Lower Than Projected for January.** State revenue collections for January were \$2.295 billion, which is \$228 million (9%) lower than projected. For fiscal year (FY) 2020, year-to-date receipts are now \$13.212 billion, which is \$76 million (0.6%) less than projected in the state budget forecast released in November. The Minnesota Management and Budget Department will release the next full state budget forecast tomorrow Feb. 27. The Legislature and governor will base any adjustments to the enacted state 2020-2021 biennial budget on that budget forecast. Right now, I expect net tax receipts from individual income taxes and corporate taxes to be lower than forecasted levels as the balance of payments issues becomes greater in outstate MN.
- **CMPAS Meeting.** Last week I met with our Electric Purchasing agency to receive a monthly update. The overall financial picture is good and this year the City should be receiving additional true-up payments totally nearly \$300,000. I would like to allocate a certain amount of this extra revenue towards fully funding the EDA Revolving loan fund and a certain amount of the money can be used for acquisition of Xcel service territory. I have a meeting scheduled with the local Xcel representative for the end of the month which will be informative as to their stance on cleaning some of the exception properties in town as well. Overall, the target is to include all annexed property as part of our service territory.
- **2020 Census.** Minnesota could potentially lose a seat in the house of representatives due to a decrease in population, so it's important that everyone is counted. Also, a major factor in needing an accurate count is the desire to capture the LGA precisely. These funds will be allocated on a relative basis so we need to add as many people as possible. The Census form itself is simply nine questions and those who do not turn in their answers a census taker will visit their home. Information isn't turned over to other organizations such as ICE. The U.S. Census Bureau encourages people to complete the questions online, or request a traditional paper form and we will be working with the Dodge County Complete Count Committee. The City Clerk is leading this effort and if you have any questions, please let her know.
- **Water Metering Issues.** We have identified a small problem with the water/electric metering equipment. We were notified recently that Itron and Badger Metering would no longer be working together on products. As a result, during FY 2020 we need to find a different software/hardware product because Badger Metering will no longer be supporting electrical meters and Itron will no longer be supporting water meters. We want to avoid needing to implement 2 software separate software systems as the cost and complexity creates major billing headaches. I will provide more information as this situation evolves.
- **LMC Urges Cities to Pass Resolution Supporting Infrastructure Accountability.** The League is urging city councils to adopt a resolution providing clarity after the Minnesota Supreme Court's decision in Harstad v. City of Woodbury, where the court found there was no existing statutory authority to collect fees for future infrastructure improvements when approving residential development. This resolution supports legislation that would authorize cities to collect infrastructure development fees to fund municipal street improvements as a necessary component of growth. Growing cities have tried to address infrastructure needs resulting from residential development after the Harstad decision. Unfortunately, these

efforts have been met with litigation. It seems apparent that some sort of action is necessary to help support the current infrastructure when additional inputs are added to the system. I have included a fact sheet and sample resolution in the packet for your review.

Meetings and Events Attended

February 4	Kasson EDA Department Head meeting KARE meeting
February 5	Mn DOT Hwy 57 roundabouts meeting
February 6	City Engineer De Cook Development Intro
February 7	Ice Arena Inspection/Review
February 10	Thompson Development Meeting Planning Commission
February 11	Shopko TIF Agreement Discussion/McGrath Law Firm Library Board
February 12	Dodge County Historical Society Chamber of Commerce South East Cooperative Meeting Regular City Council
February 13	Conference Call-CMPAS KTTC Interview
February 15	Council Worksession
February 18	Mn DOT Open House Park Board
February 19	CMPAS Monthly Meeting-Eden Prairie, MN
February 20	City Engineer Water Metering Meeting w/ Badger Meter Tax Abatement Meeting w/ Joe Lonzo Safety Training
February 21	Dodge County Independent Interview
February 24	Xcel Energy Service Territory Acquisition Meeting
February 25	Dodge County EDA Precinct Caucuses
February 26	Jeff Dale-Rural Water City Council

CITY ISSUE FACT SHEET

Infrastructure fees support development and taxpayer fairness

If not addressed, existing taxpayers will foot the bill for streets that are only needed because of proposed residential development.



PROBLEM:

When a new subdivision proposal is presented to a city by a developer, city officials consider how that development will connect with the rest of the community through new city streets, or how the added capacity will impact existing city streets.

Many cities plan street work years in advance, and new development creates additional demand.

However, legal interpretation of current law does not allow for cities to collect fees from developers to help pay for these future investments.

LEAGUE-SUPPORTED SOLUTION:

The League supports **HF2296 / SF2442 and HF2297 / SF2443** (Rep. Brad Tabke, Sen. Eric Pratt), providing the necessary statutory authority for cities to be able to charge developers fees that cover the infrastructure improvements that are needed because of the new residential development.

DID YOU KNOW?

Without legislative action, cities who want to grow must rely on property taxes to pay for development-related infrastructure. If these cities don't have the tax capacity to absorb these costs, they may be forced to forego new development entirely.

BACKGROUND:

The Minnesota Supreme Court found in *Harstad v. City of Woodbury* that cities do not have the statutory authority necessary to impose a fee for future street improvements when approving residential development. Cities need a clear and lawful path forward to support development while protecting the interests of current taxpayers.

For more information:

Irene Kao, Intergovernmental Relations Counsel

Phone: (651) 281-1260

Email: ikao@lmc.org

www.lmc.org/builditright



RESOLUTION # _____

A Model Resolution Supporting Infrastructure Accountability

WHEREAS, populations in Minnesota cities are growing statewide; and

WHEREAS, the development and construction associated with that growth are driving the need for road improvements, street oversizing, street redesign, and street reconstruction; and

WHEREAS, municipal statutory authority appropriately exists for fees to support added need for parks, sewer, and water; and

WHEREAS, this municipal authority does not exist for infrastructure development fees; and

WHEREAS, city streets are one of the four major types of infrastructure local government is responsible to provide to protect public safety and health, and city streets represent a separate but integral piece of the network of roads supporting movement of people and goods; and

WHEREAS, existing funding mechanisms, such as Municipal State Aid (MSA), property taxes, and special assessments have limited applications, leaving cities under-equipped to address growing needs; and

WHEREAS, neighborhood streets are constructed according to city standards by developers; and

WHEREAS, funding sources for larger streets and intersections to support new developments have historically come from infrastructure development fees; and

WHEREAS, the Minnesota Supreme Court found in *Harstad v. City of Woodbury* that no statutory authority existed for these infrastructure development fees; and

WHEREAS, cities should not be forced to make current residents and businesses pay for costs of growth through local taxes but rather by those that are responsible for the growth; and

WHEREAS, cities are finding it difficult to develop adequate funding systems to support needed infrastructure development related to growth while complying with existing state statutes; and

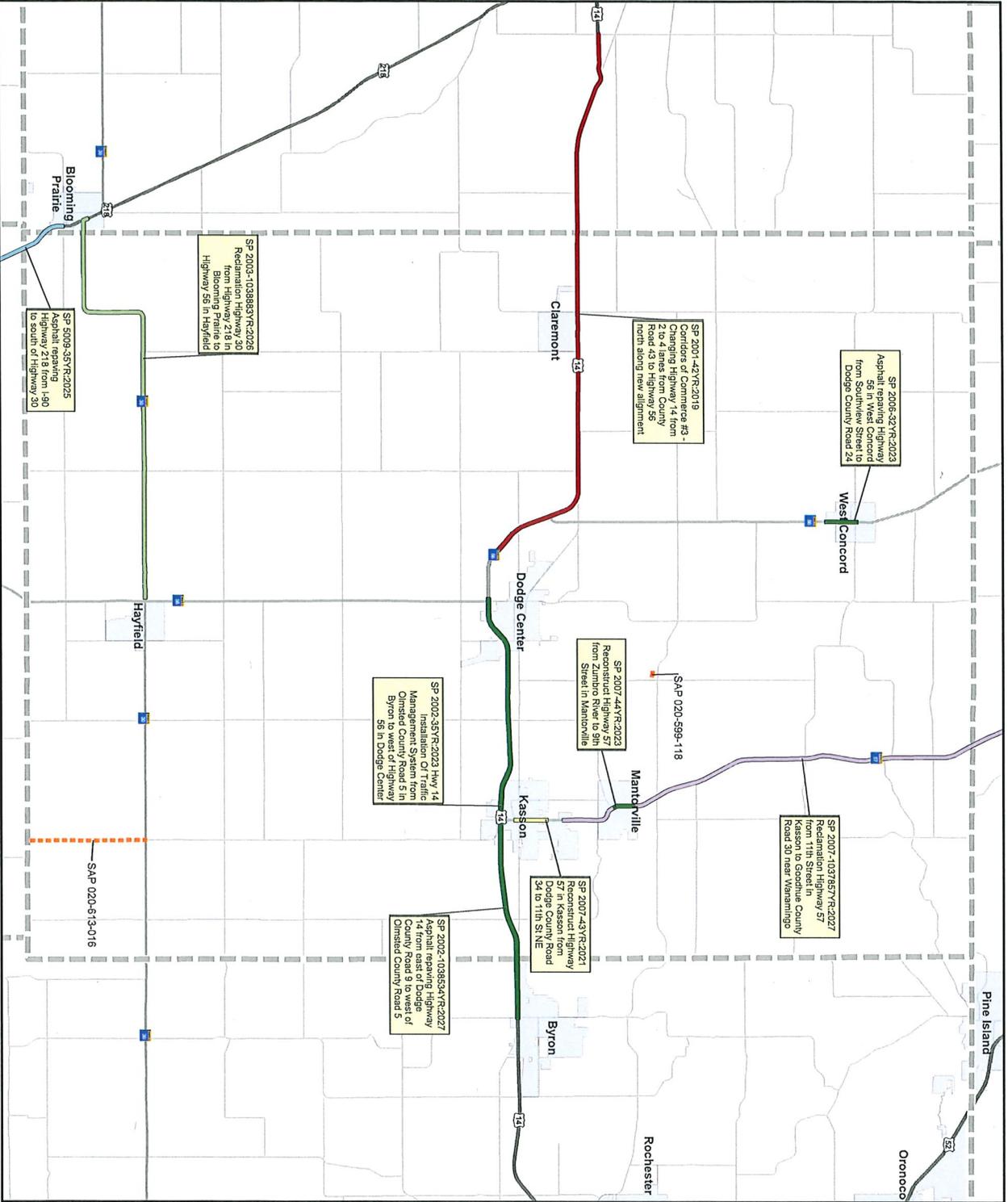
WHEREAS, cities need flexible policies and greater resources in order to meet growing demands for street improvements.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF

_____ that this Council supports legislation that would authorize cities to collect infrastructure development fees to fund municipal street improvements as a necessary component of growth.

ADOPTED by the _____ City Council this ____ day of _____, 2020.

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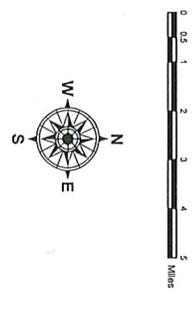


Legend

MNDOT Project Construction Year

- 2019
 - 2020
 - 2021
 - 2022
 - 2023
 - 2024
 - 2025
 - 2026
 - 2027
 - 2028
- State Aid Construction Year**
- 2020
 - 2021
 - 2022
 - 2023
 - 2024
 - 2025
 - 2026
 - 2027
 - 2028

- Interstate
- US Highway
- MN Highway
- CSAH or County Road
- City Boundary
- County Line



Dodge County Capital Improvement Plan

2020

CSAH 13 - Widen, Reclaim & Pave TH 30 to Mower Co. Line (3.2 mi)
CR G - Reclaim & Pave County Line - to CSAH 1 (2 mi.)
CSAH 9 - Replace Bridge 89099 (0.6mi N of CSAH 6)

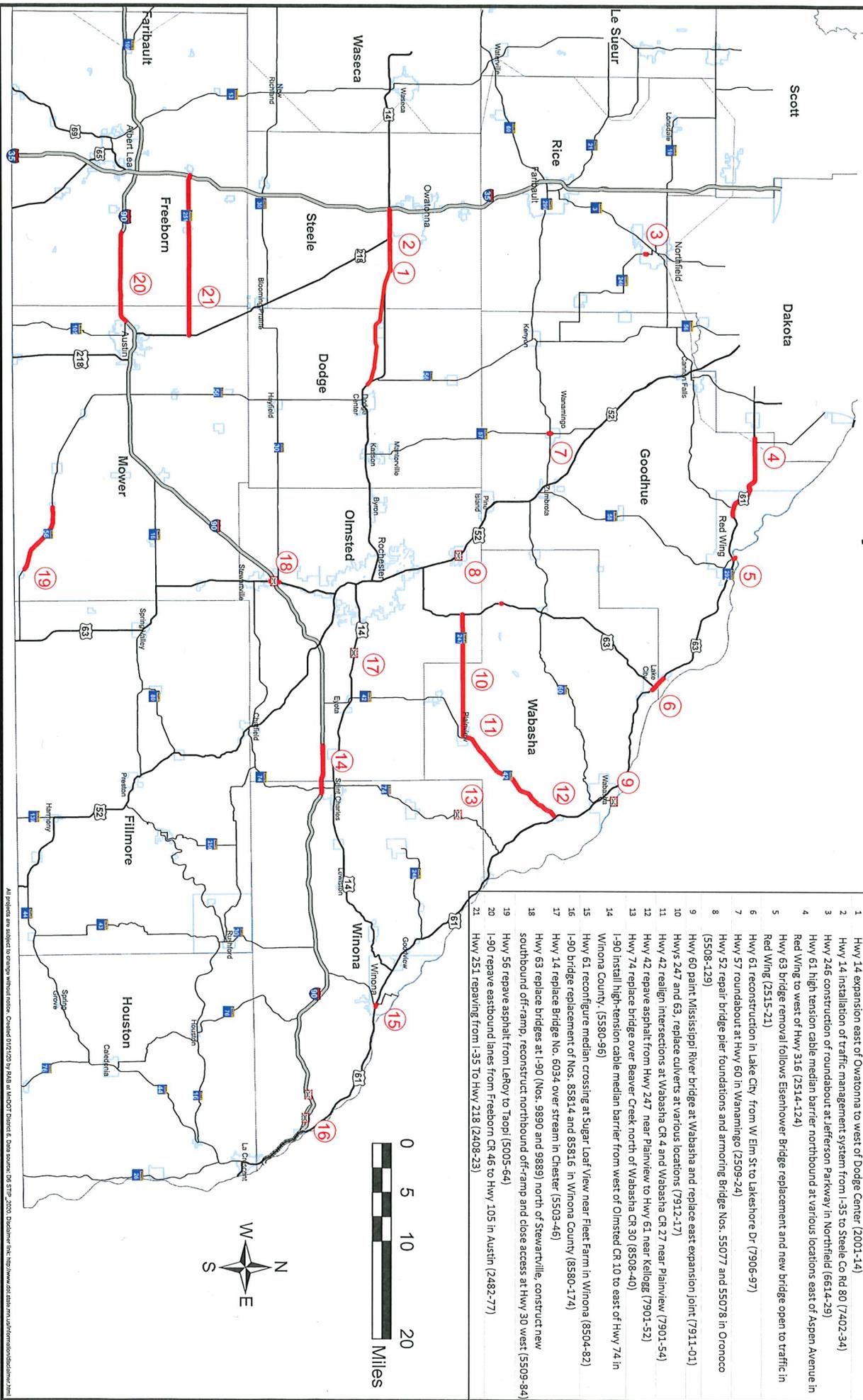
2021

CSAH 9 - Widen, Reclaim & Pave TH 14 to CSAH 6 (4.2 mi)
CSAH 5 - Reclaim & Pave No. Co. Line - CSAH 24 (3.5 mi)
CR N - Mill & 3" Overlay TH 56 to CR T (1 mi.)
CSAH 9 - CIR & Pave (By Mower Co) Along County Line (1 mi)
CSAH 3 - Mill and Pave 2" (Reconstruction grant applied for) CSAH 1 to East St. (1/2 mi. through Town)

2022

CSAH 24 - Reclaim & Pave TH 57 to ECL (5.2 mi)
CSAH 24 - Reclaim & Pave CSAH 22 to TH 57 (4 mi)
CSAH 16 - Overlay (paved 2004) CSAH 9 to TH 57 (3.0 mi)

Year 2020 MnDOT District 6 Construction Projects



2020 Construction projects

- 1 Hwy 14 expansion east of Owatonna to west of Dodge Center (2001-14)
- 2 Hwy 14 installation of traffic management system from I-35 to Steele Co Rd 80 (7402-34)
- 3 Hwy 246 construction of roundabout at Jefferson Parkway in Northfield (6614-29)
- 4 Hwy 51 high tension cable median barrier northbound at various locations east of Aspen Avenue in Red Wing to west of Hwy 316 (2514-124)
- 5 Hwy 53 bridge removal follows Eisenhower Bridge replacement and new bridge open to traffic in Red Wing (2515-21)
- 6 Hwy 61 reconstruction in Lake City from W Elm St to Lakeshore Dr (7906-97)
- 7 Hwy 57 roundabout at Hwy 60 in Wamamingo (2509-24)
- 8 Hwy 52 repair bridge pier foundations and armoring Bridge Nos. 55077 and 55078 in Ononoco (5508-129)
- 9 Hwy 60 paint Mississippi River bridge at Wabasha and replace east expansion joint (7911-01)
- 10 Hwys 247 and 63, replace culverts at various locations (7912-17)
- 11 Hwy 42 realign intersections at Wabasha CR 4 and Wabasha CR 27 near Plainview (7901-54)
- 12 Hwy 42 repave asphalt from Hwy 247 near Plainview to Hwy 61 near Kellogg (7901-52)
- 13 Hwy 74 replace bridge over Beaver Creek north of Wabasha CR 30 (8508-40)
- 14 I-90 install high-tension cable median barrier from west of Wabasha CR 10 to east of Hwy 74 in Winona County (5580-96)
- 15 Hwy 61 reconfigure median crossing at Sugar Leaf View near Fleet Farm in Winona (8504-82)
- 16 I-90 bridge replacement of Nos. 85814 and 85816 in Winona County (8580-174)
- 17 Hwy 14 replace Bridge No. 6034 over stream in Chester (5503-46)
- 18 Hwy 63 replace bridges at I-90 (Nos. 9890 and 9889) north of Stewartville, construct new southbound off-ramp, reconstruct northbound off-ramp and close access at Hwy 30 west (5509-84)
- 19 Hwy 56 repave asphalt from LeRoy to Taopi (5005-64)
- 20 I-90 repave eastbound lanes from Freeborn CR 46 to Hwy 105 in Austin (2482-77)
- 21 Hwy 251 repaving from I-35 to Hwy 218 (2408-23)



All projects are subject to change without notice. Created 07/27/20 by PAB in MnDOT District 6. Data source: 06 5/17/2020. Disclaimer: <http://www.dot.state.mn.us/information/Disclaimer.html>

CITY OF KASSON SCDP (Formerly MIF)

Progress Report
February 1, 2020
No End Date

**Residential Rehabilitation
Goal: 6**

	Current Months #'s	Last Months #'s
Number of Applications Received	11	11
Number of Applications being Processed	1	1
Full Application Pending Verification	0	0
Apps. Pending Initial Property Inspection	2	3
Applicants Pending Contractor Estimates	1	0
Units in Construction	0	0
Units Completed and Closed	0	0
Applicants Over Income	3	3
Applicants Not Interested/Eligible	4	4
Applicants Located in Target Area "B"	0	0
Applicants Not in Target Area	0	0

	SCDP Funds	Private Funds	Total Funds
Obligated	0.00	0.00	0.00
Estimated	66,000.00	9,000.00	75,000.00
Total	66,000.00	9,000.00	75,000.00
Program Income	0.00	0.00	0.00
Allocation	150,000.00	15,000.00	150,000.00
Balance	84,000.00	6,000.00	90,000.00
Unit Average	66,000.00	9,000.00	75,000.00
Unit Goal	7,500.00	750.00	8,250.00

CITY OF KASSON SCDP

Progress Report
February 1, 2020
September 30, 2022

**Residential Rehabilitation
Goal: 20**

	Current Months #'s	Last Months #'s
Number of Applications Received	3	3
Number of Applications being Processed	0	0
Full Application Pending Verification	1	1
Apps. Pending Initial Property Inspection	0	0
Applicants Pending Contractor Estimates	0	0
Units in Construction	0	0
Units Completed and Closed	0	0
Applicants Over Income	0	0
Applicants Not Interested/Eligible	1	1
Applicants Located in Target Area "B"	1	1
Applicants Not in Target Area	0	0

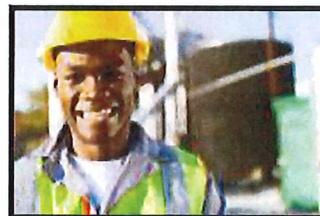
	SCDP Funds	Private Funds	Total Funds
Obligated	0.00	0.00	0.00
Estimated	22,500.00	750.00	23,250.00
Total	22,500.00	750.00	23,250.00
Program Income	0.00	0.00	0.00
Allocation	450,000.00	15,000.00	450,000.00
Balance	427,500.00	14,250.00	441,750.00
Unit Average	#DIV/0!	#DIV/0!	#DIV/0!
Unit Goal	22,500.00	750.00	23,250.00

Youth Work-Experience Program

Employers:

Could you use extra FREE, temporary help in your workplace?

Through our Youth Work-Experience Program, Workforce Development, Inc. (WDI) will pay young people (ages 16–24) for up to 29 hours a week!



What does the Youth Work-Experience Program provide for businesses?

- Up to 200 hours of FREE labor
- Youth wages (up to 29 hours/week average)
- Worker's Compensation covered by WDI
- Regular monitoring of youth worker by WDI staff
- The chance for businesses to meet their workforce needs
- The possibility for businesses to train and mentor a youth worker
- The opportunity to offer a youth worker future employment

Don't miss out on this valuable opportunity!

Employers interested in further information contact:

Desirae Dyke

Career Planner G.C.D.F.

504 S. Mantorville Ave.

Suite #4 Kasson, MN 55944

Phone 507-634-7380

Fax 507-634-7382

Email: ddyke@wdimn.org

Work Experience

Workforce

DEVELOPMENT, INC.

*The Workforce Development Board
of Southeast Minnesota*



Purpose

The purpose of a work experience is to enable individuals between the ages of 16-24 with a limited work history or industry experience the opportunity to gain meaningful work skills that lead to gainful employment.

The Agreement

- WDI agrees to pay the wage, workers' compensation, and FICA for an individual in a transitional job.
- Your business agrees to provide a temporary job opportunity and supervision. Supervision includes: communicating clear job expectations to the employee and providing performance feedback to the employee and to WDI.

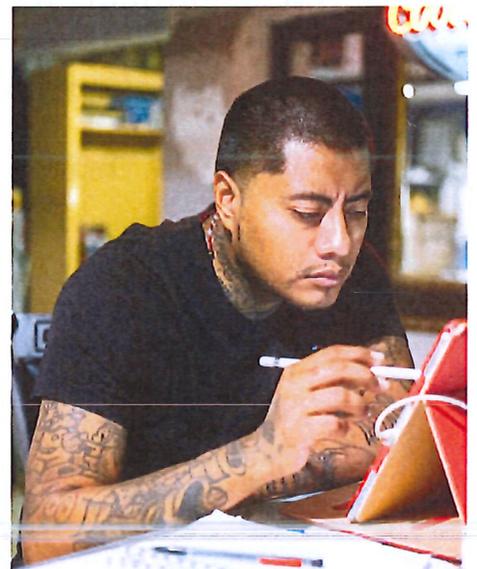
How does a work experience benefit you, the employer?

- Your business has an extra worker whose wage, workers' compensation, and FICA are paid for by WDI for the duration of the transitional job.
- Your business has the opportunity to hire the employee when the transitional job is completed. There is no obligation to hire. Consider it a trial period and you have the first opportunity to hire.
- By helping to increase an individual's work skills, you help train and mentor the workforce. This ultimately results in employees who add value to your business.
- Your business is seen as a community partner.
- Your business helps the economic stability of your community.
- By providing a transitional job opportunity, your business helps ensure that the community has access to a qualified workforce that will enable our community to succeed and grow.

What is a work experience?

Work experience is a short-term, structured employment experience (up to 29/hours a week that takes place at a private, public, or non-profit business).

www.workforcedevelopmentinc.org



STRETCH YOUR DONATION

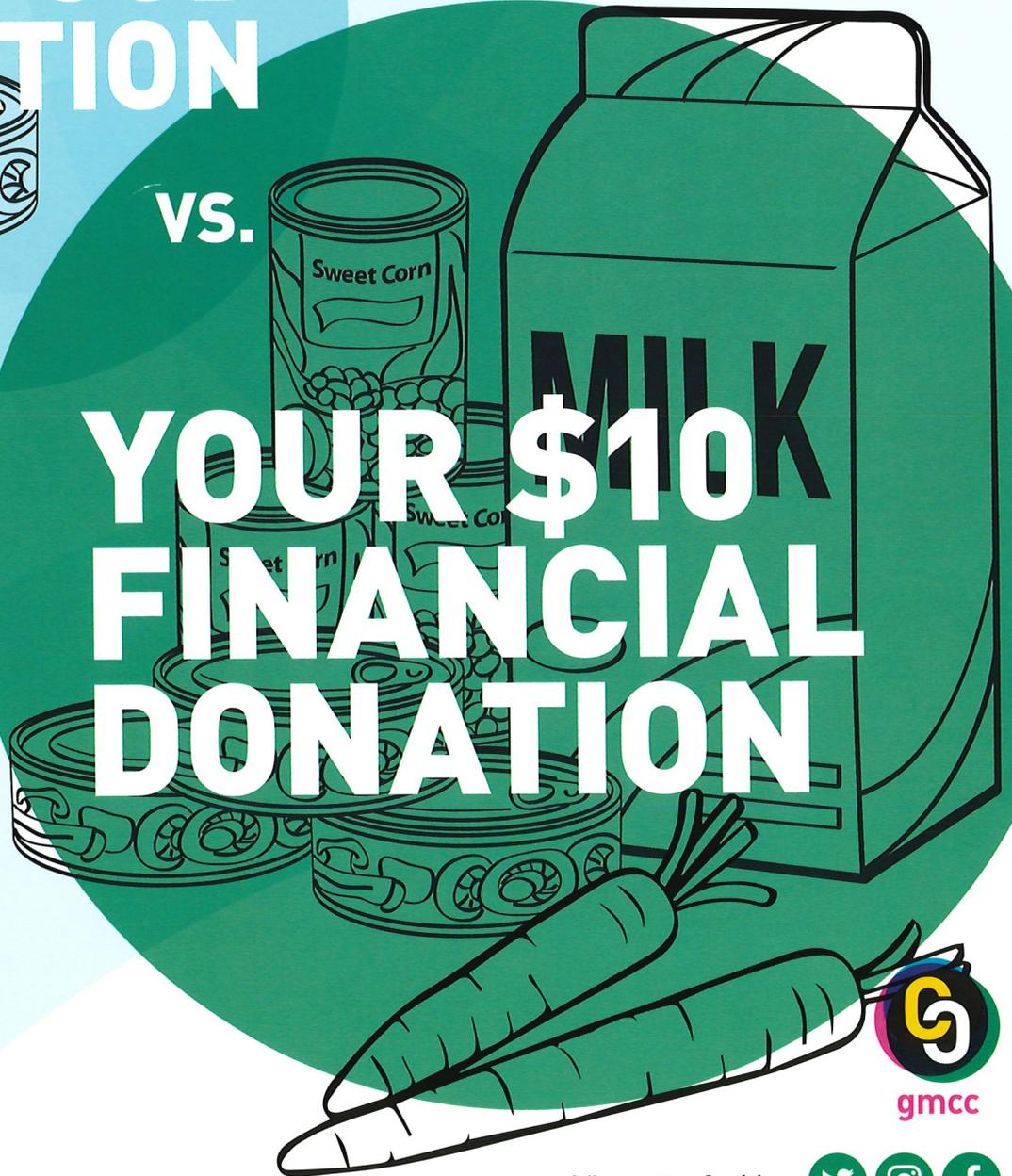
Food shelves can stretch cash donations further than donations of food because of their access to discount products and programs. Help us feed more Minnesota families by donating cash to your local food shelf today.

YOUR \$10 FOOD DONATION



vs.

YOUR \$10 FINANCIAL DONATION



follow us @mnfoodshare

