#### **AGENDA**

#### **CITY OF DAYTON, MINNESOTA**

#### 12260 S. Diamond Lake Road, Dayton, MN 55327

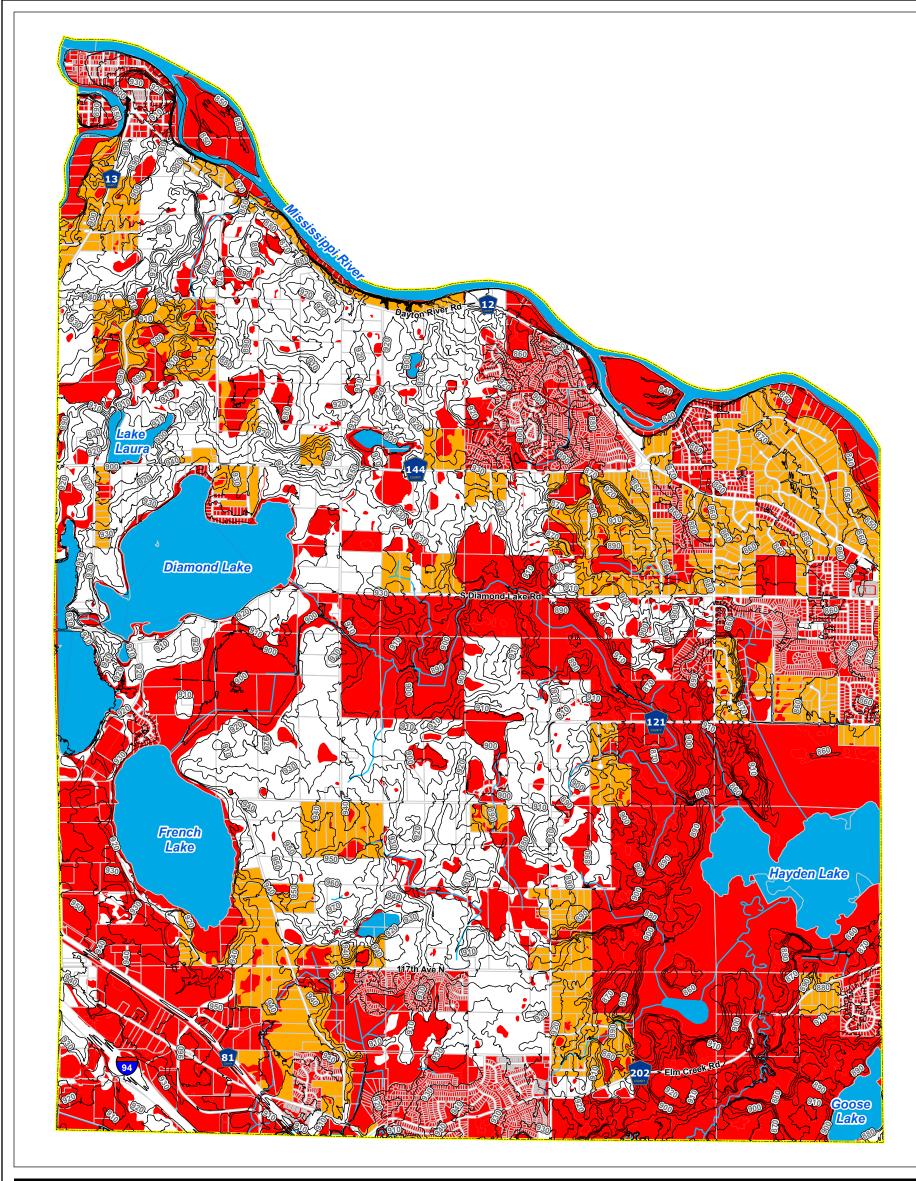
## Tuesday, March 26, 2024 WORKSESSION-RURAL FEEL - 5:00 P.M.

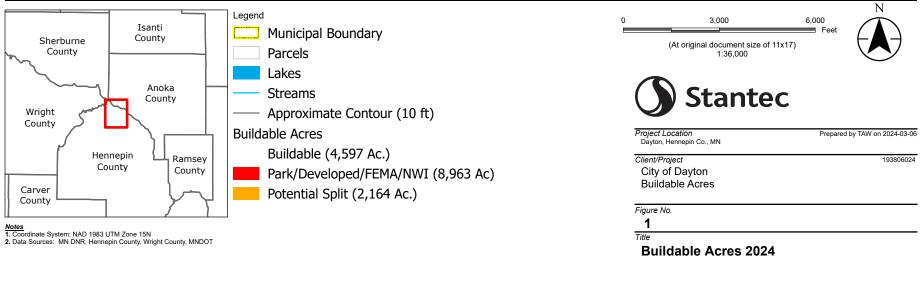
#### **REGULAR MEETING OF THE CITY COUNCIL - 6:30 P.M.**

#### The invite for Zoom for this meeting can be found on the City's website community calendar

0.00	CALL TO OPPER
6:30 6:30	CALL TO ORDER PLEDGE OF ALLEGIANCE
6:35	APPROVAL OF AGENDA
0.33	CONSENT AGENDA These routine or previously discussed items are enacted with
6:35	one motion
0.00	A. Approval of Council Meeting Minutes of March 12, 2024
	<b>B.</b> Approval of Payment of Claims for March 26, 2024
	<b>C.</b> Approval of Resolution 08-2024; Accepting Donation from Urban Air
	<b>D.</b> Approval of Resolution 09-2024; Supporting Retention of City Zoning Authority
	E. Approval of Ordinance 2024-05; Approval of Rezoning of 16361 Dayton Ave
	F. Approval of Pay Request 5 for Well Head Treatment
6:40	<b>OPEN FORUM</b> Is limited to Three minutes for non-agenda items; state your name and
	address; No Council Action will be taken and items will be referred back
0.45	to staff
6:45	STAFF, CONSULTANT AND COUNCIL UPDATES
	COUNCIL BUSINESS
	New Business
6:55	G. Update on Public Works Truck Purchases
	Action Items
7:05	H. Approval of Ordinance 2024-06; Approving Rezoning for 18541 Levee St and
	Resolution 10-2024; Approving Preliminary/Final Plat, and Site Plan for Riverview
	Villas at 16361 Dayton Ave and 18541 Levee St
7:35	I. Approval of Resolution 11-2024; Approving Preliminary/Final Plat and Resolution 12-
	2024; Approving Amendment of Conditional Use Permit for Open Rental Lot for
8:00	Ziegler at 18151 and 18171 Territorial Road  J. Approval of Resolution 13-2024; Denying Conditional Use Permit for Driven Auto
8.00	Sales at 18078 Territorial Road
8:20	K. Review of Concept Plan for Kwik Trip at 11XXX Maple Court
8:40	L. Approve Plans and Authorize Quotes for the Jordan & Jaeger Ditch Stabilization
	Project
8:50	M. Approval to Awarding Contract for the 2024 Mill and Overlay Project
9:00	N. Approval of 2024 Park Improvements
0.40	
9:40	<u>ADJOURNMENT</u>

The City of Dayton's mission is to promote a thriving community and to provide residents with a safe and pleasant place to live while preserving our rural character, creating connections to our natural resources, and providing customer service that is efficient, fiscally responsible, and responsive.





COUNCIL MEETING MARCH 12, 2024 6:30 P.M. PAGE 1 OF 9 CITY OF DAYTON, MINNESOTA 12360 SO. DIAMOND LAKE ROAD HENNEPIN/WRIGHT COUNTIES

#### Mayor Fisher called the public meeting to order at 6:30 p.m.

**PRESENT:** Mayor Dennis Fisher, David Fashant, Travis Henderson, Scott Salonek, and Matt Trost

#### ABSENT:

**ALSO PRESENT:** Public Works Superintendent, Marty Farrell; Fire Chief, Gary Hendrickson; Police Chief, Paul Enga; City Administrator/Finance Director, Zach Doud; City Attorney, Amy Schmidt

#### PLEDGE OF ALLEGIANCE

#### APPROVAL OF AGENDA

Fisher requested that item G, Approval of Promoting Travis Henderson to Lieutenant for Fire Station One, be moved to follow Consent Items.

Fashant requested that item H, Approval of Ordinance 2024-04; Amending Ordinance 2024-02; Fee Schedule, be moved to follow item G.

<u>MOTION</u>: Motion was made by Councilmember Henderson, seconded by Councilmember Fashant to approve the agenda, as amended. Motion carries unanimously.

#### <u>SWEARING IN OF PROBATIONARY FIREFIGHTERS – OATH OF OFFICE</u>

Hendrickson called forward seven firefighters to take their oath of office. After taking the oath of office, significant others were invited forward to pin on their badges. Hendrickson thanked the significant others' support. Applause followed and City Council gave a standing ovation.

#### **CONSENT ITEMS:**

- A. Approval of Council Meeting Minutes of February 26, 2024
- B. Approval of Payment of Claims for March 12, 2024
- C. Approve Plans and Authorize Bids for Stephens Turn Lane
- **D.** Approval of Hiring an Administrative Assistant
- **E.** Approval of Conditional Job Offer to Brandon Bateman for a Full Time Police Officer
- **F.** Approval of Conditional Job Offer to Donald Cebula for a Full Time Police Officer
- **G.** Approval of Promoting Travis Henderson to Lieutenant for Fire Station One (considered after consent agenda)
- **H.** Approval of Ordinance 2024-04; Amending Ordinance 2024-02; Fee Schedule (considered after item G)
- I. Approval of Posting for Senior Planner Position
- J. Acceptance of Memo from City Attorney on Fax Forfeiture Properties

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Fashant asked Enga if the officer being hired is a patrol officer. Enga stated that the two conditional officers are patrol officers.

Fashant stated that he has some questions regarding the letter in item J, and he requested that Schmidt answer those questions at some other time. Fisher and Trost also had questions regarding item J. There was consensus to accept item J through the consent agenda and discuss the questions at the end of the meeting if time permits. Otherwise, Schmidt will be present for the next City Council meeting to answer any questions.

Fashant stated that he is pleasantly surprised that Three Rivers Park District is now onboard for the box culvert for the Elsie Stevens turn lane. Doud stated that Elm Creek Water Shed was likely the driving force behind not wanting the box culvert originally.

**MOTION**: Motion was made by Councilmember Trost, seconded by Councilmember Salonek, to approve the Consent Agenda as amended. The motion carries unanimously.

**G.** Approval of Promoting Travis Henderson to Lieutenant for Fire Station One (item removed from consent agenda)

Hendrickson stated that Councilman Henderson has been promoted to Lieutenant for Fire Station One. This is due to Matt Hackman's resignation last week. We do not yet have his helmet or new badge. When those items come in, there will be a formal recognition for him at a City Council meeting.

**MOTION**: Motion was made by Councilmember Trost, seconded by Councilmember Fashant, to approve the Promoting of Travis Henderson to Lieutenant for Fire Station One. The motion carries with 4 ayes and one abstention (Henderson).

**H.** Approval of Ordinance 2024-04; Amending Ordinance 2024-02; Fee Schedule (item removed from consent agenda)

Salonek asked why the Burn Permit fee is jumping so drastically. The fee was originally \$25 and now it is \$50, which is drastically more expensive than anyone in the area. Hendrickson stated that there have been an abundance of burn permits this year. There is a part-time firefighter who goes to the location of the requested burn permit, he takes photographs, and sends exact locations of the potential burn pile as it relates to the roads so that we can plan accordingly and be prepared. The permit is limited to 30 days so that they can be tracked. Hendrickson stated that Rogers has a similar fee.

Fashant asked the difference between the type of fire that needs a Burn Permit v/s a campfire in someone's back yard. Hendrickson stated that a recreational fire is

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three feet by three feet. It has to be 25 feet from the house with a water source close by, and only clean burning materials may be used.

Fashant stated that he doesn't believe there have been equipment charges in the past and asked if the Fire Department is now charging people to respond to fires. Hendrickson stated that any hazardous materials fires are able to be charged back to the responsible parties. Without having the proper fees in the fee schedule, we would be unable to do that.

<u>MOTION</u>: Motion was made by Councilmember Henderson, seconded by Councilmember Salonek, to approve Ordinance 2024-04; Amending Ordinance 2023-02; Fee Schedule. The motion carries unanimously.

#### **OPEN FORUM:**

No one was present for open forum.

#### STAFF, CONSULTANT AND COUNCIL UPDATES:

**Doud** stated that the Planning Commission has requested a Work Session regarding the Master Plan. Fisher stated that he would be fine with a Work Session as long as there are some clear goals. Doud stated that the Planning Commission specifically wants to discuss land use. Salonek suggested that the road alignment should get nailed down. Fashant has two concerns: 1) Council has not seen the presentation; and 2) Fashant is planning to be online for the next Council meeting and it would be impractical to call in for a Work Session. Trost suggested that City Council have a "Rural Feeling" Work Session before having a Work Session with Planning Commission about the Master Plan.

Doud informed the Council that the *State of the Region* will be held by Met Council on Friday, March 22, 2024, at 9:00 a.m. Doud asked if any Councilmembers would like to attend. Doud, Sevald, and Salonek will be attending.

Doud stated that various Councilmembers and Commissioners have expressed interest in having some Dayton apparel. There was consensus to move ahead with this idea.

**Farrell** stated that Well Head Treatment Facility should have the site safe and secure within the next couple of weeks.

Farrell stated that at the Parks Commission meeting Paul Kangus presented the updated concept plans for Ion Gardens Park, Elsie Stevens Park Phase III, and Area 21 Park. Decisions were made with regard to the priorities for each park. Farrell stated that the revised concept plans will come before the Council soon.

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Farrell stated that the Water Trails funding was approved last Friday. The \$850,000 is now ready for us to use.

**Hendrickson** stated that he will not be present for the City Council meeting on March 26, 2024. He will be on vacation. Hendrickson stated that Firefighter Jason Laskey has been trained to do inspections.

**Schmidt** stated that a Bill is being pushed that would have significant impact on Dayton's zoning authority and ability to control density. It would require cities of a certain size to accept accessory dwelling units and do lot splits as a right without any need of Council approval. It is a significant infringement on the City's local authority. There is another Bill that will have some significant changes on the Open Meeting Law when it comes to closing meetings for the purpose of attorney-client privilege. This particular Bill could have a chilling effect on the Council's ability to have private conversations about litigation.

**Fashant** stated the Bill that is focused on zoning guts any authority that the City Council has around residential buildings. There is language in the Bill that will override an HOA from preventing certain things from being built. Schmidt stated that the intended goal is to bring down the cost of housing.

**Trost** stated that he asked Doud a while back if it would be possible to have a representative from each of the Commissions to come in and give Council an update. Trost asked if Doud has heard back from anyone. Doud stated he has only received one response to date, and he has sent two follow-up emails.

Trost asked if there are any updates on Special Events Permits. Hendrickson stated that the task is greater than simply changing the numbers in the current Ordinance. When looking at Event Centers, the most equitable thing to do is tie everything to the Fire Code so there are no special favors.

#### **PRESENTATION**

Hennepin County Commissioner, Kevin Anderson

Kevin Anderson came forward and stated that he is a Hennepin County Commissioner, serving District 7 since 2021. He is the Chair of the Public Works Committee, the Vice Chair for the Housing and Redevelopment Authority, the Vice Chair for Human Services & Law Safety Justice, the Chair for the AMC Business and Partner Development, the Vice Chair for NACO Public Health Subcommittee, and appointed to NAXO County Technology Advisory Council.

Continuing with his presentation, Anderson stated that the Hennepin County budget totals \$2,647,343,892, and the Department of Health and Human Services is the largest portion of that budget, with more than 50%. Nearly 1,400 (19%) Dayton residents

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receive human services from Hennepin County. Approximately 1,300 individuals receive financial assistance through cash, food, or healthcare supports. Anderson stated that public safety is the second largest budget item. There have been 30 referrals to embedded social workers in 2023 by the Dayton Police Department. Anderson stated that Hennepin County has received some additional funding that will allow for additional projects within the Public Works portion of the budget. Anderson stated that the policies are changing to include improvements for the County roads and intersections while in the process of standard maintenance.

There was additional conversation regarding potential coordination between the City of Dayton, Hennepin County, and Three Rivers Park District on some upcoming projects. Anderson was committed to assist with the communication.

Anderson stated that Youth Activities Grants have totaled \$602,592 since 2009. There have also been education support systems provided to the residents of Dayton from Hennepin County.

Fashant asked if there is a public timeline available for the improvements on Dayton River Road. Anderson stated he would make sure that Public Works has that discussion so as not to get ahead of them. Doud stated that it is supposed to start in the middle of July.

Fisher asked if the County is considering a round-about based on the safety concerns at North Diamond Lake Road. Anderson had no answer.

Trost stated many in the City of Dayton have expressed that they would like to leave Hennepin County. He asked Anderson, as a Hennepin County representative, to state reasons that the City Dayton should remain in Hennepin County. Anderson stated that he hopes the presentation shows ways in which Hennepin County shows up for the residents of Dayton. Anderson stated that Hennepin County's job is to be the public safety net for the residents of Dayton. Anderson further stated that all counties are tasked with taking care of residents who are most in need. Anderson stated that Hennepin County is having great success with assisting families who are in great need by making sure they are on a stable path. Anderson stated that Hennepin is very close to being able to claim functional zero with regard to veteran homelessness. This doesn't mean that Hennepin County has solved the problem of homelessness. Rather it means that we have created a system that works. Hennepin County is a yellow-ribbon-county, which means it supports veterans.

#### **COUNCIL BUSINESS**

#### **New Business:**

K. Partnership for Community Risk Reduction, Care Resource Connection

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#### CITY OF DAYTON, MINNESOTA 12360 SO. DIAMOND LAKE ROAD HENNEPIN/WRIGHT COUNTIES

Amy Lucht, a representative for Care Resource Connection, has been working with the Fire Department. Lucht came forward and explained that Care Resource Connection works with local fire departments to assist with a community risk reduction program. Over time, it becomes a community health alliance by partnering with Hennepin County. Lucht stated that EMS represents about 70% of the Fire Department call volume. Lucht stated that the goal is for the Fire Department to identify needs while on scene and report those needs to Care Resource Connection, so that Care Resource Connection can be the boots on the ground. As first responders, the Fire Department has a unique trust amongst the community in which they serve. Lucht explained that the mission of Care Resource Connection is to: 1) Improve the health and quality of life for community members; 2) Maximize community-based resources by providing a community and public health partnership; 3) Provide outreach to vulnerable and underserved populations: 4) Meet callers where they are with the trusted brand of the Fire Department; 5) Create sustainability; 6) Lower repeat 911 calls; and 7) Save taxpayers money.

Lucht shared multiple examples of Care Resource Connection partnering with local community resources.

#### **Recess and Reconvene**

Fisher called for a five-minute recess.

#### L. Pro-Forma for Fire Training Facility

Doud stated the City Council is requested to provide direction on how and where to proceed with a Fire Training Facility. Doud stated that he and Hendrickson have spoken with Senator Hoffman from the State Legislature, who is working on a Bill that includes \$2,500,000 for the facility. Doud stated that in Fund 410, there is \$750,000 that was allocated years ago for this project.

Fisher asked how many facilities are there currently in the area. Doud stated there are two current facilities and one in Edina that is not very similar.

Hendrickson stated that there are plenty of people who are willing to commit to using this facility once it is open. The closest facility to Dayton for live burns is Maplewood, which is 36 miles away.

Fisher asked why no one else is building these sorts of facilities if the need is so great. Hendrickson stated that the availability of land is the number one reason. Hendrickson stated that he has firefighters with three years on the job and zero fire experience. Training is very important.

Salonek stated that the biggest reason people aren't building training facilities is because it cost \$18,500 to train v/s \$2,500,000 to build a facility.

Doud presented a slide that showed the use of a tax forfeiture property to build the training facility and Fire House 3 using grant money, noting that within seven years, the City will turn a profit of \$1,400,000. Doud presented additional scenarios.

Salonek asked how much property is needed for the training facility alone. Hendrickson stated that three acres would suffice.

Fisher asked how much water a training session would potentially consume. Hendrickson stated that they would probably flow about 1,500 gallons of water per minute for three hours, which would total about 270,000 gallons of water.

Fashant stated that he appreciated the work done to provide the Council with the pertinent information for the funding of the training facility. Fashant stated that he sees the need for the facility, and he thinks it is good for Dayton to provide a needed service to the surrounding communities. Fashant stated that it looks like it will take the participation of at least ten other fire departments, and he'd like to see a strong commitment from at least ten fire departments before moving forward with the project. Fashant noted that the grant is critical. Fashant is not a fan of the location, but he sees the value in using the tax forfeiture property.

Additional discussion ensued regarding the property to use for the facility.

Fashant stated that the training facility should not necessarily be an income generator, it simply cannot be a tremendous drain on the budget. Fashant further stated that the Police Department, Public Works, or Parks are not required to be income generators either.

#### M. Future Park Dollars Discussion

Doud stated that Salonek requested this discussion. Four parks have been planned over the past three years, leaving only one more to complete. Now is a good time to discuss where future parks dollars should be spent.

Doud shared the past Park spending: River Hills Park - \$776,396 Sundance Woods - \$337,255 Elsie Stephens Phase 1 - \$385,797 Elsie Stephens Phase 2 - \$709,159 Hayden Hills Park - \$724,567 Donahue Dells - \$255,428

Doud shared current Park spending: Elsie Stephens Phase 3 - \$500,000 Brayburn Trails - \$500,000 COUNCIL MEETING MARCH 12, 2024 6:30 P.M. PAGE 8 OF 9 CITY OF DAYTON, MINNESOTA 12360 SO. DIAMOND LAKE ROAD HENNEPIN/WRIGHT COUNTIES

Ione Gardens/Cypress Cove - \$50,000

Doud shared future Park spending:

2026 - Elsie Stephens Phase 4 - \$500,000

2026 - Growth Area of Brayburn Trails Park - \$600,000

2028 - Elsie Stephens Phase 5 - \$5,000,000

2029 - Community Park - \$2,000,000

2030 - Community Park Continued - \$2,000,000

Doud stated that the funding source for future park spending is based on 200 new homes at the rate of roughly \$4,500 now, \$5,000 in 2026, and \$5,500 in 2028. Based on current planned spending and the above referenced revenue source, park dollars will be exhausted by 2028.

Additional conversation ensued regarding potential park improvement desires.

Fashant stated that he'd like to see Elsie Stephens Park progress much quicker, and he believes that the City should be more aggressive with the trail system.

Trost agreed with the need for more connectivity within the trail system.

#### **Action Items:**

### N. Approval of AE2S to Complete Technical Review of Wellhead Treatment Plant

Doud stated this is a second opinion, and he believes it is important to do more second opinions in the future. The proposal of \$1,500 was very reasonable.

Fashant stated that he is pleased with this idea.

**MOTION**: Motion was made by Councilmember Salonek, seconded by Councilmember Fashant, to approve AE2S to complete technical review of Wellhead Treatment Plant. Motion carries unanimously

#### O. Approval of Street Sweeping Contract

Salonek stated that it is pretty cut and dry.

Fisher asked why the bids were time rather than distance. Farrell stated that it is the standard way to do it.

<u>MOTION</u>: Motion was made by Councilmember Salonek, seconded by Councilmember Henderson, to approve Street Sweeping Contract. The motion carries unanimously.

#### P. Approval of Dust Control Contract

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<u>MOTION</u>: Motion was made by Councilmember Salonek, seconded by Councilmember Henderson, to approve the Dust Control Contract. The motion carries unanimously.

#### Q. Approval of Permanent Easement to Three Rivers Park District

Trost asked who is responsible for clearing the snow once the Permanent Easement is in place. Farrell stated that Three Rivers Park District do not clear their trails. Farrell likes to keep trails clear because residents like to walk on them during the winter.

**MOTION**: Motion was made by Councilmember Salonek, seconded by Councilmember Fashant, to approve the Permanent Easement to Three Rivers Park District. The motion carries unanimously.

#### **ADJOURNMENT**

Fisher declared the meeting adjourned at 9:33 p.m.	
Respectfully Submitted,	
Sandra Major, Recording Secretary TimeSaver Off Site Secretarial, Inc.	
Approved:	Attest: Amy Benting

#### Payments to be approved at City Council Meeting March 26, 2024

	Totals
Claims Roster 03-26-2024	\$ 481,713.42
Prepaid 3-14-2024 EB	\$ 111,923.67

Total Payments: \$ 593,637.09

Payroll 3-14-2024 Bi-Weekly 06 \$ 83,215.10

Check # sequence to be approved by City Council from meeting date of 03/26/2024:

Checks # 076514-076597

DB: Dayton

# INVOICE REGISTER REPORT FOR CITY OF DAYTON MN EXP CHECK RUN DATES 03/26/2024 - 03/26/2024

Page: 1/5

BOTH JOURNALIZED AND UNJOURNALIZED BOTH OPEN AND PAID

10567	Inv Ref#	Vendor	Inv Date	Due Date	Inv Amt	Amt Due	Status	Jrnlized
41083   ACCOUSTICS ASSOCIATES   03/18/2024   03/26/2024   1,467.00   1,467.00   0 cpen   N     41007   ARY BENTING   03/15/2024   03/26/2024   83.08   83.08   0 cpen   N     41068   ASPEN MILLS   03/18/2024   03/26/2024   72.95   72.95   0 cpen   N     41069   ASPEN MILLS   03/18/2024   03/26/2024   72.95   72.95   0 cpen   N     41070   ASPEN MILLS   03/18/2024   03/26/2024   72.95   72.95   0 cpen   N     41071   ASPEN MILLS   03/18/2024   03/26/2024   22.94   222.94   0 cpen   N     41072   ASPEN MILLS   03/18/2024   03/26/2024   20.2.94   202.94   0 cpen   N     41073   ASPEN MILLS   03/18/2024   03/26/2024   222.94   222.94   0 cpen   N     41074   ASPEN MILLS   03/18/2024   03/26/2024   222.94   222.94   0 cpen   N     41075   ASPEN MILLS   03/18/2024   03/26/2024   222.94   222.94   0 cpen   N     41076   ASPEN MILLS   03/18/2024   03/26/2024   222.94   222.94   0 cpen   N     41077   ASPEN MILLS   03/18/2024   03/26/2024   222.94   222.94   0 cpen   N     41078   ASPEN MILLS   03/18/2024   03/26/2024   222.94   222.94   0 cpen   N     41079   ASPEN MILLS   03/18/2024   03/26/2024   222.94   222.94   0 cpen   N     41079   ASPEN MILLS   03/18/2024   03/26/2024   222.94   222.94   0 cpen   N     41079   ASPEN MILLS   03/18/2024   03/26/2024   222.94   222.94   0 cpen   N     41079   ASPEN MILLS   03/18/2024   03/26/2024   222.94   222.94   0 cpen   N     41068   BACURY   03/18/2024   03/26/2024   222.94   222.94   0 cpen   N     41069   BEAUDRY   03/18/2024   03/26/2024   222.94   222.94   0 cpen   N     41061   BEAUDRY   03/18/2024   03/26/2024   222.94   222.94   0 cpen   N     41062   BEAUDRY   03/18/2024   03/26/2024   222.94   222.94   0 cpen   N     41063   BEAUDRY   03/18/2024   03/26/2024   222.94   222.94   0 cpen   N     41064   CEMPERON   CAMPENDA   CAMPE	41057	A-1 OUTDOOR POWER INC			419.32	419.32	Open	N
10052	41058	A-1 OUTDOOR POWER INC				447.25	Open	N
1007	41083	ACCOUSTICS ASSOCIATES					Open	N
1068	41052	ACROSS THE STREET PROD, INC	03/15/2024	03/26/2024	8,662.50	8,662.50	Open	N
1009   ASPEN MILLS	41007	AMY BENTING	03/15/2024	03/26/2024	83.08	83.08	Open	N
14070   RAFEN MILIS	41068	ASPEN MILLS	03/18/2024	03/26/2024	222.95	222.95	Open	N
41071	41069	ASPEN MILLS	03/18/2024		72.95	72.95	Open	N
10102	41070	ASPEN MILLS	03/18/2024	03/26/2024	222.94	222.94	Open	N
41073   ASPEN MILLS	41071	ASPEN MILLS	03/18/2024	03/26/2024	202.94	202.94	Open	N
41074   ASPEN MILLS	41072	ASPEN MILLS	03/18/2024	03/26/2024	72.95	72.95	Open	N
### ### ### ### #### #### ### ### ###	41073	ASPEN MILLS	03/18/2024	03/26/2024	222.94	222.94	Open	N
Hartener Plus Inc	41074	ASPEN MILLS	03/18/2024	03/26/2024	222.94	222.94	Open	N
Hartener Plus Inc	41075	ASPEN MILLS	03/18/2024	03/26/2024	222.94	222.94	Open	N
41066   BEAUDRY	41059	BATTERIES PLUS INC	03/15/2024	03/26/2024	44.83	44.83	Open	N
41066   BEAUDRY	41065	BEAUDRY	03/18/2024	03/26/2024		587.27	_	N
41104   BRAUDRY	41066	BEAUDRY	03/18/2024	03/26/2024	2,198.89	2,198.89	_	N
41048   BLACK & VEATCH	41104	BEAUDRY	03/18/2024			1,900.68	Open	N
### ### ##############################	41048	BLACK & VEATCH	03/15/2024	03/26/2024	44,446.68	44,446.68	_	N
41049 CAMPBELL KNUTSON P. A. 03/15/2024 03/26/2024 5,807.50 5,807.50 0pen N 411122 CAMPION, BARROW & ASSOCIATES, INC 03/18/2024 03/26/2024 465.00 465.00 0pen N 41043 CENTERPOINT ENERGY 03/15/2024 03/26/2024 5,274.49 5,274.49 0pen N 41044 CENTERPOINT ENERGY 03/15/2024 03/26/2024 26.16 26.16 0pen N 41040 CHARTER COMMUNICATIONS 03/15/2024 03/26/2024 333.04 333.04 0pen N 41041 CHARTER COMMUNICATIONS 03/15/2024 03/26/2024 15.00 15.00 0pen N 41149 CHARTER COMMUNICATIONS 03/20/2024 03/26/2024 359.93 359.93 0pen N 41042 CINTAS 03/18/2024 03/26/2024 136.32 136.32 0pen N 41042 CINTAS 03/18/2024 03/26/2024 136.32 136.32 0pen N 41036 CINTAS 03/18/2024 03/26/2024 136.32 136.32 0pen N 41030 CITY OF ANOKA 03/15/2024 03/26/2024 472.93 472.93 0pen N 41031 CITY OF ANOKA 03/15/2024 03/26/2024 837.60 837.60 0pen N 41032 CITY OF ANOKA 03/15/2024 03/26/2024 837.60 837.60 0pen N 41032 CITY OF ANOKA 03/15/2024 03/26/2024 490.50 490.50 0pen N 41033 CITY OF ANOKA 03/15/2024 03/26/2024 89.05 89.05 0pen N 41035 CITY OF ANOKA 03/15/2024 03/26/2024 490.50 490.50 0pen N 41035 CITY OF ANOKA 03/15/2024 03/26/2024 89.05 89.05 0pen N 41045 CITY OF ANOKA 03/15/2024 03/26/2024 23.50 23.50 0pen N 41045 CITY OF ANOKA 03/15/2024 03/26/2024 23.50 23.50 0pen N 41045 CITY OF ANOKA 03/15/2024 03/26/2024 25.105.08 25.105.08 0pen N 41163 CORE & MAIN 03/21/2024 03/26/2024 25.105.08 25.105.08 0pen N 41163 CORE & MAIN 03/21/2024 03/26/2024 25.105.08 25.105.08 0pen N 41163 CORE & MAIN 03/21/2024 03/26/2024 495.76 495.76 0pen N 41084 CORNERSTONE 03/15/2024 03/26/2024 374.03 374.03 0pen N 41086 CROW RIVER FARM EQUIPMENT 03/15/2024 03/26/2024 374.03 374.03 0pen N 41086 CROW RIVER FARM EQUIPMENT 03/15/2024 03/26/2024 374.03 374.03 0pen N 41086 CROW RIVER FARM EQUIPMENT 03/15/2024 03/26/2024 38.94 98.94 98.94 0pen N 41087 CROW RIVER FARM EQUIPMENT 03/15/2024 03/26/2024 366.85 366.85 0pen N 41089 CULLIGAN, INC 03/15/2024 03/26/2024 366.85 366.85 0pen N 41081 DIAMOND MOWERS 03/21/2024 03/26/2024 74.31 74.31 0pen N 541161 DIAMOND MOWERS 03/21/2024 03/26/2024 74.31 74.	41155	BOYER TRUCKS				272.02	_	N
41122   CAMPION, BARROW & ASSOCIATES, INC 03/18/2024   03/26/2024   5,274.49   5,274.49   Open   N     41043   CENTERPOINT ENERGY   03/15/2024   03/26/2024   26.16   26.16   Open   N     41040   CHARTER COMMUNICATIONS   03/15/2024   03/26/2024   333.04   333.04   Open   N     41041   CHARTER COMMUNICATIONS   03/15/2024   03/26/2024   15.00   15.00   Open   N     41042   CHARTER COMMUNICATIONS   03/15/2024   03/26/2024   359.93   359.93   Open   N     41043   CHARTER COMMUNICATIONS   03/15/2024   03/26/2024   359.93   359.93   Open   N     41044   CHARTER COMMUNICATIONS   03/15/2024   03/26/2024   136.32   136.32   Open   N     41086   CINTAS   03/15/2024   03/26/2024   136.32   136.32   Open   N     41030   CITY OF ANOKA   03/15/2024   03/26/2024   472.93   472.93   Open   N     41031   CITY OF ANOKA   03/15/2024   03/26/2024   472.93   472.93   Open   N     41032   CITY OF ANOKA   03/15/2024   03/26/2024   490.50   Open   N     41033   CITY OF ANOKA   03/15/2024   03/26/2024   490.50   Open   N     41045   CITY OF ANOKA   03/15/2024   03/26/2024   490.50   Open   N     41046   CITY OF ANOKA   03/15/2024   03/26/2024   490.50   Open   N     41107   CITY OF MAPILE GROVE   03/18/2024   03/26/2024   23.50   23.50   Open   N     41106   CITY OF MONTICELLO   03/20/2024   03/26/2024   25.105.08   25.105.08   Open   N     41106   CITY OF MONTICELLO   03/20/2024   03/26/2024   25.105.08   25.105.08   Open   N     41106   CRYSTAL WELDING INC   03/18/2024   03/26/2024   495.76   495.76   Open   N     41036   CROW RIVER FARM EQUIPMENT   03/15/2024   03/26/2024   374.03   374.03   Open   N     41037   CROW RIVER FARM EQUIPMENT   03/15/2024   03/26/2024   498.94   98.94   Open   N     41038   CULLIGAN, INC   03/18/2024   03/26/2024   498.94   98.94   Open   N     41039   CULLIGAN, INC   03/18/2024   03/26/2024   366.85   96.65   Open   N     41061   DIAMOND MOWERS   03/21/2024   03/26/2024   366.85   366.85   Open   N     41161   DIAMOND MOWERS   03/21/2024   03/26/2024   374.03   374.31   Open   N	41049	CAMPBELL KNUTSON P.A.	03/15/2024	03/26/2024	5,807.50	5,807.50	_	N
41043   CENTERPOINT ENERGY   03/15/2024   03/26/2024   26.16   26.16   Open   N     41044   CENTERPOINT ENERGY   03/15/2024   03/26/2024   26.16   26.16   Open   N     41040   CHARTER COMMUNICATIONS   03/15/2024   03/26/2024   333.04   333.04   Open   N     41041   CHARTER COMMUNICATIONS   03/15/2024   03/26/2024   15.00   15.00   Open   N     41042   CINTAS   03/2024   03/26/2024   359.93   359.93   Open   N     41042   CINTAS   03/15/2024   03/26/2024   136.32   136.32   Open   N     41086   CINTAS   03/18/2024   03/26/2024   136.32   136.32   Open   N     41031   CITY OF ANOKA   03/15/2024   03/26/2024   472.93   472.93   Open   N     41031   CITY OF ANOKA   03/15/2024   03/26/2024   4837.60   837.60   Open   N     41032   CITY OF ANOKA   03/15/2024   03/26/2024   490.50   490.50   Open   N     41033   CITY OF ANOKA   03/15/2024   03/26/2024   490.50   490.50   Open   N     41045   CITY OF ANOKA   03/15/2024   03/26/2024   23.50   23.50   Open   N     41065   CITY OF ANOKA   03/15/2024   03/26/2024   23.50   23.50   Open   N     41107   CITY OF MAPLE GROVE   03/18/2024   03/26/2024   25,105.08   25,105.08   Open   N     41163   CORE & MAIN   03/21/2024   03/26/2024   2,200.00   2,200.00   Open   N     41064   CORNERSTONE   03/18/2024   03/26/2024   495.76   495.76   Open   N     41064   CORNERSTONE   03/18/2024   03/26/2024   495.76   495.76   Open   N     41064   CORNERSTONE   03/18/2024   03/26/2024   495.76   495.76   Open   N     41065   CROW RIVER FARM EQUIPMENT   03/15/2024   03/26/2024   495.76   495.76   Open   N     41060   CRYSTAL WELDING INC   03/21/2024   03/26/2024   374.03   374.03   Open   N     41061   CRYSTAL WELDING INC   03/21/2024   03/26/2024   498.94   98.94   Open   N     41067   DIAMOND MOWERS   03/21/2024   03/26/2024   366.85   366.85   Open   N     41067   DIAMOND MOWERS   03/21/2024   03/26/2024   366.11   366.11   Open   N     41167   DIAMOND MOWERS   03/21/2024   03/26/2024   36.11   366.11   Open   N     41167   DIAMOND MOWERS   03/21/2024   03/26/2024   36.11   36.11   Open	41122						_	N
41040   CHARTER COMMUNICATIONS   03/15/2024   03/26/2024   333.04   333.04   Open   N     41041   CHARTER COMMUNICATIONS   03/15/2024   03/26/2024   15.00   15.00   Open   N     41149   CHARTER COMMUNICATIONS   03/20/2024   03/26/2024   359.93   359.93   Open   N     41042   CINTAS   03/15/2024   03/26/2024   136.32   136.32   Open   N     41086   CINTAS   03/15/2024   03/26/2024   136.32   136.32   Open   N     41030   CITY OF ANOKA   03/15/2024   03/26/2024   472.93   Open   N     41031   CITY OF ANOKA   03/15/2024   03/26/2024   472.93   Open   N     41032   CITY OF ANOKA   03/15/2024   03/26/2024   490.50   490.50   Open   N     41033   CITY OF ANOKA   03/15/2024   03/26/2024   490.50   490.50   Open   N     41035   CITY OF ANOKA   03/15/2024   03/26/2024   490.50   490.50   Open   N     41045   CITY OF ANOKA   03/15/2024   03/26/2024   490.50   23.50   Open   N     41107   CITY OF MAPLE GROVE   03/18/2024   03/26/2024   23.50   23.50   Open   N     41150   CITY OF MONTICELLO   03/20/2024   03/26/2024   25.105.08   Open   N     41163   CORE & MAIN   03/21/2024   03/26/2024   2,200.00   2,200.00   Open   N     41084   CORNERSTONE   03/18/2024   03/26/2024   495.76   495.76   Open   N     41084   CORNERSTONE   03/18/2024   03/26/2024   495.76   495.76   Open   N     41037   CROW RIVER FARM EQUIPMENT   03/15/2024   03/26/2024   592.97   592.97   Open   N     41037   CROW RIVER FARM EQUIPMENT   03/15/2024   03/26/2024   592.97   592.97   Open   N     41087   CULLIGAN, INC   03/18/2024   03/26/2024   98.94   98.94   Open   N     41087   CULLIGAN, INC   03/18/2024   03/26/2024   366.85   366.85   Open   N     41087   CULLIGAN, INC   03/18/2024   03/26/2024   366.85   366.85   Open   N     41167   DIAMOND MOWERS   03/21/2024   03/26/2024   74.31   74.31   Open   N     41167   DIAMOND MOWERS   03/21/2024   03/26/2024   74.31   74.31   Open   N     41167   DIAMOND MOWERS   03/21/2024   03/26/2024   74.31   74.31   Open   N     41167   DIAMOND MOWERS   03/21/2024   03/26/2024   74.31   74.31   Open   N     41167	41043			03/26/2024	5,274.49	5,274.49	_	N
41040   CHARTER COMMUNICATIONS   03/15/2024   03/26/2024   333.04   333.04   Open   N     41041   CHARTER COMMUNICATIONS   03/15/2024   03/26/2024   15.00   15.00   Open   N     41149   CHARTER COMMUNICATIONS   03/20/2024   03/26/2024   359.93   359.93   Open   N     41042   CINTAS   03/15/2024   03/26/2024   136.32   136.32   Open   N     41086   CINTAS   03/15/2024   03/26/2024   136.32   136.32   Open   N     41030   CITY OF ANOKA   03/15/2024   03/26/2024   472.93   Open   N     41031   CITY OF ANOKA   03/15/2024   03/26/2024   472.93   Open   N     41032   CITY OF ANOKA   03/15/2024   03/26/2024   490.50   490.50   Open   N     41033   CITY OF ANOKA   03/15/2024   03/26/2024   490.50   490.50   Open   N     41035   CITY OF ANOKA   03/15/2024   03/26/2024   490.50   490.50   Open   N     41045   CITY OF ANOKA   03/15/2024   03/26/2024   490.50   23.50   Open   N     41107   CITY OF MAPLE GROVE   03/18/2024   03/26/2024   23.50   23.50   Open   N     41150   CITY OF MONTICELLO   03/20/2024   03/26/2024   25.105.08   Open   N     41163   CORE & MAIN   03/21/2024   03/26/2024   2,200.00   2,200.00   Open   N     41084   CORNERSTONE   03/18/2024   03/26/2024   495.76   495.76   Open   N     41084   CORNERSTONE   03/18/2024   03/26/2024   495.76   495.76   Open   N     41037   CROW RIVER FARM EQUIPMENT   03/15/2024   03/26/2024   592.97   592.97   Open   N     41037   CROW RIVER FARM EQUIPMENT   03/15/2024   03/26/2024   592.97   592.97   Open   N     41087   CULLIGAN, INC   03/18/2024   03/26/2024   98.94   98.94   Open   N     41087   CULLIGAN, INC   03/18/2024   03/26/2024   366.85   366.85   Open   N     41087   CULLIGAN, INC   03/18/2024   03/26/2024   366.85   366.85   Open   N     41167   DIAMOND MOWERS   03/21/2024   03/26/2024   74.31   74.31   Open   N     41167   DIAMOND MOWERS   03/21/2024   03/26/2024   74.31   74.31   Open   N     41167   DIAMOND MOWERS   03/21/2024   03/26/2024   74.31   74.31   Open   N     41167   DIAMOND MOWERS   03/21/2024   03/26/2024   74.31   74.31   Open   N     41167	41044	CENTERPOINT ENERGY	03/15/2024	03/26/2024	26.16	26.16	Open	N
41041	41040	CHARTER COMMUNICATIONS			333.04	333.04	_	N
41149 CHARTER COMMUNICATIONS 03/20/2024 03/26/2024 359.93 359.93 Open N 41042 CINTAS 03/15/2024 03/26/2024 136.32 136.32 Open N 41086 CINTAS 03/18/2024 03/26/2024 136.32 136.32 Open N 41030 CITY OF ANOKA 03/15/2024 03/26/2024 472.93 472.93 Open N 41031 CITY OF ANOKA 03/15/2024 03/26/2024 837.60 837.60 Open N 41032 CITY OF ANOKA 03/15/2024 03/26/2024 837.60 847.50 Open N 41033 CITY OF ANOKA 03/15/2024 03/26/2024 89.05 89.05 Open N 41045 CITY OF ANOKA 03/15/2024 03/26/2024 89.05 89.05 Open N 41045 CITY OF ANOKA 03/15/2024 03/26/2024 23.50 23.50 Open N 41107 CITY OF MAPLE GROVE 03/18/2024 03/26/2024 25,105.08 25,105.08 Open N 41160 CITY OF MONTICELLO 03/20/2024 03/26/2024 194.00 194.00 Open N 41163 CORE & MAIN 03/21/2024 03/26/2024 2,200.00 2,200.00 Open N 41063 CORNERSTONE 03/15/2024 03/26/2024 495.76 495.76 Open N 41084 CORNERSTONE 03/18/2024 03/26/2024 495.76 495.76 Open N 41036 CROW RIVER FARM EQUIPMENT 03/15/2024 03/26/2024 592.97 592.97 Open N 41037 CROW RIVER FARM EQUIPMENT 03/15/2024 03/26/2024 592.97 592.97 Open N 41060 CRYSTAL WELDING INC 03/21/2024 03/26/2024 96.65 96.65 Open N 41087 CULLIGAN, INC 03/18/2024 03/26/2024 111.30 111.30 Open N 41087 CULLIGAN, INC 03/18/2024 03/26/2024 366.85 366.85 Open N 41188 DEARBORN NATIONAL 03/19/2024 03/26/2024 366.85 366.85 Open N 41161 DIAMOND MOWERS 03/21/2024 03/26/2024 74.31 74.31 Open N	41041	CHARTER COMMUNICATIONS	03/15/2024	03/26/2024	15.00	15.00	_	N
41086	41149	CHARTER COMMUNICATIONS		03/26/2024			_	N
41086	41042	CINTAS	03/15/2024	03/26/2024	136.32	136.32	Open	N
41030 CITY OF ANOKA 03/15/2024 03/26/2024 472.93 472.93 Open N 41031 CITY OF ANOKA 03/15/2024 03/26/2024 837.60 837.60 Open N 41032 CITY OF ANOKA 03/15/2024 03/26/2024 490.50 490.50 Open N 41033 CITY OF ANOKA 03/15/2024 03/26/2024 89.05 89.05 Open N 41045 CITY OF ANOKA 03/15/2024 03/26/2024 89.05 89.05 Open N 41045 CITY OF ANOKA 03/15/2024 03/26/2024 23.50 23.50 Open N 41107 CITY OF MAPLE GROVE 03/18/2024 03/26/2024 25,105.08 25,105.08 Open N 41150 CITY OF MONTICELLO 03/20/2024 03/26/2024 25,105.08 25,105.08 Open N 41163 CORE & MAIN 03/21/2024 03/26/2024 194.00 194.00 Open N 41053 CORNERSTONE 03/15/2024 03/26/2024 495.76 495.76 Open N 41084 CORNERSTONE 03/18/2024 03/26/2024 495.76 495.76 Open N 41036 CROW RIVER FARM EQUIPMENT 03/15/2024 03/26/2024 592.97 592.97 Open N 41037 CROW RIVER FARM EQUIPMENT 03/15/2024 03/26/2024 374.03 374.03 Open N 41037 CROW RIVER FARM EQUIPMENT 03/15/2024 03/26/2024 592.97 592.97 Open N 41060 CRYSTAL WELDING INC 03/21/2024 03/26/2024 98.94 98.94 Open N 41029 CULLIGAN, INC 03/15/2024 03/26/2024 111.30 111.30 Open N 41087 CULLIGAN, INC 03/15/2024 03/26/2024 366.85 366.85 Open N 41183 DEARBORN NATIONAL 03/19/2024 03/26/2024 366.85 366.85 Open N 41161 DIAMOND MOWERS 03/21/2024 03/26/2024 36.11 36.11 Open N 41161 DIAMOND MOWERS 03/21/2024 03/26/2024 74.31 74.31 Open N	41086	CINTAS			136.32	136.32	Open	N
41031 CITY OF ANOKA 03/15/2024 03/26/2024 837.60 837.60 Open N 41032 CITY OF ANOKA 03/15/2024 03/26/2024 490.50 490.50 Open N 41033 CITY OF ANOKA 03/15/2024 03/26/2024 89.05 89.05 Open N 41045 CITY OF ANOKA 03/15/2024 03/26/2024 23.50 23.50 Open N 41107 CITY OF MAPLE GROVE 03/18/2024 03/26/2024 25,105.08 25,105.08 Open N 41150 CITY OF MONTICELLO 03/20/2024 03/26/2024 194.00 194.00 Open N 41163 CORE & MAIN 03/21/2024 03/26/2024 2,200.00 2,200.00 Open N 41053 CORNERSTONE 03/15/2024 03/26/2024 495.76 495.76 Open N 41084 CORNERSTONE 03/18/2024 03/26/2024 495.76 495.76 Open N 41036 CROW RIVER FARM EQUIPMENT 03/15/2024 03/26/2024 374.03 374.03 Open N 41037 CROW RIVER FARM EQUIPMENT 03/15/2024 03/26/2024 374.03 374.03 Open N 41060 CRYSTAL WELDING INC 03/21/2024 03/26/2024 98.94 98.94 Open N 41029 CULLIGAN, INC 03/15/2024 03/26/2024 111.30 111.30 Open N 41087 CULLIGAN, INC 03/15/2024 03/26/2024 366.85 366.85 Open N 41188 DEARBORN NATIONAL 03/19/2024 03/26/2024 366.85 366.85 Open N 41161 DIAMOND MOWERS 03/21/2024 03/26/2024 74.31 74.31 Open N	41030	CITY OF ANOKA			472.93	472.93	_	N
41032	41031	CITY OF ANOKA			837.60	837.60	_	N
41033 CITY OF ANOKA 03/15/2024 03/26/2024 89.05 0pen N 41045 CITY OF ANOKA 03/15/2024 03/26/2024 23.50 23.50 0pen N 41107 CITY OF MAPLE GROVE 03/18/2024 03/26/2024 25,105.08 25,105.08 0pen N 41150 CITY OF MONTICELLO 03/20/2024 03/26/2024 194.00 194.00 0pen N 41163 CORE & MAIN 03/21/2024 03/26/2024 2,200.00 2,200.00 0pen N 41053 CORNERSTONE 03/15/2024 03/26/2024 495.76 495.76 0pen N 41084 CORNERSTONE 03/18/2024 03/26/2024 6,130.82 0pen N 41036 CROW RIVER FARM EQUIPMENT 03/15/2024 03/26/2024 6,130.82 6,130.82 0pen N 41037 CROW RIVER FARM EQUIPMENT 03/15/2024 03/26/2024 374.03 374.03 0pen N 41037 CROW RIVER FARM EQUIPMENT 03/15/2024 03/26/2024 592.97 592.97 0pen N 41060 CRYSTAL WELDING INC 03/21/2024 03/26/2024 98.94 98.94 0pen N 41029 CULLIGAN, INC 03/15/2024 03/26/2024 111.30 111.30 0pen N 41087 CULLIGAN, INC 03/18/2024 03/26/2024 96.65 96.65 0pen N 41087 CULLIGAN, INC 03/18/2024 03/26/2024 366.85 366.85 0pen N 41188 DEARBORN NATIONAL 03/19/2024 03/26/2024 36.11 36.11 0pen N 41161 DIAMOND MOWERS 03/21/2024 03/26/2024 74.31 74.31 0pen N	41032	CITY OF ANOKA			490.50	490.50	_	N
41045 CITY OF ANOKA 03/15/2024 03/26/2024 23.50 23.50 Open N 41107 CITY OF MAPLE GROVE 03/18/2024 03/26/2024 25,105.08 25,105.08 Open N 41150 CITY OF MONTICELLO 03/20/2024 03/26/2024 194.00 194.00 Open N 41163 CORE & MAIN 03/21/2024 03/26/2024 2,200.00 2,200.00 Open N 41053 CORNERSTONE 03/15/2024 03/26/2024 495.76 Open N 41084 CORNERSTONE 03/15/2024 03/26/2024 6,130.82 6,130.82 Open N 41036 CROW RIVER FARM EQUIPMENT 03/15/2024 03/26/2024 374.03 374.03 Open N 41037 CROW RIVER FARM EQUIPMENT 03/15/2024 03/26/2024 592.97 592.97 Open N 41160 CRYSTAL WELDING INC 03/21/2024 03/26/2024 98.94 98.94 Open N 41029 CULLIGAN, INC 03/15/2024 03/26/2024 111.30 111.30 Open N 41087 CULLIGAN, INC 03/18/2024 03/26/2024 96.65 96.65 Open N 41188 DEARBORN NATIONAL 03/19/2024 03/26/2024 366.85 366.85 Open N 41161 DIAMOND MOWERS 03/21/2024 03/26/2024 74.31 74.31 Open N	41033	CITY OF ANOKA	03/15/2024	03/26/2024	89.05	89.05	_	N
41107 CITY OF MAPLE GROVE 03/18/2024 03/26/2024 25,105.08 25,105.08 Open N 41150 CITY OF MONTICELLO 03/20/2024 03/26/2024 194.00 194.00 Open N 41163 CORE & MAIN 03/21/2024 03/26/2024 2,200.00 2,200.00 Open N 41053 CORNERSTONE 03/15/2024 03/26/2024 495.76 495.76 Open N 41084 CORNERSTONE 03/18/2024 03/26/2024 6,130.82 Open N 41036 CROW RIVER FARM EQUIPMENT 03/15/2024 03/26/2024 374.03 374.03 Open N 41037 CROW RIVER FARM EQUIPMENT 03/15/2024 03/26/2024 592.97 592.97 Open N 41160 CRYSTAL WELDING INC 03/15/2024 03/26/2024 98.94 98.94 Open N 41029 CULLIGAN, INC 03/15/2024 03/26/2024 98.94 98.94 Open N 41087 CULLIGAN, INC 03/15/2024 03/26/2024 111.30 111.30 Open N 41087 CULLIGAN, INC 03/18/2024 03/26/2024 96.65 Open N 41138 DEARBORN NATIONAL 03/19/2024 03/26/2024 366.85 366.85 Open N 41161 DIAMOND MOWERS 03/21/2024 03/26/2024 36.11 36.11 Open N 41161 DIAMOND MOWERS 03/21/2024 03/26/2024 74.31 74.31 Open N	41045	CITY OF ANOKA	03/15/2024	03/26/2024	23.50	23.50	_	N
41150         CITY OF MONTICELLO         03/20/2024         03/26/2024         194.00         194.00         Open         N           41163         CORE & MAIN         03/21/2024         03/26/2024         2,200.00         2,200.00         Open         N           41053         CORNERSTONE         03/15/2024         03/26/2024         495.76         495.76         Open         N           41084         CORNERSTONE         03/18/2024         03/26/2024         6,130.82         Open         N           41036         CROW RIVER FARM EQUIPMENT         03/15/2024         03/26/2024         374.03         374.03         Open         N           41037         CROW RIVER FARM EQUIPMENT         03/15/2024         03/26/2024         592.97         Open         N           41160         CRYSTAL WELDING INC         03/15/2024         03/26/2024         98.94         98.94         Open         N           41029         CULLIGAN, INC         03/15/2024         03/26/2024         111.30         111.30         Open         N           41087         CULLIGAN, INC         03/18/2024         03/26/2024         96.65         96.65         Open         N           41138         DEARBORN NATIONAL         03/19/2024	41107	CITY OF MAPLE GROVE			25,105.08	25,105.08	_	N
41163 CORE & MAIN 03/21/2024 03/26/2024 2,200.00 2,200.00 Open N 41053 CORNERSTONE 03/15/2024 03/26/2024 495.76 495.76 Open N 41084 CORNERSTONE 03/18/2024 03/26/2024 6,130.82 Open N 41036 CROW RIVER FARM EQUIPMENT 03/15/2024 03/26/2024 374.03 374.03 Open N 41037 CROW RIVER FARM EQUIPMENT 03/15/2024 03/26/2024 592.97 592.97 Open N 41160 CRYSTAL WELDING INC 03/21/2024 03/26/2024 98.94 98.94 Open N 41029 CULLIGAN, INC 03/15/2024 03/26/2024 111.30 111.30 Open N 41087 CULLIGAN, INC 03/18/2024 03/26/2024 96.65 96.65 Open N 41138 DEARBORN NATIONAL 03/19/2024 03/26/2024 366.85 366.85 Open N 41161 DIAMOND MOWERS 03/21/2024 03/26/2024 36.11 36.11 Open N 41167 DIAMOND MOWERS 03/21/2024 03/26/2024 74.31 74.31 Open N	41150	CITY OF MONTICELLO					_	N
41053         CORNERSTONE         03/15/2024         03/26/2024         495.76         495.76         Open         N           41084         CORNERSTONE         03/18/2024         03/26/2024         6,130.82         6,130.82         Open         N           41036         CROW RIVER FARM EQUIPMENT         03/15/2024         03/26/2024         374.03         374.03         Open         N           41037         CROW RIVER FARM EQUIPMENT         03/15/2024         03/26/2024         592.97         592.97         Open         N           41160         CRYSTAL WELDING INC         03/21/2024         03/26/2024         98.94         98.94         Open         N           41029         CULLIGAN, INC         03/15/2024         03/26/2024         111.30         111.30         Open         N           41087         CULLIGAN, INC         03/18/2024         03/26/2024         96.65         96.65         Open         N           41138         DEARBORN NATIONAL         03/19/2024         03/26/2024         366.85         366.85         Open         N           41161         DIAMOND MOWERS         03/21/2024         03/26/2024         74.31         74.31         Open         N		CORE & MAIN					_	N
41084       CORNERSTONE       03/18/2024       03/26/2024       6,130.82       6,130.82       Open       N         41036       CROW RIVER FARM EQUIPMENT       03/15/2024       03/26/2024       374.03       374.03       Open       N         41037       CROW RIVER FARM EQUIPMENT       03/15/2024       03/26/2024       592.97       592.97       Open       N         41160       CRYSTAL WELDING INC       03/21/2024       03/26/2024       98.94       98.94       Open       N         41029       CULLIGAN, INC       03/15/2024       03/26/2024       111.30       111.30       Open       N         41087       CULLIGAN, INC       03/18/2024       03/26/2024       96.65       96.65       Open       N         41138       DEARBORN NATIONAL       03/19/2024       03/26/2024       366.85       366.85       Open       N         41161       DIAMOND MOWERS       03/21/2024       03/26/2024       74.31       74.31       Open       N         41167       DIAMOND MOWERS       03/21/2024       03/26/2024       74.31       74.31       Open       N	41053						-	N
41036         CROW RIVER FARM EQUIPMENT         03/15/2024         03/26/2024         374.03         374.03         Open         N           41037         CROW RIVER FARM EQUIPMENT         03/15/2024         03/26/2024         592.97         592.97         Open         N           41160         CRYSTAL WELDING INC         03/21/2024         03/26/2024         98.94         98.94         Open         N           41029         CULLIGAN, INC         03/15/2024         03/26/2024         111.30         111.30         Open         N           41087         CULLIGAN, INC         03/18/2024         03/26/2024         96.65         96.65         Open         N           41138         DEARBORN NATIONAL         03/19/2024         03/26/2024         366.85         366.85         Open         N           41161         DIAMOND MOWERS         03/21/2024         03/26/2024         36.11         36.11         Open         N           41167         DIAMOND MOWERS         03/21/2024         03/26/2024         74.31         74.31         Open         N						6,130.82	_	N
41037 CROW RIVER FARM EQUIPMENT 03/15/2024 03/26/2024 592.97 592.97 Open N 41160 CRYSTAL WELDING INC 03/21/2024 03/26/2024 98.94 98.94 Open N 41029 CULLIGAN, INC 03/15/2024 03/26/2024 111.30 111.30 Open N 41087 CULLIGAN, INC 03/18/2024 03/26/2024 96.65 96.65 Open N 41138 DEARBORN NATIONAL 03/19/2024 03/26/2024 366.85 366.85 Open N 41161 DIAMOND MOWERS 03/21/2024 03/26/2024 36.11 36.11 Open N 41167 DIAMOND MOWERS 03/21/2024 03/26/2024 74.31 74.31 Open N		CROW RIVER FARM EOUIPMENT					_	N
41160       CRYSTAL WELDING INC       03/21/2024       03/26/2024       98.94       98.94       Open       N         41029       CULLIGAN, INC       03/15/2024       03/26/2024       111.30       111.30       Open       N         41087       CULLIGAN, INC       03/18/2024       03/26/2024       96.65       96.65       Open       N         41138       DEARBORN NATIONAL       03/19/2024       03/26/2024       366.85       366.85       Open       N         41161       DIAMOND MOWERS       03/21/2024       03/26/2024       36.11       36.11       Open       N         41167       DIAMOND MOWERS       03/21/2024       03/26/2024       74.31       74.31       Open       N			· · · · ·				-	
41029       CULLIGAN, INC       03/15/2024       03/26/2024       111.30       111.30       Open       N         41087       CULLIGAN, INC       03/18/2024       03/26/2024       96.65       96.65       Open       N         41138       DEARBORN NATIONAL       03/19/2024       03/26/2024       366.85       366.85       Open       N         41161       DIAMOND MOWERS       03/21/2024       03/26/2024       36.11       36.11       Open       N         41167       DIAMOND MOWERS       03/21/2024       03/26/2024       74.31       74.31       Open       N							_	
41087       CULLIGAN, INC       03/18/2024       03/26/2024       96.65       96.65       Open       N         41138       DEARBORN NATIONAL       03/19/2024       03/26/2024       366.85       366.85       Open       N         41161       DIAMOND MOWERS       03/21/2024       03/26/2024       36.11       36.11       Open       N         41167       DIAMOND MOWERS       03/21/2024       03/26/2024       74.31       74.31       Open       N							-	
41138       DEARBORN NATIONAL       03/19/2024       03/26/2024       366.85       366.85       Open       N         41161       DIAMOND MOWERS       03/21/2024       03/26/2024       36.11       36.11       Open       N         41167       DIAMOND MOWERS       03/21/2024       03/26/2024       74.31       74.31       Open       N		•		· · · · · ·			_	
41161       DIAMOND MOWERS       03/21/2024       03/26/2024       36.11       36.11       Open       N         41167       DIAMOND MOWERS       03/21/2024       03/26/2024       74.31       74.31       Open       N							_	
41167 DIAMOND MOWERS 03/21/2024 03/26/2024 74.31 74.31 Open N							_	
							_	
				03/26/2024	276.00		Open	

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#### INVOICE REGISTER REPORT FOR CITY OF DAYTON MN EXP CHECK RUN DATES 03/26/2024 - 03/26/2024

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BOTH JOURNALIZED AND UNJOURNALIZED BOTH OPEN AND PAID

Inv Ref#	Vendor	Inv Date	Due Date	Inv Amt	Amt Due	Status	Jrnlized
41114	ELK RIVER MUNICIPAL UTILITIES	03/18/2024	03/26/2024	1,531.47	1,531.47	Open	N
41038	ENTERPRISE FM TRUST	03/15/2024	03/26/2024	551.68	551.68	Open	N
41047	ENTERPRISE FM TRUST	03/15/2024	03/26/2024	7,907.40	7,907.40	Open	N
41006	EQUIPMENT PROS INC	03/15/2024	03/26/2024		185.95	Open	N
41164	ESO SOLUTIONS	03/21/2024	03/26/2024		495.00	Open	N
41132	ESO SOLUTIONS GLOCK PROFESSIONAL, INC GRAINGER. INC	03/19/2024	03/26/2024	250.00	250.00	Open	N
41162	GRAINGER, INC	03/21/2024	03/26/2024	204.50	204.50	Open	N
41056	GREG NOWAK	03/15/2024	03/26/2024	66.62	66.62	Open	N
41078	GUIDANCEPOINT TECHNOLOGIES	03/18/2024	03/26/2024	1,010.00	1,010.00	Open	N
41079	GUIDANCEPOINT TECHNOLOGIES	03/18/2024	03/26/2024	205 00	305.00	Open	N
41080	GUIDANCEPOINT TECHNOLOGIES	03/18/2024	03/26/2024	809.99	809.99	Open	N
41081	GUIDANCEPOINT TECHNOLOGIES	03/18/2024	03/26/2024	112.50	112.50	Open	N
41082	GUIDANCEPOINT TECHNOLOGIES	03/18/2024	03/26/2024		554.99	Open	N
41019	HASSAN SAND & GRAVEL, INC	03/15/2024	03/26/2024	1,019.07	1,019.07	Open	N
41020	HASSAN SAND & GRAVEL, INC	03/15/2024	03/26/2024 03/26/2024	1,050.43	1,050.43	Open	N
41039	HAWKINS, INC	03/15/2024	03/26/2024	8,329.12	8,329.12	Open	N
41112	HAWKINS, INC	03/18/2024	03/26/2024	40.00	40.00	Open	N
41034	HENNEPIN COUNTY	03/15/2024	03/26/2024	3,576.13	3,576.13	Open	N
41035	HENNEPIN COUNTY	03/15/2024	03/26/2024	1,942.90	1,942.90	Open	N
41139	HENNEPIN COUNTY TREASURER	03/19/2024	03/26/2024	1 10	1.10	Open	N
41140	HENNEPIN COUNTY TREASURER	03/19/2024	03/26/2024	592.78	592.78	Open	N
41141	HENNEPIN COUNTY TREASURER	03/19/2024	03/26/2024	2,807.52	2,807.52	Open	N
41145	HENNEPIN COUNTY TREASURER		03/26/2024	1,509.87	1,509.87	Open	N
41143	HP GROUP HEALTH NON-PATIENT A/R	03/20/2024	03/26/2024	214.90	214.90	Open	N
41008	INNOVATIVE OFFICE SOLUTIONS	03/15/2024	03/26/2024	55.71	55.71	Open	N
41130	INNOVATIVE OFFICE SOLUTIONS	03/19/2024	03/26/2024 03/26/2024	55.71 107.48	107.48	Open	N
41131	INNOVATIVE OFFICE SOLUTIONS	03/19/2024	03/26/2024	115.99	115.99	Open	N
41054	KWIK TRIP INC	03/15/2024	03/26/2024		0.00	Paid	Y
41051	LANDFORM PROFESSIONAL SVCS, LLC	03/15/2024	03/26/2024	1,485.00	1,485.00	Open	N
41102	LANDFORM PROFESSIONAL SVCS, LLC	03/18/2024	03/26/2024	6,204.75	6,204.75	Open	N
41121	LEO WEB PROTECT INC	03/18/2024	03/20/2024	149.90	749.90	Open	N
41067	LEXIS NEXIS	03/18/2024	03/26/2024	200.00	200.00	Open	N
41156	LYNDE & MCLEOD INC	03/21/2024	03/26/2024	408.40	408.40	Open	N
41120	MACQUEEN EMERGENCY GROUP	03/18/2024	03/26/2024	130.00	130.00	Open	N
41147	MACQUEEN EMERGENCY GROUP	03/20/2024	03/26/2024	188.16	188.16	Open	N
41153	MACQUEEN EMERGENCY GROUP MACQUEEN EMERGENCY GROUP	03/20/2024	03/26/2024	188.16 84.75	84.75	Open	N
41168	MAGNEY CONSTRUCTION INC	03/21/2024	03/26/2024	238,137.78	238,137.78	Open	N
41004	MARK JOHNSON	03/14/2024	03/26/2024	1,531.84		Paid	Y
41085	MATTHEW MEISTER	03/18/2024	03/26/2024	207.99	207.99	Open	N
41146	MENARDS - MAPLE GROVE	03/20/2024	03/26/2024	295.77	295.77	Open	N
41005	METROPOLITAN COUNCIL	03/11/2024	03/26/2024	31,981.95	0.00	Paid	Y
41003	MINNESOTA DEPARTMENT OF HEALTH	03/14/2024	03/26/2024	6,998.40	0.00	Paid	Y
41133	MINUTEMAN PRESS	03/19/2024	03/26/2024	2,306.09	2,306.09	Open	N
41134	MINUTEMAN PRESS	03/19/2024	03/26/2024	235.95	235.95	Open	N
41154	MINUTEMAN PRESS	03/21/2024	03/26/2024	3,211.58	3,211.58	Open	N
41144	NAGELL APPRAISAL & CONSULTING	03/20/2024	03/26/2024	1,200.00	1,200.00	Open	N
41011	NAPA AUTO PARTS	03/15/2024	03/26/2024	314.36	314.36	Open	N

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# INVOICE REGISTER REPORT FOR CITY OF DAYTON MN EXP CHECK RUN DATES 03/26/2024 - 03/26/2024 BOTH JOURNALIZED AND UNJOURNALIZED

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BOTH JOURNALIZED AND UNJOURNAL:

BOTH OPEN AND PAID

Inv Ref#	Vendor	Inv Date	Due Date	Inv Amt	Amt Due	Status	Jrnlized
41012	NAPA AUTO PARTS	03/15/2024	03/26/2024	102.47	102.47	Open	N
41013	NAPA AUTO PARTS	03/15/2024	03/26/2024	68.98	68.98	Open	N
41014	NAPA AUTO PARTS	03/15/2024	03/26/2024	355.81	355.81	Open	N
41015	NAPA AUTO PARTS	03/15/2024	03/26/2024	(116.22)	(116.22)	Open	N
41016	NAPA AUTO PARTS	03/15/2024	03/26/2024	87.37	87.37	Open	N
41017	NAPA AUTO PARTS	03/15/2024	03/26/2024	392.90	392.90	Open	N
41111	NCI, A THOMAS SCIENTIFIC, LLC CON	MF03/18/2024	03/26/2024	1,150.90	1,150.90	Open	N
41123	ODP BUSINESS SOLUTIONS, LLC	03/18/2024	03/26/2024	18.99	18.99	Open	N
41124	ODP BUSINESS SOLUTIONS, LLC	03/18/2024	03/26/2024	5.49	5.49	Open	N
41125	ODP BUSINESS SOLUTIONS, LLC	03/18/2024	03/26/2024	124.99	124.99	Open	N
41126	ODP BUSINESS SOLUTIONS, LLC	03/18/2024	03/26/2024	112.47	112.47	Open	N
41127	ODP BUSINESS SOLUTIONS, LLC	03/18/2024	03/26/2024	88.19	88.19	Open	N
41128	ODP BUSINESS SOLUTIONS, LLC	03/18/2024	03/26/2024	6.19	6.19	Open	N
41055	PAUL MCMAHON	03/15/2024	03/26/2024	150.00	150.00	Open	N
41142	PRIMARY ARMS LLC	03/19/2024	03/26/2024	626.29	626.29	Open	N
41010	RDO EQUIPMENT CO	03/15/2024	03/26/2024	201.84	201.84	Open	N
41021	RDO EQUIPMENT CO	03/15/2024	03/26/2024	183.38	183.38	Open	N
41024	REPUBLIC SERVICES, INC.	03/15/2024	03/26/2024	409.67	0.00	Paid	Y
41025	REPUBLIC SERVICES, INC.	03/15/2024	03/26/2024	167.70	0.00	Paid	Y
41026	REPUBLIC SERVICES, INC.	03/15/2021	03/26/2024	218.40	0.00	Paid	Y
41027	REPUBLIC SERVICES, INC.	03/15/2024	03/26/2024	409.67	0.00	Paid	Y
41158	ROGERS TRUE VALUE	03/21/2024	03/26/2024	16.56	16.56	Open	N
41159	ROGERS TRUE VALUE	03/21/2021	03/26/2024	21.98	21.98	Open	N
41118	RPM GRAPHICS, INC	03/21/2024	03/26/2024	25.00	25.00	Open	N
41157	RPM GRAPHICS, INC	03/21/2024	03/26/2024	66.00	66.00	Open	N
41129	SALSBURY INDUSTRIES	03/21/2024	03/26/2024	2,739.68	2,739.68	Open	N
41100	SCHALO CONSTRUCTION INC	03/13/2024	03/26/2024	84.17	84.17	Open	N
41050	SQUIRES, WALDSPURGER & MACE P.A.		03/26/2024	126.00	126.00	Open	N
41046	SRF CONSULTING GROUP INC	03/15/2024	03/26/2024	2,779.36	2,779.36	Open	N
41099	STEVE JOHNSON	03/13/2024	03/26/2024	275.19	275.19	_	N
41103	STREICHERS, INC	03/18/2024	03/26/2024	405.60	405.60	Open	N
41135	TAHO SPORTSWEAR, INC	03/18/2024	03/26/2024	48.75	48.75	Open	N N
41136	TAHO SPORTSWEAR, INC	03/19/2024	03/26/2024	260.00	260.00	Open	N
41105	TASC	03/19/2024	03/26/2024	157.41	157.41	Open	N N
41103				144.62		Open	
41018	TERMINAL SUPPLY TERMINAL SUPPLY	03/15/2024	03/26/2024	207.55	144.62 207.55	Open	N N
		03/15/2024	03/26/2024			Open	
41109	TERRY VERNESS TIMOTHY HUTTNER	03/18/2024	03/26/2024	300.00	300.00	Open	N
41076		03/18/2024	03/26/2024	300.00	300.00	Open	N
41023	TOLL GAS AND WELDING SUPPLY	03/15/2024	03/26/2024	2.46	2.46	Open	N
41113	TOLL GAS AND WELDING SUPPLY	03/18/2024	03/26/2024	655.67	655.67	Open	N
41028	TOSHIBA BUSINESS SYSTEMS	03/15/2024	03/26/2024	12.78	12.78	Open	N
41148	TOSHIBA BUSINESS SYSTEMS	03/20/2024	03/26/2024	3,517.47	3,517.47	Open	N
41110	TOU MONDO YANG	03/18/2024	03/26/2024	300.00	300.00	Open	N
41009	TRI-STATE BOBCAT, INC	03/15/2024	03/26/2024	586.52	586.52	Open	N
41137	UNUM LIFE INSURANCE COMPANY	03/19/2024	03/26/2024	1,809.41	1,809.41	Open	N
41061	VISA-CH	03/15/2024	03/26/2024	2,699.52	0.00	Paid	Y
41101	VISA-CH	03/18/2024	03/26/2024	3,140.08	0.00	Paid	Y

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INVOICE REGISTER REPORT FOR CITY OF DAYTON MN EXP CHECK RUN DATES 03/26/2024 - 03/26/2024

EXP CHECK RUN DATES 03/26/2024 - 03/26/202 BOTH JOURNALIZED AND UNJOURNALIZED BOTH OPEN AND PAID

Inv Ref#	Vendor				Inv Date	Due Date	Inv Amt	Amt Due	Status	Jrnlized
41060*	VISA-FD2				03/15/2024	03/26/2024	1,919.81	0.00	Paid	Y
41108*	VISA-PD				03/18/2024	03/26/2024	1,075.48	0.00	Paid	Y
41098	VISA-PW				03/18/2024	03/26/2024	3,088.21	0.00	Paid	Y
41119	WESTSIDE WHO	LESALE	, INC		03/18/2024	03/26/2024	686.32	686.32	Open	N
41166	WESTSIDE WHO	LESALE	, INC		03/21/2024	03/26/2024	72.91	72.91	Open	N
41062	XCEL ENERGY				03/15/2024	03/26/2024	30.89	0.00	Paid	Y
41063	XCEL ENERGY				03/15/2024	03/26/2024	948.47	0.00	Paid	Y
41064	XCEL ENERGY				03/15/2024	03/26/2024	19.94	0.00	Paid	Y
41077	XCEL ENERGY				03/18/2024	03/26/2024	21.66	0.00	Paid	Y
41088	XCEL ENERGY				03/18/2024	03/26/2024	3,347.44	0.00	Paid	Y
41089	XCEL ENERGY				03/18/2024	03/26/2024	13.75	0.00	Paid	Y
41090	XCEL ENERGY				03/18/2024	03/26/2024	43.69	0.00	Paid	Y
41091	XCEL ENERGY				03/18/2024	03/26/2024	72.50	0.00	Paid	Y
41092	XCEL ENERGY				03/18/2024	03/26/2024	21.61	0.00	Paid	Y
41093	XCEL ENERGY				03/18/2024	03/26/2024	23.31	0.00	Paid	Y
41094	XCEL ENERGY				03/18/2024	03/26/2024	107.91	0.00	Paid	Y
41095	XCEL ENERGY				03/18/2024	03/26/2024	11.82	0.00	Paid	Y
41096	XCEL ENERGY				03/18/2024	03/26/2024	469.90	0.00	Paid	Y
41097	XCEL ENERGY				03/18/2024	03/26/2024	61.63	0.00	Paid	Y
41115	XCEL ENERGY				03/18/2024	03/26/2024	23.13	23.13	Open	N
41116	XCEL ENERGY				03/18/2024	03/26/2024	87.83	87.83	Open	N
41117	XCEL ENERGY				03/18/2024	03/26/2024	23.30	23.30	Open	N
41151	XCEL ENERGY				03/20/2024	03/26/2024	0.15	0.15	Open	N
41152	XCEL ENERGY				03/20/2024	03/26/2024	23.74	23.74	Open	N
41165	XCEL ENERGY				03/21/2024	03/26/2024	55.60	55.60	Open	N
# of Invoid	ces:	165	# Due:	138	Tota	ls:	481,829.64	422,813.23		
# of Credit Memos:		1	# Due:	1	Tota	ls:	(116.22)	(116.22)		
Net of Invo	oices and Credit	Memo	s:				481,713.42	422,697.01		

\* 2 Net Invoices have Credits Totalling:

(167.34)

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DB: Dayton

INVOICE REGISTER REPORT FOR CITY OF DAYTON MN
EXP CHECK RUN DATES 03/26/2024 - 03/26/2024
BOTH JOURNALIZED AND UNJOURNALIZED

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BOTH OPEN AND PAID

Inv Ref#	Vendor	Inv Date	Due Date	Inv Amt	Amt Due Status	Jrnlized
TOTALS I	BY FUND					
	101 - GENERAL FUND			102,472.42	83,795.30	
	226 - CABLE			3,211.58	3,211.58	
	401 - CAPITAL EQUIPMENT			8,339.45	8,459.08	
	410 - CAPITAL FACILITIES			2,039.13	1,200.00	
	411 - DEVELOPER ESCROWS			1,661.25	1,661.25	
	459 - 2022 TIF STREET IMPE	ROVEMENTS		2,840.99	2,779.36	
	601 - WATER FUND			326,548.19	319,079.89	
	602 - SEWER FUND			34,600.41	2,510.55	
TOTALS I	BY DEPT/ACTIVITY					
	00000 -			326,407.08	285,894.89	
	41110 - Council			945.13	276.00	
	41310 - Administration			798.46	0.00	
	41410 - Elections			224.39	0.00	
	41420 - City Clerk			83.08	83.08	
	41500 - Finance			43.41	0.00	
	41640 - Legal Services			5,633.50	5,633.50	
	41650 - Recycling Services	3		626.80	408.40	
	41710 - Plannning & Econor	nic Dev		8,048.50	6,328.50	
	41810 - Central Services			3,662.30	2,773.56	
	41820 - Information Techno	ology		4,897.60	2,992.46	
	41900 - General Govt			4,411.58	4,411.58	
	41910 - Activity Center			1,045.09	303.49	
	42120 - Patrol and Invest	lgate		23,148.82	20,013.63	
	42130 - Emergency Mgmt			23.65	23.65	
	42140 - Animal Control			194.00	194.00	
	42260 - Fire Suppression			21,173.72	19,253.91	
	43100 - Public Works			30,470.41	26,406.66	
	45200 - Parks			5,465.01	3,866.62	
	49400 - Utilities			39,499.62	38,921.81	
	49999 - Contingency			4,911.27	4,911.27	

# CITY OF DAYTON COUNTIES OF HENNEPIN AND WRIGHT STATE OF MINNESOTA

# RESOLUTION 08-2024 RESOLUTION ACCEPTING GIFT PACKAGE DONATION FROM URBAN AIR-ADVENTURE PARK.

**WHEREAS,** The City of Dayton is generally authorized to accept donations of real and personal property pursuant to Minnesota Statutes Section 465.03 for the benefit of its citizens, and is specifically authorized to accept gifts and bequests for the benefit of its citizens; and

**WHEREAS,** Urban Air has offered to contribute and donate a \$50 gift package which includes tickets to the adventure park for the Easter Coloring Contest winners to support the community they serve; and

**WHEREAS,** All such donations have been contributed to assist the city in the engagement of residents and operation of recreational events and programs either alone or in cooperation with others, as allowed by law; and

**WHEREAS,** The City Council finds that it is appropriate to accept the donations offered.

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

- 1. The donations described above are accepted and shall be used to award the winners of the Easter Coloring Contest.
- 2. The City Clerk is hereby directed to issue receipts to each donor acknowledging the city's receipt of the donor's donation.

Adopted by the City Council of the City of Dayton on March 19, 2024.

Mayor – Dennis Fisher	
Clerk – Amy Benting	

# CITY OF DAYTON COUNTIES OF HENNEPIN AND WRIGHT STATE OF MINNESOTA

# RESOLUTION 09-2024 RESOLUTION SUPPORTING RETENTION OF CITY ZONING AUTHORITY

**WHEREAS**, decisions about local zoning and land use that best fit community needs are best left to city residents and officials; and

**WHEREAS**, cities use zoning and land use regulations to balance property usage, plan for community growth, dedicate space and capacity for public infrastructure to support development (roads, parks and trails, transportation, sewer, stormwater, water, etc.), mitigate flooding and erosion, and preserve natural resources among others; and

**WHEREAS**, the Minnesota State Legislature, in an attempt to address housing availability and affordability challenges, is considering measures that would preempt city authority to regulate land use and zoning and assign that authority to state government; and

**WHEREAS**, passage of those measures would inadequately address housing availability and affordability challenges; and

**WHEREAS**, a rigid framework for land use and zoning mandated by the state makes little sense and cities require flexibility to address their own unique circumstances; and

**WHEREAS**, provisions of the proposed state measures would place the fiscal burden for infrastructure cost of new residential development on the shoulders of existing homeowners and renters in our local communities; and

**WHEREAS**, building of multiple housing units on a single residential lot with inadequate spacing, as allowed in the proposed zoning preemption measures, could result in service delivery problems like limiting emergency medical services and fire departments' access to city neighborhoods; and

**WHEREAS**, provisions would also silence local residents from their concerns regarding proposed developments during public comment periods of city council and other public meetings; and

**WHEREAS**, cities across the state have already put in years of work to address zoning issues, and continue to do so, with the help of community engagement.

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

The City of Dayton opposes state proposals that seek to preempt local zoning and land use decision-making when it comes to residential development;

Supports constructive policy alternatives to incentivize and bolster city efforts for addressing housing challenges;

And, advocates for a city-state partnership to consider reforms that are proven to address housing availability and affordability and that ensure efforts can be locally led and shaped.

**ADOPTED** by the City Council of the City of Dayton on this 26 day of March, 2024.

Mayor – Dennis Fisher

Assistant City Admin/City Clerk – Amy Benting

Meeting Date: March 26, 2024 Item Number: E



PRESENTER:

Erum & Eric Lucero, Riverview Villas LLC

ITEM:

Approval of Resolution 10-2024; Rezoning 16361 Dayton Avenue

**PREPARED BY:** 

Jon Sevald, Community Development Director

#### POLICY DECISION / ACTION TO BE CONSIDERED:

**Zoning Map Amendment** 

#### **BACKGROUND:**

On November 1, 2022, Riverview Villas LLC applied for a Zoning Map amendment to rezone 16361 Dayton Ave (corner lot) from R-O Old Village Residential to GMU-3 Historic Village. The Planning Commission TABELED action on December 1, 2022 to allow a larger discussion about the Historic Village. The 60-Day Rule may be extended by the city up to 120-days (March 1, 2023). Verbal notice of the extension was provided at the Planning Commission's Public Hearing. There is no known written notice of the extension. The city was without planning staff between January and May 2023. Failure of the city to take action within 60-days (extended to 120-days) is Approval by default (MN Statute 15.99, Subd 2(a). The Historic Village Framework plan was adopted by the City Council on July 25, 2023. Although the rezoning has been approved by default, the intent of Approving this Resolution is to establish an official record.

#### **CRITICAL ISSUES:**

None.

#### **COMMISSION REVIEW / ACTION (IF APPLICABLE):**

No recommendation provided.

#### 60/120-DAY RULE (IF APPLICABLE):

Zoning Map Amendment December 29, 2022 / March 1, 2023

#### **RELATIONSHIP TO COUNCIL GOALS:**

N/A

#### **BUDGET IMPACT:**

N/A

#### **RECOMMENDATION:**

Staff recommends approval.

#### **ATTACHMENT(S):**

Zoning Map Resolution 10-2024

#### **ZONING MAP**



#### Legend

A-1 Agricultural District

A-2 Agricultural District

B-2 Neighborhood Business District

B-3 General Business District

B-4 Commercial/Industrial District

B-P Business Park District

ES Essential Service District

GMU-4 Balsam Lane

I-1 Light Industrial District

I-2 Heavy Industrial District

P-R Public Recreation District

R-1 Single Family District

R-1A, Single Family Residential

R-2 Single Family District (90,000 Sf, Unsewered)

R-3 Single Family and Attached Residential

R-E Single Family District (5 Ac, Unsewered)

- R-M Medium Density Residential District

R-MH Mobile Home District

R-O Old Village Residential

S-A Special Agriculture District

GMU-3 Historic Village

Open Water

#### PUD

PUD PUD

City Boundary

#### **Ordinance 2024-05**

#### CITY OF DAYTON

#### **COUNTIES OF HENNEPIN AND WRIGHT**

#### ORDINANCE APPROVING A ZONING MAP AMENDMENT OF 16361 DAYTON AVENUE

THE CITY COUNCIL OF THE CITY OF DAYTON DOES ORDAIN:

SECTION 1. <u>AMENDMENT</u>. The zoning classification of the property described in Section 2, as shown on the Zoning Map referred to in Section 1001.04, subd.2 of the Dayton Ordinance Code, is hereby amended from R-O Old Village Residential to BMU-3 Historic Village.

#### SECTION 2. **PROPERTY DESCRIPTION**.

16361 Dayton Avenue

PID: 3112122320015

Lot 1, and East ½ of Lot 2, Block 3, Townsite of Dayton, according to the recorded plat thereof, and situated in Hennepin county, Minnesota.

Abstract Property.

SECTION 3. <u>EFFECTIVE DATE</u>. This Ordinance shall be in full force and in effect as of April 15, 2023, per Minnesota Statute 15.99, Subd 2(a).

Adopted by the City Council of the City of Dayton, this 26th day of March, 2024.

	Mayor Dennis Fisher
ATTEST:	
City Clerk Amy Benting	
Motion by, Second by	
Published in the Champlin Dayton Press on	



**PRESENTER:** Marty Farrell

ITEM: Well Head treatment pay application #5 from Magney Construction

PREPARED BY: Marty Farrell

POLICY DECISION/ACTION TO BE CONSIDERED: Payment of Pay Application #5 for

\$238,137.78.

**BACKGROUND:** The project includes addition of a new building adjacent to Wellhouse No. 4 that includes horizontal pressure filter equipment. Water from Well 4 and future Well 5 will be filtered to remove iron and manganese and improve water quality.

#### **BUDGET IMPACT:**

The total Magney Contract budget	\$7,256,700.00
Change Order #1	\$33,873.28
Magney construction pay application #5	\$238,137.78
Total previous payments	\$1,142,215.26
Total remaining Magney Contract budget	\$5,910,220.24
Total remaining project budget	\$6,732,068.43

Project funded from \$4,000,000 Federal Grant, \$1,750,000 State Grant, and Water Enterprise Fund 601.

**RECOMMENDATION:** Accept pay application from Magney Construction for \$238,137.78.

ATTACHMENT(S): Project balance sheet and Pay application #4

	3/1/2024	2/5/2024						Date	
	3/1/2024 Pay Application 5 (Magney)	2/5/2024 Pay Application 4 (Magney)	CO#1	Pay Application 3 (Magney)	Pay Application 2 (Magney)	Pay Application 1 (Magney)	Starting Balance	Pay Application/Change Order	Project Financial Breakdown
<b>ν</b>	w	· S		Ş	Ş	ş		Magney	Magney
1,380,353.04	238,137.78	475,489.08		325,410.38	121,201.36	220,114.44		Magney Pay App Amount	еу
			\$ 33,873.28					Magney Change Orders	
ν <sub>0</sub>	· v	ş	3.28 \$	Ş	Ş	Ş	Ş	×	
5,910,220.24	(238,137.78)	(475,489.08)	33,873.28	(325,410.38)	(121,201.36)	(220,114.44)	7,256,700.00	Magney Contract Balance	

AS OF 3-14-24	
Contract Balances to Project Close Out	
1-24-24 Magney	\$ 5,910,220.24
1-24-24 B&V	\$ 419,156.47
1-24-24 AET	\$ 36,565.00
Remaining Contract Balances Total	\$ 6,365,941.71
Project Starting Balance	\$ 8,194,300.00
Minus total pay apps to date	\$ (1,462,231.57
Remaining Project Balance	\$ 6,732,068.43
Remaining Project Balance	\$ 6,732,068.43
Minus remaining Contract Balances	\$ (6,365,941.71
Contingency	\$ 366,126.72

Contractor's Certification

# Contractor's Application for Payment No. 05

	Application Period: 2/1/2024 - 3/1/2024	Application Date: 3/1/2024
To (Owner): City of Dayton, MN	From (Contractor): Magney Construction, Inc.	Via (Engineer): Black & Veatch
Project Name: Dayton Filtration Plant Wells 4 & 5	Contract: All Construction	
Owner's Contract No.:	Contractor's Project No.: 00604	Engineer's Project No.: 414098

# APPLICATION FOR PAYMENT

	33,873.28	\$	NET CHANGE BY CHANGE ORDERS \$
		\$ 33,873.28	TOTALS \$
(Column G on Schedule of Values + Line 5c above)			
9. BALANCE TO FINISH, PLUS RETAINAGE			
8. AMOUNT DUE THIS APPLICATION			
7. LESS PREVIOUS PAYMENTS (Line 6 from prior)			
6. AMOUNT ELIGIBLE TO DATE (Line 4 - Line 5c)			
c. Total Retainage (Line 5a + Line 5b)			
b. 5% x \$ 29,699.48 Stored Materials			
a. 5% x \$ 1,423,303.72 Work Completed			
5. RETAINAGE:			
4. TOTAL COMPLETED & STORED TO DATE			
3. CURRENT CONTRACT PRICE (Line 1 +/- 2)			
2. Net change by Change Orders		\$ 33,873.28	CO-1
1. ORIGINAL CONTRACT PRICE	Deductions	Additions	No.
	S	Approved Change Orders	
	у	Change Order Summary	

BALANCE TO FINISH, PLUS RETAINAGE	AMOUNT DUE THIS APPLICATION	LESS PREVIOUS PAYMENTS (Line 6 from prior)	AMOUNT ELIGIBLE TO DATE (Line 4 - Line 5c)	c. Total Retainage (Line 5a + Line 5b)	29,699.48 Stored Materials	1,423,303.72 Work Completed	TOTAL COMPLETED & STORED TO DATE	CURRENT CONTRACT PRICE (Line 1 +/- 2)	Net change by Change Orders	ORIGINAL CONTRACT PRICE
	امدا	S	÷	S	÷	S	S	<del>59</del>	S	s
S	57									

(Date)	Funding Agency (if applicable)		7 01
		Approved by:	By: Date:
(Date)	(City of Dayton)		this Application for Payment is in accordance with the Contract Documents and is not defective.
		Approved by:	such Liens, security interest or encumbrances), and (3) all work covered by
			covered by a Bond acceptable to Owner indemnifying Owner against any
	(Line 8 or other - attach explanation of other amount)		clear of all Liens, security interests and encumbrances (except such as are
	\$238,137.78	Payment of:	Application for Payment will pass to Owner at time of payment fee and
			incorporated in said Work or otherwise listed in or covered by this
(Date)	(Engineer)		Applications for Payment; (2) title of all Work, materials and equipment
03/05/2024	Julia Sillert	Recommended by:	obligations incurred in connection with Work covered by prior
			Contract have been applied on account to discharge Contractor's legitimate
	(Line 8 or other - attach explanation of other amount)		payments received from Owner on account of Work done under the
	\$238,137.78	Payment of:	The undersigned Contractor certifies that: (1) all previous progress
			Contractor's Certification

EJCDC No. C-620 (2002 Edition)

Prepared by the Engineers' Joint Confract Documents Committee and endorsed by the Associated General Confractors of America and the Construction Specifications Institute

3/1/2024

	Schedule of Values For: Dayto	Dayton, MN - Filtration Plant Wells 4 & 5	Plant Wells 4	5		Submitted By:	Magney Construction, Inc.	ction, Inc.	
							1401 Park Road		
	Project No.: 414098						Channassen, IVIN 55317	5531/	
	Contract No.:								
	General Contractor: Magney Construction, Inc.								
	R					Date	Date of Application:	3/1/2024	2024
Application No.						work comp	work completed illiough.	4202 /t /c	2024
ITEM			С	D	Е	F		G	н
Spec Section	Description of Work	Scheduled Value	From Previous	THIS PERIOD	Materials	Total Completed	% Complete	Balance to	Retainage (5%)
			Application (C+D)		Presently stored (not in column D)	and Stored to Date (C+D+E)		Finish	
01000	Mobilization	\$ 220,100.00	\$ 110,050.00			\$ 110,050.00	50%	\$ 110,050.00	\$ 5,502.50
01001	General Conditions	\$ 390,600.00	\$	\$ 28,760.00		\$ 106,316.00	Ш	Ш	$  \  $
01002	Supervision	\$ 178,000.00	\$ 56,100.00	\$ 8,707.14		\$ 64,807.14	36%	\$ 113,192.86	\$ 3,240.36
01003	Bond & Insurance	\$ 78,900.00	\$ 78,900.00			\$ 78,900.00	100%		\$ 3,945.00
02050	Selective Site Demolition		\$					17,200.00	\$
02100	Clearing & Grubbing  Fixe avaition & Backfill	\$ 9,800.00	\$ 9,800.00	\$ 8 951 39		\$ 9,800.00	47%	\$ 132 902 30	\$ 5,959,89
02203	Earth Retention System		\$						
02512	Asphalt Pavement	\$ 22,000.00	\$			\$ -		\$ 22,000.00	- \$
02600	Site Utilities	\$ 220,000.00	\$ 8,580.00			\$ 8,580.00	4%	\$ 211,420.00	\$ 429.00
02900	Finish Grade	\$ 12,500.00	\$			\$			\$ -
02930	Seeding & Sodding		\$					6,000.00	
03200	Cast-in-Blace Concrete	\$ 736,400.00	\$ 261 120 37	\$ 83,609.37	22,023.40	\$ 444 729 74	60%	\$ 291.670.36	\$ 22,273.90
04200	Masonry	\$ 326,000.00	\$					326,000.00	
05000	Metal Framing & Misc. Metals	\$ 201,100.00	\$ 6,031.28			\$ 6,031.28		195,068.72	\$ 301.56
06100	Rough Carpentry	\$ 22,300.00	\$ 12,288.46			\$ 12,288.46		\$ 10,011.54	\$ 614.42
07185	Masonry Water Repellent Coating	\$ 8,000.00	-			\$		8,000.00	\$ -
07200	Thermal Insulation		-			,		18,900.00	\$
07270	Fluid Applied Membrane Air Barrier		٠.					15,300.00	
07415	Standing-Seam Metal Roofing	\$ 107,000.00	\$ 2,500.00			\$ 2,500.00	0%	\$ 104,500.00	\$ 125.00
08115	FRP Doors & Frames		_			\$		40,500.00	\$
8120	Flush Aluminum Frames	\$ 15,500.00	\$ -			\$ -		15,500.00	\$ -
08305	Access Doors & Hatches	\$ 17,300.00	\$			\$	0%	\$ 17,300.00	\$ -
08800	Glass & Glazing	\$ 3,500.00	-			\$ -		3,500.00	\$ -
09940	Painting / Coatings	10	-			\$		103,100.00	\$ -
10200	Louvers		_			\$ -		3,500.00	\$ -
11270	Horizontal Pressure Filters	\$ 2 204 240 00	Λ· U			· ·	0%	\$ 204 240 00	· ·
11271	Regenerative Blower	\$ 78,700.00	_			\$		78,700.00	\$ -
11370	Floating Decanters	\$ 95,000.00	\$ -			\$ -		95,000.00	\$ -
11530	Static Mixer	\$ 25,000.00	\$			\$ -	0%	\$ 25,000.00	\$ -
11630	Compressed Air Equipment	\$ 50,000.00	\$			\$ -		50,000.00	\$ -
14621	Monorail Chain Hoists		\$					16,510.00	
15010	Valves		٠ ٧	n					
15061	Process Pipe & Fittings	\$ 384,500.00	\$ /4,/94.30	\$ 10,706.30		\$ 85,500.60		\$ 298,999.40 \$	\$ 4,2/5.03

\$ 72,650.16	\$ 5,837,570.08	20%	1,453,003.20	\$ 29,699.48 \$	\$ 220,971.87	\$ 1,202,331.85	7,290,573.28	TOTALS \$		
\$ -	\$ -	#DIV/0!	,	\$		\$ -	,	\$		
\$ -	\$ 33,873.28	0%		\$		\$ -	33,873.28	\$	Added Valves	CO-1
\$ -	\$ 401,707.00	0%		\$		\$ -	401,707.00	\$	Electrical - Control Systems	16050.5
\$ -	\$ 11,360.00	0%		\$		\$ -	11,360.00	on \$	Electrical - Lightning Protection	16050.4
\$ -	\$ 15,000.00	0%		S		\$ -	15,000.00	\$	Electrical - MCC Installation	16050.3
\$ -	\$ 20,000.00	0%		\$		\$ -	20,000.00	ent Installation \$	Electrical - Electrical Equipment Installation	16050.2
\$ 1,045.00	\$ 242,733.00	8%	20,900.00	\$	\$ 20,900.00	\$ -	263,633.00	\$	Electrical - Electrical Work	16050.1
\$ 42.00	\$ 24,245.00	3%	840.00	\$		\$ 840.00	25,085.00	s & Temp Power \$	Electrical - General Conditions & Temp Power	16050
\$ -	\$ 750.00	0%		\$		\$ -	750.00	iterial \$	HVAC - Refrigerant Piping Material	15500.9
\$ -	\$ 3,100.00	0%		\$		\$ -	3,100.00	oor \$	HVAC - Refrigerant Piping Labor	15500.8
\$ -	\$ 16,600.00	0%		\$		\$ -	16,600.00	\$	HVAC - Equipment Material	15500.7
\$ -	\$ 11,000.00	0%		\$		\$ -	11,000.00	\$	HVAC - Equipment Labor	15500.6
\$ -	\$ 4,500.00	0%		\$		\$ -	4,500.00	\$	HVAC - Ductwork Material	15500.5
\$ -	\$ 4,500.00	0%		\$		\$ -	4,500.00	\$	HVAC - Ductwork Labor	15500.4
\$ -	\$ 28,500.00	0%		\$		\$	28,500.00	\$	HVAC - Controls	15500.3
\$ -	\$ 1,650.00	0%		\$		\$ -	1,650.00	\$	<b>HVAC - Ductwork Insulation</b>	15500.2
\$ -	\$ 770.00	0%		\$		\$ -	770.00	\$	HVAC - Test & Balance	15500.1
\$ -	\$ 8,955.00	0%		\$		\$ -	8,955.00	\$	<b>HVAC - General Conditions</b>	15500
\$ -	\$ 22,835.00	0%		\$		\$ -	22,835.00	xtures Above Grade \$	Plumbing - Water Piping & Fixtures Above Grade	15400.5
\$ -	\$ 8,260.00	0%		\$		\$ -	8,260.00	\$	Plumbing - Gas Piping	15400.4
\$ -	\$ 6,975.00	0%		\$		\$ -	6,975.00	ste & Vent \$	Plumbing - Above Grade Waste & Vent	15400.3
\$ -	\$ 17,015.00	0%		\$		\$ -	17,015.00	ng & Fixtures \$	Plumbing - Below Grade Piping & Fixtures	15400.2
\$ -	\$ 2,595.00	0%		\$		\$ -	2,595.00	ns \$	Plumbing - Permits/Inspections	15400.1
\$ -	\$ 11,820.00	0%		\$		\$ -	11,820.00	\$	Plumbing - General Conditions	15400
\$ -	\$ 5,040.00	0%	-	\$		\$		\$	Mechanical Insulation	15250
\$ -	\$ 24,000.00	0%		\$		\$ -	24,000.00	\$	Stainless Steel Pipe	15064

Meeting Date: 03-26-2024



**PRESENTER:** Marty Farrell

ITEM: 2023 CIP Purchases update

**PREPARED BY:** Marty Farrell

#### POLICY DECISION / ACTION TO BE CONSIDERED: .

**BACKGROUND:** Staff had received a verbal approval from Council to place orders for 3 pick-up trucks (2 F350's and a F550 1 ton truck), a single axle hook truck and a tandem axle truck. Because the market was so volatile orders had to be placed without accurate pricing so staff had to best guess the cost of equipment, this was the only way to ensure that you would get a truck order on the production line (the 2 F350s were originally ordered in 2022 but got bumped off the production list for that year). This was true for both chassis and bodies and equipment, and was compounded at the bodies and equipment as they could not guarantee pricing or production so you might have the chassis but the body could not be fitted for up to a year.

We have got pricing on trucks and bodies and have chassis being outfitted currently on everything except one F350 which should be arriving in the next month.

Ultimately some of the items came in under budget, some came in over budget. Staff put off purchasing some items the Brine Box for \$40,000 we were not sure when we would have the hook truck delivered to put this on, and the Triple gang mower, we had purchased a mower for the utility tractor which negates the need for the Triple gang mower replacement at this time. The total budget for 2023 CIP purchases was \$1,060,000 and the remaining budget after equipment was purchased \$56,914.

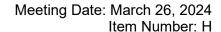
**CRITICAL ISSUES**: N/A

**BUDGET IMPACT:** N/A.

**RECOMMENDATION:** 

ATTACHMENT(S): 2023 CIP impact sheet.

	s	1,060,000.00	s					
(8,055.74)	s	10,000.00	Ş	11/9/2023	Billy Goat Debris Remover			2023
(4,950.00)	s	8,000.00	Ş	12/12/2023	Replace Mower Trailer			2023
(13,011.50)	s	12,000.00	Ş	2/14/2023	Tilt Bed Trailer			2023
		70,000.00	\$		Triple Gang Mower ADDED TO 2022 TRACTOR PURCHASE (\$70K)		2/22/2022	2023
(13,284.41)	s	15,000.00	s	8/22/2023	60" Mower			2023
					PARKS			
(362,212.00)	S	350,000.00	Ş		Tandem Axle Truck with Light and Plow Package			2023
(368,326.00)	s	325,000.00	Ş		Single Axle Hook Truck with Light and Plow Package			2023
	S	40,000.00	Ş		Roll off Brine Box Not Purchased			2023
(105,065.00)	s	90,000.00	Ş	8/22/2023	F550 1 ton with lights and plow package			2023
(64,305.00)	s	70,000.00	s	11/22/2022	F350 Pick up with lights and plow package			2023
(63,876.00)	s	70,000.00	Ş	11/22/2022	F350 Pick up with lights and plow package	2/2/2024	11/1/2022	2023
1,060,000.00	s							
maining Budg	Rer	CIP BUDGET TOTAL Remaining Budget	CP					





**PRESENTER:** 

Erum & Eric Lucero, Pride of Homes, LLC

#### ITEM:

Ha. Ordinance 2024-06, Approving Rezoning 18541 Levee Street.

Hb.Resolution 10-2024, Approving Preliminary/Final Plat, and Site Plan of Riverview Villas, 18541 Levee Street, and 16361 Dayton Avenue.

#### **PREPARED BY:**

Jon Sevald, Community Development Director

#### POLICY DECISION / ACTION TO BE CONSIDERED:

Consider if the project is consistent with the Concept Plan, Comprehensive Plan, Historic Village Framework, and Zoning & Subdivision Codes.

#### **BACKGROUND:**

The Applicant is requesting to develop six townhome units (three units per lot). A Concept Plan was reviewed by the Planning Commission on January 4, 2024, and by the City Council on January 23, 2024. Since the concept plan, the Applicant revised building elevations based on comments received by the Council and Planning Commission.

During Public Hearings (January 4<sup>th</sup> and March 7<sup>th</sup>), there were comments for and against the project. Concerns included opposition to increased density, the number of rental properties in the Village, and "Historic Village Destruction."

#### **Zoning Map Amendment**

The east property is zoned GMU-3 Historic Village.<sup>1</sup> The west property is proposed to be rezoned from R-O Old Village Residential to GMU-3 Historic Village.

#### **Preliminary Plat**

The Preliminary Plat will adjust the property line creating two equal sized lots. Within the GMU-3 district, there is a minimum 0' building setback, and 10' maximum setback. The townhomes will have a front 10' setback, an inner 4' setback (8' in-between buildings), and 2.5' setback between townhomes and west, and east side yards. Proposed setbacks are compliant.

On Nov 1, 2022, Riverview Villas LLC applied for a Zoning Map amendment to rezone 16361 Dayton Ave (corner lot) from RO to GMU-3. The Planning Commission TABELED action on Dec 1, 2022 to allow a larger discussion about the Historic Village. The 60-Day Rule may be extended by the city up to 120-days (Feb 28, 2023). Verbal notice of the extension was provided at the Planning Commission Public Hearing. There is no known written notice of the extension. The city was without in-house planning staff between January - May 2023. Failure of the city to take action within 60-days (extended to 120-days) is Approval by default (MN Statute 15.99, Subd 2(a). On Jul 25, 2023, the City Council adopted the Historic Village Framework plan.

NOTE: There is an existing catch basin adjacent to Parcel 2, Unit 3, which likely will not be needed after grading (can be filled and capped). This can be addressed during Building Permit review.

#### Site Plan

Within the GMU-3 district, corner lots must have a minimum 65% frontage consisting of buildings at the build-to-line. This would require the corner unit to be 86' in building depth vs. 66' as proposed. The Planning Commission was supportive of the building depth as proposed.



Accent material (e.g. brick/stone) is required to be wrapped around walls visible from public view (e.g. along Dayton Ave). During the City Council's review of the Concept Plan, and the Planning Commission's review of the Site Plan, the Council and Commission were supportive of exterior materials as proposed.

#### **CRITICAL ISSUES:**

1. The Applicant is requesting a reduction in fees in return for ROW dedication for the alley. According to the Applicant, the 10' ROW = 6.657% of the property (equivalent to \$9,985.50 of the property value). The Resolution does not include a fee reduction. Staff opposes the fee reduction. If the Council is supportive, Staff's recommendation is to refund a portion of the EDA land sale, rather than a reduction in fees.

#### 60/120-DAY RULE (IF APPLICABLE):

Zoning Map Amendment March 29, 2024 / May 29, 2024 Preliminary Plat / May 29, 2024 Final Plat

Site Plan March 29, 2024 / May 29, 2024

#### **RELATIONSHIP TO COUNCIL GOALS:**

Create a Sought After Community

#### **BUDGET IMPACT:**

N/A

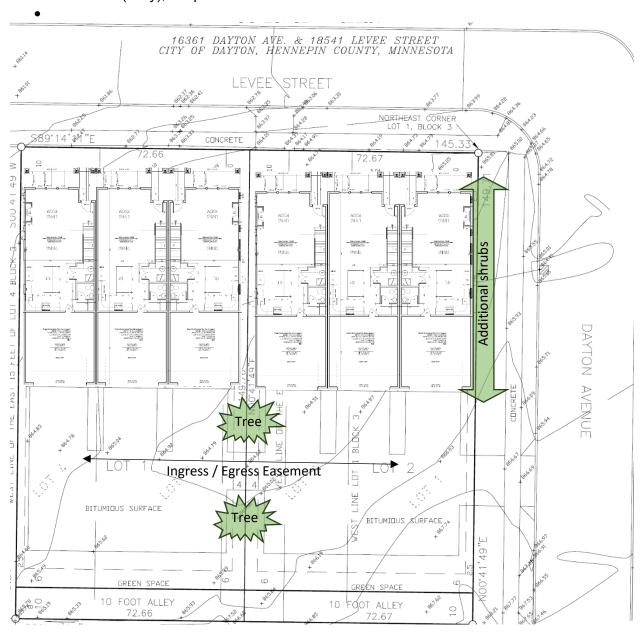
#### **STAFF RECOMMENDATION:**

Staff Recommends Approval with conditions.

#### PLANNING COMMISSION RECOMMENDATION:

The Planning Commission conducted a Public Hearing at its March 7, 2024 meeting, recommending Approval, with revisions to the Site Plan including:

- No requirements for type of exterior building materials.
- Additional over-story trees in rear parking lot islands (in-between lots). Removal of other parking lot islands.
- Additional shrubs in-between east unit and Dayton Avenue sidewalk.
- 20' ROW (alley), 12' paved.



#### **EDA RECOMMENDATION:**

The EDA discussed at its March 19, 2024 meeting, recommending Approval.

#### **RECOMMENDED MOTION:**

Motion to Approve:

- 1. Ordinance 2024-06 Amending the Zoning Map for 18541 Levee Street from R-O Old Village Residential to GMU-3 Historic Village.
- 2. Resolution 10-2024 Approving the Preliminary and Final Plat of *Riverview Villas*, and Site Plan

#### ATTACHMENT(S):

Aerial Photo
Zoning Map
Historic Village Framework Plan
Site Photos
Ordinance 2024-06 Amending the Zoning Map
Resolution 10-2024 Approving the Preliminary Plat and Site Plan
Preliminary Plat, March 21, 2024
Final Plat
Building Plans, March 20, 2024

### **AERIAL PHOTO**





### Legend

- A-1 Agricultural District
- A-2 Agricultural District
- B-2 Neighborhood Business District
- B-3 General Business District
- B-4 Commercial/Industrial District
- ■■ B-P Business Park District
- ES Essential Service District
- GMU-4 Balsam Lane
- I-1 Light Industrial District
- I-2 Heavy Industrial District
- P-R Public Recreation District
- R-1 Single Family District
- R-1A, Single Family Residential

- R-2 Single Family District (90,000 Sf, Unsewered)
- R-3 Single Family and Attached Residential
  - R-E Single Family District (5 Ac, Unsewered)
- R-M Medium Density Residential District
- R-MH Mobile Home District
- R-O Old Village Residential
- S-A Special Agriculture District
- GMU-3 Historic Village
- Open Water

### **PUD**

/// PUD

City Boundary

### HISTORIC VILLAGE FRAMEWORK PLAN



### SITE PHOTOS



Panoramic View of the project area looking southwest (Feb 4, 2024)



View of the project area, looking south from Mississippi River Park (Feb 4, 2024)



Panoramic View from near rear property line looking north towards Mississippi River Park (Feb 4, 2024)

### ORDINANCE No. 2024-06

### CITY OF DAYTON

### **COUNTIES OF HENNEPIN AND WRIGHT**

### RESOLUTION APPROVING A ZONING MAP AMENDMENT OF 18541 LEVEE STREET

THE CITY COUNCIL OF THE CITY OF DAYTON DOES ORDAIN:

SECTION 1. <u>AMENDMENT</u>. The zoning classification of the property described in Section 2, as shown on the Zoning Map referred to in Section 1001.04, subd.2 of the Dayton Ordinance Code, is hereby amended from R-O Old Village Residential to BMU-3 Historic Village.

### SECTION 2. **PROPERTY DESCRIPTION**.

16361 Dayton Avenue

PID: 31-121-22-32-0120

The West Half of Lot 2; all of Lot 3; and the East 25 feet of Lot 4, all in Block 3, Townsite of Dayton, according to the recorded plat thereof, and situate in Hennepin County, Minnesota.

SECTION 3. **EFFECTIVE DATE**. This Ordinance shall be in full force and in effect from and after its passage.

Adopted by the City Council of the City of Dayton, this 26th day of March, 2024.

	Mayor Dennis Fisher
ATTEST:	
City Clerk Amy Benting	
Motion by, Second by	
Published in the Champlin Dayton Press on	

### **RESOLUTION NO. 10-2024**

### CITY OF DAYTON

### **COUNTIES OF HENNEPIN AND WRIGHT**

# RESOLUTION APPROVING THE PRELIMINARY/FINAL PLAT OF RIVERVIEW VILLAS, AND SITE PLAN

**BE IT RESOVED**, by the City Council of the City of Dayton, Minnesota, as follows:

**WHEREAS**, the Applicant, Pride of Homes, LLC, is requesting Preliminary and Final Plat Approval, and Site Plan Approval of RIVERVIEW VILLAS, legally described as;

Parcel 1: 16361 Dayton Ave

PID: 31-121-22-32-0015

Lot 1, and East ½ of Lot 2, Block 3, Township of Dayton, according to the recorded plat thereof, and situated in Hennepin County, Minnesota

Parcel 2: 18541 Levee Street

PID: 31-121-22-32-0120

The West Half of Lot 2; all of Lot 3; and the East 25 feet of Lot 4, all in Block 3, Townsite of Dayton, according to the recorded plat thereof, and situate in Hennepin County, Minnesota.

**WHEREAS** the Preliminary Plat (dated January 19, 2024) and Elevation Drawings (undated) were reviewed by Staff for consistency with the Comprehensive Plan, Zoning and Subdivision Ordinances; and,

**WHEREAS**, on March 7, 2024, the Planning Commission conducted a Public Hearing, reviewed and considered the application, at which the Applicant was present and presented information; and.

**WHEREAS**, on March 26, 2024, the City Council reviewed the Staff Report and Planning Commission's recommendations. The City Council makes the following:

### FINDINGS

- 1. The subject properties are zoned GMU-3 Historic Village, and are within the Mississippi River Corridor Critical Area (MRCCA) River Town and Crossing (CA-RTC) district. Plans were submitted to the MN DNR and National Park Service for review (no comments).
- 2. The subject properties are guided Mixed Use in the 2040 Comprehensive Plan, and are consistent with the Plan (guided for an average of 12 units per acre, whereas 12 units per acre density is proposed).
- 3. The subject properties are included within the Historic Village Framework Plan, which guides this area for Medium Family Residential.

### **DECISION**

**NOW, THEREFORE, BE IT RESOLVED,** by the City Council of the City of Dayton, based upon the Findings, Staff Report, the Planning Commission recommendation, and in consideration of public testimony, the City Council does hereby approve the Preliminary Plat of RIVERVIEW VILLAS with the following conditions:

- 1. The Applicant will revise the Preliminary Plat, dated January 19, 2024 according to the Staff Review Letter, dated February 22, 2024, and the Planning Commission's recommendation to include 10' right-of-way (½ alley) along rear property lines, and adjust rear Drainage & Utility easements accordingly.
- 2. The Applicant will dedicate an Ingress/Egress Easement benefiting Lot 2 across Lot 1 (rear parking lot).
- 3. The Applicant shall submit the following 2023 fees in effect at the time of application, prior to the City releasing the mylars for recording by Hennepin County (credit provided for two units):

Storm Water	3,170 X 4 units = 12,680
Sanitary Sewer	\$2,561 X 4 units = \$10,244
Water	\$3,703 X 4 units = \$14,812
Park Dedication	\$4,283 X 4 units = \$17,132
Trail Dedication	\$2,663  X 4 units = \$10,652
	\$65,520

4. The Developer shall submit a Letter of Credit (LOC) equal to 120% of the cost of improvements, including landscaping. Warranty period shall be one growing season. The LOC shall be submitted prior to issuance of a Building Permit.

**FURTHER, THEREFORE, IT BE RESOLVED,** by the City Council of the City of Dayton, based upon the Findings, Staff Report, Planning Commission recommendation, and in consideration of public testimony, the City Council does hereby approve the Building Elevation Plan (revised March 20, 2024) with the following conditions:

- 1. The Applicant shall revise elevation drawings, dated January 8, 2024 (revised March 20, 2024), to include missing information identified in the Staff Review Letter, dated February 22, 2024, and resubmit plans for Staff's satisfactory review prior to issuance of a Building Permit.
- 2. Prior to issuance of a Building Permit, the Applicant shall submit a Landscape Plan to include;

One over-story tree per 3,000 sq ft of open area (1) per lot One ornamental tree per 1,500 sq ft of open area (2) per lot One evergreen tree per 3,000 sq ft of open area (1) per lot One deciduous or evergreen shrub per 100 sq ft of open area. (36) per lot

At least one over-story tree shall be planted in each parking lot island. Additional shrubs shall be planted in-between the corner unit on Lot 1 and the sidewalk along Dayton Avenue.

- 3. The Preliminary Plat (aka Site Plan), dated January 19, 2024 shall be revised to remove the parking lot islands (keep islands in-between Lot 1 and Lot 2).
- 4. The building footprint is acceptable as-is (e.g. corner lot has less than 65% building frontage at the build-to line along Dayton Avenue).

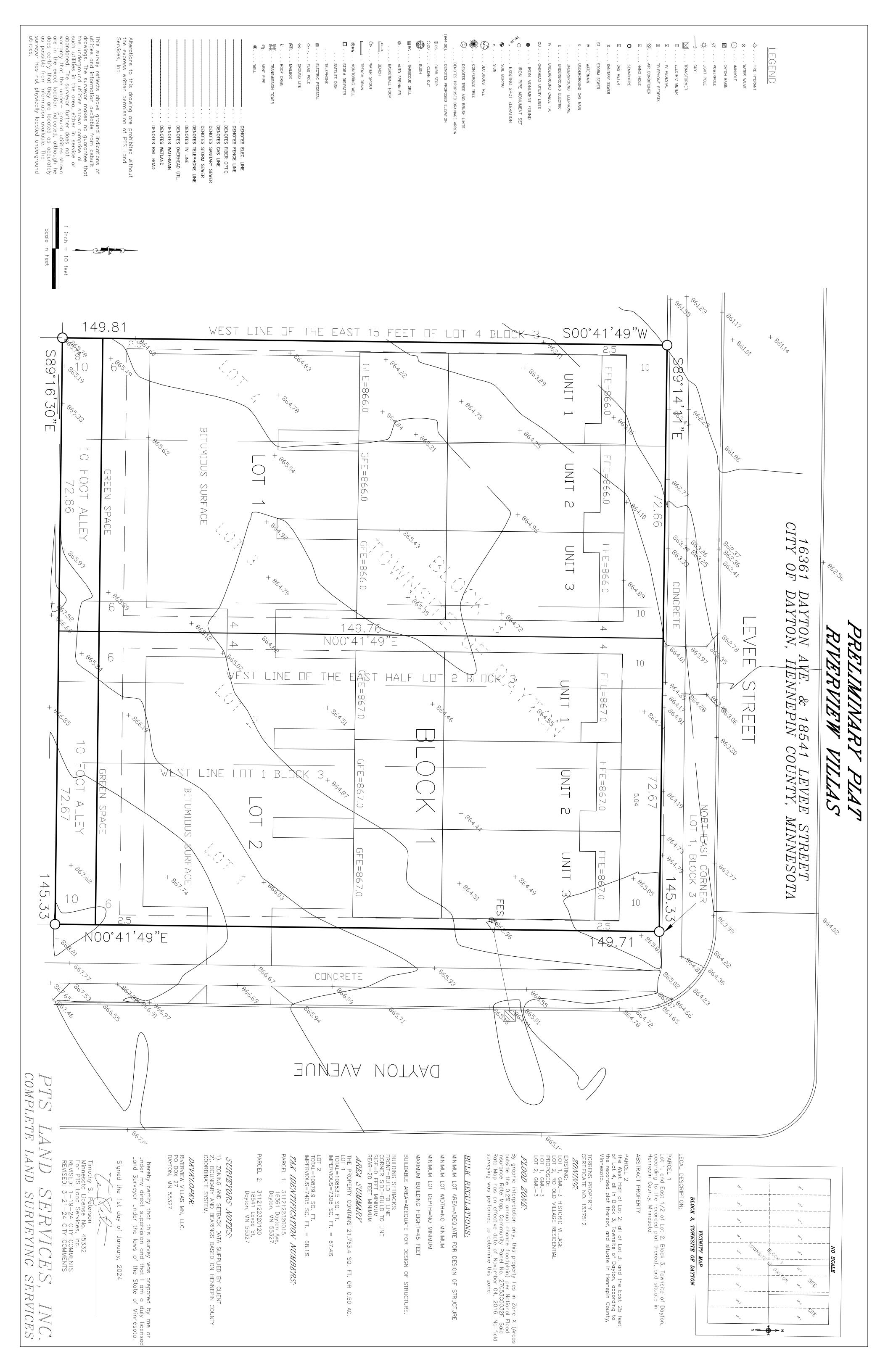
Adopted by the City Council of the City of Dayton, this 26<sup>th</sup> day of March, 2024.

5. Exterior building materials shall be consistent with Elevation Drawings, dated March 20, 2024, and shall be compliant with Building/Fire Codes.

Mayor Dannis Fish

		Mayor Dennis Fishe
ATTEST:		
City Clerk Amy Be	enting	
Motion by	, Second by	
Resolution Approv	*	

MOTION DECLARED PASSED



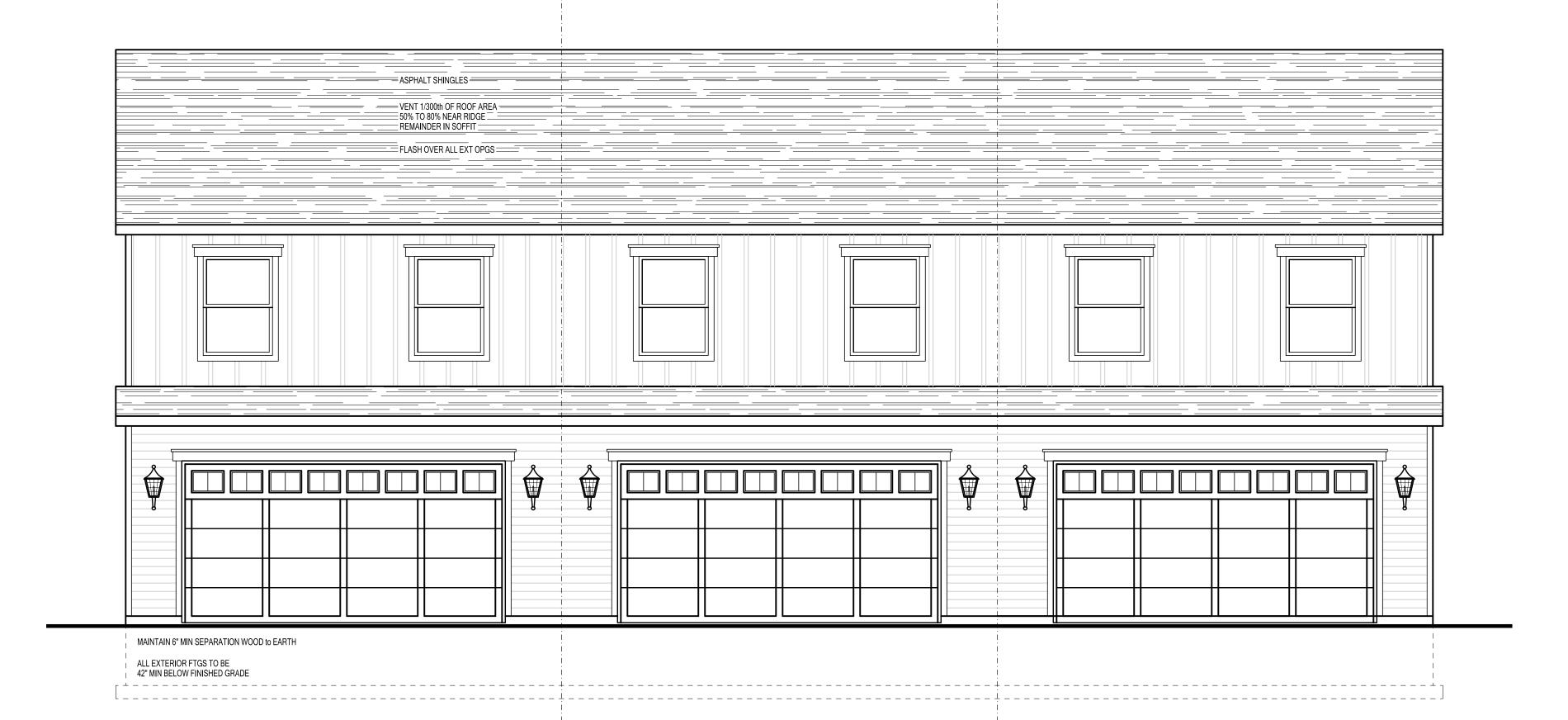
State ₹ Notary Has caused the same to be surveyed and platted as RIVERVIEW VILLAS and does hereby donate the public for public use the public ways and drainage and utility easements as created by this Lot 1, and East 1/2 of Lot 2, Block 3, Townsite of Dayton, according to the recor Hennepin County, Minnesota.

Abstract Property
And,
The West Half of Lot 2; all of Lot 3; and the East 25 feet of Lot 4, all in Block according to the recorded plat thereof, and situate in Hennepin County, Minnesota. TORRENS PROPERTY
CERTIFICATE NO. 1337512 This plat of RIVERVIEW VILLAS was approved I Timothy S. Peterson do hereby certify that this plat was prepared by me or under my direct supervision; that I am a duly Licensed Land Surveyor in the State of Minnesota; that this plat is a correct representation of the boundary survey; that all mathematical data and labels are correctly designated on this plat; that all monuments depicted on this plat have been, or will be correctly set within one year; that all water boundaries and wet lands, as defined in Minnesota Statutes, Section 505.01, Subd. 3, as of the date of this certificate are shown and labeled on this plat; and all public ways are shown and labeled on this plat. City Council, City of Dayton, Minnesota This instrument County of Timothy S. Peterson, Land Surveyor Minnesota License No. 45332 Dated this SURVEYORS CERTIFICATE: Erum KNOW ALL PERSONS BY THESE PRESENTS: THAT Riverview Villas MN, LLC, A Minnesota Limited Liability Company owners of the following described property: RESIDENT AND REAL ESTATE SERVICES, Hennepin presents to be signed by its proper officer this I hereby certify that the taxes payable in Chris Mavis, COUNTY described on this plat, Commission COUNCIL, CITY OF DAYTON, MINNESOTA K Lucero Public, Bovgie, Minnesota, at a regular meeting DIVISION, RECORDER, Hennepin County, Minnesota ō whereof said Riverview Villas MN, LLC, MN. Statute Sec. Hennepin County Surveyor Hennepin County Expires: was. that 505.03, Subd. Hennepin County, Minnesota 20\_ day of acknowledged before me this Recorder County dated this within plat and said plat is 20\_ 383B.565 Auditor 9 County, of RIVERVIEW (1969), thereof held this o'clock in compliance ý ₽ Minnesota and ВΥ В Timothy County, accepted this Mayor Clerk A Minnesota Limited Liability Company has VILLAS ׄ≥ plat Ś day of Minnesota with Peterson. has and prior years have à the the recorded been City Council provisions approved 20\_ ⊇. Deputy of Minnesota recorded this been Ų, Townsite paid 20\_ plat thereof, ð of Dayton, and dedicate to s plat. of N00°41'49"E WEST LINE OF THE EAST 15 FEET OF LOT 4 BLOCK 3 149.81 2,5 2.5 S89°16'30"E 10 S89°14'11"E 10 6 RIVERVIEW FOOT ALLEY 72.66  $\Gamma$  T  $\neg$ 10  $\Gamma \top \neg$ 4 1 1 4 N00°41'49"E 4 149.76 ( / ) 6 10 WEST LINE OF THE EAST HALF LOT 2 BLOCK'S A S  $\Gamma$  T T $\Gamma$  T T T $\bigcirc$ FOOT ALLEY WEST LINE LOT 1 BLOCK 3 72.67 NORTHEAST CORNER LOT 1, BLOCK 3  $\sim$ 145.33 145.33 6 10 2,5 N00°41'49"E 149.71 FOR THE PURPOSES OF THIS PLAT THE SOUTH LINE OF LEVEE STREET IS ASSUMED TO BEAR SOUTH 89 DEGREES 14 MINUTES 11 SECONDS EAST • CR. BEING SEVEN FEET IN WIDTH AND ADJOINING SIDE LOT LINES AND BEING TEN FEET IN WIDTH AND ADJOINING PUBLIC WAYS, UNLESS OTHERWISE INDICATED ON THIS PLAT.

NOT TO SCALE DRAINAGE AND UTILITY EASEMENTS ARE SHOWN THUS: PTS LAND SERVICES, INC. COMPLETE LAND SURVEYING SERVICES NORTHEAST QUARTER SEC.34, TWP.117, RGE.22 BASIS OF BEARINGS: IRON PIPE MONUMENT FOUND 1/2 INCH  $\,$  X  $\,$  18 INCH IRON PIPE MONUMENT SET, MARKED BY LICENSE NO. 45332 HENNEPIN COUNTY CAST IRON MONUMENT FOUND DOC. NO. VICINITY MAP NOT TO SCALE SCALE LEGEND Ξ

Dimensions, notes, details and conformation to all local codes are to be verified by owner and contractor prior to the start of construction Phillips Planning, Inc. will assume no responsibility for same after commencement of construction.





REAR ELEVATION

1/4"=1'-0"

THIS BUILDING IS DESIGNED PER
THE 2020 MINNESOTA RESIDENTIAL CODE
AS IRC-3 TOWNHOUSE OCCUPANCY CLASSIFICATION
AND EACH UNIT SHALL BE EQUIPPED WITH
A FIRE SPRINKLER SYSYEM.





FRONT ELEVATION

23-1116A3

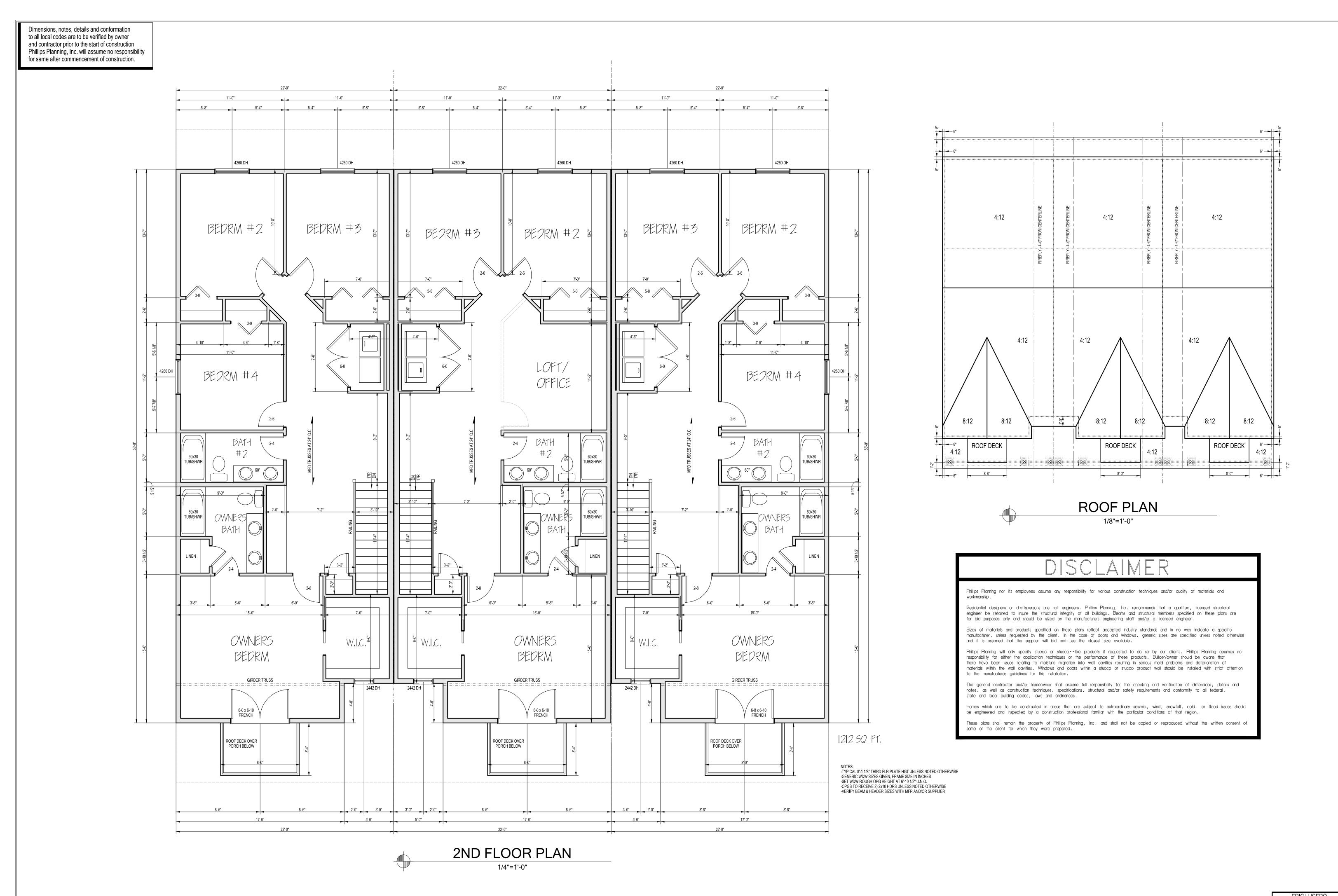
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1 /5

Dimensions, notes, details and conformation to all local codes are to be verified by owner and contractor prior to the start of construction Phillips Planning, Inc. will assume no responsibility for same after commencement of construction. 2-11 7/8" LVL HDR PORTAL FRAME 2-11 7/8" LVL HDR PORTAL FRAME 2-11 7/8" LVL HDR PORTAL FRAME 16x8 OH DOOR \_\_\_ \_\_ \_\_ 16x8 OH DOOR 4" CONC FLOOR SLOPE TO DOORS 4" CONC FLOOR 4" CONC FLOOR SLOPE TO DOORS SLOPE TO DOORS NOTE: NOT LESS THAN 1/2" GYP. BOARD OR EQUIVALENT ON ALL WALLS COMMON TO HOUSE AND ATTIC NOTE: NOT LESS THAN 1/2" GYP. BOARD OR EQUIVALENT ON ALL WALLS COMMON TO HOUSE AND ATTIC NOTE: NOT LESS THAN 1/2" GYP. BOARD OR EQUIVALENT ON ALL WALLS COMMON TO HOUSE AND ATTIC NOT LESS THAN 5/8" TYPE X GYP. BOARD OR EQUIVALENT ON ALL CEILINGS COMMON TO HABITABLE ROOMS ABOVE GARAGE NOT LESS THAN 5/8" TYPE X GYP. BOARD OR EQUIVALENT ON ALL CEILINGS COMMON TO HABITABLE ROOMS ABOVE GARAGE NOT LESS THAN 5/8" TYPE X GYP. BOARD OR EQUIVALENT ON ALL CEILINGS COMMON TO HABITABLE ROOMS ABOVE GARAGE 3654 DH 3654 DH REF. REF. 3672 DH 3672 DH DINING DINING DINING 3672 DH 3672 DH FLOOR SYSTEM ABOVE 18" MFD FLOOR TRUSSES FLOOR SYSTEM ABOVE 18" MFD FLOOR TRUSSES FLOOR SYSTEM ABOVE 18" MFD FLOOR TRUSSES INSTALL PER MFRS SPECS INSTALL PER MFRS SPECS INSTALL PER MFRS SPECS ----------2448 DH 2448 DH LIVING LIVING LIVING ROOM ROOM ROOM 3-0 x 6-8 2448 DH 2448 DH 3672 DH 📗 3672 DH 3672 DH 3672 DH 6x6 POST WITHIN
12" COLUMN WRAP
16"(FRAMED) SQUARE
STONE BASE 6x6 POST WITHIN 12" COLUMN WRAP 16"(FRAMED) SQUARE — STONE BASE 2-9 1/2" LVL BEAM 2-9 1/2" LVL BEAM 816 SQ. FT. NOTES:
-TYPICAL 9'-1 1/8" SECOND FLR PLATE HGT UNLESS NOTED OTHERWISE
-GENERIC WDW SIZES GIVEN; FRAME SIZE IN INCHES
-SET WDW ROUGH OPG HEIGHT AT 8'-0" U.N.O.
-OPGS TO RECEIVE 2) 2x10 HDRS UNLESS NOTED OTHERWISE
-VERIFY BEAM & HEADER SIZES WITH MFR AND/OR SUPPLIER 4'-0" 1ST FLOOR PLAN TYPICAL 10' CONC. SIDEWALK TO BOULEVARD SIDEWALK 1/4"=1'-0" **ERIC LUCERO** 



Meeting Date: March 26, 2024 Item Number: I



### PRESENTER:

Wayne Hilbert, CNH Architects

### ITEM:

- 11. Resolution 11-2024, Approving the Preliminary/Final Plat of Ziegler Dayton Addition.
- Resolution 12-2024, Amend Conditional Use Permit for an Open Rental Lot, 18151, 18171
   Territorial Road

### **PREPARED BY:**

Jon Sevald, Community Development Director

### POLICY DECISION / ACTION TO BE CONSIDERED:

Consider if the project is consistent with Zoning & Subdivision Codes.

### **BACKGROUND:**

Ziegler-CAT operates a construction equipment rental business at 18171 Territorial Road. Zigler Truck Group operates commercial truck sales (showroom) at 18151 Territorial Road. The Applicant is requesting to combine the two lots in order to use the entirety of both properties for either business.

### Comprehensive Plan:

Both properties are guided Commercial, intended to accommodate general commercial and highway-oriented businesses such as fast food restaurants, convenience stores, gas stations, big box retail, and other auto-oriented business. Limited office and service uses are also appropriate, depending on scale and location.

### Zoning:

Ordinance 2020-10 rezoned 18171 Territorial Road (east property) from B-P to B-4. Indoor *Auto Sales and rental* is a permitted use in the B-4 district.<sup>2</sup> *Open Sales Lots* are a Conditional Use in the B-4 district.<sup>3</sup>

### Conditional Use Permit for Outdoor Sales/Display

Resolution 45-2020 Approved a CUP for Outdoor Sales. Resolution 11-2024 is identical, but is amended to include 18151 Territorial Road, and updates Exhibit A to include the 2024 Site Plan.

Within the B-4 district, outdoor storage is limited to 30% of the lot, and shall be in the rear yard.<sup>4</sup> After platting, about 11% of the combined parking will be gravel surfaced outdoor storage.

<sup>&</sup>lt;sup>1</sup> Resolution 53-2022; Site Plan, 18171

<sup>&</sup>lt;sup>2</sup> City Code 1001.061, Subd 4(2)(d) (*Permitted uses; Auto sales and rental, provided it is conducted entirely within the building.*)

<sup>&</sup>lt;sup>3</sup> City Code 1001.06, Subd 3(3) (Open Sales Lots)

<sup>&</sup>lt;sup>4</sup> City Code 1001.06, Subd 3(2)(a) (Outdoor storage in the B-4 district)

### **CRITICAL ISSUES:**

1. **Screening**. Based on Planning Commission's recommendation, the Applicant has submitted a landscape plan with a hard surfaced display area in the southeast corner along Dayton Parkway, with a double row of coniferous trees behind it.

### 60/120-DAY RULE (IF APPLICABLE):

Conditional Use Permit (Amendment) March 9, 2024 / May 9, 2024 Preliminary Plat April 12, 2024 / June 7, 2024 Final Plat

### **RELATIONSHIP TO COUNCIL GOALS:**

N/A

### **BUDGET IMPACT:**

N/A

### **STAFF RECOMMENDATION:**

Staff recommends approval. Staff requests direction regarding screening and the second driveway. The Resolutions do not address either (does not require screening, nor removal of one of the existing driveways).

### PLANNING COMMISSION RECOMMENDATION:

The Planning Commission discussed at its March 7, 2024 meeting, recommending Approval, with a fence at the rear & east property line, display area in SE corner with screening behind.

### **ECONOMIC DEVELOPENT RECOMMENDATION:**

The EDA discussed at its March 19, 2024 meeting, recommending Approval. The EDA noted that the Applicant should have been clear from the beginning of the intent for outdoor storage.

### ATTACHMENT(S):

Aerial Photo Site Photo Preliminary Plat Finial Plat Site Plan

Landscape Layout, March 19, 2024

Resolution 11-2024 Preliminary/Final Plat

Resolution 12-2024 Conditional Use Permit Amendment

**AERIAL PHOTO** 



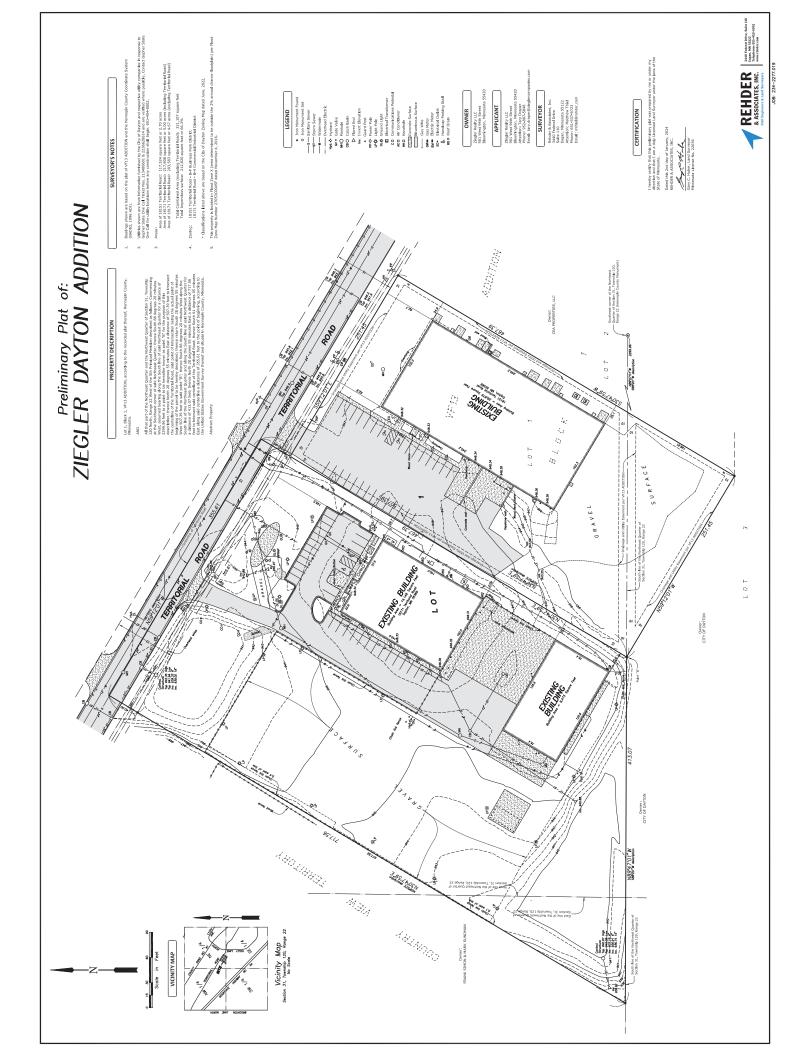
### SITE PHOTO



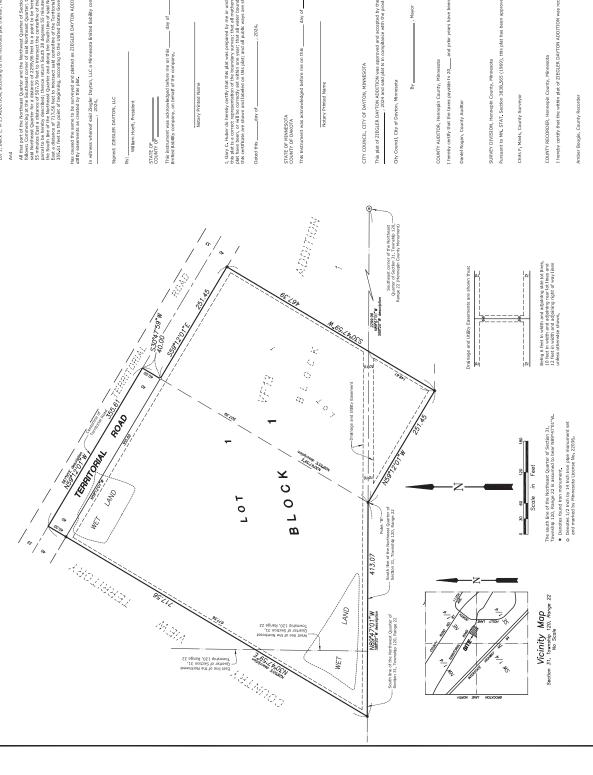
18151 Territorial Rd (rear of Ziegler Truck Group, as seen from Dayton Park Way) (photo March 6, 2024)



18151 Territorial Rd (front of Ziegler Truck Group, left, and Zigler Rental, center) (photo March 6, 2024).



# ZIEGLER DAYTON ADDITION



# C.R. DOC. NO.

NOW ALL PERSONS BY THESE PRESENTS: That Zlegler Dayton, LLC a Minnesota limited liability. Lot 1, Block 1, VF13 ADDITION, according to the recorded plat thereof, Hennepin County, Minnt

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has caused the same to be surveyed and platted as ZIEGLER DAYTON ADDITION and does hereby declicate to the public for public use the public way and the drainage and utility assements as created by this plat.

In witness whereof said Ziegler Dayton, LLC a Minnesota limited liability company, has c , 2024.

2024, by William Hoeft, President of Ziegler Dayton, LLC, a Minnesota

The Child by the sey earthy that has a greated by me, or under my order a content of the sex and the sex and when the sex and when the sex and when the sex and when the sex and the sex a

Notary Public, Dakota County, Minnesota

This plat of ZIEGLER DAYTON ADDITTON was approved and accepted by the Gity Council of the Gity of Dayton, Minnesota at a regular random 2, 2024 and said plat is in compliance with the provisions of Minnesota Statutes, Section 505.03, Subt. 2.

Rehder and Associates, Inc.

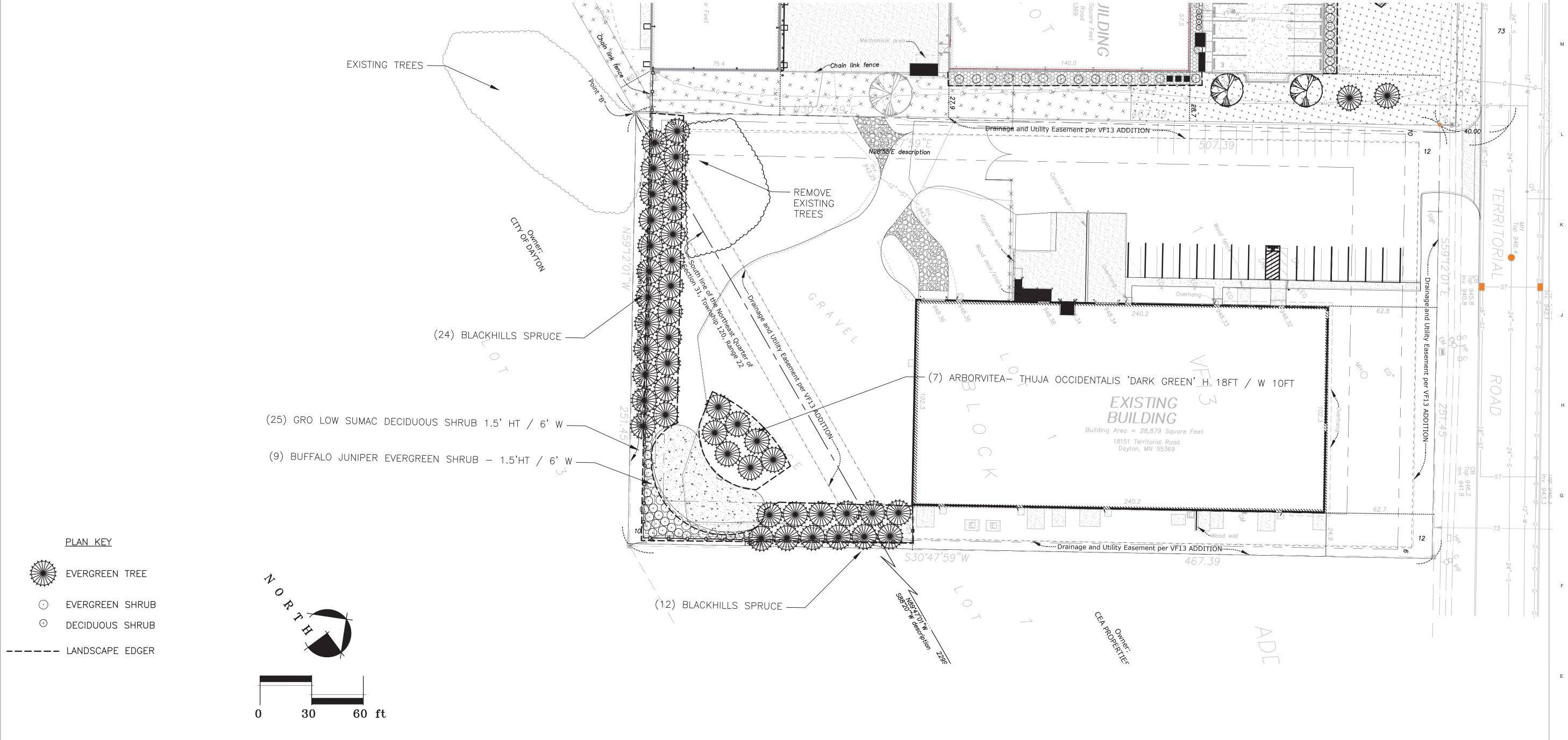
Existing Outdoor Storage 50' - 0" Existing Fence -Existing Building Existing Building Dayton Truck Shop Existing Fence Proposed Fence REVISIONS: Existing Yard -Proposed Extension of Outdoor Storage Existing Building CNH NO.: 23018 DATE: 2/14/24 Site Plan A1 Proposed Site Plan

| CS02 | 1" = 30'-0"  $\otimes$ 

CS02

© CNH ARCHITECTS, INC.

CITY SUBMITTAL



# PLANT MATERIAL SCHEDULE

Common Name	Scientific Name	Size	Cont.	Comments	MATURE SIZE
					ht / width
REEN TREE					
ARBORVITEA	Thuja occidentalis "Dark Green'	8FT	B&B	SINGLE STEM	15'/ 10'
BLACK HILLS SPRUCE	Picea glauca densata	8FT	B&B	SINGLE STEM	30'/ 15
REEN SHRUB					
BUFFALO JUNIPER	Juniperus sabina 'Buffalo'	#5	CONT.	5FT O.C.	18" / 6'
OUS SHRUB				TYP SPACE	
GRO LOW SUMMAC	Rhus aromatic	#5	CONT.	5FT O.C.	1.5'/6'
	REEN TREE  ARBORVITEA  BLACK HILLS SPRUCE  REEN SHRUB  BUFFALO JUNIPER  OUS SHRUB	REEN TREE  ARBORVITEA Thuja occidentalis "Dark Green' BLACK HILLS SPRUCE Picea glauca densata  REEN SHRUB  BUFFALO JUNIPER Juniperus sabina 'Buffalo'  OUS SHRUB	REEN TREE  ARBORVITEA Thuja occidentalis "Dark Green' 8FT  BLACK HILLS SPRUCE Picea glauca densata 8FT  REEN SHRUB  BUFFALO JUNIPER Juniperus sabina 'Buffalo' #5  OUS SHRUB	REEN TREE  ARBORVITEA Thuja occidentalis "Dark Green' 8FT B&B BLACK HILLS SPRUCE Picea glauca densata 8FT B&B  REEN SHRUB  BUFFALO JUNIPER Juniperus sabina 'Buffalo' #5 CONT.	REEN TREE  ARBORVITEA Thuja occidentalis "Dark Green' 8FT B&B SINGLE STEM BLACK HILLS SPRUCE Picea glauca densata 8FT B&B SINGLE STEM BUFFALO JUNIPER Juniperus sabina 'Buffalo' #5 CONT. 5FT O.C.  DUS SHRUB  TYP SPACE

## **GENERAL CONSTRUCTION NOTES:**

- 1. REFER TO CIVIL FOR EARTHWORKS, GRADING, SOIL PREPARATIONS, FILTRATION BASIN SEEDING AND EROSION CONTROL/BLANKET WORK.
- 2. REFER TO ARCHITECTURE AND CIVIL DRAWINGS FOR ADDITIONAL LAYOUT INFORMATION.
- 3. CONTRACTOR SHALL CONTACT GOPHER STATE ONE FOR LOCATION OF UNDERGROUND FIBER OPTICS, WIRES, CABLES, CONDUITS, PIPES, MANHOLES, VALVES OR OTHER BURIED STRUCTURES BEFORE DIGGING. CONTRACTOR SHALL REPAIR OR REPLACE THE ABOVE IF DAMAGED DURING CONSTRUCTION AT NO ADDITIONAL COST TO THE OWNER.
- 4. CONTRACTOR SHALL INSURE THAT SOIL CONDITIONS AND COMPACTION ARE ADEQUATE TO ALLOW FOR PROPER DRAINAGE AROUND THE CONSTRUCTION SITE. IT SHALL BE
  THE CONTRACTOR'S RESPONSIBILITY TO INSURE PROPER SURFACE AND SUBSURFACE DRAINAGE IN ALL PLANTING AREAS.
- 5. CONTRACTOR TO DESIGN AND INSTALL IRRIGATION SYSTEM WITH SPRAY HEADS FOR SOD AND SEEDED AREAS AND DRIP AT PLANTING BEDS, SEE IRRIGATION SPECIFICATIONS.
- S. CONTRACTOR TO DESIGN AND INSTALL INRIGATION STSTEM WITH STRAT FIEADS FOR SOD AND SELDED AREAS AND DRITT AT FEATURE DEDIS, SEE INRIGATION SECURCIONS
- 6. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO INSURE THAT SEEDED AND PLANT BED AREAS ARE WATERED PROPERLY DURING WARRANTEE PERIOD.
  7. NO PLANTS WILL BE INSTALLED UNTIL FINAL GRADING AND CONSTRUCTION HAS BEEN COMPLETED IN THE IMMEDIATE AREA.
- 8. ONCE SITE IS GRADED AND READY FOR LANDSCAPING, REVIEW SOD, SEED AND PLANT MATERIAL LAYOUT IN FIELD WITH LANDSCAPE ARCHITECT TO ACCOMMODATE ANY
- UNFORESEEN CHANGES.
  9. WHERE TURF ABUTS PAVED SURFACES, FINISHED GRADE OF TURF AREA SHALL BE HELD 1" BELOW SURFACE ELEVATION OF WALK, SLAB, CURB, ETC. TO ASSURE
- PAVEMENT DRAINAGE.

  10. PLAN TAKES PRECEDENCE OVER PLANT SCHEDULE IF DISCREPANCIES IN QUANTITIES EXIST.
- 11. PLANT MATERIALS TO BE INSTALLED PER SPECIFICATIONS. PROPOSED TREES SHALL BE LOCATED AND STAKED BY CONTRACTOR AS SHOWN ON PLAN, LANDSCAPE ARCHITECT MUST APPROVE STAKING OF TREES PRIOR TO DIGGING. REFER TO SPECIFICATIONS.
- 12. NO PLANT MATERIAL SUBSTITUTIONS WILL BE ACCEPTED UNLESS APPROVED BY THE LANDSCAPE ARCHITECT.
- 13. PLANTING BEDS TO RECEIVE ROCK MULCH, LANDSCAPE EDGER AND WEED BARRIER, SEE SPECIFICATIONS.
- 14. TREE PLANTING IN SEEDED OR SOD AREAS TO RECEIVE WOOD MULCH RINGS
- 15. STOCKPILE EXISTING TOPSOIL, AMEND PER SPECIFICATIONS, AND RE-SPREAD AS INCIDENTAL. MINIMAL DEPTHS AS FOLLOW;
  - - PLANTING BEDS TO RECEIVE 12 INCHES PLANTING BED SOIL MIX.
  - SOD AREAS: 6 INCHES TOPSOIL MIX.
  - - SEEDED AREAS: 6 INCHES TOPSOIL MIX.
  - - TREE PLANTINGS TO RECEIVE 3 CU. FT. COMPOST INCORPORATED INTO PLANTING HOLE

7300 147TH WEST STREET SUITE 504 APPLE VALLEY, MN 55124 (952) 431-4433

M:\CNH architects\020-015 CNH Plymouth fire station 2 & 3\4 CAD\FS 3\CNH Logo (1).jpg

ndscape Architecture / nning / Urban Design



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 LANDSCAPE ARCHITECT
UNDER THE LAWS OF THE STATE OF MINNESOTA.
PRINT NAME:
SIGNATURE:

Dayton Facility Expansion

REVISIONS:

PR-13: NOV 18, 2022

CNH NO.: 22033 DATE: 03.19.2024

LANDSCAPE LAYOUT

L1

### **RESOLUTION No. 11-2024**

### CITY OF DAYTON

### **COUNTIES OF HENNEPIN AND WRIGHT**

# RESOLUTION APPROVING THE PRELIMINARY AND FINAL PLAT OF ZIEGLER DAYTON ADDITION

**BE IT RESOVED**, by the City Council of the City of Dayton, Minnesota, as follows:

**WHEREAS**, the Applicant, CNH Architects/Ziegler Dayton, is requesting Preliminary and Final Plat Approval of ZIEGLER DAYTON ADDITION, located at 18151 Territorial Road, and 18171 Territorial Road, legally described as:

Parcel 1: PID: 31-120-22-13-0016

Lot 1, Block 1,VF13 ADDITION, according to the recorded plat thereof, Hennepin County, Minnesota.

Parcel 2: PID: 31-120-22-13-0006

All that part of the Northeast Quarter and the Northwest Quarter of Section 31, Township 120 North, Range 22 West of the 5<sup>th</sup> Principal Meridian described as follows:

Commencing at the Southeast corner of said Northeast Quarter; thence South 88 degrees 20 minutes West, assumed bearing along the South line of said Northeast Quarter for a distance of 2299.96 feet to a point to be hereafter known as point "B" for the purpose of this description; thence North 28 degrees 55 minutes East a distance of 507.39 feet to intersect the centerline of the Territorial Road, said point of intersection being the actual point of beginning of the parcel to be hereby described; thence return South 28 degrees 55 minutes West 507.39 feet to said point "B"; thence North 28 degrees 55 minutes East a distance of 717.56 feet to intersect said centerline of the Territorial Road; thence South 61 degrees 05 minutes East along said centerline a distance of 355.61 feet to the point of beginning, according to the United States Government Survey thereof and situate in Hennepin County, Minnesota.

**WHEREAS**, the Preliminary Plat (dated January 2, 2024) and Site Plan (dated February 14, 2024) were reviewed by Staff for consistency with the Comprehensive Plan and Zoning and Subdivision Ordinances; and,

**WHEREAS**, on March 7, 2024, the Planning Commission CONDUCTED A Public Hearing, revied and considered the application, at which the Applicant was present and presented information; and,

**WHEREAS**, on March 26, 2024, the City Council reviewed the Staff Report and Planning Commission's recommendations. The City Council makes the following:

### **FINDINGS**

- 1. The subject properties are zoned B-P Business Park District (18151 Territorial Road), and B-4 Commercial/Industrial District (18171 Territorial Road).
- 2. The subject properties are guided Commercial in the 2040 Comprehensive Plan, and are consistent with the Plan

### **DECISION**

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Dayton, based upon the Findings, Staff Report, the Planning Commission recommendation, and in consideration of public testimony, the City Council does hereby approve the Preliminary Plat and Final Plat of ZIEGLER DAYTON ADDITION with the following conditions:

- 1. The Applicant shall revise the Preliminary Plat, dated January 2, 2024 to comply with the Engineering memo, dated February 15, 2024.
- 2. The Applicant shall revise the Preliminary Plat, dated January 2, 2024 to include a standard perimeter Drainage & Utility easement, 12' front, 6' side, and 10' rear. The 10' Drainage & Utility easement per VF 13 Addition along the existing west property line of Lot 1, Block 1,VF13 ADDITION shall be vacated.

Adopted by the City Council of the City of Dayton, this 26th day of March, 2024.

	Mayor Dennis Fish
ATTEST:	
City Clerk Amy Benting	
Motion by, Second by	
Resolution Approved	

MOTION DECLARED PASSED

### **RESOLUTION 12-2024**

### CITY OF DAYTON

### **COUNTIES OF HENNEPIN AND WRIGHT**

# RESOLUTION APPROVING AN AMENDMENT TO RESOLUTION 45-2020, GRANTING CONDITIONAL USE PERMIT FOR ZIEGLER CAT AT 18171 TERRITORIAL ROAD

**BE IT RESOVED**, by the City Council of the City of Dayton, Minnesota, as follows:

**WHEREAS**, the Applicant, CNH Architects/Ziegler Dayton, is requesting to Amend Resolution 45-2020, Approving a Conditional Use Permit for an Open Sales Lot, located at 18171 Territorial Road. The CUP shall be Amended to include 18151 Territorial Road. The properties are legally described as:

PID: 31-120-22-13-0016

Lot 1, Block 1,VF13 ADDITION, according to the recorded plat thereof, Hennepin County, Minnesota.

And

PID: 31-120-22-13-0006

All that part of the Northeast Quarter and the Northwest Quarter of Section 31, Township 120 North, Range 22 West of the 5<sup>th</sup> Principal Meridian described as follows: Commencing at the Southeast corner of said Northeast Quarter; thence South 88 degrees 20 minutes West, assumed bearing along the South line of said Northeast Quarter for a distance of 2299.96 feet to a point to be hereafter known as point "B" for the purpose of this description; thence North 28 degrees 55 minutes East a distance of 507.39 feet to intersect the centerline of the Territorial Road, said point of intersection being the actual point of beginning of the parcel to be hereby described; thence return South 28 degrees 55 minutes West 507.39 feet to said point "B"; thence North 28 degrees 55 minutes East a distance of 717.56 feet to intersect said centerline of the Territorial Road; thence South 61 degrees 05 minutes East along said centerline a distance of 355.61 feet to the point of beginning, according to the United States Government Survey thereof and situate in Hennepin County, Minnesota.

**WHEREAS**, the City staff studied the matter, made a report, and provided other information to the Planning Commission and City Council; and

**WHEREAS**, the City Planning Commission held a public hearing at its March 7, 2024 meeting regarding the CUP; and

**WHEREAS**, the City Council at its June 23rd, 2020 meeting reviewed and considered the application, at which the Applicant was present and presented information.

**NOW, THEREFORE**, based upon the information from the public hearing, the testimony elicited and information received, the meetings of the City Council, reports of City Staff and information contained within the files and records of the City, the City Council for the City of Dayton makes the following:

### FINDINGS:

- 1. The City Council passed Resolution No. 12-2012 granting a CUP for Hesse Holdings LLC to operate a minor marine repair (hereinafter referred to as the "2012 CUP").
- 2. The Applicant has requested a rezoning from B-P Business Park to B-4 Commercial/Industrial District by separate application.
- 3. The Applicant has requested a CUP to allow the operation of a rental lot on the property, to construct an Accessory Building on the property, and to expand the gravel yard.
- 4. The retail use of the principal building is permitted in the B-4, the open rental lot is a conditional use in the B-4 District as regulated by Section 1001.061. Accessory Buildings are regulated by Section 1001.35 and are a conditional use in Business Districts.
- 5. Dayton Zoning Code Ordinance §1001.23 states that a CUP will only be granted if the following criteria have been met:
  - a. The proposed use is consistent with the Comprehensive Plan and the purpose of the underlying zoning district.
  - b. The proposed use will not substantially diminish or impair property values within the immediate vicinity of the subject property.
  - c. The proposed use will not be detrimental to the health, safety, morals or welfare of persons residing or working near the use.
  - d. The proposed use will not impede the normal and orderly development of surrounding property.
  - e. The proposed use will not create an undue burden on parks, schools, streets and other public facilities and utilities which serve or are proposed to serve the area.
  - f. The proposed use is adequately screened.
  - g. The proposed use will not create a nuisance, including but not limited to odor, noise, vibration or visual pollution.
  - h. The proposed use will provide adequate parking and loading spaces, and all storage on the site is in compliance with this Subsection.
  - i. The proposed use will protect sensitive natural features.

- j. The City Council may attach conditions to the permit, as it may deem necessary in order to lessen the impact of a proposed use, meet applicable performance standards and to promote health, safety and welfare.
- 6. The Proposed Uses are a replacement of a previously approved use on the Property. The Proposed Use will not be in conflict with future development of adjacent properties as long as there is compliance with the conditions established in this Resolution. There is no undue burden on streets and other public facilities and utilities which serve the property. This Proposed Use will not harm the public health, safety and welfare, nor will it create a nuisance or create traffic congestion injurious to nearby properties. If the conditions set forth below are followed, the Proposed Use are consistent with City Ordinance and the City Comprehensive Plan.

### **DECISION**

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Dayton, based upon the information received and the above Findings, that the City Council does herby grant and approves the Conditional Use Permit for the Property according to the attached plan in Exhibit A and the following conditions shall be met to the satisfaction of the City:

- 1. This resolution shall be recorded upon subsequent Site Plan application and approval by the Planning Commission and City Council. The Site Plan application shall include adequate Stormwater Management Plans for Elm Creek Watershed Review and Wetland Delineation and Mitigation approval and other materials as required by the Planning Commission, City Council or the City Engineer.
- 2. Wetland delineation and Wetland Mitigation shall be approved prior to construction.
- 3. Stormwater management plans shall be approved by the Elm Creek Watershed prior to construction.
- 4. The applicant shall include coniferous trees in the front yard.
- 5. The applicant shall include renderings of the "display area" where new equipment may be placed for marketing purposes outside of the rental yard. The display area to the north of the principal structure shall be limited to new equipment on a concrete pad or series of concrete pads limited to 400 square feet. This area shall be landscaped.
- The rental yard fencing shall be reviewed and approved with the Site Plan approval.
- 7. The rental lot/yard shall be limited to the gravel yards as depicted on the Site Plan dated 5/20/20 (revised March 19, 2024) or as revised as part of the final Site Plan approval. Rental equipment parking in the north gravel area shall be limited to orderly along the perimeter of the gravel yard north of the accessory building and/or in the rear yard.
- 8. All rental vehicles and equipment shall be well maintained and parked in orderly rows.
- 9. Only for sale and rental vehicles and equipment related to the business shall be stored on site.

10. The buildings on and the use of the Property shall meet and be in compliance with, to the satisfaction of the City, at all times all applicable local, state and federal rules and regulations, including, but not limited to, fire, building, environmental rules and regulations. All refuse on the Property shall be stored, to the satisfaction of the City, in such a manner as to screen it from neighboring properties and right-of-ways, which may be accomplished, among other ways, by storing refuse within a structure on the Property. Application for building, mechanical, plumbing, fence, grading, sign and any other necessary permits, subject to the review and approval of the City, shall be required prior to the installation, construction and/or erection of any improvements to the Property and all improvements shall comply with all applicable local, state and federal rules and regulations. All lighting on the Property shall be limited to 20 feet in height and the fixtures shall be hooded and downcast 14. The revise site plans shall be inserted into this resolution as an exhibit upon a future Site Plans review and approval as Exhibit A and Exhibit B. Adopted this 26th day of March, 2024, by the City of Dayton. Mayor, Dennis Fisher Assistant City Administrator/City Clerk, Amy Benting

Motion by \_\_\_\_\_, Second by \_\_\_\_\_. Ayes \_\_. Nays \_\_.

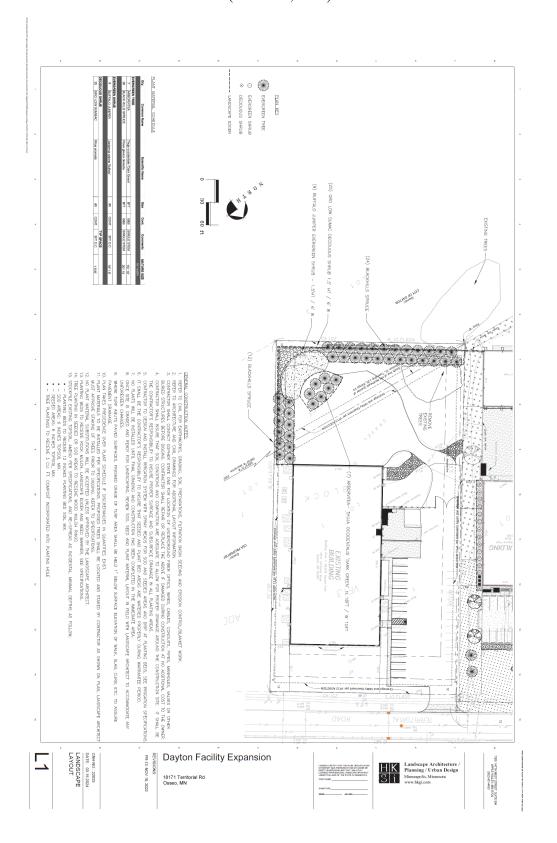
Resolution Approved/Denied

MOTION DECLARED PASSED/FAILED

EXHIBIT A (February 14, 2024)



# EXHIBIT B (March 19, 2024)



Meeting Date: March 26, 2024 Item Number: J



### PRESENTER:

Leon Volkov, Driven Auto Sales

### ITEM:

Resolution 13-24, DENYING a Conditional Use Permit for Auto Sales, 18078 Territorial Road (Driven Auto Sales)

### PREPARED BY:

Jon Sevald, Community Development Director

### POLICY DECISION / ACTION TO BE CONSIDERED:

Consider if Auto Sales is appropriate for this location.

### **BACKGROUND:**

The property consists of three tenants; Drake Construction, Direct Auto Sales<sup>1</sup>, and Driven. Driven Auto Sales is located in the east unit. An Administrative CUP was issued in 1993 for Auto Repair, allowing storage of materials behind the building in a fenced area.

The property is zoned B-3 General Business. Auto Sales is a Conditional Use.<sup>2</sup>

The Applicant has operated from this location since 2008. The Applicant buys salvaged vehicles through a 3<sup>rd</sup> party, repairs those vehicles at this location and sells through a 3<sup>rd</sup> party off-site (Prime Auto Group in Andover). Repairs on-site include removal and replacement of damaged body parts. Major repairs, frame straightening and painting occur off-site.

Obtaining a Dealers license will allow the Applicant to purchase vehicles (removes middle guy). The Applicant intends to continue to sell vehicles through Prime Auto Group (off-site). The use and appearance of the property will not change.

A Vehicle Salvage Pool License allows for storage, display, and sale of junked vehicles to licensed used parts dealers and licensed scrap metal processors.<sup>3</sup> A Used Parts Dealership License<sup>4</sup> would allow the Applicant to buy and sell used vehicles, parts, and scrap metal.

### **CRITICAL ISSUES:**

1. **On-Site Vehicle Sales**. No on-site sales are intended. However, CUP's are transferable owner-to-owner. Consideration should be given to limit the area of on-site vehicle sales to be limited to the existing parking lot footprint.

<sup>&</sup>lt;sup>1</sup> Direct Auto Sales, LLC (middle tenant) has held a MN Dealers License (Used Parts) since 2012. A CUP is required for Auto Sales. No known CUP has been approved. It is not known if a CUP was required in 2012. An Administrative CUP was approved for Auto Repair, (1993), 18074 Territorial Rd, conditioned upon "No outside storage of materials or "junk", but allowed for "excess materials must be kept in fenced area".

<sup>&</sup>lt;sup>2</sup> City Code 1001.061, Subd 4(d); Conditional Uses; *Automobile and other vehicles of transportation sales with an outdoor sales lot*.

<sup>&</sup>lt;sup>3</sup> MN Statute 168.27, Subd 3c (Vehicle salvage pool).

<sup>&</sup>lt;sup>4</sup> MN Statute 168.27, Subd 3d (Used vehicle parts dealer).

- 2. **Minor Vehicle Repair**. Minor Vehicle Repair is a permitted use, whereas Major Vehicle Repair<sup>5</sup> requires a CUP (not included in this application). It is Staff's understanding that that the Applicant's repair of salvaged vehicles is primarily replacing damaged parts, vs. repairing parts (body work).
- 3. **Environmental Contaminants**. Staff will inspect outside storage areas for possible contaminants. It is Staff's understanding that fluids are drained from salvaged vehicles prior to vehicles coming to the site.
- 4. **Landscaping**. Required landscaping (based on the entire property) includes; 22 overstory trees, 45 ornamental trees, 22 evergreen trees, 679 shrubs, and a 5' landscape strip around the building. <sup>6 7 8</sup> The general intent of the City Code when there is a new use, is to require the use to comply with current standards as much as practical. In this case, the current use (auto repair) is being altered, vs establishing a "new" use (auto sales), assuming on-site vehicle sales is limited. It is questionable if there is a benefit for additional landscaping.

### 60/120-DAY RULE (IF APPLICABLE):

Conditional Use Permit

Feb 6, 2024<sup>9</sup> / Apr 6, 2024

### **RELATIONSHIP TO COUNCIL GOALS:**

N/A

### **BUDGET IMPACT:**

N/A

### **STAFF RECOMMENDATION:**

Staff recommends Approval, limiting vehicles for sale to be displayed in no more than five parking stalls. Although the Applicant does not intend to sell on-site, the state requires a minimum of five stalls.

### PLANNING COMMISSION RECOMMENDATION:

The Planning Commission conducted a Public Hearing on March 7, 2024, recommending Denial of the CUP. The Commission commented that this is not the right location and was concerned about the amount of junk cars on the property. The Commission questions for the Applicant, who was not able to attend due to a medical emergency.

Definition of *Major Vehicle Repair*: General repair, rebuilding, or reconditioning of engines, motor vehicles, or trailers; collision service, including body frame, or fender straightening or repair; overall painting and upholstering; and/or vehicle steam cleaning. *Minor Motor Vehicle Repair*: Repairs, incidental body and fender work, replacement of parts and motor services to passenger automobiles and trucks not exceeding 12,000 pounds gross weight, but not to include any operation specified under Motor Vehicle Repair, Major.

<sup>&</sup>lt;sup>6</sup> City Code 1001.06, Subd 4(3)(c) (Parking lot landscaping....) and Section 1001.19 (Parking Regulations)

<sup>&</sup>lt;sup>7</sup> City Code 1001.24, Subd 4(5)(c) (B-3 General Business District)

<sup>&</sup>lt;sup>8</sup> City Code 1001.24, Subd 4(3) (Landscaping requirements in multiple family residential, and all non-residential uses).

<sup>&</sup>lt;sup>9</sup> Per MN Statute 15.99, Subd 3(g), the city extended its 60-day review to 120-days. Notice was provided to the applicant on Feb 1, 2024.

ECONOMIC DEVELOPMENT AUTHORITY RECOMMENDATION:
The EDA reviewed at its March 19, 2024 meeting, recommending Denial of the CUP. The EDA discussed MPCA requirements for disposal of hazardous wastes generated by auto repair shops.

After the EDA meeting, Staff spoke with the Applicant, who stated that they only do body work, no fluid draining or changes.

### **ATTACHMENT(S):**

Aerial Photo Site Photos Resolution 13-2024 (DENIAL)

### **AERIAL PHOTO**



Area used by Driven Auto Sales (highlighted in yellow)

### SITE PHOTOS



Front parking lot of Driven Auto Sales (right garage door and service door) (photo Jan 16, 2024)



Interior of Driven Auto Sales (photo Jan 16, 2024).



Driven Auto Sales Outside Storage area (inoperable vehicles), behind building (photo Jan 16, 2024)

### **RESOLUTION 13-2024**

### CITY OF DAYTON

### **COUNTIES OF HENNEPIN AND WRIGHT**

# RESOLUTION DENYING A CONDITIONAL USE PERMIT FOR AUTO SALES FOR DRIVEN AUTO SALES, LOCATED AT 18078 TERRITORIAL ROAD

**BE IT RESOLVED,** by the City Council of the City of Dayton, Minnesota as follows:

**WHEREAS**, the Applicant, Leon Volkov (Driven Auto Sales), is requesting a Conditional Use Permit for *Automobile and other vehicles of transportation sales with an outdoor sales lot*, located at 18078 Territorial Road, legally described as:

PID: 31-120-22-13-0011

That Part Of Sw 1/4 Of Ne 1/4 Desc As Com At Se Cor Thof Th S 88 Deg 20 Min W Along S Line Thof Dist 9.37 Ft To Ctr Line Of Territorial Rd Th N

**WHEREAS**, City staff studied the matter, made a report, and provided other information to the Planning Commission and City Council; and,

**WHEREAS**, the City Planning Commission held a Public Hearing at its March 7, 2024 meeting regarding the CUP, recommending DENIAL; and,

**WHEREAS**, the City Council at its March 26, 2024 meeting reviewed and considered the application, at which the Applicant was present and presented information.

**NOW, THEREFORE**, based on upon the information from the public hearing, the testimony elcited and information received, the meeting so the City Council, reports of City Staff and information contained within the files and records of the City, the City Council for the City of Dayton makes the following:

### FINDINGS:

- 1. The proposed use is consistent with the Comprehensive Plan and the purpose of the underlying zoning district.
- 2. The proposed use will not substantially diminish or impair property values within the immediate vicinity of the subject property.
- 3. The proposed use will not be detrimental to the health, safety, morals or welfare of persons residing or working near the use.
- 4. The proposed use will not impede the normal and orderly development of surrounding property.

5.	The proposed use will not create an undue burden on parks, schools, streets and other public facilities and utilities which serve or are proposed to serve the area.			
6.	The proposed use is <u>NOT</u> adequately screened.			
7.	The proposed use <u>WILL</u> create a nuisance, including but not limited to odor, noise, vibration or visual pollution.			
	Although outside storage is permitted within the fenced area of the rear yard (Administrative CUP for Carpet Warehouse, April 27, 1993), outside storage of vehicles and vehicle parts is unscreened, and inappropriate at the current time. The proposed CUP for Auto Sales further encourages the use of outdoor storage of junk cars, creating visual pollution.			
8.	. The proposed use will provide adequate parking and loading spaces, and all storage on the site is in compliance with this Subsection. Outdoor Storage is limited 2-acres or 20% of the property, whichever is smaller. Staff estimates the property's outdoor storage to be 26,136 sq ft (20%).			
9.	The proposed use will protect sensitive natural features.			
	DECISION:			
_	<b>NOW, THEREFORE, BE IT RESOLVED</b> by the City Council of the City of Dayton, based on the information received and the above Findings, that the City Council does hereby DENY the inditional Use Permit for the Property.			
Ad	opted this 26 <sup>th</sup> day of March, 2024, by the City of Dayton.			
	Mayor, Dennis Fisher			
As	sistant City Administrator/City Clerk, Amy Benting			
Re.	otion by, Second by Ayes Nays solution Approved/Denied OTION DECLARED PASSED/FAILED			

Meeting Date: March 26, 2024



Item Number: K

### PRESENTER:

Dean George, Kwik Trip

### ITEM:

Kwik Trip Concept Plan, 11XXX Maple Court

### **PREPARED BY:**

Jon Sevald, Community Development Director

### POLICY DECISION / ACTION TO BE CONSIDERED:

Informal comments (no formal action).

### **BACKGROUND:**

Kwik Trip pursued a concept plan, rezoning, and preliminary plat for this site in 2021/2022 for a Motor Fuel Station with semi-truck fueling and parking. The Rezoning and Preliminary Plat were denied by the City Council on a 3-2 vote. Verbal reasons for denial (summarized) include opposition to a truck stop (crime, and increased service calls), and the desire for a different use on this corner.

Since this corner has remained vacant with limited interest (gas station, asphalt plant), Kwik Trip re-submitted 2021 plans. No changes to these plans have been made.

### **CRITICAL ISSUES:**

Is the use (gas station with overnight truck parking) appropriate for this location?

### **RELATIONSHIP TO COUNCIL GOALS:**

Create a Sought After Community

### **BUDGET IMPACT:**

N/A

### **STAFF RECOMMENDATION:**

A gas station with truck stop would benefit area businesses, considering the distribution facilities in this area. If the Council's intent is to attract a higher & better use (e.g. hotel, clinic, office building), these uses are not likely to locate in an industrial area such as the east side of the interchange. A car or boat dealership would be more likely.

### **PLANNING COMMISSION COMMENTS:**

The Commission discussed at its March 7, 2024 meeting, and was supportive of the gas station and truck stop. The Commission requested a rendering be provided.

### **ATTACHMENT(S):**

Rendering Staff Report, Nov 22, 2021 Concept Plan



Meeting Date: 11-22-21 Item: O



ITEM:

Application by Kwik Trip for a Rezoning from B-P, Business Park District to B-3, General Business District, Conditional Use Permit Approval, and Preliminary Plat.

### **APPLICANT:**

Dean George, Kwik Trip

### POLICY DECISION / ACTION TO BE CONSIDERED:

Discussion and feedback from City Council

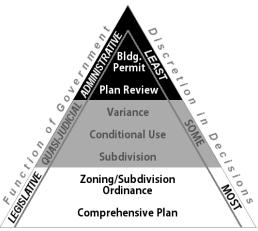
### **BACKGROUND/OVERVIEW:**

Kwik Trip is requesting approval of a rezoning from B-P, Business Park to B-3 General Business, a Conditional Use Permit to operate a motor fuel station, and Preliminary Plat approval to construct a Kwik Trip convenience/gas store and truck stop to be located south of the new Dayton Parkway expansion, west of Holly Lane and north of Maple Court (and RDO store). The Planning Commission and Council reviewed a concept plan for this project in May.

The site totals approximately 10.27 acres. The applicant proposes constructing a Kwik Trip convenience store and gas station/truck stop with 36 overnight semi-truck parking stalls. The site is bordered by future Dayton Parkway extension and Holly Lane.

### LEVEL OF CITY DISCRETION IN DECISION-MAKING

Action taken on the proposed rezoning is **legislative** in nature; the City has broad discretion in making land use decisions based on the comprehensive plan and advancing the health, safety, and general welfare of the community. The basic question of the zoning change is whether it is consistent with surrounding property and the comprehensive plan, will it advance vision and goals for the City for future development and redevelopment.

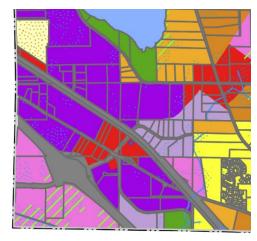


The subdivision (preliminary plat) plat and conditional use request is a **quasi-judicial**; the City's role is to determine the facts associated with the request and weigh those facts against the legal standards contained in the City Code and State Statute. In general, if the facts indicate the applicant meets the relevant legal standards of the code and will not compromise the general welfare, the applicant is likely entitled to approval. The City is, however, able to add conditions to the plat approval to ensure that any impacts to parks, roads, utilities, or other public infrastructure on and around the subject property are adequately addressed. Subdivisions may also be modified to promote the public health, safety, and general

welfare, and to provide for the orderly, economic, and safe development of land.

### LAND USE & ZONING:

Currently, the site is guided for commercial at the corner of Dayton Parkway and Holly Lane and industrial over the remaining. The applicant is proposing to rezone the property from B-P Business Park to B-3 General Business District. The land use and zoning will be further addressed under the planning considerations section.



### **ADJACENT ZONING AND LAND USE:**

Direction	Land Use Plan	Zoning Map	Existing Use
East	Industrial	I-2, PUD	Industrial (Cemstone Ready Mix)
North	Territorial Road and Commercial	B-3, B-P	Commercial (Comfort Matters Heating & Cooling)
West	Industrial and Interstate	B-P, Interstate	Farmland and Interstate
South	Industrial and Interstate	B-P, Interstate	Farmland and Interstate

### SITE ANALYSIS OVERVIEW

The proposed use is a convenience store with motor fuel sales and an overnight truck stop (36-stalls proposed). The building is located in the north portion of the lot, with pumps on the south side of the convenience store and diesel pumps to the southwest corner. They are proposing 20 fuel canopy stalls and five diesel canopy stalls. The view from the future Dayton Parkway will be more focused on the building versus pumps, and the applicant has provided a rendering from the parkway per the Commission's request from the concept stage. That being said, the truck parking would be heavily utilized, and viewing the truck parking would be unavoidable due to the grade difference between this site and the off-ramp and Dayton Parkway (drivers would be looking down into the site as you use Dayton Parkway).

The applicant has proposed that the site be accessed from a right-in-only movement on Holly Lane N, two full access movements on Maple Court (one specifically for trucks and the other vehicles), and two exit-only access points located off of the cul-de-sac. Semi-trucks will enter the site from Maple Court and proceed past the diesel canopy to the truck parking stalls to the west, in which they would back into the spots. The applicant will provide an exhibit showing truck movements through the site.

The applicant has updated their plans to include a sidewalk connecting the property to the trail located on Holly Lane. Additionally, they have included a direct and continuous pedestrian network between the parking lot and the main building.

The minimum lot size in the B-3 District is 1 acre with a 45 ft maximum height for principal structures. The preliminary plat of the proposed Lot 1 meets the minimum lot requirements. The B-3 District setbacks are located below in the table, and all setbacks are being met.

Building - Principal Structure		
40 (60) feet - Plus 1 foot for every 1 foot of building height over 30 feet (maximum setback of 80 feet)		
25 (40) feet		
25 (40) feet		
25 (40) feet		
Parking		
20 (20) feet		
10 (20) feet		
10 (20) feet		

<sup>&</sup>lt;sup>2</sup>Setbacks in parentheses apply adjacent to R-1 - RH Residential Districts. A 20 foot setback is required for any structure or parking adjacent to any other Residential District.

### **Parking**

The applicant is providing 101 spaces within the site comprised of 36 truck stalls, 36 standard stalls, 20 fuel canopy stalls, five diesel canopy stalls, and four stalls for disabilities parking. Therefore, the applicant is meeting the standards for the required amount of parking. Parking setbacks indicate that parking stalls shall be setback 20 feet from the front, side, or rear to a street. The applicant is not meeting the required 20-foot setback for the truck stall directly north of the first proposed access point on the Maple Court Cul-de-sac. Therefore, the applicant will need to remove the stall to meet the requirements.

The Planning Commission and City Council expressed concern regarding the overnight truck stalls, and this is addressed later in the CUP standards.

### **Building Elevations**

The proposed elevations consist of brick with aluminum storefront openings, arched brick lintel, and stucco accents. Windows are featured on three elevations and meet the 25% coverage on the east and south elevations. The roof is a mansard design and is constructed of metal that will enclose any rooftop mechanical units. The rooftop features peaks in the design, allowing for signage on the south, east, and north elevations. The zoning ordinance has minimum standards for motor fuel stations limiting the placement and elevation of fuel canopies. The canopy height is limited to 20 feet in height and meets this requirement. The canopy columns are white, and the elevation of the canopy is white with a red strip and signage on the front and side. Staff is supportive of the proposed building elevations.

### Landscaping

The proposed landscaping plan meets minimum requirements for total landscape area of the site within the parking and drive areas. The plan also meets requirements for variety of landscape materials. A variety of overstory and evergreen trees and shrubs will be provided. The plan provides a variety of landscaping at the site boundary with additional required buffering along the south, west, north and east of the property. All of the screening meets the requirements of the code. Staff supports the propped landscaping plans.

### Signage

The applicant has provided a signage plan for the Council to review and the applicant is proposing 15 signs. The applicant shall be requesting a variance from the sign ordinance at a later date. Staff is looking for the Council's feedback on the proposed signage plan. The plan includes wall signage consisting of Kwik Trip signs on the south (front entrance), east (facing Holly Lane), and north (facing Dayton Interchange). The ordinance limits the applicant to two walls signs and will need to pursue the variance.

The applicant is proposing three freestanding signs, including two pylons signs and a freestanding sign for the CAT truck weighing station. The pylon signs are located on the northwest and northeast corners of the lot facing the interstate and the interchange. The applicant is proposing pylon signs of 60' and another at 25' in height. The 60' sign includes a Kwik Trip panel area, a two digital price signs, and a CAT Scale illuminated sign. The 25' sign includes a digital price cabinet and a dynamic sign. The third sign is a 16' sign for the CAT Scale. Freestanding signs are limited in the B-3 District to 11 feet in height and 64 sq ft in area. Additionally, the current ordinance limits digital displays to gas prices. All three of these signs exceed the maximum height (11ft) size (64 sqft) and the allowed number of freestanding signs (2). Staff is currently working on updating the signage ordinance, which is proposed to allow a maximum height of 25 feet while maintaining the size allowance (64sqft). The applicant will need to pursue a variance for height, size, and a number of freestanding and wall signs. A variance request for additional signage may be unlikely due to a lack of practical difficulties as required by state statute for a variance. Staff recommends a reduction in the signage and conformance with the new code currently under review.

### Lighting

The applicant is proposing a downcast fixture within the parking area. A photometric plan has been submitted that shows lighting will not spill over the property line. Therefore, all canopy lighting shall also be downcast.

### **Accessory Building**

The proposed site development plans showcase a "gator shed" on the parcel. The shed is approximately 450 square feet in size which would make it an accessory building. Currently, the code prohibits accessory buildings on commercially zoned properties. Staff is in the process of updating the accessory building code, but the updated code also does not allow for accessory buildings on commercially zoned properties. Therefore, the applicant may need to pursue a variance to allow for the accessory building or consider attaching the ancillary building to the principal building.

### Floor Plan

The applicant has provided a narrative regarding the floor plan and is proposing the following as it relates to truck stops:

This location will also provide an additional restroom area consisting of three bathroom stalls for both Men and Women and two separate single shower rooms. A Public washer and dryer will also have its own room to accommodate laundry needs, and a table and seating area will be designed to give guests a place to sit down and enjoy food and drink offerings.

The shower rooms and laundry area are features that are associated with truck stops. Therefore, this is an area where the Council can limit the shower stalls and the laundry room if they are concerned with the usage.

### **Planning Considerations**

The following is a list of planning considerations that the Council will need to discuss and address as follows:

### **Land Use**

The property is currently guided for commercial at the corner of Dayton Parkway and Holly Lane and industrial over the remaining land. The City Council will need to make a recommendation on the appropriate land use for the site.

A. Should the parcel be all commercial? The commercial land use in the 2040 Comprehensive Plan is defined as follows:

This category is intended to accommodate general commercial and highway-oriented businesses such as fast food restaurants, convenience stores, gas stations, big box retail, and other auto-oriented businesses. Limited office and services uses are also appropriate, depending on scale and location.

B. Should the parcel be all industrial? The industrial land use in the 2040 Comprehensive Plan is defined as follows:

This category is intended to provide areas for industrial related businesses including manufacturing, warehousing, automotive, trucking, office, and other related industrial uses.

### Zoning

The property is currently zoned B-P Business Park District and the applicant is requesting that the property be rezoned to B-3 General Business District. The City Council will need to make a recommendation on the appropriate zoning for the site. The following are the intended purposes for the districts:

(Current) Business Park District (B-P): Intent. The purpose of the B-P, Business Park District is to provide for multi-use building and/or the establishment of business offices, wholesale showrooms, and related uses in an environment which provides a high level of amenities,

including landscaping, preservation of natural features, increased architectural design, pedestrian facilities and other features. This District falls within the Industrial Land Use category.

(Proposed) General Business District (B-3) Intent. The purpose of the B-3, General Business District is to provide for the establishment of areas devoted to high intensity retailing and service activity primarily oriented toward motorists and requiring higher volumes of traffic and visibility from major roads. Uses will serve a City-wide and multi-community consumer market. This District falls within the Commercial Land Use category

The applicant is proposing the following uses for the site and the definitions for each use as defined in city code.

- Motor Vehicle Convenience Store: Premises for self-service motor fuel sales that may include the sale of convenience groceries, fast foods and/or a restaurant and may offer a car wash.
  - The B-3 District lists Motor Fuel Station as a CUP
  - o The I-1 District lists Convenience/Gas Station as a permitted use
- Truck Stop: A motor fuel station devoted principally to the needs of tractor-trailer units and trucks, and which may include eating and/or sleeping facilities. Since a "truck stop" is defined as a type of motor fuel station, a truck stop could be approved through a CUP if the property is rezoned B-3, because motor fuel stations are a conditional use in the B-3 district
- Diesel Fuel Sales for trucks: The City doesn't have a designation.
- Overnight Parking: The City doesn't have a designation.

Whether or not the proposed use may be permitted depends on whether the property is rezoned from B-P to B-3. The proposed use is not permissible if the property retains it B-P zoning classification, and permissible if it is rezoned B-3. Whether the property should be rezoned is a legislative decision, involving a wide range of value judgements. In assessing whether the property should be rezoned, the City Council must assess whether rezoning the property promotes the public health, safety, morals, and/or general welfare of the community.

### **CUP Standards**

The proposed use of Motor fuel station requires a CUP in the proposed B-3 zoning district, which lays out special requirements and performance standards as follows:

### Special Requirements and Performance Standards in B-2, B-3, and B-4 Districts

- (1) Motor fuel stations shall be subject to the following standards:
- a. Motor fuel facilities shall be installed in accordance with state and City standards. Additionally, adequate space shall be provided to access gas pumps and to allow maneuverability around the pumps. Underground storage tanks are to be positioned to allow adequate access by motor fuel transports and unloading operations which do not conflict with circulation, access and other activities on site. Fuel pumps shall be installed on pump islands. *The applicant is meeting this requirement.*
- b. The total height of any overhead canopy or weather protection shall not exceed 20 feet in height. *The applicant is meeting this requirement.*

- c. No sales or rental of motor vehicles or trailers or campers shall be permitted. *This will be a condition of approval.*
- d. All goods for sale by a motor fuel station convenience store other than petroleum based products required for the operation and maintenance of motor vehicles shall be displayed within the principal motor fuel station structure. *This will be a condition of approval.*
- e. Each motor fuel station shall be compatible with the area in which it is located. This is a question for the City Council to determine if the use is compatible with the area in which it is located.
- f. A minimum 10 foot landscaped yard shall be planted and maintained behind the property line along all public streets. A landscaped yard not less than 5 feet wide shall be maintained along exterior property lines. *The applicant is meeting this requirement*.
- g. Motor fuel dispensers shall be located at least 30 feet from a property line, and 100 feet from R- District property lines. *The applicant is meeting this requirement*.
  - h. 1. Structures shall be set back:
    - (a) Front: 30 (60) feet;(b) Side: 30 (50) feet;(c) Rear: 30 (50) feet.
- 2. Setbacks in parentheses apply to lot lines adjacent R-Districts. *The applicant is meeting this requirement.*
- i. All canopy lighting for motor fuel station pump islands shall be recessed or fully shielded. Illumination levels for pump islands shall comply with the lighting standards of Subsection 1001.14. *This will be a condition of approval.*
- j. Litter control. The operation shall be responsible for litter control within 300 feet of the premises and litter control is to occur on a daily basis. Trash receptacles must be provided at a convenient location on site to facilitate litter control. *This will be a condition of approval*
- k. The hours of operation shall be limited to 7:00 a.m. and 10:00 p.m. for motor fuel stations located in the B-2 District unless extended by the City Council as part of the conditional use permit. While this condition applies to B-2 Districts, if the City Council has concerns about the hours of operation it may be addressed via a condition.

The Planning Commission didn't feel this was appropriate and that they preferred to have the truck stop open and staffed 24 hours a day.

This leaves the City Council's role to review the technical aspects of the CUP as it relates to the City's Zoning Ordinances and the Comprehensive Plan. The Dayton City Code describes the purpose and scope as follows: The conditional use permit process is intended to provide the City with an opportunity to review a proposed use that has the potential to be incompatible with surrounding uses, but can be made compatible through the establishment of reasonable conditions. Approval of a conditional use is a site specific approval and does not indicate that the conditional use is able to be conducted on every parcel within the zoning classification. Every application for a conditional use permit will be individually reviewed on its own merits, and the facts surrounding the subject property will determine the appropriateness of the proposed use. The approval of the conditional use permit runs with the land and is not impacted by changes in ownership.

As a reminder the CUP requires the application to meet the following conditions for approval:

- 1. The proposed use is consistent with the Comprehensive Plan and the purpose of the underlying zoning district. *If the Council is not supportive of a rezoning, a CUP approval could not be considered.*
- 2. The proposed use will not substantially diminish or impair property values within the immediate vicinity of the subject property.
- 3. The proposed use will not be detrimental to the health, safety, morals or welfare of persons residing or working near the use.

The City Council has expressed concerns regarding the safety of the proposed use, specifically regarding crime. As a result, staff has attached an exhibit summarizing the crime and service calls from the data provided by Kwik Trip and from the truck stop located in Rogers.

If the City Council is concerned regarding the truck stop usage, they can limit those aspects related to truck stops. These include the following:

- The Council can recommend that the number of truck stalls be limited in amount.
- The Council can recommend the removal of shower stalls that are associated with truckstops.
  - The Planning Commission did not recommend removing the shower stalls.
- The Council can recommend the removal of the laundry room, which is associated with truck stops.
  - The Planning Commission did not recommend removing the shower stalls.
- 4. The proposed use will not impede the normal and orderly development of surrounding property.
- 5. The proposed use will not create an undue burden on parks, schools, streets and other public facilities and utilities which serve or are proposed to serve the area. While crime issues may possibly be reduced via conditions, the use itself may pull police services to the commercial use, which may require additional police services.
- 6. The proposed use is adequately screened.
- 7. The proposed use will not create a nuisance, including but not limited to odor, noise, vibration, or visual pollution.
- 8. The proposed use will provide adequate parking and loading spaces, and all storage on the site is in compliance with this Subsection.
- 9. The proposed use will protect sensitive natural features.
- 10. The City Council may recommend conditions to the permit, as it may deem necessary in order to lessen the impact of a proposed use, meet applicable performance standards and to promote health, safety, and welfare.

### **PLANNING COMMISSION REVIEW:**

The Planning Commission discussed the following and made recommendations for each of thse items. Staff is looking to receive feedback from the City Council tonight on the same issues and has inserted the recommendations of the Planning Commission.

Staff would recommend tackling each item separately:

- 1. Recommendation on the appropriate land use for the site for the 2040 Land Use Map.
  - a. Should the land use be entirely commercial?
  - b. Should the land use be entirely industrial?

The Planning Commission recommended that the parcel be guided for commercial over the entirety of the property

- 2. Rezoning the property from B-P, Business Park to B-3 General Business
  - i. The Commission will need to make a decision on zoning for the property.
  - ii. Is the proposed use appropriate for the B-3 General Business?
  - iii. Will rezoning the property from B-P to B-3 promote the public health, safety, morals, and/or general welfare of the community?

The Planning Commission recommended rezoning the property from B-P, Business Park to B-3, General Business. They felt that the location was an appropriate area for the motor fuel/convenience store location. It was discussed that the crime data was not necessarily connected to truck stops and instead was associated with convenience stores in general.

- 3. Preliminary Plat approval for platting the property into one block and lot with the following conditions:
  - i. The applicant shall pay Park Dedication fees for the parcel.
  - ii. The applicant shall pay sanitary sewer, water, and stormwater development fees, unless parcels have been previously assessed for trunk utilities.
  - iii. All applicable Sewer Access Charges and Water Access Charges shall be paid for Lot 1, Block 1. The applicant shall submit SAC Determinations applications directly to the Metropolitan Council.
  - iv. The applicant shall meet the requirements of the City Engineer memo dated October 25th, 2021.

The Planning Commission recommended the approval of the Preliminary Plat.

4. Conditional Use Permit Approval for the motor fuel station, truck stop:

The Commission discussed the Conditional Use Permit and voted 3-1 in favor of recommending approval of the CUP. One member was absent but expressed concern over the potential crime related to the truck stop via an email to the commission. The Planning Commission felt that they should not limit the number of truck stalls for the site to succeed. They thought that if the trucks were limited, they were concerned about the future viability of the western portion of the site. In addition, they felt that the crime wasn't necessarily associated with truck stops in general but all convenience/motor fuel stores. As such, it didn't make sense to limit the truck stalls since that wouldn't necessarily limit the potential crime. Two of the Commissioners were against the truck stop parking, citing a concern regarding the crime from the truck stop.

In addition, the following topics were discussed:

- There was some support to consider the height of the sign citing that even though it was 60 feet in height, there was a 20-foot elevation change which made the height not as impactful.
- Discussion on changing the landscaping of the islands believing they will not succeed where trucks are parking and as such the landscaping in the parking islands will not survive. Recommend doing bigger parking island ends but not the medians as proposed under the plan.
- Recommendation to add a brick overlay to the fuel canopies at the bottom to match the building.
- a. Staff recommended the following conditions at Planning Commission and wishes for additional feedback on the conditions:
  - The applicant will provide a new site plan conforming to the setback requirements for parking spaces, removing the nonconforming truck stall space located off the cul-de-sac on Maple Court.
  - ii. Stacking spaces shall not interfere with parking spaces or traffic circulation.
  - iii. No sales or rental of motor vehicles or trailers or campers shall be permitted
  - iv. All goods for sale by a motor fuel station convenience store other than petroleum-based products required for the operation and maintenance of motor vehicles shall be displayed within the principal motor fuel station structure.
  - v. All site lighting and canopy lighting shall be downcast.
  - vi. The applicant shall work with the fire department to ensure location of hydrants are placed meeting the needs for fire safety.
  - vii. A copy of the detailed plan for the store will also need to be provided for review.
  - viii. All plans should include fire extinguisher placement throughout the structures, pump stations, and outbuildings.
  - ix. Any additional requirements required by the Fire Department
  - x. Building Permits for signage shall be obtained prior to installation.
  - xi. The applicant will provide an exhibit showcasing the truck movements throughout the site.
  - xii. Site circulation signage shall be posted throughout the site exhibiting the ingress/egress of each access point and the type of vehicles allowed.
  - xiii. The applicant shall meet the requirements of the City Engineer memo dated October 25<sup>th</sup> 2021.
  - xiv. City Council can determine if a limit of truck stop stalls is necessary. If the Planning Commission wishes to limit the number of truck stop stalls staff

- is recommending a reduction of half the number of truck stalls allowing for 18 truck stalls.
- xv. City Council can determine if the shower stalls and laundry room shall be allowed.
- xvi. City Council can determine if a limit of hours of operation is necessary.
- xvii. The applicant will add a brick overlay to the bottom of the fuel canopy matching the brick and design of the principal building.
- xviii. The applicant will revise the design of the parking lot medians to ensure landscaping survives impact from trucks. Applicant will work with City Staff on the redesign.

### **Actions Tonight**

Staff is looking for discussion and feedback from the Council tonight to prepare the appropriate resolutions for consideration at the December 14, 2021 meeting at which the following options would be presented to the Council:

### **Option 1 Recommend Approval**

If the Council wishes to recommend approval, they will need to approve the following:

- 1. Recommendation of approval on the land use designation for the entirety of the site between either Industrial or Commercial Land Use (a Commercial Land Use Designation supports the application for rezoning to B-3).
- 2. Recommendation of approval for the rezoning of the property to B-3, General Commercial from B-P, Business Park if the Commission doesn't approve this the application for the CUP could not be considered.
- 3. Recommendation of approval for the Preliminary Plat with the conditions for approval as stated above.
- 4. Recommendation of approval for the Conditional Use Permit with the conditions for approval as stated above.

### Option 2 Recommendation Denial of Rezoning/Land Use Change

If the City Council does not support a change from the existing land use (commercial in the NE corner, and industrial over the rest of the parcel, then it follows that a rezoning of the entire parcel to B-3 could not be supported by the Land Use. Without the rezoning the remainder of the application could not be considered due to the need for a CUP. If the Council wishes to proceed in this direction, then findings of fact related to denial of the application (e.g. what about the subdivision and CUP does not meet the Land Use Plan, or proposed zoning district, or other code or policy) will be required. The Land Use and Zoning decisions are at the discretion of the City Council, meaning the City has the most latitude in these policy decisions. If the Commercial Land Use and Rezoning is supported, see option 1.

### Option 3 Table the application with specific requests for additional information.

Preliminary Plats must be acted on within 120 Days, while other land use applications (rezoning) must be acted on within 60-days or can be extended to no longer than 120-days.

### ATTACHMENT(S):

Engineering Memo

**Cover Letter Narrative** 

**Existing Conditions** 

Site Plan

Grading & Erosion

**Utility Plans** 

Stormwater

Landscape Plan

Photometric Plan

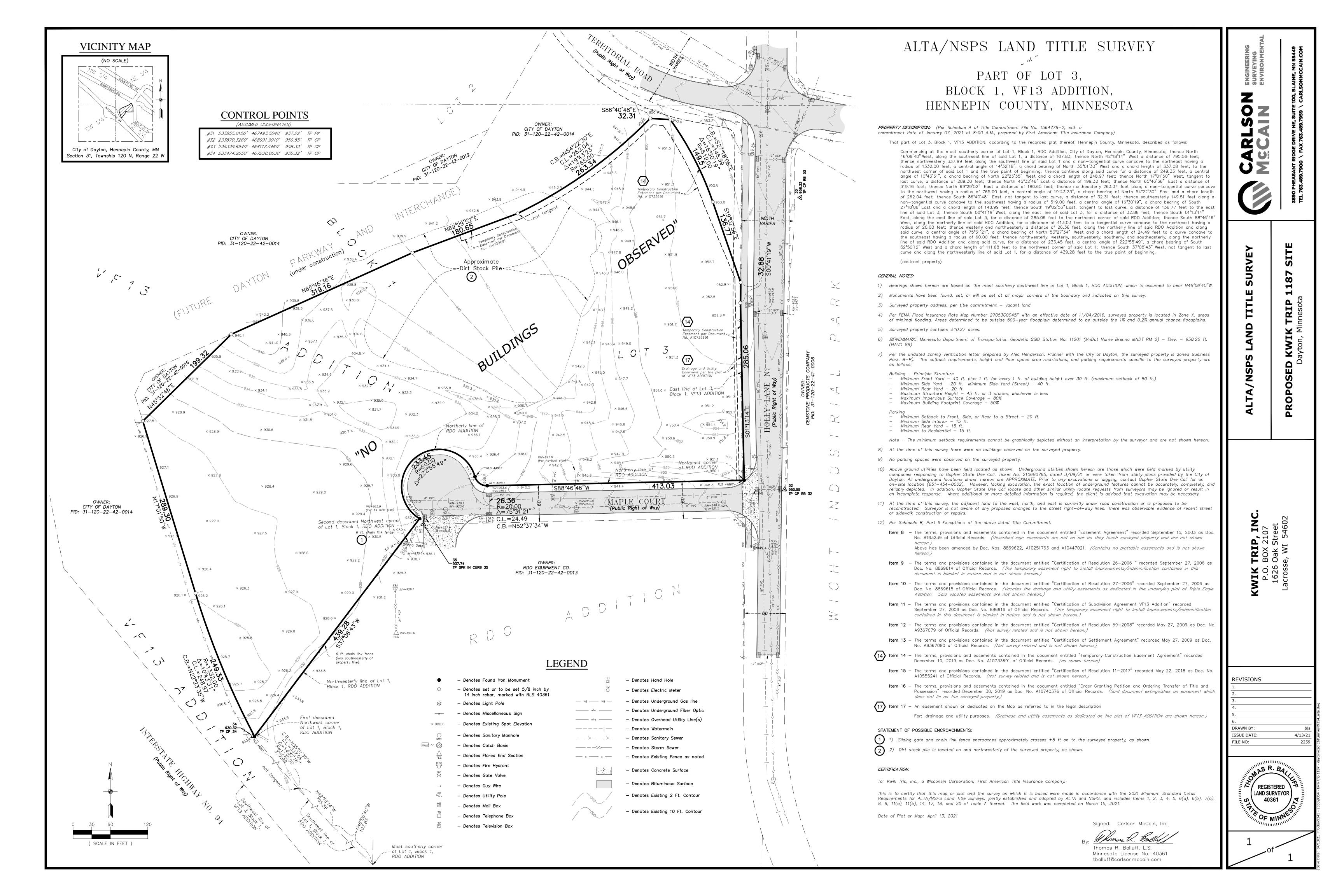
Signage Plan

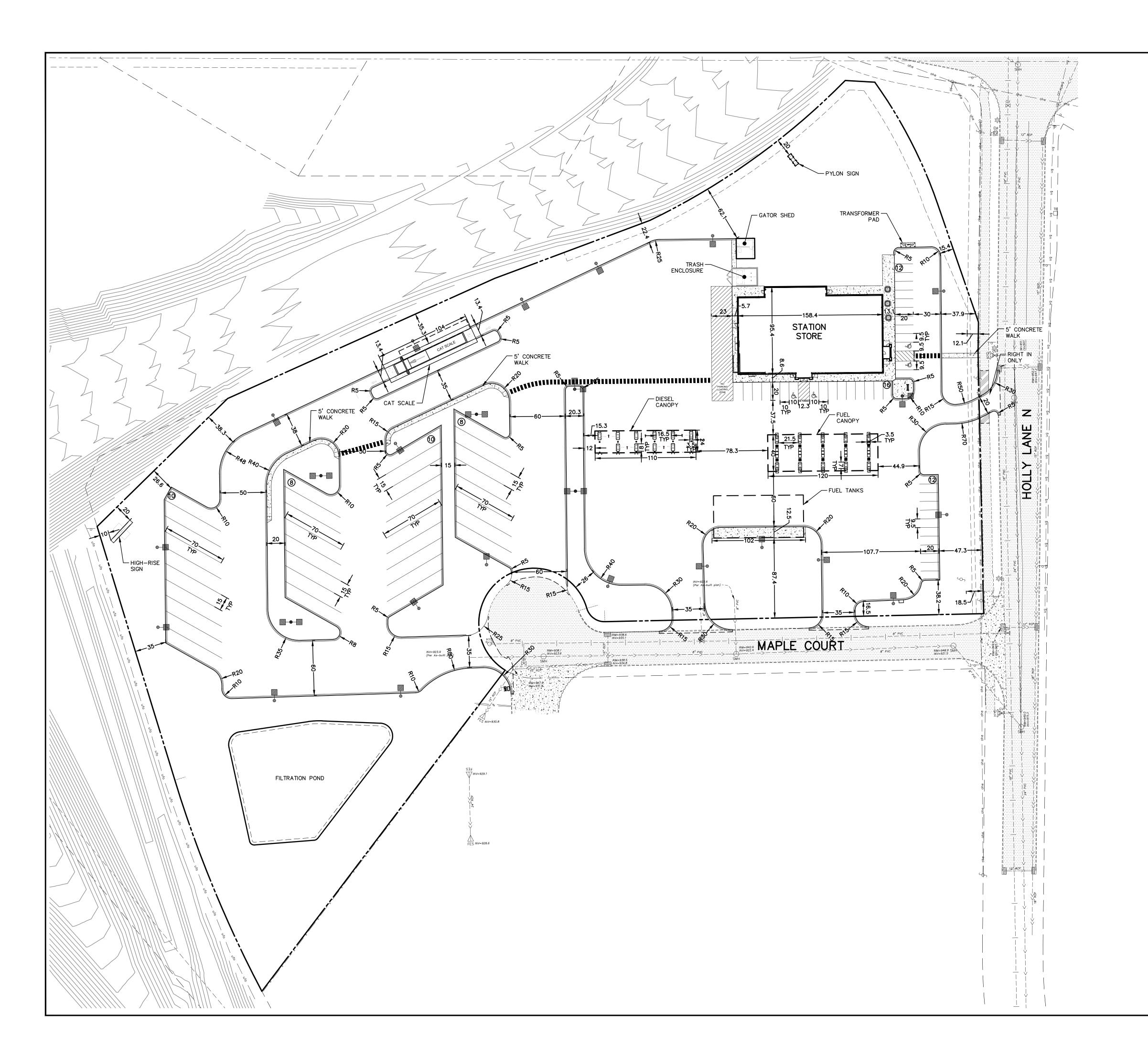
Gator Shed

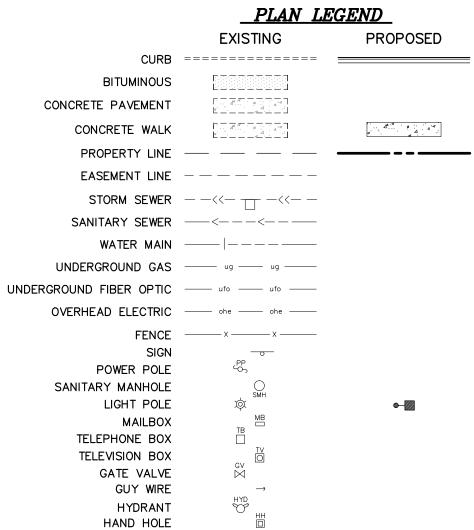
Section Drawing

Rendering

Summary of Crime Stats Exhibit







## SITE PLAN NOTES

ELECTRIC METER

- 1. ALL DIMENSIONS ARE TO FACE OF CURB UNLESS OTHERWISE
- CONCRETE CURB AND GUTTER SHALL BE B612 UNLESS OTHERWISE NOTED.
- 3. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO FIELD VERIFY THE LOCATIONS AND ELEVATIONS OF EXISTING UTILITIES PRIOR TO THE START OF SITE WORK. THE CONTRACTOR SHALL NOTIFY THE ENGINEER IMMEDIATELY OF DISCREPANCIES OR VARIATIONS FROM THE PLAN.
- 4. UNLESS OTHERWISE SHOWN ON THIS DRAWING, CONTRACTOR SHALL PROVIDE CONTROL JOINTS, CONSTRUCTION JOINT AND EXPANSION JOINTS IN SLAB ON GRADE, SIDEWALKS AND DRIVES PER THE FOLLOWING REQUIREMENTS:

CONTROL JOINT MAX. SPACING: WALKS-8' O.C. ALL OTHERS-10' O.C.

SAW CUT CONTROL JOINTS MINIMUM & CONCRETE THICKNESS. EXPANSION JOINT MAX. SPACING: WALKS-24' O.C.

\*ALL OTHERS-40' O.C.

\*ALL POINTS WHERE A CHANGE IN PAVEMENT THICKNESS OCCURS SHALL HAVE AN EXPANSION JOINT. DOWELL ALL EXPANSION JOINTS: 24" O.C. MAX.

# SITE DATA

ZONING: BP-BUSINESS PARK PARCEL AREA: 447,509 SF HARD SURFACE AREA: STATION STORE: 14,423 SF 3% 233,959 SF 52% 248,382 SF 55% PAVEMENT: TOTAL: PERVIOUS SURFACE AREA: 199,127 SF 45% BUILDING HEIGHTS STATION STORE: 24.0 FT 15.5 FT

CONCRETE SEALER SHALL BE TK-26UV.

## PARKING SUMMARY

FUEL CANOPIES:

STANDARD STALLS .....36 HANDICAP STALLS .....4 TRUCK STALLS · · · · · · · · · · · · · · · 36 FUEL CANOPY STALLS .....20 DIESEL CANOPY STALLS · · · · · · 5 TOTAL STALLS: · · · · · · · · · · · · 101

# BENCHMARKS

. MINNESOTA DEPARTMENT OF TRANSPORTATION GSID STATION #11201 (NAME: BRENNA MNDT RM 2)

ELEVATION = 950.22 FT. (NAVD 88)









KWIK TRIP, Inc. P.O. BOX 2107 1626 OAK STREET LA CROSSE, WI 54602-2107 PH. (608) 781-8988 FAX (608) 781-8960



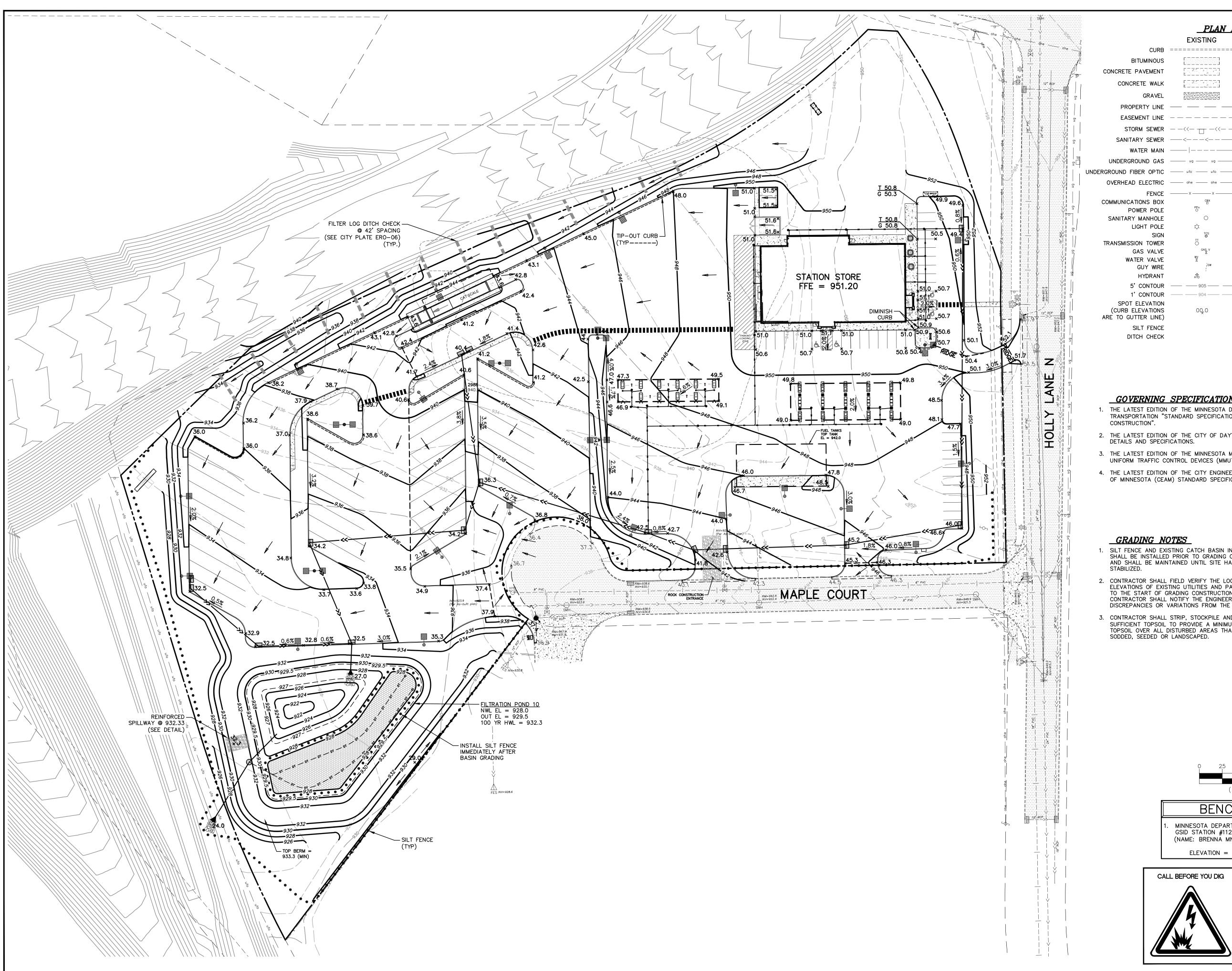
I hereby certify that this plan, specification or report was prepared by me or under my direct supervision

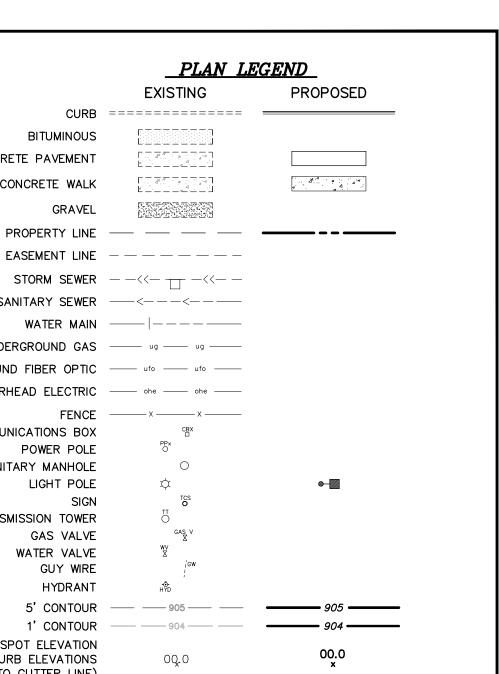
under the laws of the State of Minnesota. Name: \_\_\_\_\_Joseph T. Radach, P.E. Signature: 70e 1.

and that I am a duly Licensed Professional Engineer

Date: 08/18/21 License #: 45889

SI	
# DATE	DESCRIPTION
<u>10/25/</u>	21 Per City Comments
DRAWN BY	JTR
SCALE	GRAPHIC
PROJ. NO.	9354-00
DATE	2021-08-18
SHEET	1187 SP2





. . . . . . . . .

\_\_\_\_\_\_

PLAN LEGEND

**EXISTING** 

==========

CURB

BITUMINOUS

GRAVEL

EASEMENT LINE -----STORM SEWER --<<--SANITARY SEWER ---<---WATER MAIN -----

CONCRETE WALK

POWER POLE

LIGHT POLE

GAS VALVE WATER VALVE GUY WIRE

HYDRANT

5' CONTOUR 1' CONTOUR SPOT ELEVATION

SILT FENCE

DITCH CHECK

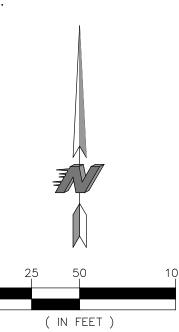
(CURB ELEVATIONS

# GOVERNING SPECIFICATIONS

- THE LATEST EDITION OF THE MINNESOTA DEPARTMENT OF TRANSPORTATION "STANDARD SPECIFICATIONS FOR CONSTRUCTION".
- THE LATEST EDITION OF THE CITY OF DAYTON STANDARD DETAILS AND SPECIFICATIONS.
- 3. THE LATEST EDITION OF THE MINNESOTA MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (MMUTCD).
- 4. THE LATEST EDITION OF THE CITY ENGINEERS ASSOCIATION OF MINNESOTA (CEAM) STANDARD SPECIFICATIONS.

## GRADING NOTES

- 1. SILT FENCE AND EXISTING CATCH BASIN INLET PROTECTION SHALL BE INSTALLED PRIOR TO GRADING CONSTRUCTION, AND STARL BE MAINTAINED UNTIL SITE HAS BEEN
- 2. CONTRACTOR SHALL FIELD VERIFY THE LOCATIONS AND ELEVATIONS OF EXISTING UTILITIES AND PAVEMENTS PRIOR TO THE START OF GRADING CONSTRUCTION. THE CONTRACTOR SHALL NOTIFY THE ENGINEER IMMEDIATELY OF DISCREPANCIES OR VARIATIONS FROM THE PLAN.
- 3. CONTRACTOR SHALL STRIP, STOCKPILE AND RESPREAD SUFFICIENT TOPSOIL TO PROVIDE A MINIMUM OF 4" OF TOPSOIL OVER ALL DISTURBED AREAS THAT WILL BE SODDED, SEEDED OR LANDSCAPED.



## BENCHMARKS

MINNESOTA DEPARTMENT OF TRANSPORTATION GSID STATION #11201 (NAME: BRENNA MNDT RM 2) ELEVATION = 950.22 FT. (NAVD 88)





# KWIK TRIP

# KWIK Star

KWIK TRIP, Inc. P.O. BOX 2107 1626 OAK STREET LA CROSSE, WI 54602-2107 PH. (608) 781-8988 FAX (608) 781-8960



3890 PHEASANT RIDGE DRIVE NE, SUITE 100, BLAINE, MN 55449 TEL 763.489-7900 \ FAX 763.489.7959 \ CARLSONMCCAIN.COM

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

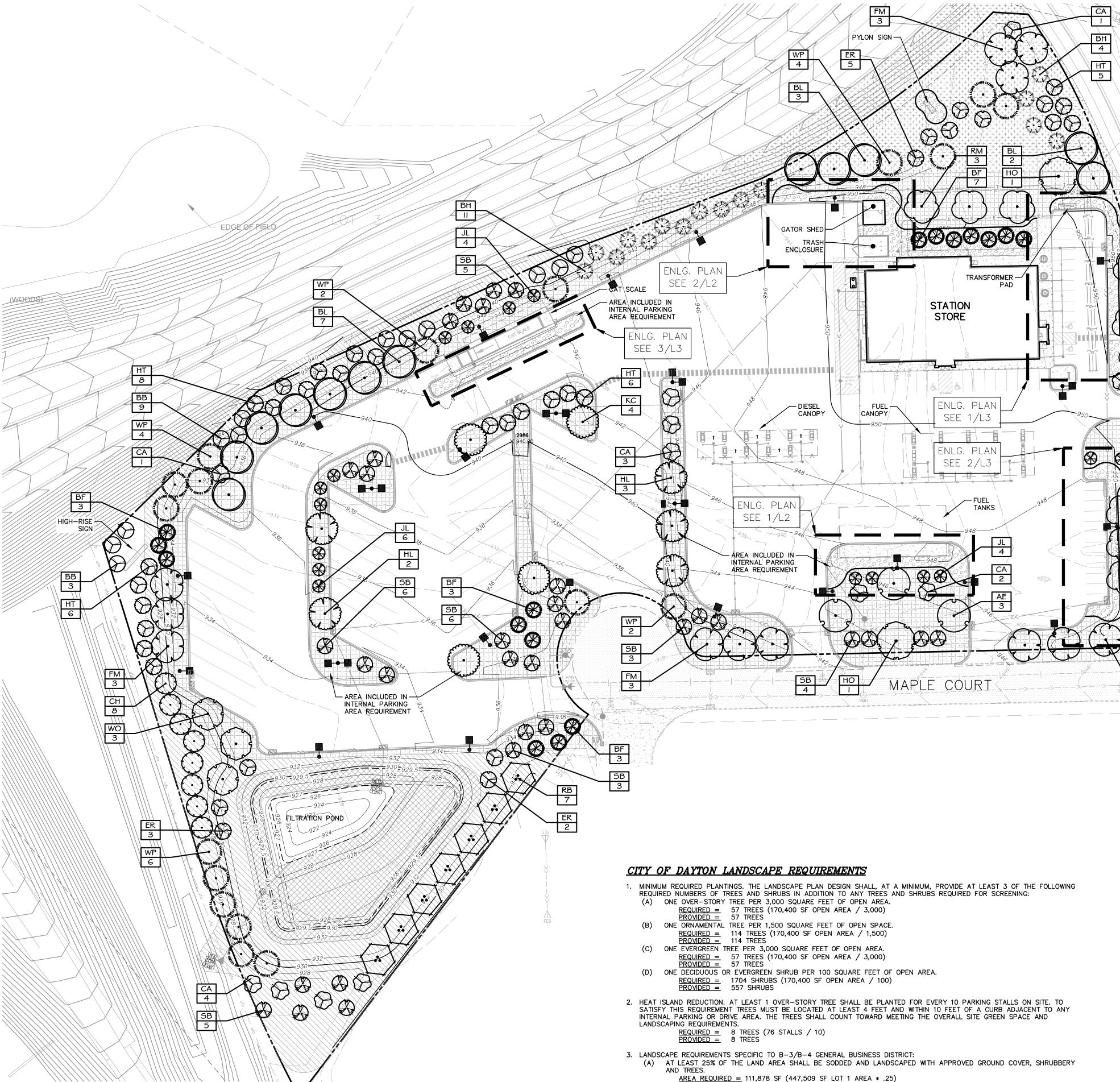
under the laws of the State of Minnesota. Name: Joseph T. Radach, P.E. Signature: 70e 1.

Date: 08/18/21 License #: 45889

 $\infty$ #

GRADING & CONTROL F

Ð	O	J > ≥ □
#	DATE	DESCRIPTION
	10/25/21	Per City Comments
_		
DRAWN BY		JTR_
SCALE		GRAPHIC_
PROJ. NO.		9354-00
DATE		2021-08-18
SHEET		1187 SP3



OVERALL LANDSCAPE PLAN

AREA PROVIDED = 170,400 SF (38%)

 $\underline{AREA PROVIDED} = 41,506 SF (17.7\%)$ 

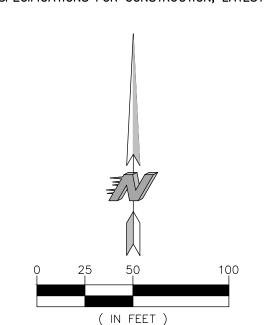
AREA REQUIRED = 7,077 SF (235,906 SF PARKING AREA \* .03)

OVERALL REQUIRED LANDSCAPE AREA.

(B) AT LEAST 3% OF THE INTERNAL PARKING AREA SHALL BE LANDSCAPED. THIS AREA IS COUNTED AS PART OF THE

### LANDSCAPE PLAN NOTES

- EXISTING CONDITIONS. CONTRACTOR SHALL VERIFY EXISTING CONDITIONS PRIOR TO BIDDING AND CONSTRUCTION START. ANY DISCREPANCIES FOUND THAT AFFECT THE WORK SHALL BE REPORTED TO THE OWNER/LANDSCAPE ARCHITECT FOR CLARIFICATION PRIOR TO BIDDING OR APPROVING ANY ADDITIONAL WORK REQUIRED.
- 2. <u>UTILITY LOCATES.</u> CONTRACTOR SHALL BE RESPONSIBLE FOR LOCATING AND VERIFYING ALL PUBLIC AND PRIVATE UTILITIES, INCLUDING IRRIGATION LINES, AT LEAST 48 HOURS BEFORE EXCAVATING OR IN ACCORDANCE WITH STATE LAW. IN MINNESOTA, CALL GOPHER STATE ONE-CALL AT 651-454-0002 FOR FIELD LOCATION OF PUBLIC UNDERGROUND UTILITY LINES. ALL LOCATES AND ITEMS
  NOTED AS 'FIELD VERIFY' ON THE PLANS SHALL BE VERIFIED BY THE CONTRACTOR AT THEIR EXPENSE.
- 3. <u>PERMITS.</u> CONTRACTOR SHALL VERIFY WITH THE OWNER/LANDSCAPE ARCHITECT THAT THE REQUIRED PERMITS HAVE BEEN OBTAINED PRIOR TO CONSTRUCTION START. CONTRACTOR SHALL BE RESPONSIBLE FOR COMPLYING WITH ALL APPLICABLE CODES, REGULATIONS, AND PERMITS GOVERNING THE WORK.
- 4. <u>EXISTING ITEMS TO REMAIN.</u> CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL EXISTING PAVEMENT, STRUCTURES, UTILITIES, TREES, SITE AMENITIES, ETC. THAT ARE TO REMAIN FROM DAMAGE DURING CONSTRUCTION. CONTRACTOR SHALL BE RESPONSIBLE FOR CORRECTING ANY DAMAGE (AT CONTRACTOR'S EXPENSE) TO EXISTING ITEMS TO REMAIN.
- 5. CONSTRUCTION STAGING AND ACCESS. CONTRACTOR SHALL VERIFY THE LOCATION FOR CONSTRUCTION STAGING AND SITE ACCESS WITH THE OWNER/LANDSCAPE ARCHITECT PRIOR TO CONSTRUCTION START. CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTAINING PEDESTRIAN AND VEHICLE ACCESS WITHIN AND ADJACENT TO THE SITE THROUGHOUT THE CONSTRUCTION PERIOD UNLESS OTHERWISE NOTED. LONG-TERM STORAGE OF MATERIALS OR SUPPLIES ON-SITE WILL NOT BE PERMITTED. ALL WASTE AND/OR UNUSED MATERIAL SHALL BE PROMPTLY REMOVED
- 6. <u>SITE REMOVALS.</u> REFER TO CIVIL PLANS FOR GENERAL SITE REMOVALS. ALL ITEMS NOTED TO BE REMOVED SHALL BE COMPLETED BY THE CONTRACTOR AND IMMEDIATELY DISPOSED OF OFF-SITE, IN ACCORDANCE WITH LOCAL REGULATIONS. UNLESS OTHERWISE NOTED. COORDINATE WITH OWNER/LANDSCAPE ARCHITECT FOR ANY ITEMS NOTED AS 'REMOVED BY OTHERS' OR 'REMOVE AND SALVAGE.'
- 7. <u>UTILITY COORDINATION.</u> REFER TO CIVIL PLAN SHEETS FOR INFORMATION RELATED TO PROPOSED UTILITIES. COORDINATE WITH ELECTRICAL CONTRACTORS FOR SITE ELECTRICAL WORK AND SITE LIGHTING.
- 8. <u>CONSTRUCTION STAKING.</u> UNLESS OTHERWISE NOTED, CONTRACTOR SHALL BE RESPONSIBLE FOR ESTABLISHING CONTROL POINTS AND ALL CONSTRUCTION FIELD STAKING DURING THE COURSE OF THE PROJECT.
- 9. <u>DIMENSIONS.</u> DIMENSIONS TAKE PRECEDENCE OVER SCALE. DIMENSIONS ARE TO FACE OF CURB, EDGE OF PAVEMENT/WALKWAY, OR OUTSIDE FACE OF BUILDING UNLESS OTHERWISE NOTED.
- 10. <u>PLAN QUANTITIES.</u> CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING ALL MATERIAL QUANTITIES PER PLAN. MATERIAL SCHEDULES ARE PROVIDED SOLELY FOR CONTRACTOR'S CONVENIENCE.
- 11. <u>REFERENCE SPECIFICATIONS.</u> THE FOLLOWING SPECIFICATIONS SHALL GOVERN THIS PROJECT ACCORDING TO THE FOLLOWING ORDER: 1. ADDENDA, WITH THOSE OF A LATER DATE HAVING PRECEDENCE OVER THOSE
  - OF AN EARLIER DATE.
    2. LANDSCAPE SPECIFICATIONS.
  - 3. PLAN DRAWINGS. 4. PLANT / MATERIAL SCHEDULES.
  - 5. CITY STANDARD SPECIFICATIONS AND DETAILS.
  - 6. MnDOT STANDARD SPECIFICATIONS FOR CONSTRUCTION, LATEST EDITION.







- 4. BUFFER YARD / SCREENING. PLANTING SCREENS SHALL BE FULLY IRRIGATED, CONSIST OF HEALTHY, HARDY PLANTS, A MINIMUM OF 6 FEET IN HEIGHT AND DESIGNED TO PROVIDE A YEAR ROUND VISUAL SCREEN AT THE TIME OF INSTALLATION WHENEVER SCREENING OR BUFFERING IS REQUIRED.
- (A) A MINIMUM OF 6 TREES PER 100 FEET OF PROPERTY BOUNDARY ADJACENT TO IMPACTED PROPERTY OR THE ROADWAY SHALL BE PROVIDED. ADDITIONAL TREES MAY BE REQUIRED TO ACCOMPLISH REQUIRED SCREENING. A VARIETY OF SPECIES, INCLUDING DECIDUOUS, NON- DECIDUOUS TREES AND SHRUBS SHALL BE PROVIDED. NORTH BUFFERYARD (DAYTON PARKWAY) - 995 LF
- $\frac{\text{REQUIRED}}{\text{REQUIRED}} = 60 \text{ TREES } (995 \text{ LF } / 100 \text{ X } 6)$  $\frac{PROVIDED}{} = 60 \text{ TREES}$ EAST BUFFERYARD (HOLLY LN N) - 562 LF (EXCLUDING DRIVEWAY ACCESS)
- $\frac{\text{REQUIRED}}{\text{REQUIRED}} = 34 \text{ TREES } (562 \text{ LF } / 100 \text{ X } 6)$ PROVIDED = 34 TREES
- SOUTH BUFFERYARD (MAPLE COURT) 399 LF (EXCLUDING DRIVEWAY ACCESS X4)  $\frac{\text{REQUIRED} = 24 \text{ TREES (399 LF } / 100 \text{ X 6)}}{24 \text{ TREES (399 LF } / 100 \text{ X 6)}}$
- PROVIDED = 24 TREES WEST BUFFERYARD (I-94) - 539 LF
- $\frac{\text{REQUIRED}}{\text{REQUIRED}} = 33 \text{ TREES (539 LF } / 100 \text{ X 6)}$  $\frac{PROVIDED}{} = 33 \text{ TREES}$
- PLANT MATERIAL CENTERS SHALL NOT BE LOCATED CLOSER THAN 5 FEET FROM THE FENCE LINE AND PROPERTY LINE, AND SHALL NOT CONFLICT WITH PUBLIC PLANTINGS, SIDEWALKS, TRAILS, AND THE LIKE. LANDSCAPE SCREEN PLANT MATERIAL SHALL BE STAGGERED TO AVOID SINGLE ROWS.
- SHRUBS SHALL BE ARRANGED TO LESSEN THE VISUAL GAPS BETWEEN TREES. ALONG ARTERIAL STREETS, ALL PLANTINGS OF DECIDUOUS TREES SHALL BE SUPPLEMENTED WITH SHRUBS SUCH THAT THE BUFFER YARD CONTAINS A CONTINUOUS
- DECIDUOUS SHRUBS SHALL NOT BE PLANTED MORE THAN 4 FEET ON CENTER, AND/OR EVERGREEN SHRUBS SHALL NOT
- BE PLANTED MORE THAN 3 FEET ON CENTER.
- DECIDUOUS TREES INTENDED FOR SCREENING SHALL BE PLANTED NOT MORE THAN 40 FEET APART. EVERGREEN TREES INTENDED FOR SCREENING SHALL BE PLANTED NOT MORE THAN 15 FEET APART.
- 5. PLANT SIZE. MINIMUM PLANT SIZE FOR REQUIRED PLANTINGS USED TO SATISFY THE MINIMUM REQUIREMENTS OF THIS POLICY
- SHALL BE AS FOLLOWS: OVERSTORY DECIDUOUS TREES SHALL BE AT LEAST TWO AND ONE-HALF INCHES IN DIAMETER.
- ORNAMENTAL TREES SHALL BE AT LEAST TWO INCHES IN DIAMETER.
- CONIFEROUS TREES MUST HAVE A MINIMUM HEIGHT OF SIX FEET. SHRUBS SHALL BE AT LEAST 18-24" IN HEIGHT.
- 6. UNDERGROUND IRRIGATION SHALL BE REQUIRED FOR ALL LANDSCAPE AREAS. SUCH IRRIGATION SHALL EXTEND TO INCLUDE PUBLIC BOULEVARDS AND INTO LANDSCAPED PARKING ISLANDS, EXCEPT NATURAL AREAS TO BE PRESERVED.





KWIK TRIP, Inc.

P.O. BOX 2107 1626 OAK STREET

LA CROSSE, WI 54602-2107

PH. (608) 781-8988 FAX (608) 781-8960



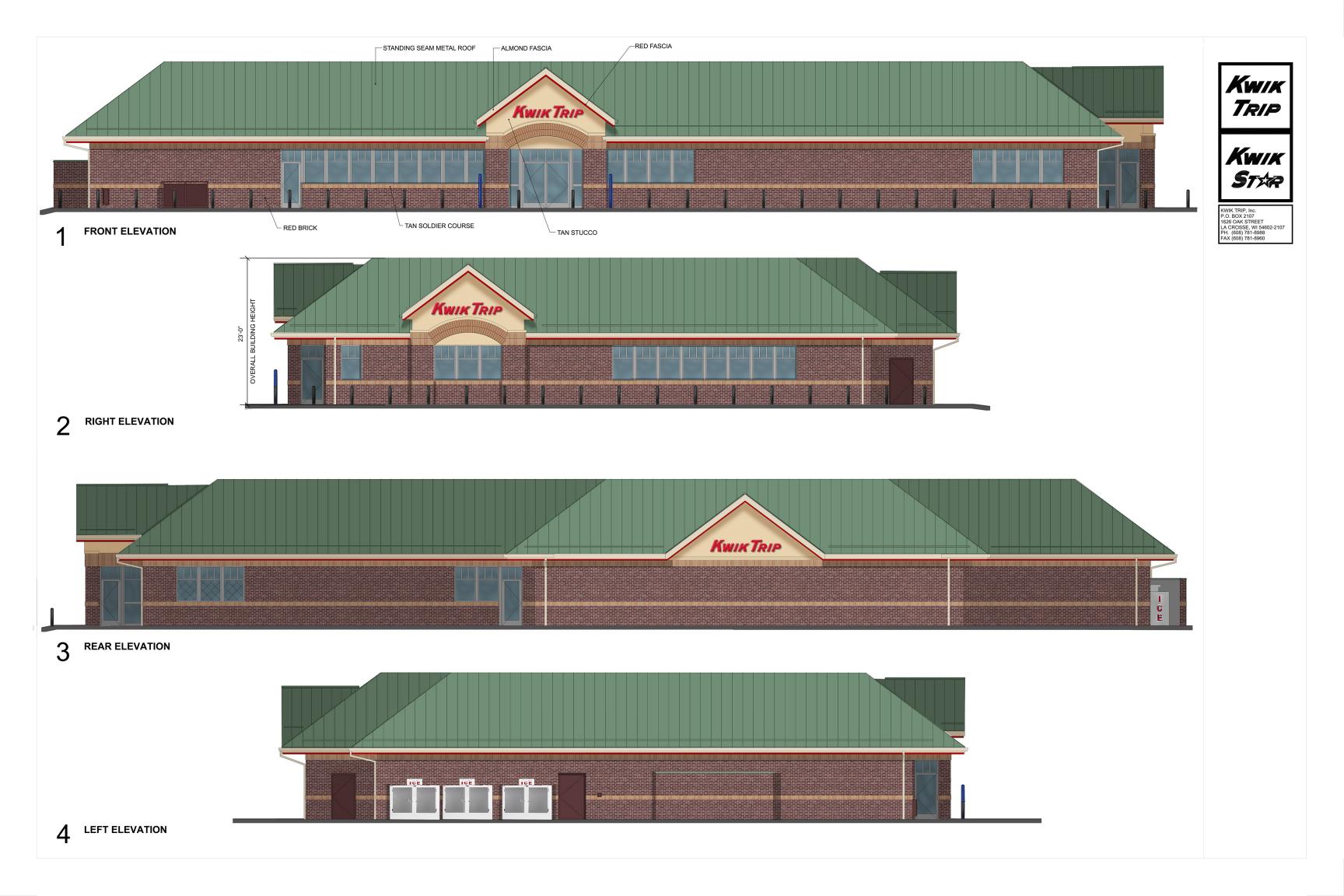
3890 PHEASANT RIDGE DRIVE NE, SUITE 100, BLAINE, MN 55449 EL 763.489-7900 \ FAX 763.489.7959 \ CARLSONMCCAIN.COM

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 Landscape Architect Name: Ryan J. Ruttsel, 244

Signature: License #: 56346 under the laws of the State of Minnesota.

 $\equiv \Box$ 

DATE DESCRIPTION 10/25/21 Per City Comments **GRAPHIC** 9354-00 2021-08-18 1187 L1 SHEET







KWIK TRIP, Inc. P.O. BOX 2107 1826 OAK STREET LA CROSSE, WI 54602-2107 PH. (608) 781-8988 FAX (608) 781-8960









EXTERIOR ELEVATIONS GEN 3 LARGE TRAVEL CENTER





KWIK TRIP, Inc. P.O. BOX 2107 1626 OAK STREET LA CROSSE, WI 54602-2107 PH. (608) 781-8988 FAX (608) 781-8960

10 MPD





Kwik Star

KWIK TRIP, Inc. P.O. BOX 2107 1626 OAK STREET LA CROSSE, WI 54602-2107 PH. (608) 781-8988 FAX (608) 781-8960

DIESEL

Meeting Date: 03-26-24

Item: L



### ITEM:

Jordan & Jaeger Ditch Stabilization Project

### PREPARED BY:

Jason Quisberg, Engineering

### POLICY DECISION / ACTION TO BE CONSIDERED:

Approve Plans and Authorize Quotes for the Jordan & Jaeger Ditch Stabilization Project

### **BACKGROUND:**

Hennepin County previously completed some culvert and stabilization improvements in a ravine located at 16630/16750 Dayton River Road. City Council authorized a project that would provide continued stabilization of the ravine, down to the Mississippi River, at the January 9<sup>th</sup> meeting.

At the January meeting, Council directed to limit project costs to keep the city's responsibility to a minimum; an \$85,000 cap for the project was suggested. The cost estimate and funding breakdown previously shared is below.

Construction Cost	\$70,000
Engineering Cost	\$32,290
Other Indirect Cost	\$2,710
Total Project Cost	\$105,000
Hennepin County Grant	-\$32,000
Elm Creek Watershed	-\$50,000
City Responsibility	\$23,000

Once quotes for the work are received, this estimate will be updated and evaluated. Based on projected remaining indirect costs, the project scope will be adjusted to target an \$85,000 total final project cost. A few notes regarding this action:

- 1. Engineering costs to date are tracking under that originally estimated.
- 2. Other indirect costs are anticipated to be less than that originally estimated.
- Should the anticipated total project cost still exceed \$85,000, the quantity of rip rap to be installed for stabilization can be reduced to again lower project costs below this threshold.

Because the anticipated construction cost for this project is below \$175,000, the city has the right to solicit contractor bids by direct invitation to selected contractors. (Following the public bidding process is <u>not</u> required.) This method saves costs, and time, on the project. It is assumed that invitational quotes will be the method used for bid solicitation. We will work with City staff to finalize the list of contractors for solicitation.

Quotes are to be submitted by April 17<sup>th</sup>. Quotes received will be brought to Council for review, and award, at the April 23<sup>rd</sup> meeting. The substantial completion date for this work is July 1<sup>st</sup>.

### **RECOMMENDATION:**

Should Council desire to proceed with the project, it is recommended that the quote package be approved as prepared and the solicitation of quotes for the work be authorized.

### ATTACHMENT(S):

Jaeger-Jordan Ditch Stabilization Quote Package

### **Request for Quotes For**

# Jaeger – Jordan Ditch Stabilization

Prepared for:

City of Dayton



March 2024 Stantec Project No. 227706669

# Request for Quotes



**TO:** Contractor

**FROM:** Josh Accola, P.E.

**DATE:** March 27<sup>th</sup>, 2024

**SUBJECT:** Jaeger – Jordan Ditch Stabilization

### **BACKGROUND**

The City of Dayton is requesting quotes to be received no later than 1:00 PM on April 17, 2024, for select contractors to perform work associated with the Jaeger – Jordan Ditch Stabilization project. This project is the stabilization of an eroding channel conveying stormwater runoff discharging from a culvert under Dayton River Road (CSAH 12) in Dayton to the Mississippi River. This culvert was replaced and lengthened by the County as part of a larger project on CSAH 12. The receiving channel is on private property and runs between two homes at 16630/16750 Dayton River Road. The concern is the existing channel degradation from the intermittently flowing pipe and the expectation that it may get worse as development across Dayton River Road increases runoff to the culvert.

# A pre-quote meeting will be held on site at 16630 Dayton River Road on April 10<sup>th</sup>. The meeting is not mandatory.

### 1) BASIS FOR PAYMENT

All work described herein shall be completed by the Contractor for the unit prices quoted in the attached quote form. Work includes all labor, equipment, appurtenances, and materials necessary to complete the work in full. All costs arising from the action of the elements or from any reasonably foreseeable difficulties that may be encountered during the prosecution of the work shall be included in the unit prices provided.

### 2) HEALTH AND SAFETY

All work to be conducted must conform to U.S. Occupational Safety and Health Administration (OSHA) rules and regulations, Code of Federal Regulations (CFR), Title 29 Parts 1910 and 1926, Minnesota Department of Labor and Industry Occupational Safety and Health Rule, Chapter 5205-5207, and the Drilling Safety Guide, International Drilling Federation, and other State, Local and Federal Laws.

### 3) MOBILIZATION/DEMOBILIZATION

Mobilization and demobilization shall consist of the following work, but not limited to: mobilization of materials and equipment to the site, preparation of all necessary permits, submittals, notifications and other documentation, final site clean-up, and demobilization of all materials and equipment from the site.

### 4) PUBLIC AND PRIVATE UTILITIES

It shall be the responsibility of the Contractor to clear all utilities. Contractor must notify Gopher State One Call (811) to check location of utilities prior to beginning work. Any private or public utilities damaged must be repaired at the Contractor's expense.



### **SCOPE OF WORK**

- 1) Jaeger Jordan Ditch Stabilization: This project will consist of clearing and grubbing existing leaves, brush, and debris from the stream corridor as well as numerous tree removals along the stream banks. The stream work will repair and stabilize the stream channel side slopes, add ten grade control structures, and restore native vegetation to prevent further erosion and damage to private property and reduce excess sediment and nutrients to the Mississippi River.
- 2) Technical specifications are provided for this scope of work. The contractor shall be responsible for performing all work in compliance with the specifications provided herein.

### **SCHEDULE**

- ▲ Pre-quote meeting held on-site on April 10, 2024.
- ▲ Quotes due by 1:00 PM, April 17, 2024.
- ▲ Anticipated Notice to Proceed issued by April 30, 2024.
- ▲ All field work to be substantially completed by July 1, 2024.

### **QUOTE SHEET SUBMITTAL**

Completed quote sheets shall be emailed to joshua.accola@stantec.com. If you have any questions, please call 651-395-5236 or email above.

A contract will be executed between the City of Dayton and the successful contractor following project award.

### **ATTACHMENTS**

- A. Jaeger Jordan Ditch Stabilization Construction Plans
- B. Jaeger Jordan Ditch Stabilization Specifications
- C. City of Dayton Contract
- D. Quote form
- E. Insurance Requirements

# Attachment A – Jaeger – Jordan Ditch Stabilization Construction Plans

# **CONSTRUCTION PLANS**

**FOR** 

# JAEGER - JORDAN DITCH STABILIZATION

CITY OF DAYTON, HENNEPIN COUNTY, MN

# **ENGINEER**

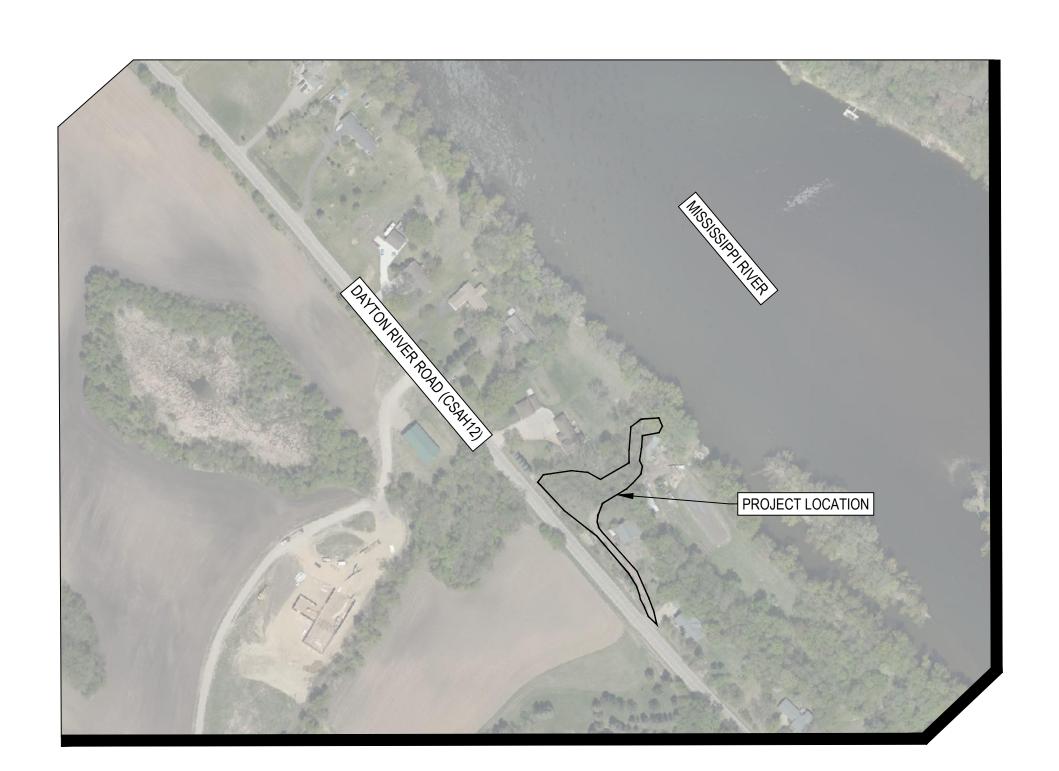


STANTEC CONSULTING SERVICES, INC. 1 CARLSON PARKWAY SUITE 100 PLYMOUTH, MN 55447 (P) - 715-207-5157 CONTACT: JOSH ACCOLA, P.E.

# OWNER

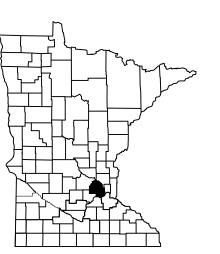


CITY OF DYTON 12260 SOUTH DIAMOND LAKE ROAD DAYTON, MN 55327 (P) - 763-427-4589 (F) - 763-427-3708



# PROJECT LOCATION MAP

NOT TO SCALE



PROJECT LOCATION CITY: DAYTON **COUNTY: HENNEPIN** 

# THIS PLAN SET CONTAINS 6 SHEETS

SHEET LIST TABLE			
Sheet Number	Sheet Title		
C-001	COVER		
C-002	EXISTING CONDITIONS		
C-003	REMOVALS AND EROSION CONTROL PLAN		
C-101	SITE PLAN		
C-201	EXISTING CROSS SECTIONS		
C-202	EXISTING CROSS SECTIONS (2)		
C-801	DETAILS		

THE CONTRACTOR SHALL BE RESPONSIBLE FOR CALLING FOR LOCATIONS OF ALL EXISTING UTILITIES. THEY SHALL COOPERATE WITH ALL UTILITY COMPANIES IN MAINTAINING THEIR SERVICE AND/OR RELOCATION OF LINES.

THE CONTRACTOR SHALL CONTACT GOPHER STATE ONE CALL AT 651-454-0002 AT LEAST 48 HOURS IN ADVANCE FOR THE LOCATIONS OF ALL UNDERGROUND WIRES, CABLES, CONDUITS, PIPES, MANHOLES, VALVES OR OTHER BURIED STRUCTURES BEFORE DIGGING. THE CONTRACTOR SHALL REPAIR OR REPLACE THE ABOVE WHEN DAMAGED DURING CONSTRUCTION AT NO COST TO THE OWNER. CALL BEFORE YOU DIG

**GOPHER STATE ONE CALL** TWIN CITY AREA: 651-454-0002

TOLL FREE 1-800-252-1166



PLYMMOUTH, MN 55447 PHONE: 763-479-4200



CITY OF DAYTON

CERTIFICATION:

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.

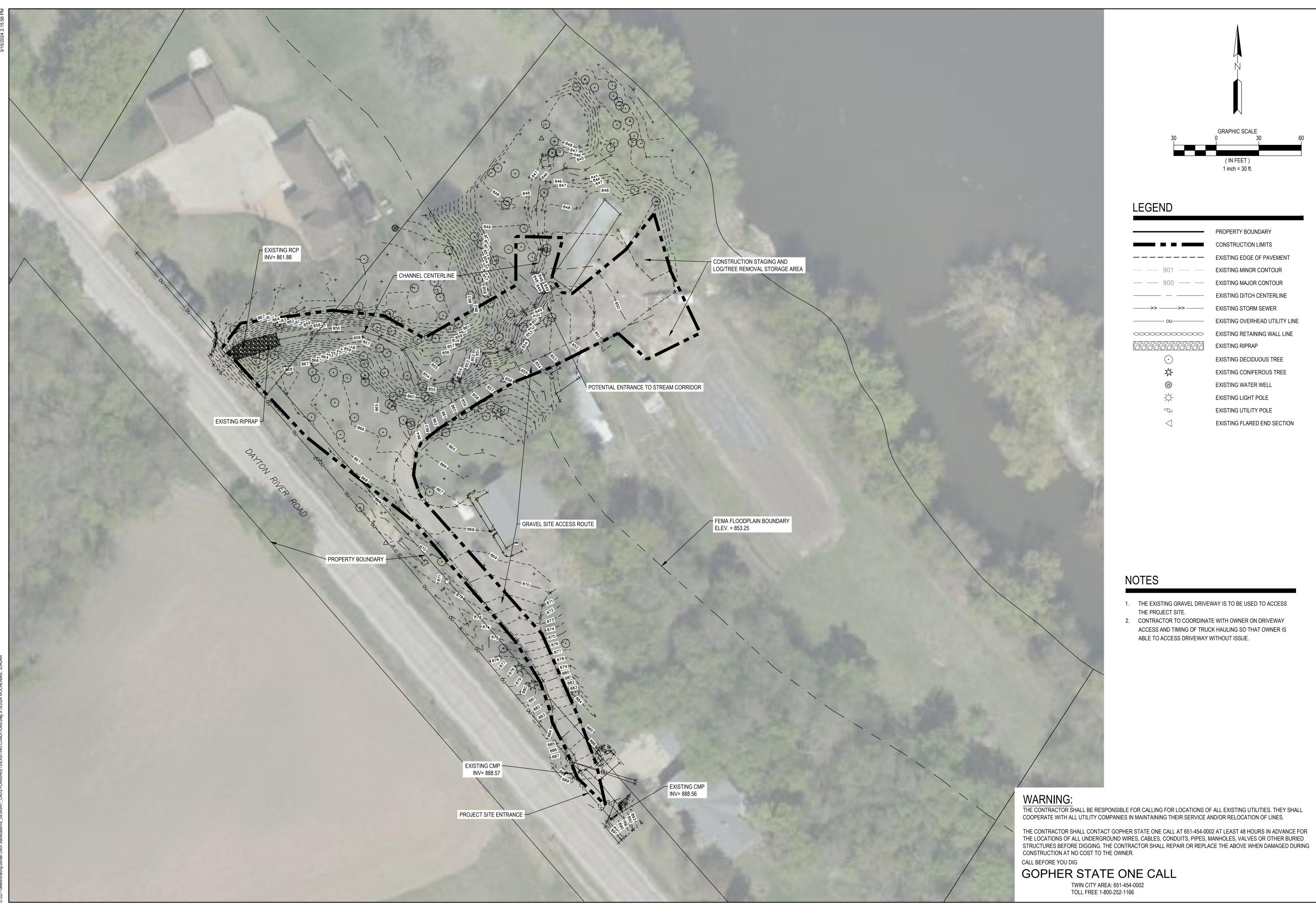
LICENSE NO.: 56108

DATE: 03/18/2024

DWN BY: | CHK'D BY: | APP'D BY: JTW JJOA JJOA 03/18/2024 ISSUE DATE: ISSUE NO.:

SHEET TITLE:

C-001



**Stantec** 

1 CARLSON PARKWAY SUITE 100 PLYMMOUTH, MN 55447 PHONE: 763-479-4200 WWW.STANTEC.COM

:

CITY OF DAYTON 260 S DIAMOND LAKE RD

12260 S DIAMOND LAKE RD DAYTON, MN 55327 PHONE: 763-427-4589 FAX: 763-427-3708

# \_

ABILIZATION
CITY OF DAYTON
ENNEPIN COUNTY, MN

JAEGER

DATE: DESCRIPTION: ISSUE NO. 03/18/2024 CONSTRUCTION PLAN SET 1 1

# CERTIFICATION:

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.

LICENSE NO.: 56108

DATE: 03/18/2024

 PROJECT NO.:
 27706669

 DWN BY:
 CHK'D BY:
 APP'D BY:

 JTW
 JJOA
 JJOA

ISSUE DATE: 03/18/2024
ISSUE NO.: 1

SHEET TITLE:

EXISTING CONDITIONS

C-002





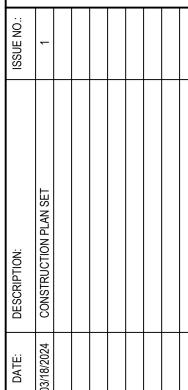
SUITE 100 PLYMMOUTH, MN 55447 PHONE: 763-479-4200

WWW.STANTEC.COM

Däyton

CITY OF DAYTON 12260 S DIAMOND LAKE RD DAYTON, MN 55327 PHONE: 763-427-4589 FAX: 763-427-3708

DITCH



CERTIFICATION: I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY
DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.

LICENSE NO.: 56108 DATE: 03/18/2024

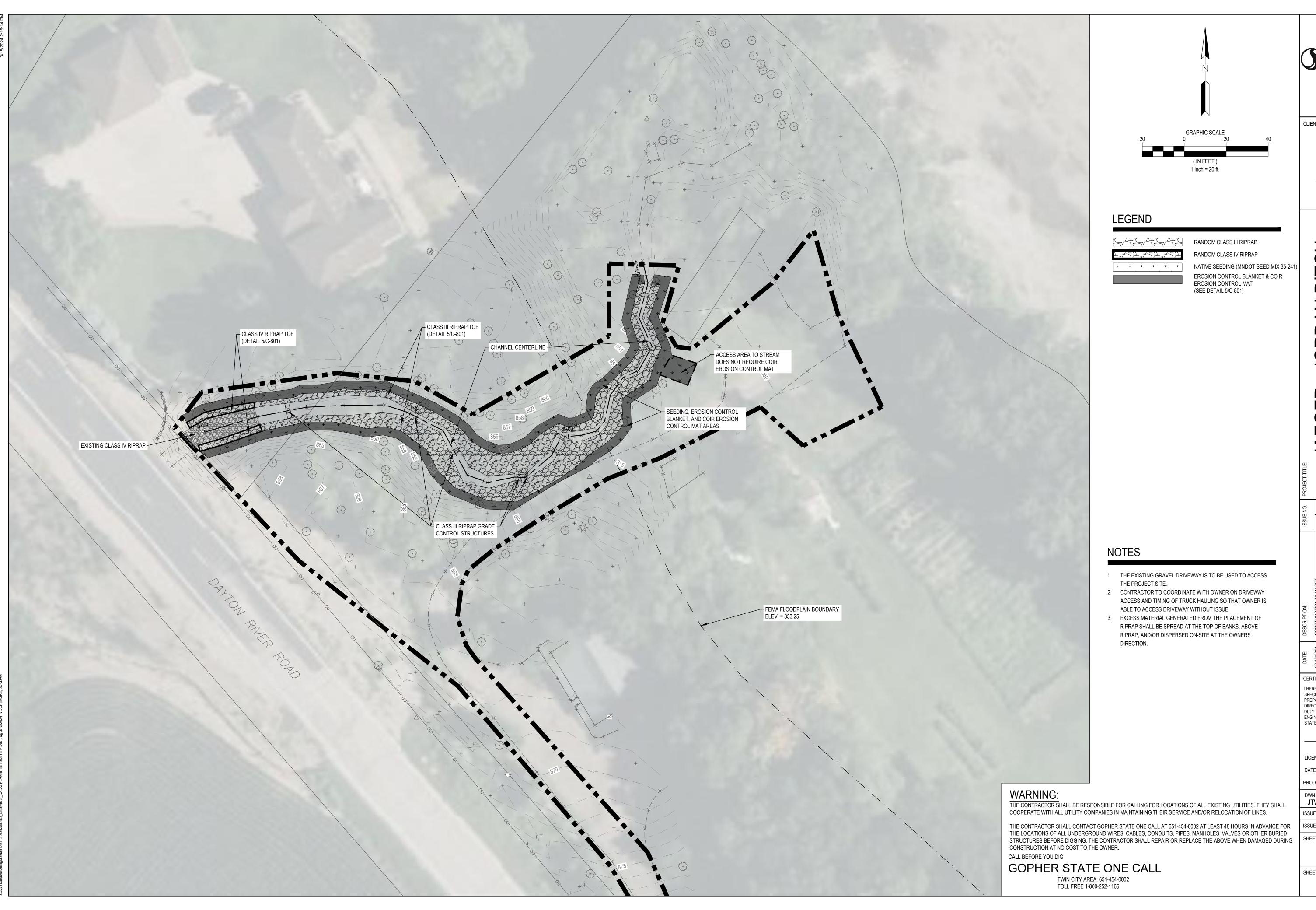
PROJECT NO.: 27706669

DWN BY: CHK'D BY: APP'D BY: JTW JJOA JJOA ISSUE DATE: 03/18/2024

ISSUE NO.:

SHEET TITLE: REMOVALS AND EROSION

CONTROL PLAN SHEET NO.: C-003



**Stantec** 

1 CARLSON PARKWAY SUITE 100 PLYMMOUTH, MN 55447 PHONE: 763-479-4200

WWW.STANTEC.COM

Däyton

CITY OF DAYTON 12260 S DIAMOND LAKE RD DAYTON, MN 55327 PHONE: 763-427-4589 FAX: 763-427-3708

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LICENSE NO.: 56108 DATE: 03/18/2024

PROJECT NO.:

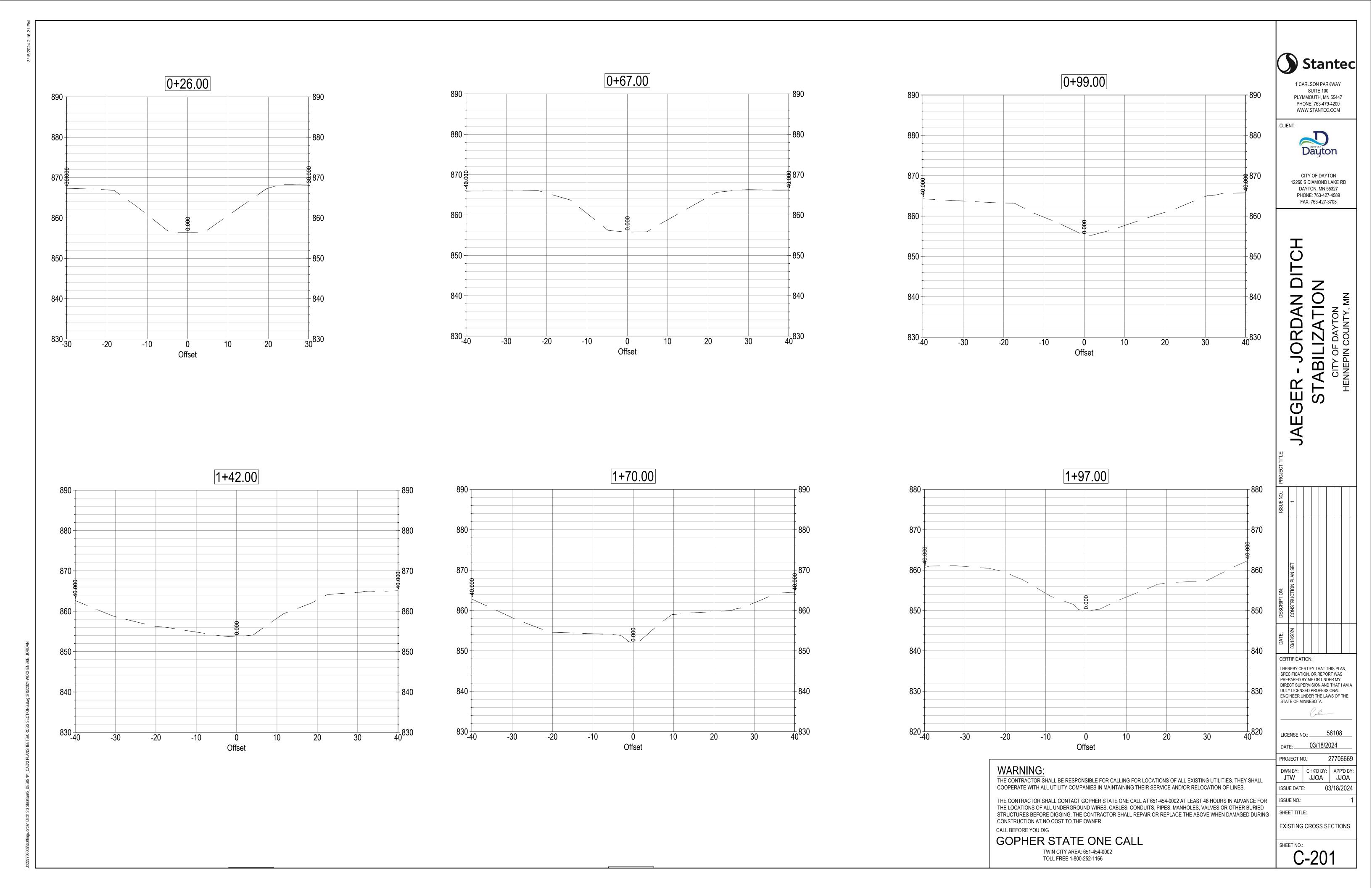
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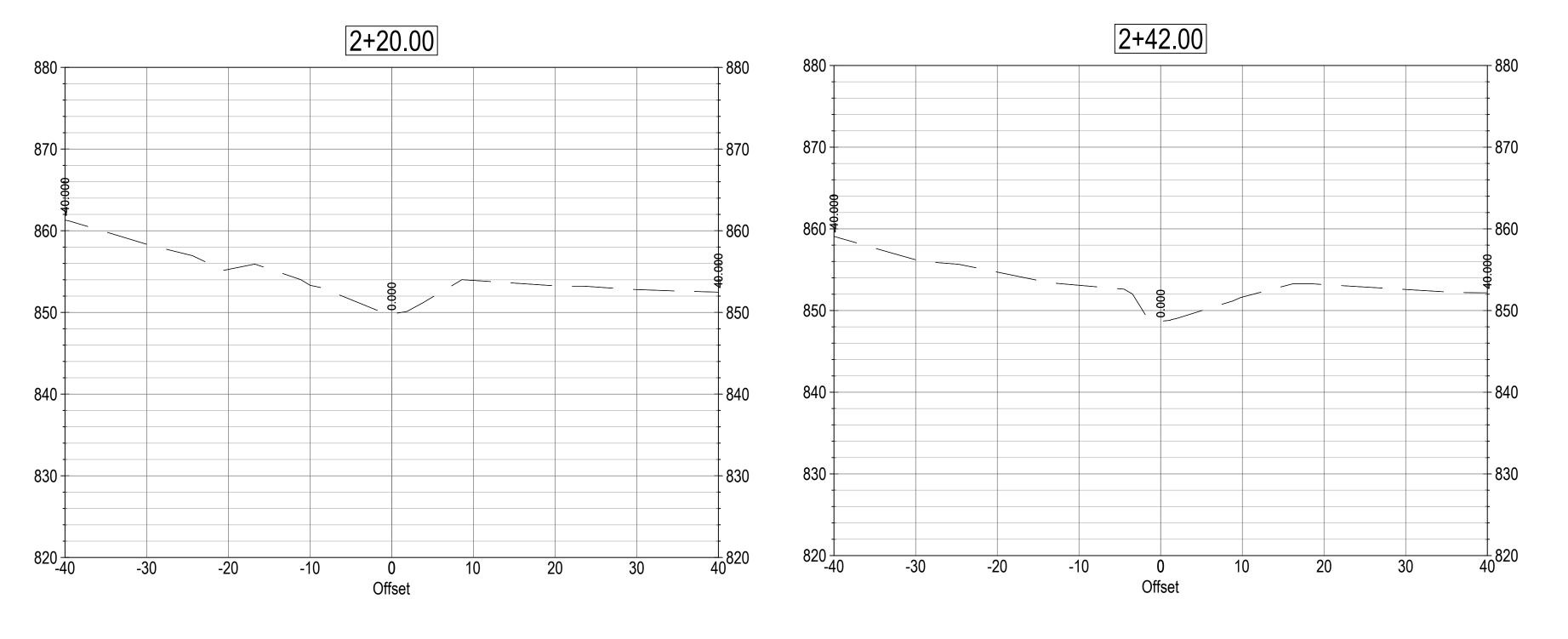
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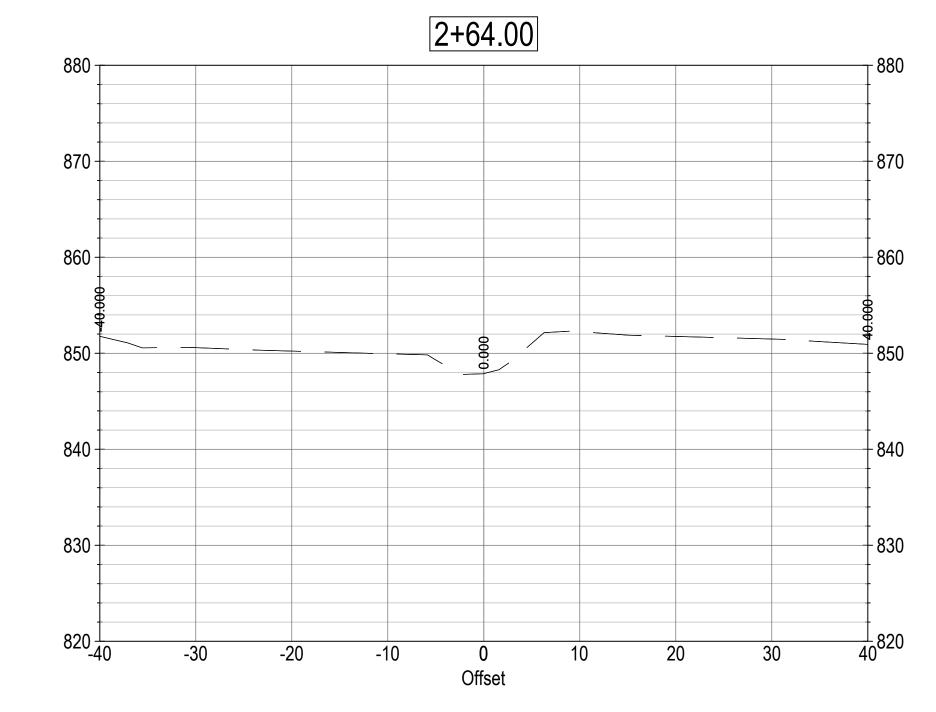
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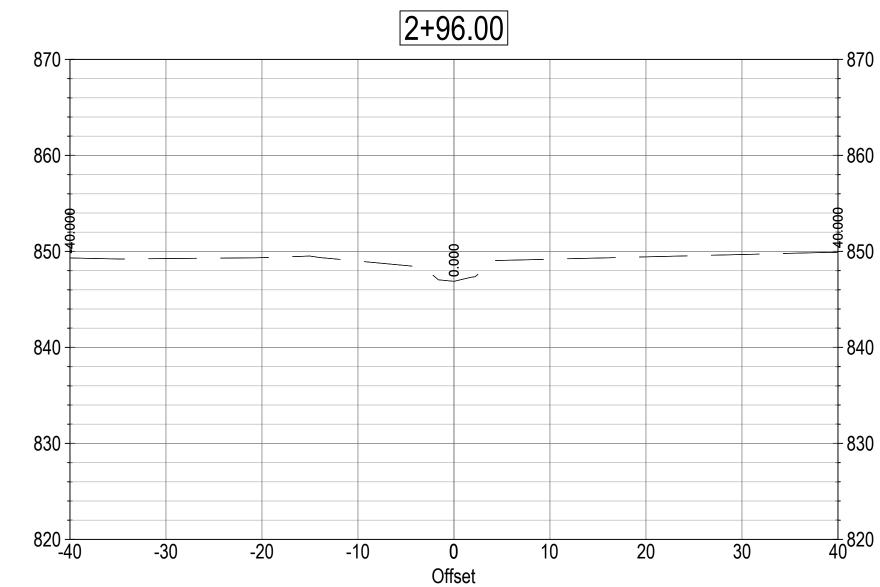
SITE PLAN

SHEET NO.: C-101









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CALL BEFORE YOU DIG

GOPHER STATE ONE CALL

TWIN CITY AREA: 651-454-0002 TOLL FREE 1-800-252-1166

**Stantec** 1 CARLSON PARKWAY

SUITE 100 PLYMMOUTH, MN 55447 PHONE: 763-479-4200 WWW.STANTEC.COM

CLIENT:



CITY OF DAYTON 12260 S DIAMOND LAKE RD DAYTON, MN 55327 PHONE: 763-427-4589 FAX: 763-427-3708

JORDAN DITCH JAEGER

CERTIFICATION:

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.

LICENSE NO.: 56108

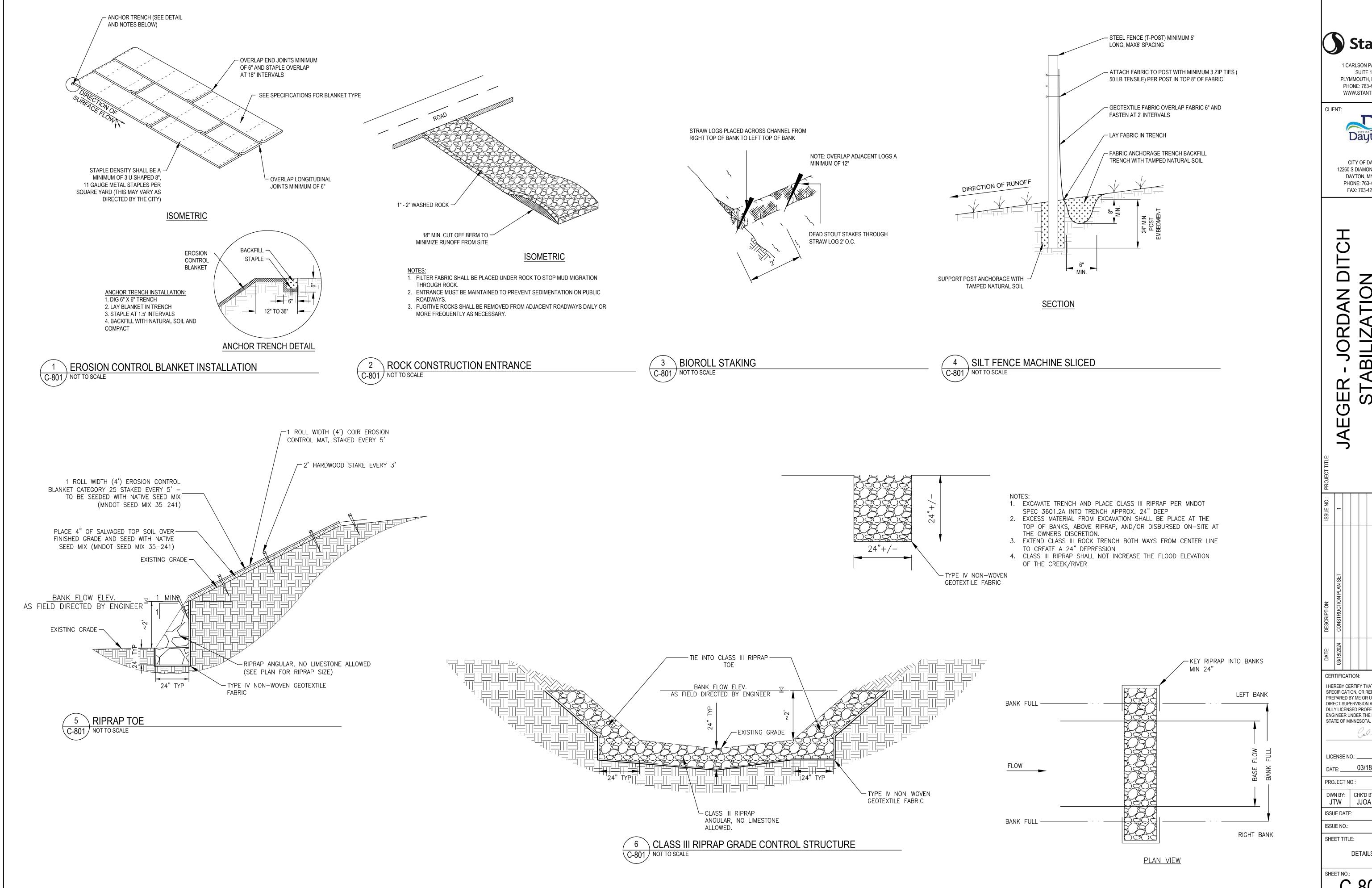
DATE: 03/18/2024

DWN BY: CHK'D BY: APP'D BY: JTW JJOA JJOA 03/18/2024 ISSUE DATE:

ISSUE NO.:

SHEET TITLE: EXISTING CROSS SECTIONS

SHEET NO.:



1 CARLSON PARKWAY SUITE 100 PLYMMOUTH, MN 55447 PHONE: 763-479-4200 WWW.STANTEC.COM

CLIENT:

Dayton

CITY OF DAYTON 12260 S DIAMOND LAKE RD DAYTON, MN 55327 PHONE: 763-427-4589

FAX: 763-427-3708

DITCH GER

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CERTIFICATION:

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LICENSE NO.: 56108

DATE: 03/18/2024 PROJECT NO.:

DWN BY: | CHK'D BY: | APP'D BY: JJOA JJOA JTW 03/18/2024 ISSUE DATE:

ISSUE NO.: SHEET TITLE:

**DETAILS** 

SHEET NO.: C-801

# Attachment B – Jaeger – Jordan Ditch Stabilization Construction Specifications

## SECTION 01 20 00 PRICE AND PAYMENT PROCEDURES

### **PART 1 - GENERAL**

### 1.1 SUMMARY

A. Work under this section includes descriptions of the measurement and payment methods for each bid item including directing the CONTRACTOR which work items shall have their prices merged and which are considered incidental to the project. The CONTRACTOR shall coordinate material supply, material delivery/unloading, construction, and inspection to assure efficient and orderly completion of the Work.

### 1.2 MEASUREMENT AND PAYMENT

### A. General

- 1. Measurement and payment criteria applicable to portions of the work performed.
- 2. Defect assessment and non-payment for rejected work.
- 3. Unit Quantities Specified:
  - a. Quantities and measurements indicated in the Bid Form are for bidding and contract purposes.
  - b. A Change Order may be submitted if the scope of work changes. Change Order approval will be required from the OWNER.

### 4. Measurement and Quantities:

- a. Measurement of quantities expressed as volume are based upon a neat plan line projection to the work limits as determined on the Bid Form for each item with no additional allowances for shrinkage, swelling, or creep.
- b. Measurements of quantities expressed as area shall be based upon square dimensions using mean length and width or radius.
- c. Measurement of quantities expressed as linear foot shall be based on the length projected in plan view based on survey points (i.e., slopes projected flat).
- d. Lump Sum/Price Measurement: Items measured by volume, area, or linear means or combinations, as appropriate, as a completed item or unit of work.

### 5. Payment:

- a. Payment for each lump sum and unit price stated in the itemized bill shall constitute full compensation for all required labor, products, tools, equipment, plant, transportation, services, and incidentals: erections, application on installation of an item of the work required to complete all work specified under that particular item including cleanup, and all costs for doing related work as set forth in these specifications and/or on the Drawings or implied in carrying out their intent.
  - 1) The price bid sum stated in the itemized bid shall be deemed to include an allowance for overhead and profit.
- b. Final payment for work governed will be made on the basis of bid quantities accepted by OWNER.

- c. Requests for payment shall be in accordance with the General Conditions of the Construction Agreement.
- d. Payment will be made to the limits as specified in the Contract Documents and as shown on the Drawings.
- e. No partial payments shall be made for the installation of items which have not been tested and approved.
- f. No partial payment shall be made for material delivered to the site and stored until installation.
- g. Payment for unit price items will be made monthly until completion of each unit price based on quantity estimated by CONTACTOR, and verified by OWNER. Final payment will be based on actual field measured quantities.

### 6. Defect Assessment:

- a. Replace the work, or portions of the work, not conforming to specified requirements.
- b. If, in the opinion of OWNER, it is not practical to remove and replace the work, OWNER will direct one of the following remedies:
  - 1) The defective work may remain, but the unit/price will be adjusted to a new sum/price at the discretion of OWNER.
  - 2) The defective work will be partially repaired to the instructions of OWNER, and the unit/sum price will be adjusted to a new sum/price at the discretion of the OWNER.
- c. The individual specification sections may modify these options or may identify a specific formula or percentage sum/price reduction.
- d. The authority of OWNER to assess the defect and identify payment adjustment is final.

### 7. Non-Payment for Rejected Products:

- a. Payment will not be made for any of the following:
  - 1) Products wasted or disposed of in a manner that is not acceptable.
  - 2) Products determined as unacceptable before or after placement.
  - 3) Products not completely unloaded from the transporting vehicle.
  - 4) Products placed beyond the lines and levels of the required work.
  - 5) Products remaining on hand after completion of the work.
  - 6) Loading, hauling, and disposing of rejected products.

### B. Bid Items:

- 1. Mobilization and Demobilization Project Manual
  - a. Basis of Measurement: By lump sum.
  - b. Basis of Payment: At the unit price per lump sum.
  - c. Includes: Unit price includes, but is not limited to, materials, equipment, labor for movement to and from the project site, permits, bonds, contractor temporary facilities, and other miscellaneous items.
  - d. Payment Schedule:
    - Partial payment of the Lump Sum Bid Item "Mobilization and Demobilization" will be made using a percentage based on the following:

	<u>Cumulative Percent</u>
First Partial Payment	50
Percent of original contract earned – 25	70
Percent of original contract earned – 50	90
Percent of original contract earned – 100	100

- 2. Temporary Rock Construction Entrance Maintained Section 31 25 00
  - a. Basis of Measurement: By each temporary entrance installed, maintained, and removed.
  - b. Basis of Payment: At the unit price per each temporary entrance installed.
  - c. Includes, but is not limited to: Unit price includes materials, equipment, and labor required to furnish, install, and maintain temporary construction entrance for the duration of the project as specified.
  - d. Payment Schedule: 80-percent payment will be made upon installation and 20-percent will be made upon removal and restoration.
- 3. Clear Trees Section 31 10 00
  - a. Basis of Measurement: By each tree cleared without regard to DBH.
  - b. Basis of Payment: At the unit price per each tree cleared.
  - c. Includes: Unit price includes, but is not limited to, material, equipment, labor necessary for removal and disposal of trees.
- 4. Silt Fence, Type MS Maintained Section 31 25 00
  - a. Basis of Measurement: By the lineal foot of silt fence installed, maintained, and removed.
  - b. Basis of Payment: At the unit price per lineal foot of silt fence installed.
  - c. Includes, but is not limited to: Unit price includes materials, equipment, and labor required to furnish, install, and maintain silt fence for the duration of the project as specified.
  - d. Payment Schedule: 80-percent payment will be made upon installation and 20-percent will be made upon removal and restoration.
- 5. Sediment Control Log Type Straw (or Bioroll) Maintained Section 31 25 00
  - a. Basis of Measurement: By the lineal foot of sediment control log installed and maintained.
  - Basis of Payment: At the unit price per lineal foot of sediment control log installed.
  - c. Includes, but is not limited to: Unit price includes materials, equipment, and labor required to furnish, install, and maintain sediment control log for the duration of the project as specified.
  - d. Payment Schedule: 80-percent payment will be made upon installation and 20-percent will be made upon removal and restoration.
- 6. Clearing and Grubbing Section 31 10 00
  - a. Basis of Measurement: By lump sum.
  - b. Basis of Payment: At the unit price per lump sum.
  - c. Includes: Unit price includes, but is not limited to, material, equipment, labor necessary for the clearing and grubbing of leaves, brush, fallen

trees, and debris and offsite removal and disposal of cleared/grubbed material.

- 7. Erosion Control Blanket Category 25 Section 31 25 00
  - a. Basis of Measurement: By the square yard of erosion control blanket installed, without regard to overlap.
  - b. Basis of Payment: At the unit price per square yard of erosion control blanket installed.
  - c. Includes, but is not limited to: Unit price includes materials, equipment, and labor required to furnish, install, and maintain erosion control blanket, preparation of topsoil, watering, and maintenance as specified.
- 8. Coir Erosion Control Mat Section 31 25 00
  - a. Basis of Measurement: By square yard of erosion control mat installed, without regard to overlap.
  - b. Basis of Payment: At the unit price per square yard of coir erosion control mat installed.
  - c. Includes, but is not limited to: Unit price includes materials, equipment, and labor required to furnish and install coir erosion control mat with 2' hardwood stakes, anchors, and other appurtenances.
- 9. Random Riprap Class III Section 31 37 00
  - a. Basis of Measurement: By the ton of material placed and accepted as determined from weight tickets delivered to the Engineer.
  - b. Basis of Payment: At the unit price per ton of riprap placed.
  - c. Includes, but is not limited to: Unit price includes materials, equipment, and labor required to furnish and install riprap with geotextile.
- 10. Random Riprap Class IV Section 31 37 00
  - a. Basis of Measurement: By the ton of material placed and accepted as determined from weight tickets delivered to the Engineer.
  - b. Basis of Payment: At the unit price per ton of riprap placed.
  - c. Includes, but is not limited to: Unit price includes materials, equipment, and labor required to furnish and install riprap with geotextile.
- 11. Geotextile Fabric, Type IV Non-Woven Section 31 37 00
  - a. Basis of Measurement: By the square yard of fabric installed based on design Drawings without regard to overlap. Quantity paid shall be Drawing quantity with no adjustment to the area unless the scope of the geotextile has changed from that shown on the Drawings.
  - b. Basis of Payment: At the unit price per square yard of fabric installed.
  - c. Includes, but is not limited to: Unit price includes materials, equipment, and labor required to furnish and install geotextile with joint sewing and other appurtenances.
- 12. Native Seed Mix (MnDOT Seed Mix 35-241) Section 32 92 19
  - Basis of Measurement: By the acre of seed mix installed and maintained upon submittal of seed bag receipts and proof the seed was applied as specified.
  - b. Basis of Payment: At the unit price per acre of seed mix installed.
  - c. Includes, but is not limited to: Unit price includes materials, equipment, and labor required to furnish and install seed with preparing topsoil,

preparation of seedbed, mulch, maintenance, replacement and repair as necessary, warranty and all correlated activity as specified.

PART 2 - PRODUCTS (NOT USED)

**PART 3 - EXECUTION (NOT USED)** 

**END OF SECTION** 

### SECTION 31 10 00 SITE CLEARING

### **PART 1 - GENERAL**

#### 1.1 SUMMARY

A. Section includes removal and disposal of trees and stumps, windfalls, logs, roots, vegetation and stripping and stockpiling of topsoil.

### 1.2 SEQUENCING AND SCHEDULING

- A. Coordinate Work with others performing work at project site.
- B. Notify the OWNER and ENGINEER prior to the start of clearing.
- C. Notify Gopher State One Call (800-252-1166) to mark locations of utilities prior to beginning the Work.
- D. Coordinate marking of clearing/removal limits with ENGINEER prior to commencing work. Approximate limits are shown on the Drawings; however, actual limits will be determined in the field by the ENGINEER.
- E. Tree removal/clearing is prohibited between June 1 and August 15.

### 1.3 QUALITY ASSURANCE

A. Site Clearing Contractor Qualifications: Tree removal shall be completed by qualified personnel/businesses and according to accepted horticulture practices. Minimum five years' experience. Minimum three projects similar to that of this Project within the last two years.

### 1.4 MEASUREMENT AND PAYMENT

- A. Refer to Price and Payment Procedures (Section 01 20 00).
- B. All work and costs associated with completing the work as specified on the Drawings and in the Specifications shall be included in the total project cost.

### **PART 2 - PRODUCTS**

### 2.1 WOUND DRESSING

- A. Asphalt base tree paint.
- B. Other acceptable materials per ENGINEER'S approval.

### **PART 3 - EXECUTION**

### 3.1 GENERAL

A. Perform clearing and grubbing in accordance with Mn/DOT Spec 2101 Clearing and Grubbing and as described herein.

- B. Dispose of all debris offsite.
- C. Review clearing/removal limits with ENGINEER prior to commencing Work.
- D. Stockpile soil to eliminate contamination with other onsite materials.
- E. Perimeter protection for stockpiles shall be placed prior to stripping of materials.
- F. Clearing and grubbing consists and cutting and disposing of trees, brush, windfalls, logs, and other vegetation, and removing and disposing of roots, stumps, stubs, grubs, logs, and other timber.
- G. Do not remove, cut down, or pull out trees unless clearly marked, and then only after approved by OWNER.
- H. Trees leaning over the channel, limbs sweeping down toward the channel and fallen limbs or branches in the channel shall be removed as directed by the ENGINEER.

### 3.2 PREPARATION

- A. Conduct operations within the limits of construction and in accordance with the staked removal/clearing limits.
- B. Conduct operations in such a manner that does not damage protected trees and vegetation outside of limits of removal/clearing or construction.
- C. Install all required traffic control and erosion and sediment control devices prior to commencing Work.
- D. Do not close or obstruct roadways. Do not store or place materials in passageways or other means of egress. Conduct operations with minimum traffic interference.
- E. Provide all necessary barriers, warning signs and traffic control for each removal case.

### 3.3 CLEARING AND GRUBBING

### A. Clearing Trees:

- 1. Cut and remove trees, brush, shrubs, windfalls, logs, stumps, roots, fallen timber, and other vegetation in the areas designated for clearing.
- 2. Prune and remove any low hanging, unsafe or broken branches.
- 3. When grubbing not required, the cutoff point shall be 6 inches above the ground.

### B. Grubbing:

- 1. Remove and dispose of designated stumps, roots and other remains.
- 2. Completely remove stumps.
- 3. Backfill depressions with native soils and compact backfill as directed by the ENGINEER.

### 3.4 DISPOSAL

A. Consider Beneficial Use Designations for unadulterated wood, wood chips, bark and sawdust.

- B. Dispose of all associated debris resulting from clearing and grubbing offsite, unless noted otherwise, at a location determined by the CONTRACTOR, in accordance with all codes, laws, rules, regulations, statutes, etc.
- C. Burying of cleared and grubbed waste within the limits of construction shall be prohibited.
- D. Dispose of all unused topsoil and vegetation offsite in a legal manner.
- E. Provide OWNER and ENGINEER documentation of disposal location. Provide to the ENGINEER and OWNER an Emerald Ash Borer compliance agreement with the Minnesota Department of Agriculture if moved out of quarantined areas. Dispose of ash, pine, elm, and oak wilt infected trees in accordance with proper forestry disposal standards that prevent spreading insects and disease pests.

### 3.5 PROTECTION

A. Protect all trees and plant materials not designated for removal. No vehicles or stripping shall occur within dripline (branch spread) of trees identified to remain.

### 3.6 MAINTENANCE

A. CONTRACTORs performance warranty shall include any necessary work done during the warranty period to remove suckering of cleared or grubbed trees and to perform additional preventative work as required.

END OF SECTION

## SECTION 31 25 00 EROSION AND SEDIMENTATION CONTROLS

### **PART 1 - GENERAL**

### 1.1 SUMMARY

A. Section includes installation of erosion and sedimentation controls, including silt fence, erosion control blanket, rock construction entrances, riprap, sediment control logs, and other similar materials as shown on the Drawings.

### 1.2 REFERENCES

- A. Minnesota Department of Transportation, (Mn/DOT), Standard Specifications for Construction, Latest Edition with Supplements:
  - 1. 2575 Establishing Turf and Controlling Erosion.
  - 2. 3876 Seed
- B. Minnesota Department of Transportation Seeding Manual (Mn/DOT Seeding Manual), Latest Edition.

### 1.3 SUBMITTALS

- A. Product Data: Manufacturer's data sheets on each product to be used
  - 1. Preparation instructions and recommendations
  - 2. Storage and handling requirements and recommendations
  - 3. Manufacturer's certificates indicating specification conformance test results of furnished material.

### 1.4 SEQUENCING AND SCHEDULING

- A. Sediment control measures (silt fence, bioroll, etc.) must be in place prior to removals and grading activities.
- B. Coordinate construction operations so that erosion and sediment control measures (temporary or permanent) are installed and maintained concurrently with the remaining work of the project.
- C. If the CONTRACTOR fails to install erosion or sediment measures, the ENGINEER may withhold payment from related work until the control measures are in place by the CONTRACTOR.
  - 1. If the CONTRACTOR fails to take action ordered by the ENGINEER to remedy erosion or sediment control problems, the ENGINEER shall issue a Written Order to the CONTRACTOR.
  - 2. The CONTRACTOR shall respond within 24 hours with sufficient personnel, equipment, materials, and conduct the required work or be subject to a \$1,000 per calendar day deduction for noncompliance.
- D. Establish permanent turf in accordance with (Section 32 92 19).

### 1.5 QUALITY ASSURANCE

A. Erosion Control Contractor Qualifications:

### 1. Erosion Control Supervisor

a. Provide a Supervisor responsible for directing the erosion control operations and ensure erosion and sedimentation controls are implemented according to the specifications and in compliance with all Federal, State, and Local Ordinances and regulations.

### 2. Certified Installer

- a. Provide a certified installer to install or direct installation of erosion and sediment control practices.
- b. Certified by the University of Minnesota Erosion Control Inspector/Installer Certification Program or approved equal.
- B. Installer Qualifications: Work shall conform to State Horticultural Standards, local municipal requirements, and BWSR and DNR guidelines for landscape plantings. CONTRACTOR shall have successfully completed 3 projects similar to that of this project within the last 2 years. CONTRACTOR shall submit the names of those projects along with the project Owner contact information.

### 1.6 PERMITS AND LICENSES

A. Project does not disturb 1 or more acres of total land area and is not part of a larger common plan of development or sale that will ultimately disturb 1 or more acres. Submission of the application for the MPCA's General Stormwater Permit for Construction Activity is not required; however, the CONTRACTOR shall comply with all provisions of the NPDES construction site general permit.

### 1.7 MEASUREMENT AND PAYMENT

- A. Refer to Price and Payment Procedures (Section 01 20 00).
- B. All other work and costs associated with completing the work as specified on the Drawings and in the Specifications shall be included in the total project cost.

### **PART 2 - PRODUCTS**

### 2.1 MATERIALS

- A. Silt Fence: Conform to Mn/DOT Specs 2573 Storm Water Management 3886 Silt Fence, Type MS Machine Sliced.
- B. Sediment Control Log (Bioroll): Conform to Mn/DOT Specs 2573 Storm Water Management and 3897 Sediment Control Log, Type Straw. Straw biorolls, 8 to 9 inches in diameter, minimum 10 feet long, filled with grain straw, free of seed bearing stalks of noxious grasses or weeds with natural fiber outer netting.
- C. Erosion Control Blanket: Conform to Mn/DOT Specs 2575 Establishing Vegetation and Controlling Erosion and 3885 Rolled Erosion Control Product, Category 25.
- D. Temporary Rock Construction Entrance: Conform to Mn/DOT Spec 2573.3.H Construction Exit Controls.
- E. Riprap: Refer to Riprap (Section 31 37 00)

- F. Coir Erosion Control Mat: BioD-Mat 40 woven bristle coir erosion control mat by Rolanka International, Inc. or approved equal.
- G. Water: CONTRACTOR shall be responsible for obtaining and the application of water during the establishment period. All water shall be considered incidental.

### **PART 3 - EXECUTION**

### 3.1 GENERAL

- A. Conform to Mn/DOT Specs 2573.3.A General and 2575.3.A General.
- B. Install necessary erosion and sedimentation controls prior to beginning excavation and grading activities.
- C. Install erosion and sedimentation controls at the locations shown on the Drawings.
- D. Establish turf and vegetation in conformance with project specifications and Drawings.
- E. Comply with all applicable laws, ordinances, regulations, permit requirements, orders pertaining to erosion and sediment control and stormwater discharge.
- F. Take necessary precautions to prevent offsite damage resulting from work conducted on the project related to stormwater runoff.

### 3.2 INSTALLATION

- A. Install temporary stormwater management and sediment control devices in conformance with the details, typical sections, and elevations shown on the Drawings.
- B. The location of the temporary stormwater and sediment control devices may be adjusted to accommodate actual field conditions and increase the effectiveness of the installation.

### C. Silt Fence

- 1. Conform to Mn/DOT Spec 2573.3.B Silt Fence Installation.
- 2. Install at locations shown on the Drawings or as directed by the ENGINEER.
- 3. Install silt fence downgradient of grading activities.
- 4. Install silt fence or sediment control log around the perimeter of soil stockpiles.
- 5. Use additional measures, such as rock, placed along the base of the silt fence when the geotextile cannot be properly trenched.

### D. Sediment Control Log (Bioroll)

- 1. Conform to Mn/DOT Spec 2573.3.F Sediment Control Log Installation
- 2. Install at locations shown on the Drawings or as directed by the ENGINEER.
- 3. Install silt fence or sediment control log around the perimeter of soil stockpiles.

### E. Erosion Control Blanket

1. Conform to Mn/DOT Spec 2575.3.G Erosion Control Blankets.

- 2. Install erosion control blanket on disturbed slopes greater than 5H:1V or as shown on the Drawings.
- 3. Install blanket parallel to the direction of flow.
- 4. Install in accordance with Manufacturer's recommendations.
- 5. Wood stakes to be in accordance with Mn/DOT Spec 3897.2.H Anchoring.
- 6. The CONTRACTOR shall place erosion control fabric with the longest dimension parallel to the direction of water flow and with a 12-inch minimum edge of fabric on the riprap. The CONTRACTOR may furnish and use a form to hold the erosion control fabrics.
- 7. Where multiple erosion control blanket lengths are required, they shall be placed with the longest dimension parallel to the direction of water flow. If not seamed, splices and joints shall be overlapped a minimum of 18 inches, except underwater the overlap shall be 36 inches. The joint laps shall be shingled (both in the flow direction) so as to direct water flow over the joint without undermining. Upgrade edges of the fabric area shall be buried sufficiently to direct water flow over the fabric without undermining. See Drawing details for additional requirements.
- F. Temporary Rock Construction Entrance
  - 1. Conform to Mn/DOT Spec 2573.3.H Construction Exit Controls.
  - 2. Install at the locations shown on the Drawings or at other location(s) determined by CONTRACTOR with approval of the ENGINEER.
- G. Riprap
  - 1. Conform to Mn/DOT Spec 2511 Riprap.
- H. Coir Erosion Control Mat
  - Install per manufacturer requirements.

### 3.3 MAINTENANCE

- A. Conform to Mn/DOT Spec. 2573.3.M Maintenance and 2575.3.K Maintenance and as follows:
  - 1. Inspect, maintain, and repair any washouts or accumulations of sediment that occur as a result of construction.
  - 2. Inspection of all erosion and sediment control items shall take place in accordance with NPDES construction stormwater permit requirements, immediately after each runoff event and at least daily during prolonged rainfall. Any required repairs shall be made immediately.
  - 3. Sediment Removal: If an erosion control device has been reduced in capacity by 30 percent or more, the CONTRACTOR shall restore such features to their original condition.
  - 4. The CONTRACTOR shall maintain the items until they are no longer required and removed.

### 3.4 CLEANUP

A. Acceptance of the work shall be in accordance with Mn/DOT Spec 2575.3.N Acceptance of Work.

- B. Upon final acceptance the CONTRACTOR shall remove temporary sediment control devices after completion of construction in accordance with Mn/DOT Spec 2573.3.0 Removal of Temporary Devices.
- C. Restoration shall be in accordance with Mn/DOT Spec 2575.3.0 Restoration.

**END OF SECTION** 

### SECTION 31 37 00 RIPRAP

### **PART 1 - GENERAL**

### 1.1 SUMMARY

A. Section includes use of imported riprap for riprap banks and grade control structures as well as geotextile.

### 1.2 SUBMITTALS

### A. Material Data:

- 1. Location of offsite source of riprap material.
- 2. Gradation test results/report for each source and class of riprap material.
- 3. Testing certificates from a qualified testing agency shall be submitted prior to acceptance of the rock source to verify the conformity to the requirements of the Contract Documents.

### B. Geotextile Product Data:

- 1. Preparation instructions and recommendations
- 2. Storage and handling requirements and recommendations
- 3. Geotextile Manufacturer's certificates indicating conformance test results of furnished material to Specifications.

### 1.3 METHOD OF MEASUREMENT AND PAYMENT

- A. Refer to Price and Payment Procedures (Section 01 20 00).
- B. All other work and costs associated with completing the work as specified on the Drawings and in the Specifications shall be included in the total project cost.

### **PART 2 - PRODUCTS**

### 2.1 RIPRAP

- A. Stone shall be graded in size to produce a reasonably dense mass. Riprap shall consist of dense, natural rock fragments that are comprised of fractured granite or other igneous/metamorphic stone. Riprap shall be resistant to weathering and to water action and shall be free from overburden, spoil, shale, and organic material. Limestone, volcanic-based, or dolomite-based riprap is NOT allowed. Riprap shall conform to the size types as follows:
  - 1. In accordance with Mn/DOT Spec 3601 Riprap Material, Class III and IV.
- B. The acceptability of the boulders will be determined by the ENGINEER prior to placement.
- C. Individual rock fragments shall be dense, sound and free from cracks, seams and other debris conducive to accelerated weathering.

### 2.2 GEOTEXTILE FABRIC

A. Conform to Mn/DOT Spec 3733 Geotextiles, Type IV non-woven.

### **PART 3 - EXECUTION**

### 3.1 SURFACE PREPARATION

- A. Surfaces to receive riprap and boulders shall be smooth and firm, free of brush, trees stumps, and other objectionable material and debris, and shall be brought to the line and grade indicated. CONTRACTOR shall ensure that the surface to receive the riprap and boulders is suitable to support the riprap and boulders. If the surface is found not to suitable to support the riprap and boulders, the CONTRACTOR shall notify the OWNER and ENGINEER.
- B. If a boulder is encountered during excavation of areas where large riprap is to be place, the CONTRACTOR shall excavate around the boulder. If the boulder is larger than the largest allowable stone size for that area, the CONTRACTOR shall break up the boulder to an acceptable size or remove it entirely.
- C. Prior to placement of the geotextile, the surface shall be prepared to a smooth condition free of debris, depressions, or obstructions which may damage the geotextile. The geotextile shall be overlapped a minimum of 2 feet at longitudinal and transverse joints. Upstream sheets shall overlap downstream sheets. For slope placement, each strip shall overlap the next downhill strip. The geotextile shall be anchored using key trenches or aprons at the crest and toe of the slope. Pins may be used in securing the geotextile during installation. In no instance shall the geotextile be left exposed to sunlight longer than 7 calendar days. Overexposed geotextile shall be removed and replaced.

### 3.2 RIPRAP INSTALLATION

- A. The riprap boulders shall be placed so as to avoid damage to the geotextile. Stones shall not be dropped from a height greater than 3 feet, nor shall large stones be allowed to roll downslope.
- B. The CONTRACTOR shall place riprap and geotextile as shown on Drawings and in accordance with Mn/DOT Spec 2511 Riprap.

### 3.3 GEOTEXTILE

- A. In presence of wind or flowing water, weight geotextile with sandbags or equivalent. Install sandbags during placement and keep in place until replaced with cover materials.
- B. Do not expose geotextile to direct sunlight for more than 7 calendar days, unless otherwise specified.
- C. Overlaps shall be 2 feet or more.
- D. After placement of cover materials, trim and dispose of all exposed geotextile

### 3.4 TRANSPORTATION AND HAUL ROADS

A. Observe State, County, and Local traffic rules and weight restrictions.

- B. All vehicle trips loaded or unloaded shall be on designated haul roads only.
- C. CONTRACTOR to coordinate selection of haul roads with the appropriate governing body and acquire any necessary permits.

**END OF SECTION** 

## SECTION 32 92 19 SEEDING AND RESTORATION

### **PART 1 - GENERAL**

### 1.1 SUMMARY

A. Section includes restoration of construction access, staging and work areas by installation of topsoil, seed, and erosion control.

### 1.2 REFERENCES

- A. Minnesota Department of Transportation, (Mn/DOT), Standard Specifications for Construction, Latest Edition with Supplements:
  - 1. 2575 Establishing Turf and Controlling Erosion.
  - 2. 3876 Seed
- B. Minnesota Department of Transportation Seeding Manual (Mn/DOT Seeding Manual), Latest Edition.
- C. BWSR Native Vegetation Establishment and Enhancement Guidelines, Latest Edition.

### 1.3 SUBMITTAL

- A. Product Data:
  - 1. Seed source and invoice.
  - 2. Producer's certificate of compliance Written documentation verifying compliance of mixture of seed furnished. Include percentage of various seed species, year of production, germination rate, seed bag tags, and weed seed content. Submit to ENGINEER at least 5 days prior to delivery.
- B. Oualification Data:
  - 1. List of installers experience conforming to paragraph 1.5.A.
  - 2. Proof of qualified supervisor experienced conforming to paragraph 1.5.B.2.

### 1.4 SEQUENCING AND SCHEDULING

- A. Notification of Unsatisfactory Conditions
  - 1. CONTRACTOR shall examine and evaluate grades, soils, and water levels, observe conditions under which work is to be performed, and notify ENGINEER of unsatisfactory conditions. CONTRACTOR shall not proceed with the work until unsatisfactory conditions have been corrected in an acceptable manner.
  - 2. If conditions detrimental to installation or plant growth are encountered, such as rubble fill, adverse drainage conditions, or obstructions, CONTRACTOR shall notify ENGINEER before planting.

### 1.5 QUALITY ASSURANCE

A. Installer Qualifications: Work shall conform to State Horticultural Standards, local municipal requirements, and BWSR and DNR guidelines for landscape plantings. CONTRACTOR shall have successfully completed 3 projects similar to that of this

project within the last 2 years. CONTRACTOR shall submit the names of those projects along with the project Owner contact information.

### 1.6 MEASUREMENT AND PAYMENT

- A. Refer to Price and Payment Procedures (Section 01 20 00).
- B. All other work and costs associated with completing the work as specified on the Drawings and in the Specifications shall be included in the total project cost.

### **PART 2 - PRODUCTS**

### 2.1 TOPSOIL

A. Previously stripped and stockpiled topsoil shall be used for restoration (no import of topsoil).

### 2.2 SEED MIXTURES

- A. Applicable Conditions: The following applies to all CONTRACTOR supplied seeds.
  - 1. Seeds shall be blended by the vendor and the mixture and ratio shall be guaranteed in writing to be as specified by percentage or weight in the Seed Lists. This is a submittal required of the CONTRACTOR prior to final payout.
- B. Seed Requirements: All seeds shall conform to the following requirements.
  - 1. All legumes shall be inoculated with the proper rhizobia and at the appropriate time prior to planting.
  - 2. All seed shall be packed and covered in such a manner as to insure adequate protection against damage and maintain dormancy while in transit, storage or during planting operations.
  - 3. All seeds shall have the proper stratification and/or scarification to break seed dormancy for other than fall planting.
  - 4. All seeds shall be true to their name as specified. Their origin shall be known to be local within a 200-mile radius of the project location and species and subspecies native to the area in the project location's county. Seed origins beyond a 200-mile radius shall be approved in writing by the ENGINEER.
  - 5. Species and quantities to be planted shall be those specified on the vegetation plan. Seed mixtures shall be proportioned by seed count and seed count percentages. Seed mixtures and any substitutions or changes shall be submitted in writing to project the ENGINEER for approval.
  - 6. Seeds shall be free of the Minnesota DNR identified noxious weed seeds and Reed Canary Grass (Phragmites rundinacea), Giant Reed Grass (Phragmites australis), Cattails (Typha spp.) and Purple Loosestrife (Lythrum salicaria).
- C. Seed Mixes Seed as designated on the plans and in the Contract Documents.
  - 1. Conform to Mn/DOT Spec 3876 and the Mn/DOT Seeding Manual.
    - a. Mn/DOT Seed Mix 35-241 Mesic Prairie General
      - 1) Seeding rate: 36.5 lbs/acre PLS

### 2.3 EROSION CONTROL BLANKET

A. Refer to Erosion and Sediment Control (Section 31 25 00).

### **2.4 WATER**

A. CONTRACTOR shall be responsible for water.

### **PART 3 - EXECUTION**

### 3.1 GENERAL EXAMINATION/PREPARATION FOR SEEDING

A. Finish grade to be inspected and approved by the ENGINEER prior to start of restoration

### B. Topsoil

- 1. Scarify subgrade to depth of 3 inches for bonding of subsoil with topsoil.
- 2. No topsoil shall be placed or worked in frozen or muddy condition.
- 3. Topsoil should be re-spread at a uniform thickness. The minimum thickness of re-spread topsoil is 6 inches.
- 4. Prepare areas to be seeded to required depth of approximately 3 inches by disking, rototilling, harrowing or other approved means.
- 5. Remove and dispose of rock, trash, or other materials brought to surface from preparation activities.

### 3.2 SEEDING SCHEDULE

### A. Seeding Plan

 At least three weeks prior to beginning work, CONTRACTOR shall submit a seeding and planting plan for approval by the ENGINEER. This plan shall include proposed methods of planting, species, quantities, types of propagules, proposed surface preparation and equipment.

### B. Site Preparation for all native seeding areas

- At least 6 weeks prior to seeding and planting of any kind, sites shall be sprayed to kill herbaceous weeds. The following species are considered herbaceous weeds:
  - a. Kentucky Bluegrass Poa pratensis, Purple Loosestrife Lythrum salicaria, Reed Canary Grass Phalaris arundinacea, Smooth Brome Bromus inermis, Crown Vetch Coronilla varia, Bird's Foot Trefoil Lotus corniculatus, Yellow Sweet Clover Melilotus officinalis, White Sweet Clover Melilotus alba, Canada Thistle Cirsium arvense, Curly Dock Rumex crispus, Giant Ragweed Ambrosia trifida, Common Ragweed Ambrosia artemisiifolia, Foxtail Setaria spp., Leafy Spurge Euphorbia esula, Japanese Knotweed Polygonum cuspidatum, Garlic Mustard Alliaria petiolata, Narrow-leaved and Hybrid Cattail -Typha angustifolia and T. Xglauca, Buckthorns Rhamnus spp., Honeysuckles Exotic Lonicera spp., Asian Mulberry Morus alba.
- 2. Conditions shall be 12 hours dry no precipitation or dew, above 50 Degrees Fahrenheit wind less than 3 miles per hour.

- 3. There shall be up to 5 applications 10-14 days apart. In between applications, treated and dead vegetation taller than 12 inches shall be mowed to no more than 6 inches in height before next herbicide application.
- 4. Obtain written approval by ENGINEER before seeding. ENGINEER will approve seeding when no live unacceptable species are visible to ENGINEER within 10 days of herbiciding.
- 5. Application rates per acre:
  - a. 5-quart concentrated herbicide (Use wetland & aquatic safe herbicide only within 20' of water bodies).
  - b. Surfactant in all applications, per manufacturer's specifications.
- 6. Install warning signs to alert public of herbicide use.

### 3.3 SEEDING

### A. Seeding Dates

- Seeding for this project shall be within the dates set forth in the Mn/DOT Seeding Manual and BWSR Native Vegetation Establishment and Enhancement Guidelines, Latest Edition.
- 2. ENGINEER shall be notified 24 hours prior to beginning the seeding operations.
- B. Application Rates: Seeding for this project shall be within the rates set forth in the Mn/DOT Seeding Manual.

### C. Broadcast Seeding

- 1. Seeding will take place using a broadcast method. Mechanical broadcasting equipment shall be equipped with an agitator that effectively prevents seed from bridging or plugging. Seed shall be broadcast twice over each area to help ensure even distribution. The seeded area shall be hand-raked or dragged with an implement to the extent necessary to cover a majority of the seed with 1/8 inch to ¼ inch of soil.
- 2. Cover crop shall be sown separately from forbs, sedges and grasses.
- 3. Within 12 hours, if conditions permit or as soon thereafter as practical, all seeded areas shall be rolled perpendicular to the line of run-off with an approved type roller or cultipacker to compact the seedbed to place the seed in contact with the soil.
- 4. No fertilizer shall be applied to any seeded areas for any reason.
- 5. Erosion control blanket shall be installed over the seeded areas immediately following seeding activities as shown on the Drawings.

### 3.4 SEED PROTECTION

A. No machinery shall run across seeded area after seeding operations have been completed. Observance of machinery on seeded areas after seeding operations have been completed will result in a \$250 fine per occurrence, deducted from the CONTRACTOR's next invoice.

### 3.5 CLEAN-UP AND PROTECTION

A. During landscape work, CONTRACTOR shall store materials and equipment where directed, keeping pavements clean and work areas and adjoining areas in an orderly condition.

B. CONTRACTOR shall protect landscape work and materials from damage due to landscape operations, operations by other trades and trespassers. CONTRACTOR shall maintain protection during installation and maintenance periods, and shall treat, repair or replace damaged landscape work as directed by ENGINEER.

### 3.6 VEGETATION ESTABLISHMENT

- A. Establish vegetation by watering, mowing, repairing of erosion rills and ruts of 3 inches or greater in width or depth, and reseeding/replanting as necessary to produce a uniform stand of grass. Vegetation establishment will be considered complete when:
  - 1. Native Seed: Vegetation is a minimum of 4 inches in height, and cover is uniform with density of 70 percent or better of its final expected growth.

### 3.7 MAINTENANCE

A. Conform to Mn/DOT Specs 2575.3.K and 2575.3.L

### 3.8 INSPECTION

- A. ENGINEER reserves the right to inspect seeds, either at place of growth or at site before planting, for compliance with requirements for name, variety, size, quantity, quality and mix proportion.
- B. CONTRACTOR shall supply written affidavit certifying composition of CONTRACTOR supplied seed mixtures with respect to species, variety and source.
- C. Seed evaluation at the conclusion of the establishment period shall be based on 90 percent coverage of germinated seed at least 2 inches tall.
- D. When inspected landscape work does not comply with requirements, replace rejected Work and continue specified maintenance until re-inspected by ENGINEER and found to be acceptable.

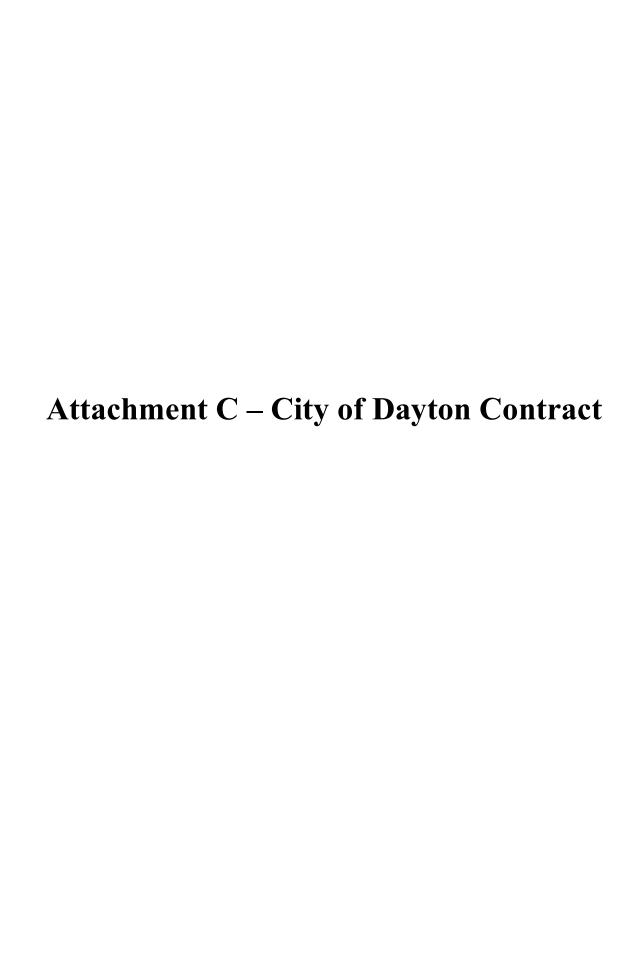
### 3.9 FIELD QUALITY CONTROL

A. Provide the ENGINEER with seed bag tags used for identification purposes.

### 3.10 FINAL CLEAN-UP

- A. Upon completion of the work and before preliminary acceptance and final installation payment will be made, the CONTRACTOR shall clean and remove from the site of the work surplus and discarded materials, temporary structures, and debris of every kind.
- B. The CONTRACTOR shall leave the site of the work in a neat and orderly condition equal or better than that which originally existed.
- C. Surplus materials removed from the site of the work shall be disposed of at locations approved by the ENGINEER.

**END OF SECTION** 



### **ATTACHMENT C**

### **CONTRACT AGREEMENT**

	THI	HIS AGREEMENT is made and executed the day of						, 2024, by and between th			
City	of	Dayton,	Minnesota,	hereinafter	referred	to	as	the	"OWNER",	and	
					, hereinaf	ter ref	erred	to as th	e "CONTRACT	OR",	

### WITNESSETH;

OWNER and CONTRACTOR, for the consideration hereinafter stated, agree as follows:

- 1. <u>CONTRACTOR's Duties:</u> The CONTRACTOR shall provide the equipment and construction services specified in the Contract Documents, and shall do everything required by this Agreement and the Contract Documents. CONTRACTOR shall fully and satisfactorily comply with the conditions of the Contract Documents and complete the work contemplated by this Agreement in accordance with the Contract Documents.
- 2. <u>Price:</u> The contractor, for and in consideration of the payment or payments herein specified and by the city to be made, hereby covenants and agrees to furnish all materials, all necessary tools and equipment, and to do and perform all the work and labor necessary for the tree clearing as describe in the attached proposal at a cost not to exceed \$\_\_\_\_\_\_\_ in strict conformity with the bid documents specifications prepared therefore, and filed in the office of the city clerk of the city.
- 3. Payment: Payments to the CONTRACTOR by the OWNER shall be made as provided in the Contract Documents. OWNER will retain an amount not to exceed 5% of the amount of each payment. Upon completion of 95% of the contract, the OWNER may reduce, in its discretion, the amount of retainage on a payment if, in the OWNER's opinion, the work is progressing satisfactorily.
- 4. <u>Contract Documents:</u> The Contract Documents consist of all documents included in the quotation package. Any additional documents provided to contractors prior to the submittal deadline shall be included in the contract documents. The Contract Documents are hereby incorporated with this Agreement and are as much a part of this Agreement as if fully set forth herein. This Agreement and the Contract Documents are the Contract.
- 5. **Start and Completion Dates:** The CONTRACTOR shall not begin work prior to written approval from OWNER. The CONTRACTOR shall deliver all equipment and substantially complete all construction on or before July 1, 2024 or within 21 calendar days of mobilizing to the project site, whichever comes first, in accordance with the terms and conditions set forth in the Contract Documents. Substantial completion is defined as all riprap placed and site restoration in place. The CONTRACTOR shall complete final restoration on or before September 15, 2024, in accordance with the terms and conditions set forth in the Contract Documents. Final completion is defined as correction of any punch list items identified and submittal of all required close out documentation.

Time being an essential element of this Contract, it is hereby agreed that the OWNER will be entitled to damages for non-completion of construction within the prescribed time limits. If the CONTRACTOR should fail to complete the work within the time limit specified in this section and the Contract Documents, the CONTRACTOR will be assessed a daily charge as calculated to be \$200 per day beyond the dates as defined in this contract, plus OWNER's expenses, engineering and legal costs. All charges will be on a working day basis for each working day on which any work remains uncompleted after expiration of the contract times. The

above charges, if any, will be deducted from payment due to the CONTRACTOR not as a penalty, but as liquidated damages for breach of contract.

- 6. <u>Data Practices Act:</u> The CONTRACTOR shall at all times abide by the Minnesota Government Data Practices Act, Minn. Statutes § 13.01, et seq., to the extent that the Act is applicable to data and documents in the hands of the CONTRACTOR.
- 7. <u>Audits:</u> The books, records, documents, and accounting procedures and practices of the CONTRACTOR or other parties relevant to this agreement are subject to examination by the OWNER and either Legislative Auditor or the State Auditor for a period of six years after the effective date of this Contract.
- 8. <u>Income Tax Withholding:</u> No final payment shall be made to the CONTRACTOR until the CONTRACTOR has provided satisfactory evidence to the OWNER that the CONTRACTOR and each of its subcontractors have complied with the provisions of Minn. Statutes § 290.92 relating to withholding of income taxes upon wages. A certificate by the Department of Revenue shall satisfy this requirement. Note: This section applies to contractors who undertake to supply labor or a combination of labor and materials for specific construction, repairs, rehabilitation or improvements. It does not apply to contractors for maintenance services or dealers, merchants and suppliers who supply materials only.
- 9. <u>Worker's Compensation:</u> CONTRACTOR represents and warrants that it has and will maintain during the performance of this agreement worker's compensation insurance coverage required pursuant to Minn. Statute § 176.181, subd. 2 and that the certificate of insurance or the written order of the Department of Commerce permitting self insurance of worker's compensation insurance coverage provided to the OWNER prior to execution of this agreement is current and in force and effect.
- 10. <u>Discrimination</u>: In performance of this contract, the CONTRACTOR shall not discriminate on the grounds of or because of race, color, creed, religion, national origin, sex, marital status, status with regards to public assistance, disability, sexual orientation, or age against any employee of the CONTRACTOR, any subcontractor of the CONTRACTOR, or any applicant for employment. The CONTRACTOR shall include a similar provision in all contracts with subcontractors to this contract. The CONTRACTOR further agrees to comply with all aspects of the Minnesota Human Rights Act, Minn. Statutes § 363.01, et seq., Title VII of the Civil Rights Act of 1964, and the Americans with Disabilities Act of 1990.
- 11. <u>Conflicts:</u> No salaried officer or employee of the OWNER and no officer of the OWNER shall have a financial interest, direct or indirect, in this contract. The violation of this provision renders the Contract void. Any federal regulations and applicable state statutes shall not be violated
- 12. <u>Claims:</u> To receive any payment on this Contract, the invoice or bill must include the following signed and dated statement: "I declare under penalty of perjury that this account, claim, or demand is just and correct and that no part of it has been paid."
- 13. **CONTRACTOR's Prompt Payment of Subcontractors:** The CONTRACTOR shall pay to any subcontractor within ten (10) days of the CONTRACTOR's receipt of payment from the OWNER for undisputed services provided by the subcontractor. The CONTRACTOR shall pay interest of one and a half percent (1 ½%) per month or any part of a month to a subcontractor on any undisputed amount not paid on time to the subcontractor. The minimum monthly interest penalty payment for an unpaid balance of \$100.00 or more is \$10.00. For an unpaid balance of less than \$100.00, the CONTRACTOR shall pay the actual amount due to the subcontractor.

- 14. <u>Insurance:</u> The CONTRACTOR shall have insurance coverage which meets requirements stated in Attachment E.
- 15. <u>Counterparts:</u> This Agreement may be executed in multiple counterparts each of which shall be considered an original.
- 16. <u>Whole Agreement:</u> This Agreement and the Contract Documents constitute the final and complete agreement of the parties and shall supersede and replace any prior oral or written agreements between OWNER and CONTRACTOR. Any subsequent modification must be in writing signed by both parties.
- 17. **Governing Law:** This Agreement shall be governed and construed under the laws of the State of Minnesota.

IN WITNESS WHEREOF, the parties to this Agreement have hereunto set their hands as of the date set forth above.

CITY OF DAYTON	
BY	
ITS	_
BY	
ITS	
CONTRACTOR [INSERT NAME]	
BY	
ITS	
BY	
ITS	



# **Quote Form**JAEGER - JORDAN DITCH STABILIZATION

### **Base Quote**

Item	Units	Quantity	Unit Rate	Total Cost
Mobilization & Demobilization	LUMP SUM	1		
		1		
Temporary Rock Construction Entrance - Maintained	EACH	1		
Clear Trees	EACH	17		
Silt fence, Type MS - Maintained	LIN FT	60		
Sediment Control Log Type Straw (or Bioroll) - Maintained	LIN FT	40		
Clearing and Grubbing	LUMP SUM	1		
Erosion Control Blanket Category 25	SQ YD	280		
Coir Erosion Control Mat	SQ YD	265		
Random Riprap Class III	TON	325		
Random Riprap Class IV	TON	25		
Geotextile Fabric, Type IV Non-Woven	SQ YD	730		
Native Seed Mix (MnDOT Seed Mix 35-241)	ACRE	0.2		
		BASE QI	JOTE TOTAL:	
Company				
Signature (Title)		-		Date
Start of Work Date		_		



### **Attachment E**

### 01 CONTRACTORS' AND SUBCONTRACTORS' INSURANCE

The CONTRACTOR shall not commence work under this contract nor shall he allow any subcontractor to commence work until all insurance hereinafter required has been procured and such insurance approved by the OWNER. Insurance as hereinafter provided shall be kept intact and in force throughout the term of this contract.

The CONTRACTORS shall furnish four copies of an insurance certificate to the OWNER using the standard ACCORD form as evidence of the required insurance. The certificate shall indicate that at least 15 days prior notice will be given to the insureds in the event of cancellation, nonrenewal or any material change in the policies. The insurance certificate must be signed and dated by an authorized representative of the insurance company.

### 02 WORKERS' COMPENSATION INSURANCE

The CONTRACTOR shall procure and shall maintain during the life of this contract workers' compensation insurance for all his employees engaged in work on this project as required by statute and shall also require that all subcontractors and sub-subcontractors provide workers' compensation insurance for their employees. Workers' compensation insurance policies shall also provide employer's liability insurance with a limit of \$500,000 each accident, disease policy limit, and disease each employee.

### 03 CONTRACTORS' COMPREHENSIVE GENERAL LIABILITY INSURANCE

The CONTRACTOR shall procure and maintain throughout the term of the contract comprehensive general liability insurance covering personal injury including bodily injury and property damage liability with a combined single limit of \$2,000,000 for each occurrence and aggregate. The comprehensive general liability insurance shall name the CONTRACTOR as insured and shall also name the ENGINEER, and the OWNER as additional insureds and shall provide contingent liability for the operations of subcontractors and sub-subcontractors. The insurance shall cover completed operations and products liability as well as broad form contractual liability. The property damage liability portion of the policy shall not contain any exclusions with reference to damage due to blasting, collapse, or underground facilities.

In lieu of the OWNER and ENGINEERS being named as an additional insured by the CONTRACTOR'S comprehensive general liability insurance, the contractor may provide liability coverage for the benefit of the OWNER and ENGINEERS by means of an OWNER'S protective liability endorsement or policy.

### 04 COMPREHENSIVE AUTOMOBILE LIABILITY INSURANCE

The CONTRACTOR shall provide comprehensive automobile liability insurance covering bodily injury and property damage with a combined single limit of \$2,000,000 for each occurrence. Comprehensive automobile liability insurance shall provide coverage for all automobiles owned by the CONTRACTOR and all hired and non-owned vehicles. The CONTRACTOR shall also require that all subcontractors and sub-subcontractors maintain the same form of insurance. The CONTRACTOR shall also provide contingent automobile liability insurance for the operations of subcontractors and sub-subcontractors to assure coverage as described in this paragraph.

### 05 UMBRELLA EXCESS LIABILITY

The CONTRACTOR shall provide excess liability within limit of \$1,000,000 for each occurrence and \$1,000,000 aggregate.



Meeting Date: 3-26-24

Item: M.

### ITEM:

2024 Mill & Overlay Improvements

### PREPARED BY:

Jason Quisberg, Engineering

### POLICY DECISION / ACTION TO BE CONSIDERED:

Award Contract for the 2024 Mill & Overlay Improvements Project

### **BACKGROUND:**

This project includes pavement surfacing improvements to 152<sup>nd</sup> Avenue, east of Brockton Lane, and Thicket Hills Lane, west of Lawndale Lane. Council approved the project documents and authorized the advertisement for contractor bids at the February 26<sup>th</sup> meeting.

Bids for the work were opened on March 19<sup>th</sup>. Nine (9) Bids were received. The low bid of \$158,256.20 was submitted by Omann Brothers Paving. See the attached Bid Results Letter for additional information regarding the bids received.

This compares to the engineer's estimate of \$261,000. The notable difference between the estimate and the bids received was due to two primary factors:

- 1. Bituminous prices have been relatively high in recent years. Hearing an increase should be expected again this spring, we inflated the bituminous mixture estimate from amounts seen last year. To our surprise, prices came in notably lower than last year. This resulted in about a \$58,500 reduction to the anticipated paving cost.
- 2. The milling process also came in significantly lower than estimated, cutting the estimated milling cost by over \$23,000. Given the bids for this work ranged from under \$14,000 to nearly \$40,000, it is not obvious why this work was valued as low as it was.

These two work items accounted for about 90% of the total bid amount. Together with the consistently lower prices, as compared to those seen in recent years, for other types of work included in the project, it appears we are in an aggressive bidding environment.

### **Cost Estimate:**

Construction: \$158,300
Engineering: \$30,000
Other Indirect: \$5,000

Total Project: \$193,300

• Previous estimate = \$296,000

• CIP estimate = \$400,000

See the attached Bid Results Letter for additional information and award recommendation.

Project Schedule: The completion date for this project is set for August 15, 2024.

### **RECOMMENDATION:**

Award the 2024 Mill & Overlay Improvements contract to Omann Brothers Paving.

### ATTACHMENT(S):

Bid Results Letter Bid Tabulation

### **Stantec Consulting Services Inc.**



733 Marquette Avenue, Suite 1000 Minneapolis MN 55402-2314

March 19, 2024

Honorable Mayor and City Council City of Dayton City Hall 12260 S. Diamond Lake Rd. Dayton, MN 55327

Re: 2024 Mill and Overlay Improvements

Stantec Project No. 193806768

**Bid Results** 

Dear Honorable Mayor and City Council:

Bids were opened for the 2024 Mill and Overlay Improvements project on March 19, 2024. Transmitted herewith is a copy of the Bid Tabulation for your information and file. Copies will also be distributed to each Bidder once the Project has been awarded.

There was a total of 9 Bids. The following summarizes the results of the Bids received:

	<u>Contractor</u>	<u>Base Bid</u>
Low	Omann Brothers Paving, Inc.	\$158,256.20
#2	ASTECH Corp.	\$161,679.80
#3	GMH Asphalt Corporation	\$162,022.00
#4	Park Construction Company	\$174,236.75
#5	North Valley, Inc.	\$177,150.02
#6	Knife River Corp. – North Central	\$179,505.00
#7	Northwest	\$190,443.10
#8	Valley Paving, Inc.	\$191,737.00
#9	Duininck, Inc.	\$218,121.50

The low Bidder on the Project was Omann Brothers Paving, Inc. with a Total Base Bid in the Amount of \$158,256.20. These Bids have been reviewed and found to be in order.

If the City Council wishes to award the Project to the low Bidder, then **Omann Brothers Paving**, **Inc.** should be awarded the Project on the Total Base Bid in the Amount of \$158,256.20.

Should you have any questions, please feel free to contact me.

Sincerely,

STANTEC CONSULTING SERVICES INC.

Jason Quisberg, PE

**Enclosure** 



Project Name: 2024 Mill and Overlay Improvements

I hereby certify that this is an exact reproduction of bids received.

City Project No.: Stantec Project No.: 193806768

Bid Opening: Tuesday, March 19, 2024 at 10:00 AM CDT Owner: **Dayton, Minnesota** 

Jason Quizberg, P.E. License No. 44315

Bidder No. 1 Bidder No. 2 Bidder No. 3 Bidder No. 4

BID TABULATION			Omann Brothers Pa	ving, Inc.	Asphalt Surface Technologies Corp.		GMH Asphalt Corporation		Park Construction Company		
ltem Num	Item	Units	Qty	Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total
	BASE BID:										
1	MOBILIZATION AND DEMOBILIZATION	LUMP SUM	1	\$2,500.00	\$2,500.00	\$5,000.00	\$5,000.00	\$9,700.00	\$9,700.00	\$9,150.00	\$9,150.00
2	TRAFFIC CONTROL	LUMP SUM	1	\$1,150.00	\$1,150.00	\$715.00	\$715.00	\$688.00	\$688.00	\$659.75	\$659.75
3	MILL BITUMINOUS SURFACE (2.0")	SQ YD	12490	\$1.44	\$17,985.60	\$1.32	\$16,486.80	\$1.10	\$13,739.00	\$1.40	\$17,486.00
4	REMOVE BITUMINOUS PAVEMENT	SQ YD	140	\$6.25	\$875.00	\$8.50	\$1,190.00	\$9.00	\$1,260.00	\$12.25	\$1,715.00
5	SAWING BITUMINOUS PAVEMENT (FULL DEPTH)	LIN FT	60	\$2.00	\$120.00	\$3.00	\$180.00	\$7.00	\$420.00	\$2.75	\$165.00
6	COMMON EXCAVATION – OFFSITE (EV)	CU YD	60	\$25.00	\$1,500.00	\$41.80	\$2,508.00	\$60.00	\$3,600.00	\$38.05	\$2,283.00
7	BITUMINOUS MATERIAL FOR TACK COAT	GAL	1000	\$3.00	\$3,000.00	\$2.80	\$2,800.00	\$0.01	\$10.00	\$2.30	\$2,300.00
8	TYPE SP 9.5 WEARING COURSE MIXTURE (3,B)	TON	1600	\$77.50	\$124,000.00	\$78.60	\$125,760.00	\$78.80	\$126,080.00	\$80.30	\$128,480.00
9	TYPE SP 9.5 WEARING COURSE MIXTURE (3,B) - DRIVEW	TON	20	\$225.00	\$4,500.00	\$132.00	\$2,640.00	\$122.00	\$2,440.00	\$170.55	\$3,411.00
10	AGGREGATE BASE CLASS 5, 100% CRUSHED	TON	90	\$20.00	\$1,800.00	\$38.50	\$3,465.00	\$28.10	\$2,529.00	\$44.25	\$3,982.50
11	MNDOT SEED MIXTURE 25-131 & EROSION CONTROL BI	SQ YD	80	\$2.58	\$206.40	\$5.50	\$440.00	\$9.45	\$756.00	\$40.60	\$3,248.00
12	COMMON TOPSOIL BORROW (LV)	CU YD	10	\$61.92	\$619.20	\$49.50	\$495.00	\$80.00	\$800.00	\$135.65	\$1,356.50
	TOTAL BASE BID				\$158,256.20	<u> </u>	\$161,679.80		\$162,022.00		\$174,236.75
	Contracto	r Name and		Omann Brothers Paving	n Inc	Asphalt Surface Techr a/k/a ASTECH Corp.	nologies Corp.	GMH Asphalt Corpo	ration	Park Construction (	Company
				6551 Labeaux Ave. NE		P. O. Box 1025		9180 Laketown Rd.		1481 81sst Ave. NE	
				Albertville, MN 55301		St. Cloud, MN 5602		Chaska, MN 55318		Minneapolis, MN 55	5402
			Phone:								
			Email:								
		Si	gned By:	Kelly Omann		Dale R. Strandberg		Brandon Butorac		Charlie Borene	
				President		Vice President		Vice President		Vice President	
		Bid	Security:	Bid Bond		Bid Bond		Bid Bond		Bid Bond	
	Adde	nda Acknov	vledged:	1		1		1		1	

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			Bidder No. 5		Bidder No. 6		Bidder No. 7		Bidder No. 8		
	BID TABULATION			North Valley, Inc.		Knife River Corporation - North Central		Northwest		Valley Paving, Inc.	
ltem Num	Item	Units	Qty	Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total
	BASE BID:										
1	MOBILIZATION AND DEMOBILIZATION	LUMP SUM	1	\$7,043.20	\$7,043.20	\$11,000.00	\$11,000.00	\$7,875.00	\$7,875.00	\$7,200.00	\$7,200.00
2	TRAFFIC CONTROL	LUMP SUM	1	\$704.32	\$704.32	\$3,500.00	\$3,500.00	\$6,562.50	\$6,562.50	\$682.50	\$682.50
3	MILL BITUMINOUS SURFACE (2.0")	SQ YD	12490	\$1.90	\$23,731.00	\$2.00	\$24,980.00	\$1.96	\$24,480.40	\$2.05	\$25,604.50
4	REMOVE BITUMINOUS PAVEMENT	SQ YD	140	\$11.63	\$1,628.20	\$8.00	\$1,120.00	\$23.10	\$3,234.00	\$9.00	\$1,260.00
5	SAWING BITUMINOUS PAVEMENT (FULL DEPTH)	LIN FT	60	\$3.25	\$195.00	\$13.00	\$780.00	\$5.25	\$315.00	\$2.00	\$120.00
6	COMMON EXCAVATION – OFFSITE (EV)	CU YD	60	\$56.52	\$3,391.20	\$43.00	\$2,580.00	\$26.25	\$1,575.00	\$44.00	\$2,640.00
7	BITUMINOUS MATERIAL FOR TACK COAT	GAL	1000	\$3.52	\$3,520.00	\$0.01	\$10.00	\$4.20	\$4,200.00	\$2.00	\$2,000.00
8	TYPE SP 9.5 WEARING COURSE MIXTURE (3,B)	TON	1600	\$79.52	\$127,232.00	\$79.50	\$127,200.00	\$82.09	\$131,344.00	\$90.00	\$144,000.00
9	TYPE SP 9.5 WEARING COURSE MIXTURE (3,B) - DRIVEW	TON	20	\$194.45	\$3,889.00	\$115.00	\$2,300.00	\$267.25	\$5,345.00	\$176.00	\$3,520.00
10	AGGREGATE BASE CLASS 5, 100% CRUSHED	TON	90	\$48.73	\$4,385.70	\$47.50	\$4,275.00	\$31.50	\$2,835.00	\$33.00	\$2,970.00
11	MNDOT SEED MIXTURE 25-131 & EROSION CONTROL BI	L SQ YD	80	\$8.67	\$693.60	\$12.00	\$960.00	\$20.34	\$1,627.20	\$10.50	\$840.00
12	COMMON TOPSOIL BORROW (LV)	CU YD	10	\$73.68	\$736.80	\$80.00	\$800.00	\$105.00	\$1,050.00	\$90.00	\$900.00
	TOTAL BASE BID				\$177,150.02	_	\$179,505.00		\$190,443.10		\$191,737.00
	Contractor Name and Address:			North Valley, Inc.		Knife River Corpo Central	ration - North	Northwest		Valley Paving, Inc.	
				20015 Iguana St. NW	, Ste. 100	4787 Shadow Wo	od Dr. NE	1451 Stagecoach Rd		8800 13th Ave. E.	
				Nowthen, MN 55330		Sauk Rapids, MN	56379	Shakopee, MN 55379		Shakopee, MN 55379	
			Phone:								
			Email:								
		Si	aned Bv:	Leslie A. Bloom Mark Magnuson			Kent Skonseng		Brent Carron		
			-	President		Vice President		Corporate Secretary		President	
		Bid				Bid Bond		Bid Bond			
	Adde	enda Acknov	,			1		1		1	
	Adde		Security: vledged:			Bid Bond 1		Bid Bond 1		Bid Bond 1	

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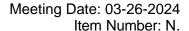
### Bidder No. 9

#### **BID TABULATION**

#### Duininck, Inc.

Item	Units	Qty	Unit Price	Total
BASE BID:				
MOBILIZATION AND DEMOBILIZATION	LUMP SUM	1	\$27,700.00	\$27,700.00
TRAFFIC CONTROL	LUMP SUM	1	\$650.00	\$650.00
MILL BITUMINOUS SURFACE (2.0")	SQ YD	12490	\$3.15	\$39,343.50
REMOVE BITUMINOUS PAVEMENT	SQ YD	140	\$15.60	\$2,184.00
SAWING BITUMINOUS PAVEMENT (FULL DEPTH)	LIN FT	60	\$3.55	\$213.00
COMMON EXCAVATION – OFFSITE (EV)	CU YD	60	\$38.00	\$2,280.00
BITUMINOUS MATERIAL FOR TACK COAT	GAL	1000	\$2.75	\$2,750.00
TYPE SP 9.5 WEARING COURSE MIXTURE (3,B)	TON	1600	\$84.90	\$135,840.00
TYPE SP 9.5 WEARING COURSE MIXTURE (3,B) - DRIVEW	, TON	20	\$140.00	\$2,800.00
AGGREGATE BASE CLASS 5, 100% CRUSHED	TON	90	\$32.90	\$2,961.00
MNDOT SEED MIXTURE 25-131 & EROSION CONTROL B	L SQ YD	80	\$6.25	\$500.00
COMMON TOPSOIL BORROW (LV)	CU YD	10	\$90.00	\$900.00
TOTAL BASE BID				\$218,121.50
Contracto	r Name and	Address:	Duininck, Inc.	
			408 6th St.	
			Prinsburg, MN 56281	
		Phone:		
		Email:		
	Kristopher Duininck			
		Title:	Vice President	
	Bid	Security:	Bid Bond	
Adde	enda Acknov	vledged:	1	
	BASE BID:  MOBILIZATION AND DEMOBILIZATION  TRAFFIC CONTROL  MILL BITUMINOUS SURFACE (2.0")  REMOVE BITUMINOUS PAVEMENT  SAWING BITUMINOUS PAVEMENT (FULL DEPTH)  COMMON EXCAVATION – OFFSITE (EV)  BITUMINOUS MATERIAL FOR TACK COAT  TYPE SP 9.5 WEARING COURSE MIXTURE (3,B)  TYPE SP 9.5 WEARING COURSE MIXTURE (3,B) - DRIVEW  AGGREGATE BASE CLASS 5, 100% CRUSHED  MNDOT SEED MIXTURE 25-131 & EROSION CONTROL B  COMMON TOPSOIL BORROW (LV)  TOTAL BASE BID  Contractor	BASE BID:  MOBILIZATION AND DEMOBILIZATION  TRAFFIC CONTROL  MILL BITUMINOUS SURFACE (2.0")  SQ YD  REMOVE BITUMINOUS PAVEMENT  SAWING BITUMINOUS PAVEMENT (FULL DEPTH)  LIN FT  COMMON EXCAVATION - OFFSITE (EV)  BITUMINOUS MATERIAL FOR TACK COAT  TYPE SP 9.5 WEARING COURSE MIXTURE (3,B) - DRIVEW,  AGGREGATE BASE CLASS 5, 100% CRUSHED  TON  MNDOT SEED MIXTURE 25-131 & EROSION CONTROL BL  SQ YD  COMMON TOPSOIL BORROW (LV)  TOTAL BASE BID  Contractor Name and	MOBILIZATION AND DEMOBILIZATION LUMP SUM 1 TRAFFIC CONTROL LUMP SUM 1 MILL BITUMINOUS SURFACE (2.0") SQ YD 12490 REMOVE BITUMINOUS PAVEMENT SQ YD 140 SAWING BITUMINOUS PAVEMENT (FULL DEPTH) LIN FT 60 COMMON EXCAVATION - OFFSITE (EV) CU YD 60 BITUMINOUS MATERIAL FOR TACK COAT GAL 1000 TYPE SP 9.5 WEARING COURSE MIXTURE (3,B) - DRIVEW, TON 20 AGGREGATE BASE CLASS 5, 100% CRUSHED TON 90 MNDOT SEED MIXTURE 25-131 & EROSION CONTROL BL SQ YD 80 COMMON TOPSOIL BORROW (LV) CU YD 10  TOTAL BASE BID  CONTractor Name and Address:  Phone: Email: Signed By: Title: Bid Security:	BASE BID:           MOBILIZATION AND DEMOBILIZATION         LUMP SUM         1         \$27,700.00           TRAFFIC CONTROL         LUMP SUM         1         \$650.00           MILL BITUMINOUS SURFACE (2.0")         SQ YD         12490         \$3.15           REMOVE BITUMINOUS PAVEMENT         SQ YD         140         \$15.60           SAWING BITUMINOUS PAVEMENT (FULL DEPTH)         LIN FT         60         \$3.55           COMMON EXCAVATION - OFFSITE (EV)         CU YD         60         \$38.00           BITUMINOUS MATERIAL FOR TACK COAT         GAL         1000         \$2.75           TYPE SP 9.5 WEARING COURSE MIXTURE (3,B)         TON         1600         \$84.90           TYPE SP 9.5 WEARING COURSE MIXTURE (3,B) - DRIVEW,         TON         20         \$140.00           AGGREGATE BASE CLASS 5, 100% CRUSHED         TON         90         \$32.90           MNDOT SEED MIXTURE 25-131 & EROSION CONTROL BL         SQ YD         80         \$6.25           COMMON TOPSOIL BORROW (LV)         CU YD         10         \$90.00           TOTAL BASE BID    Contractor Name and Address:  Duininck, Inc.  408 6th St.  Prinsburg, MN 56281

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**PRESENTER:** Marty Farrell

**ITEM:** 2024 Park Improvement Projects, Review of Concept plans, and approval to prepare designs and specification documents to go out for bidding.

PREPARED BY: Marty Farrell

**POLICY DECISION / ACTION TO BE CONSIDERED:** Approval to proceed with 2022 Park Improvement Projects Bid documents.

**BACKGROUND:** The City has identified 3 Parks for build out or upgrades in 2022, Ione Gardens/Cypress Cover a small neighborhood Park that was donated to the City by Developers, staff has been asked by residents for upgrades.

Area #21 Park which is an assemblage of 4 lots (2 from Brayburn Trails which the City has control over and 1 from Sundance Greens and 1 from an unknow source) the park will be approximately 14 acres. The Park Commission requested that a Master Plan for the site be generated so that a phased approach could be adopted, allowing current residents to have access to some amenities whilst the remainder of the Park is acquired. The City has collected funds and land from the Brayburn Trails Developer to build out the City Park, Developers for the remaining 2 parcels will also be donating land and fees to the effort. The residents in the neighborhood are very engaged as the Park was shown as an amenity, which they have been waiting to see developed.

Phase III of the build out of Elsie Stephens Park, Council and Park Commission have requested that staff pursue Phase III of the build out of this destination park.

Paul Kangas has developed plans for the 3 projects and presented them to the Parks Commission and residents. The feedback from the residents and commissioners have been incorporated into the designs, layout and equipment selections, for the 2024 Park Improvement Projects. Below is a timeline for the project to date.

Plans were discussed with the Park Commission at their meetings on August 7 2023, December 5 2023, February 6 2024 and March 4 2024. Residents have attended some of these meetings along with a Neighborhood meeting at the Sundance Events Centre on February 2 2024. Comments and suggestions have been incorporated into the plans from these meetings.

Staff would like to get the plans and specifications out to bid in April with a start date of early Summer 2024, for substantial completion in the Fall of 2024.

#### **CRITICAL ISSUES:**

Staff would like Council input into the Funding of these Parks, Area 21 park has some challenges for development from the input that we have received from Park Commission and residents. At the Park Commission meeting on March 4 2024 Commissioners and some residents attempted to prioritize the amenities that they would like as a minimum, which

included a Full basketball court with 4 hoops, 2 pickle ball courts, Sand volleyball court, Ballfield. Staff has identified some additional funding sources other than Fund 405, and the possibility of moving funds identified for Phase II of the park to Phase I since the majority of the funding is required in the North section of the park, which was realized after the Master Plan was developed. Additional funds have been identified from Trails Fund 408 and Water Fund 601 for irrigation of the Parks, and a donation from CDAA for upgrading ballfield from the base level ballfield.

**BUDGET IMPACT:** See worksheet attached.

**RECOMMENDATION:** Approve designs and documentation for the 2024 Park Improvement Projects, with funding from Fund 408, 405, 601 and 410

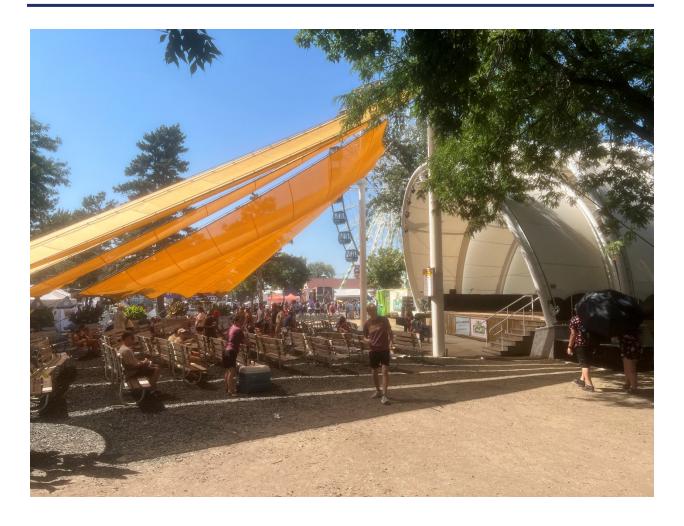
**ATTACHMENT(S):** Financial worksheet, Sail Shade examples for Elsie Stephens Park performance area, final concept plans, ESP Master Plan.

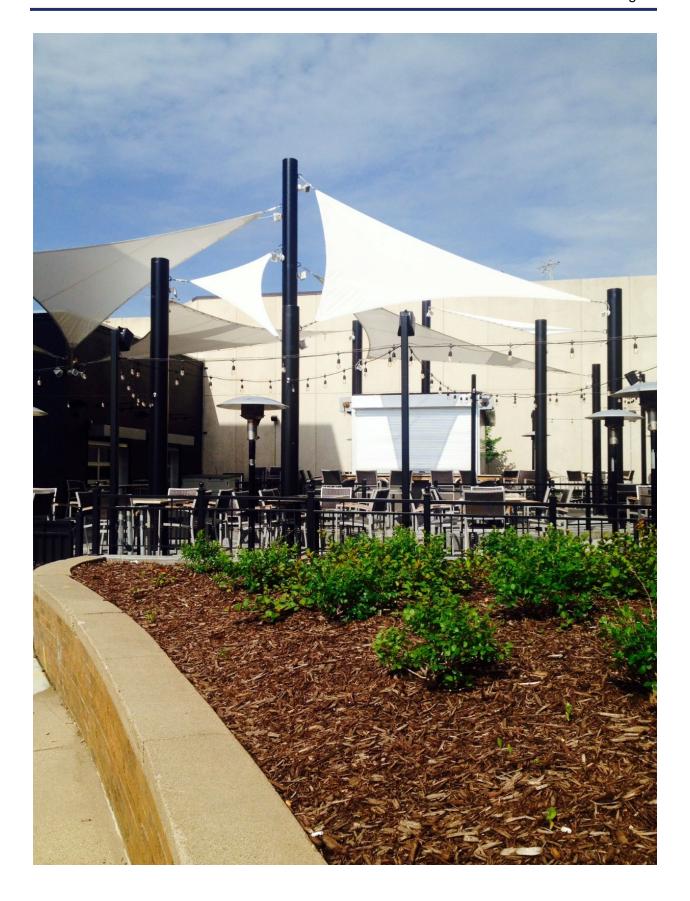
PSA #21 Brayburn Sundance Greens Phase I Descriptions	C	ost Estimate
General and Erosion Control	\$	55,064.00
Earthwork	\$	64,680.00
North Parking Lot	\$	60,140.00
Playground & Seating area	\$	265,852.00
Double Pickleball Court	\$	106,185.00
Sand Volleyball	\$	17,300.00
Site furniture	\$	20,200.00
Full Basketball Court with 4 goals	\$	93,944.00
Bituminous Trails	\$	87,500.00
Irrigation	\$	60,000.00
Landscaping	\$	122,300.00
Landscaping	Ÿ	122,300.00
Estimated Sub Total	\$	953,165.00
20% Contingency	\$	190,633.00
Project Total Estimated Cost	\$	1,143,798.00
Funding Sources		
Parks CIP 2024 Fund 405	\$	500,000.00
Trails Fund 408	\$	87,500.00
Water Fund (Irrigation) 601	\$	60,000.00
Total Funding	\$	647,500.00

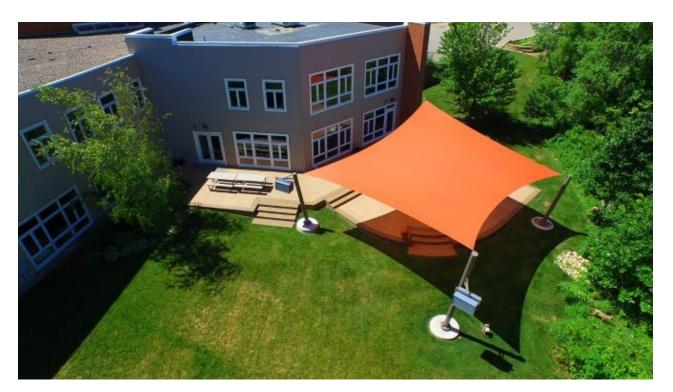
Descriptions	Cost Estimate	
General/Erosion Control	\$	36,536.00
Earthwork	\$	38,740.00
South Parking	\$	64,604.00
Informal Ballfield	\$	24,700.00
Bituminous Trails	\$	67,640.00
Three Hole Disc Golf Course	\$	9,000.00
Landscaping	\$	67,900.00
Estimated Sub Total	\$	309,120.00
20% Contingency	\$	61,824.00
Project Base Bid Total Estimated Cost	\$	370,944.00
Alternates		
Upgrades for CDAA requirements	\$	138,500.00
Alternates estimated sub total	\$	138,500.00
20% Contingency	\$	27,700.00
Project Alternates Total Estimated Cost	\$	166,200.00
Project Estimated Costs including Alternates & Contingency	\$	537,144.00
Funding Sources		
Parks CIP 2026 Fund 405	\$	600,000.00
Trails Fund 408	\$	67,640.00
CDAA	\$	138,500.00
Total Funding	\$	806,140.00

Ione Gardens/Cypres Cove Neighborhood Park		
Description	Cos	t Estimate
General/Erosion Control	\$	10,200.00
Patio Seating area	\$	16,900.00
Site Furniture	\$	1,200.00
Landscaping	\$	10,875.00
Irrigation	\$	30,000.00
Sub Total	\$	69,175.00
20% Contingency	\$	13,835.00
Project Total Estimated Budget	\$	83,010.00
Funding Sources		
Parks CIP 2024 Fund 405	\$	50,000.00
Trails Fund 408	\$	_
Water Fund (Irrigation) 601	\$	30,000.00
Total Funding	\$	80,000.00
Over Budget	\$	(3,010.00)

Description		Cost Estimate	
General /Erosion Control	\$	64,700.00	
Expanded Performance Stage and Seating	\$	180,040.00	
North Bridge (City)	\$	228,620.00	
Park Entrance Sign	\$	25,000.00	
Controlled Entry Gate (per County)	\$	12,000.00	
Irrigation	\$	35,000.00	
Estimated Base Bid Sub Total	\$	545,360.00	
20% Contingency	\$	109,072.00	
Project Base Bid Estimated Total	\$	654,432.00	
Alternates			
Description	Cost Estimate		
Picnic Shelter and East Parking Area	\$	252,809.00	
Sand Volleyball	\$	17,300.00	
West Parking Area	\$	121,180.00	
Alternates Estimated Bid Sub Total	\$	391,289.00	
20% Contingency	\$	78,257.00	
Estimated Alternates Total	\$	469,546.00	
Estimated Project Total Cost including Alternates and Contingency	\$	1,123,978.00	
Funding Sources			
Facilities 410	\$	25,000.00	
Parks 2024 CIP	\$	500,000.00	
Parks 2024 CIP Parks 2022 CIP from Bridge removal from project	\$	105,000.00	
Trails	\$	228,620.00	
	_		
Water (Irrigation)	\$	35,000.00	
	ş	893,620.00	
Total Funding	_		

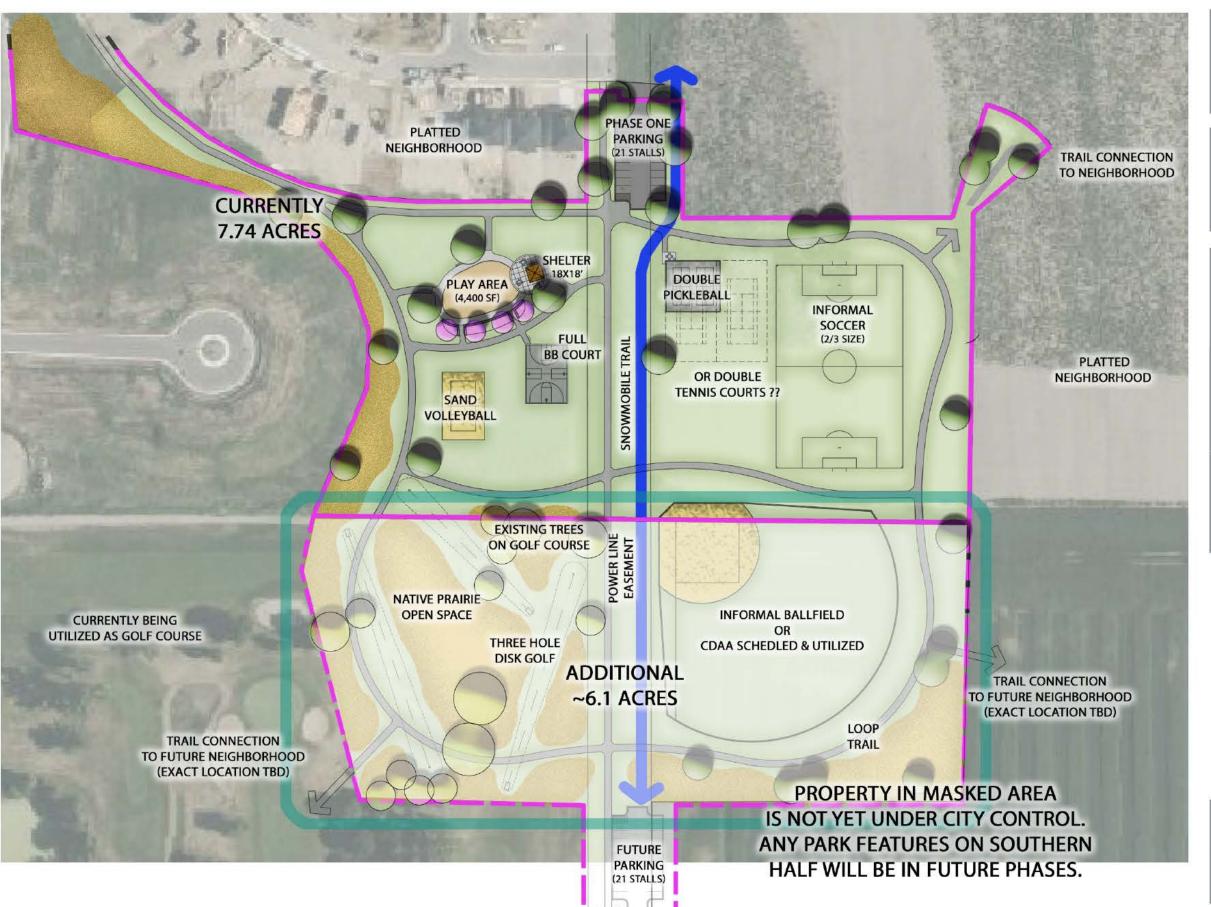








Meeting Date: 03-26-2024 Item Number: O.



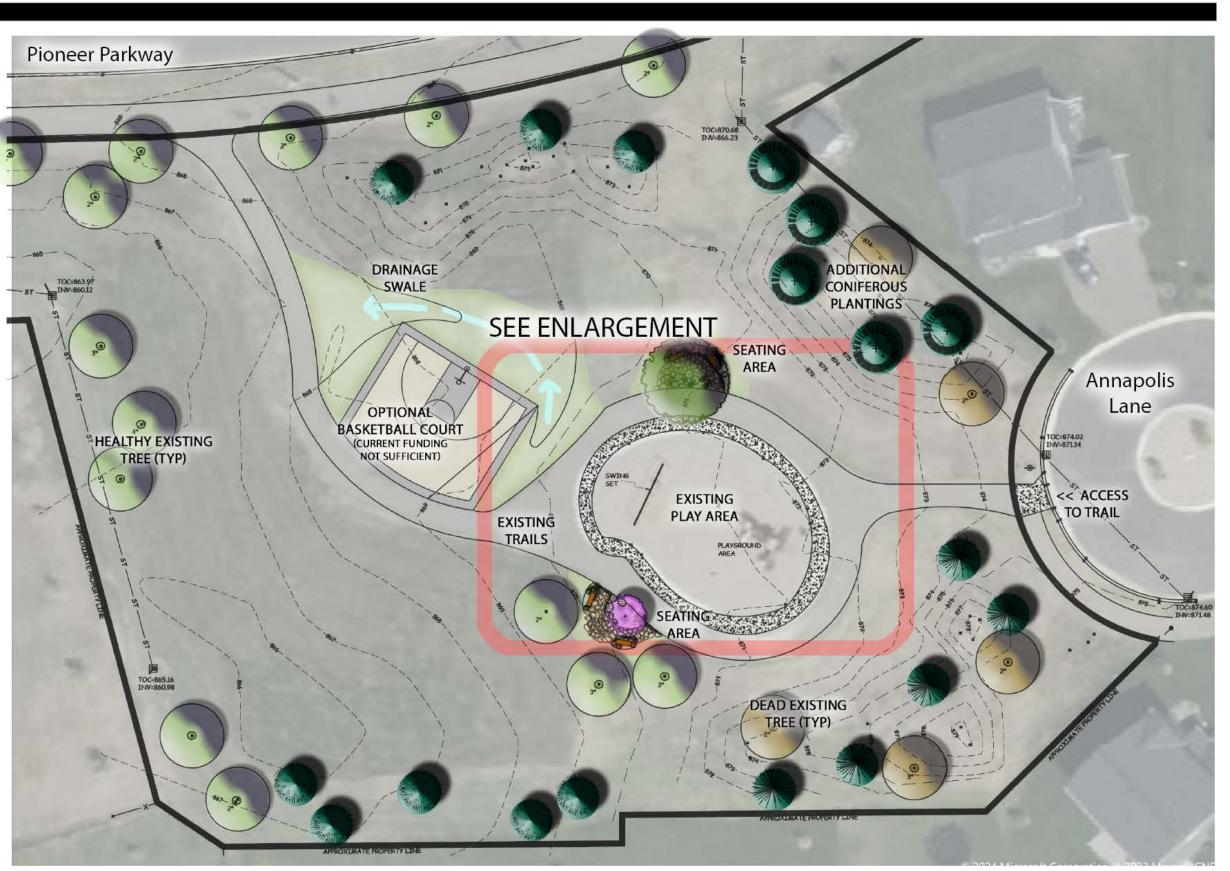
SUNDANCE WOODS NEIGHBORHOOD PARK CONCEPT

DAYTON, MN





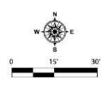
DD LEVEL SITE PLAN



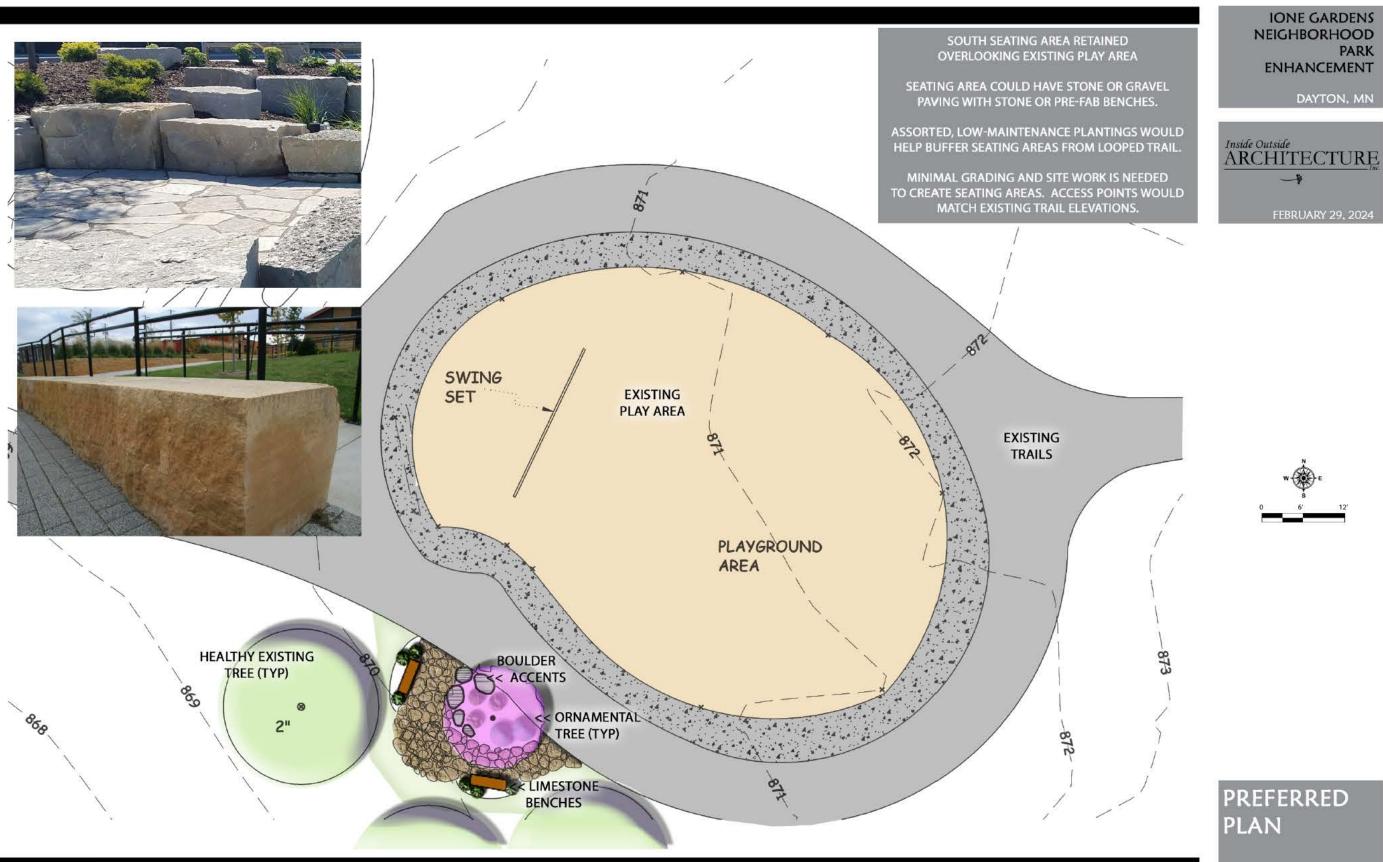


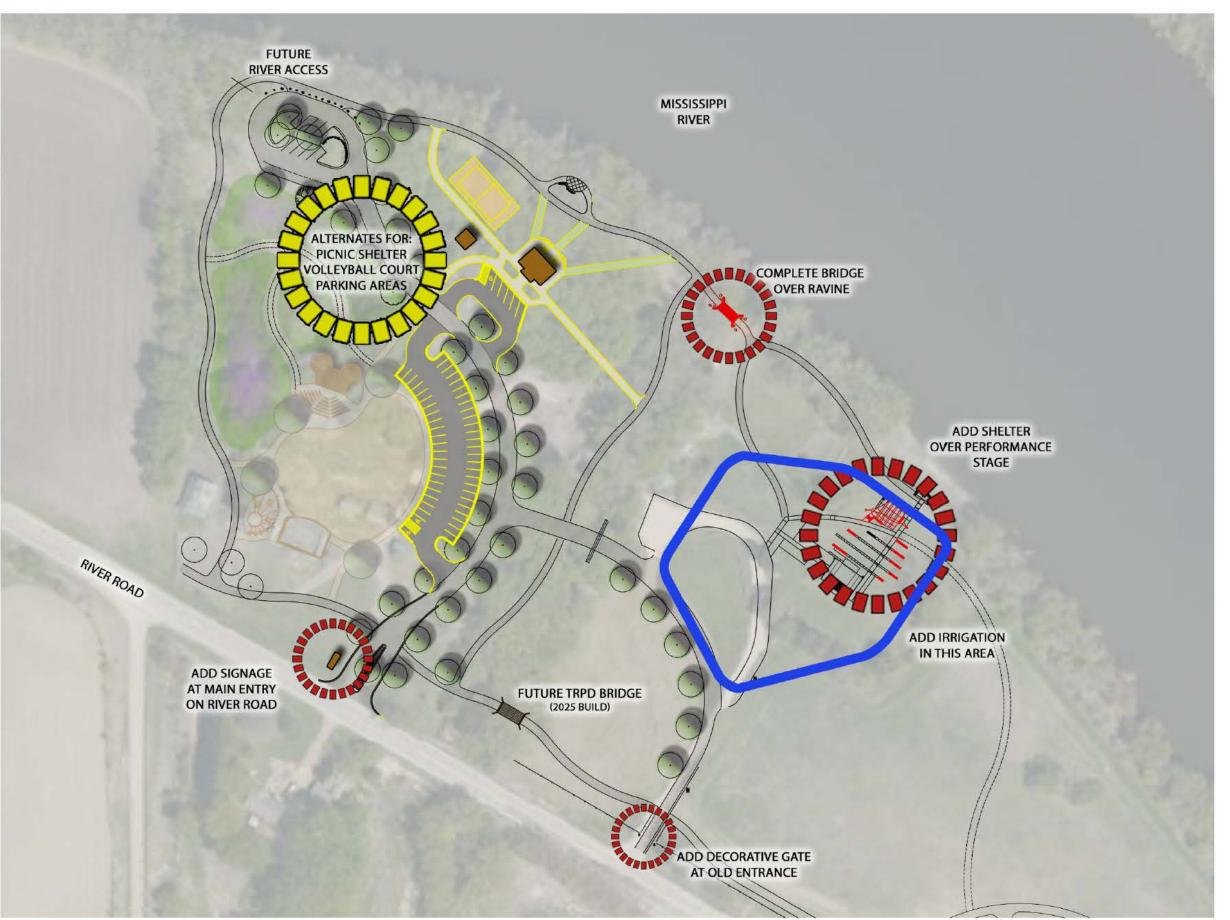
DAYTON, MN





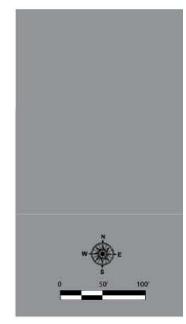




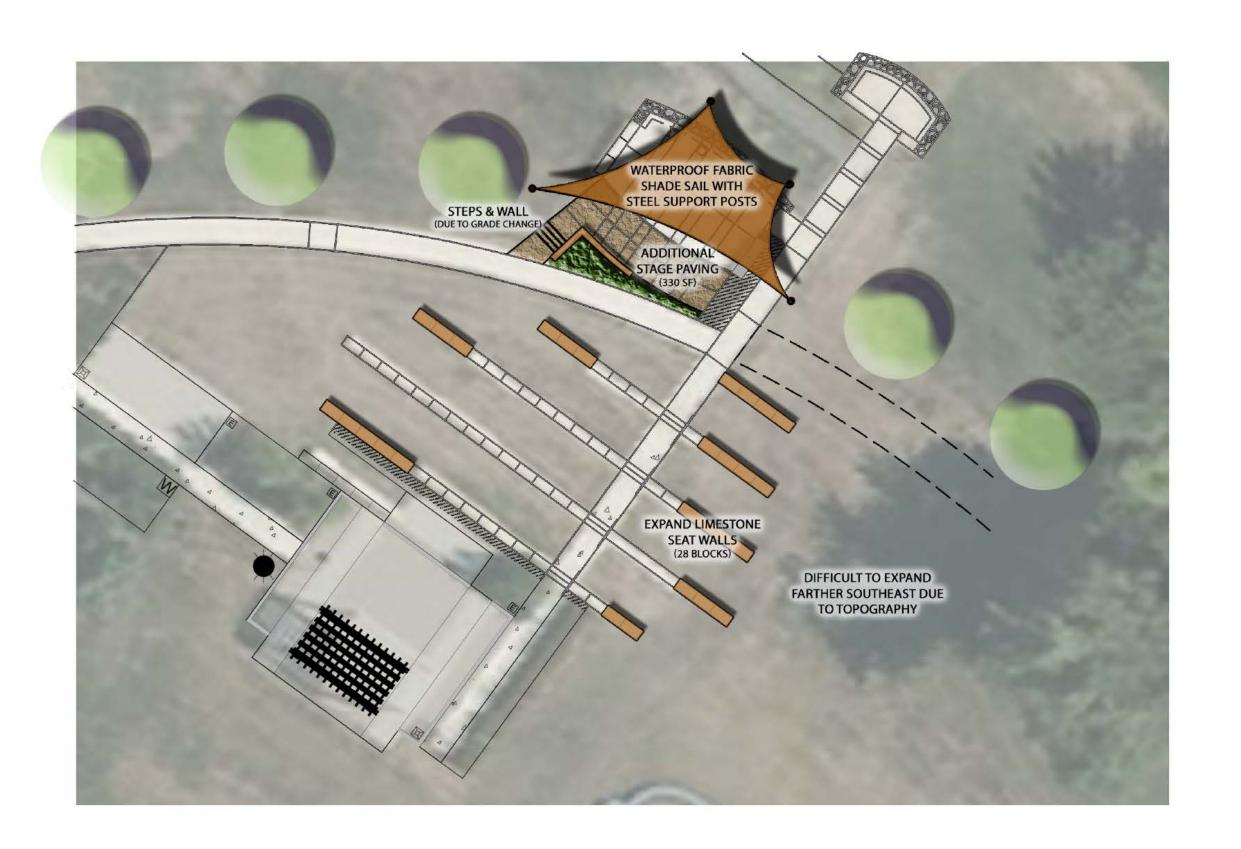


ELSIE STEPHENS MEMORIAL PARK PHASE III DAYTON, MN





PHASE III PREFERRED ELEMENTS



ELSIE STEPHENS MEMORIAL PARK PHASE III

DAYTON, MN





EXPANDED STAGE & SEAT AREAS



**Existing Trees** 



Open Lawn



Prairie/Meadow



New Trail



Existing/Proposed Structures



Garden Area



Parking





- 1 Year Round Event Center
- 2 The Patio
- 6 Veteran's Memorail Space & Garden
- Outdoor Performace Area
- Seasonal Docks and Fishing Pier
- 6 Parking with Stormwater Enhancements
- Overflow Parking Area
- 6 Existing Boathouse
- Playground Area
- Enhanced Horse Barn
- Existing Silos
- Picnic Area with Shelter
- Outdoor Classroom
- Relocated Historic School House Building
- Carry-In Boat Access
- Restored Prairie
- Trail
- Regional Trail Along Dayton River Road
- Proposed Trail Underpass
- Existing Stairs
- Existing Overlook
- Existing Parking
- Existing Shelter and Playground
- 851 OHWL
- 200' Structure Setback

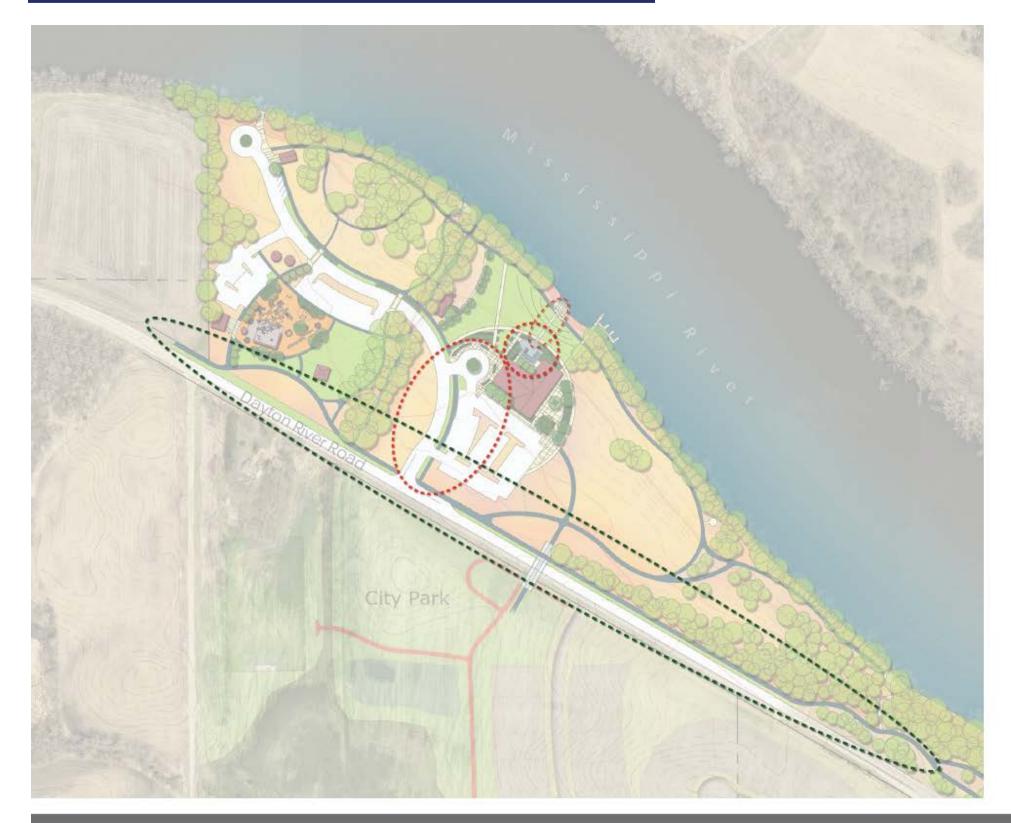






- Year Round Event Center (reception space for 250-300 people)
- 2 The Patio (utilize historic residence footprint and chimney. Provide arbors and seating with views to the river)
- Veteran's Memorail Space & Garden
- Outdoor Performace Area
- 6 Performance Platform
- Seasonal Docks and Fishing Pier
- Parking with Stormwater Enhancements
- Overflow Parking Area
- Existing Boathouse
- Playground Area (utilize barn footprint and stone wall)
- 6 Enhanced Horse Barn (potential uses are city office space, picnic shelter, trail head, storage)
- Existing Silos (climbing wall, viewing/overlook opportunity)
- Picnic Area with Shelter (maintain existing farm house location for new shelter structure)
- Outdoor Classroom
- Relocated Historic School House Building (rental space for canoe, kayak, cross country ski and snow shoes)
- Carry-In Boat Access
- **®** Restored Prairie
- Trail
- Regional Trail Along Dayton River Road
- Proposed Trail Underpass
- 4 Added Turn Lane and Access Enhancements
- Entry Signage
- Enhance Existing Drainage Way
- Existing Stairs





--- Phase 1 -

Parking, Park Entrance Road, The Patio, Trails to Access the River

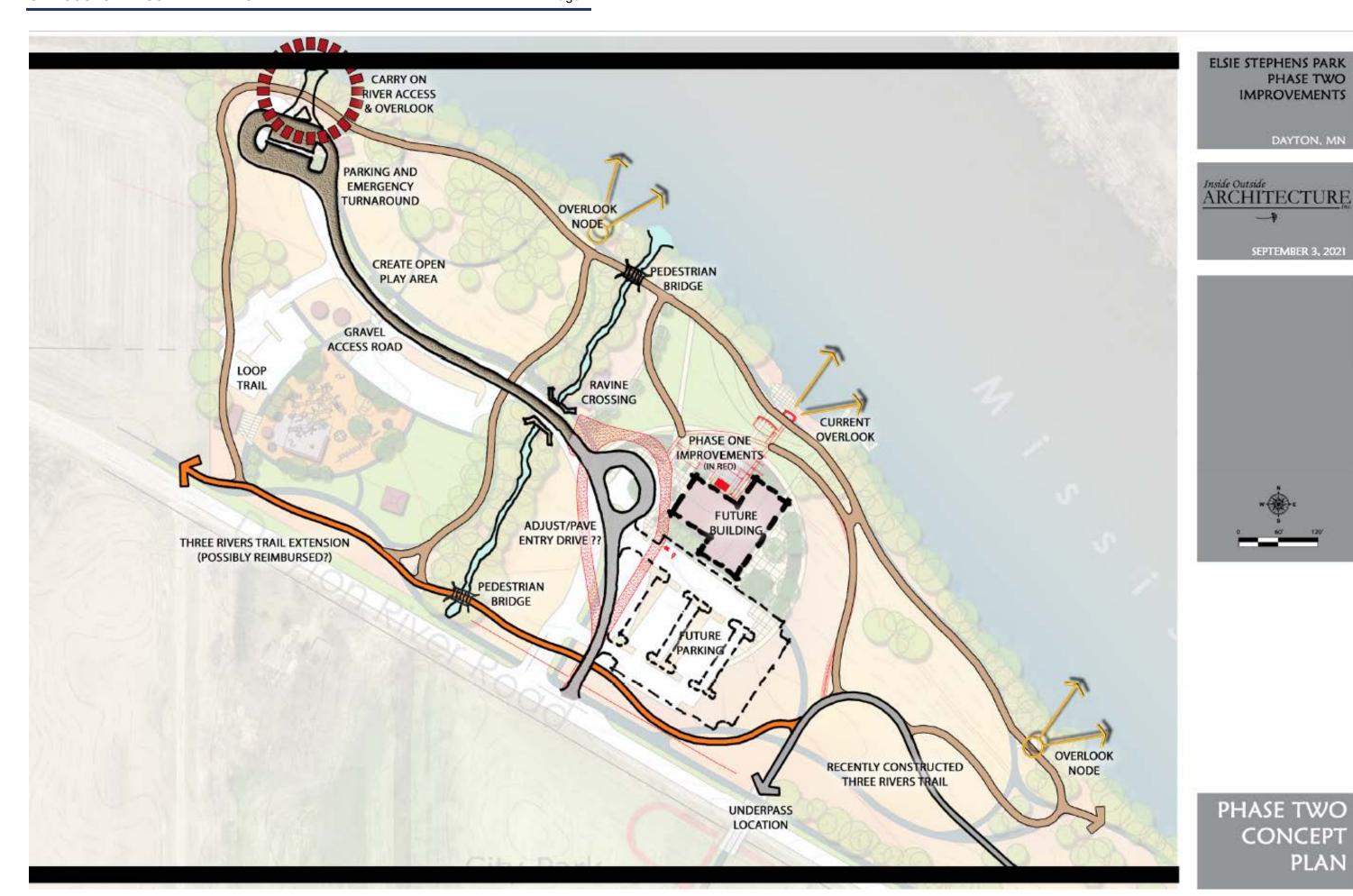
--- Phase 2 -

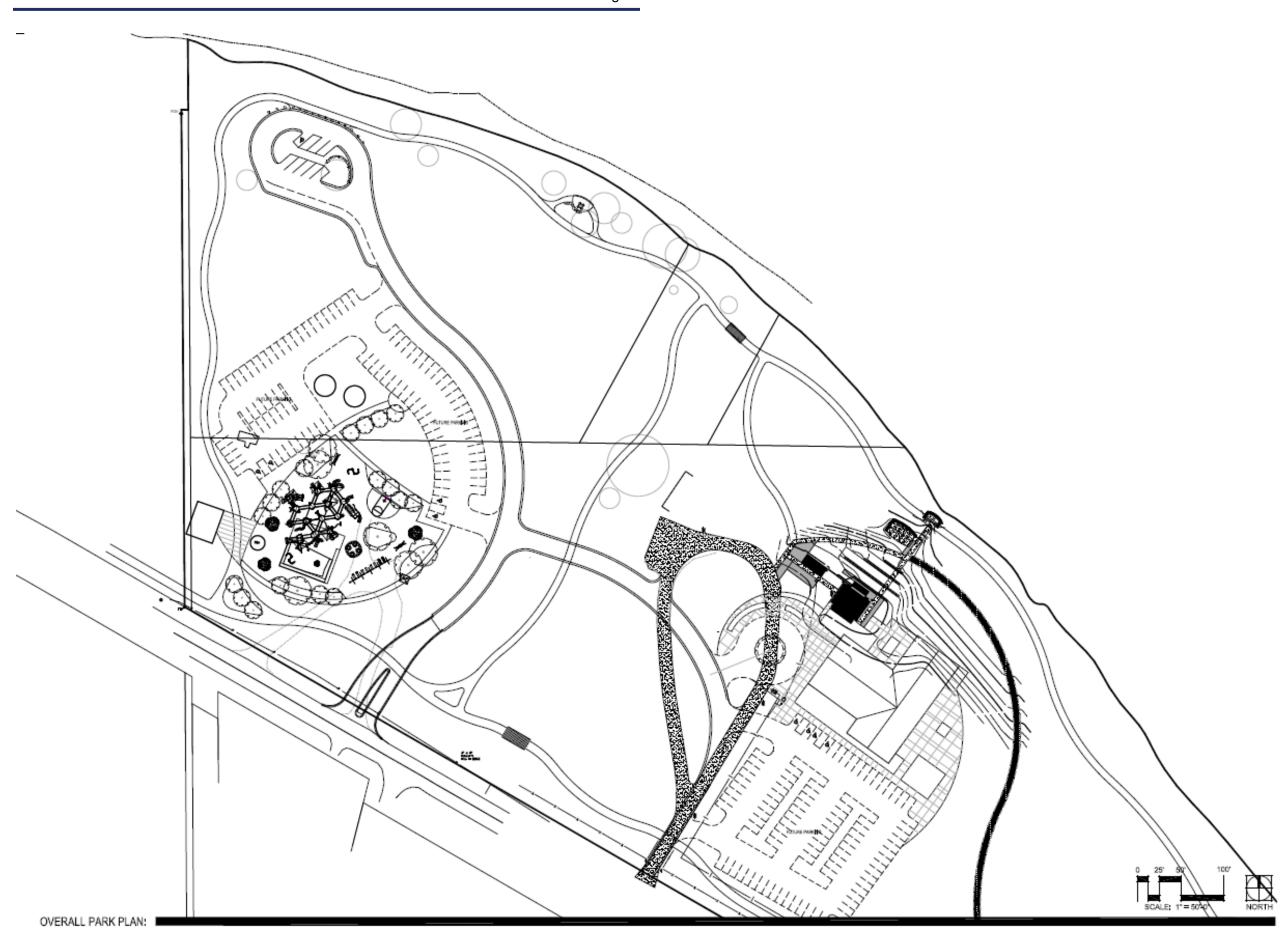
Regional Trail Connections

Phase 3 -

The plan is set up to add any of the remaining park elements as funding allows









Rogers, MN 55374

Phone: 612-237-8355

Project Name:

DAYTON 2022 PARK IMPROVEMENT PACKAGE

Dayton, Minnesota

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only for the project shown and shall not be copied or reproduced without write countrains from Inside Outside Architecture, in

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I hereby cartly that this plan was prepared me or under my dised supervision and that I Registered Landscape-Arctified under the b of the library of Monacotts.

Name; Paul Kangas Registration #; 26017

Signature;

Project #:	22-003
Dates	
Revision	
	-
Drawn By:	PK
Checked By:	PK

Sheet Title

ELSIE STEPHENS OVERALL PARK PLAN

Sheet Numbers

ES-1