



**CITY COUNCIL MEETING AGENDA**  
**February 5, 2024**  
**7:00pm**

**1) Call to Order**

a) Pledge of Allegiance

b) Introductions: City Council: Mayor Lisa Whalen, Cathleen Reffkin, Ann MacGregor; Peter Vickery, and Claudia Lacy Staff: City Administrator Jasper Kruggel, Finance Director Brian Grimm, Community Development Director David Abel, Director of Public Safety Paul Falls, Director of Administration Allie Polsfuss, Director of Public Works Gary Peters and City Clerk Ann Meyerhoff Consultants: City Attorney Sarah Sonsalla, Kennedy & Graven and City Engineer Alyson Fauske, WSB Engineering.

a) Approval of Agenda

**2) Special Presentations**

a) Swearing in Police Officer Tyler Anderson

**3) Persons to Be Heard**

*The City Council invites residents to share new ideas or concerns related to city business not already on the agenda; however, individual question and remarks are limited to three (3) minutes per speaker. No City Council action will be taken, although the Council may refer issues to staff for follow up or for consideration at a future meeting. The Mayor may use discretion if speakers are repeating views already expressed or ask for a spokesperson for groups of individuals with similar views. Speakers should state their name and home address at the podium before speaking.*

**4) Consent Agenda**

a) Approve City Council Regular Meeting Minutes from January 22, 2024

b) Res No.25-24 Approve Claims

c) Approve Offer of Promotion to Joshua Brown from Police Officer to Sergeant effective February 6, 2024

d) Approve Offer of Promotion to Carter Ostlie from Public Works Maintenance Worker to Sewer Operator effective February 6, 2024

e) Approve Interim Pay for Public Works Maintenance Worker Adam Hegeholz effective February 6, 2024

f) Res No.26-24 Awarding Task Order #9 – Well #6 Rehab with AE2S

g) Res. No. 27-24 Approve Street Side Setback Variance at 920 Maple Crest Drive

h) Res. No. 28-24 Approve Preliminary Plat of Karmith Cove

i) Res. No. 29-24 Approve 6 Month Extension to Variance Approval at 7035 Halstead Drive

**5) Public Hearings**

**6) Business Items**

a) Res. No. 30-24 Approve Side Yard Setback Variance at 3800 Enchanted Lane

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*The City of Minnetrista will deliver quality services in a cost effective and innovative manner; and provide opportunities for a high quality of life while protecting natural resources, maintaining a rural character, while effectively managing growth.*

## **7) Administrative Items**

### **a) Staff Reports**

### **b) Council Reports**

i) **Mayor Lisa Whalen** – *Economic Development Authority; Planning Commission (rotating); Parks Commission (rotating); Public Safety Advisory Committee; Northwest Hennepin League of Municipalities; Regional Council of Mayors; Minnehaha Creek Watershed District; Mound Fire Advisory Committee (alternate); Westonka Community & Commerce*

ii) **Cathleen Reffkin** – *Acting Mayor; Economic Development Authority; Personnel Committee; Planning Commission (rotating); Parks Commission (rotating); St. Bonifacius Fire Advisory Committee; Mound Fire Advisory Committee*

iii) **Ann MacGregor** – *Economic Development Authority; Planning Commission (rotating); Parks Commission (rotating); Personnel Committee; Pioneer-Sarah Creek Watershed Management Commission (alternate)*

iv) **Peter Vickery** – *Economic Development Authority; Planning Commission (rotating); Parks Commission (rotating); Pioneer-Sarah Creek Watershed Management Commission*

v) **Claudia Lacy** - *Economic Development Authority; Planning Commission (rotating); Parks Commission (rotating); Westonka Community & Commerce; Gillespie Center Advisory Council*

## **9) Adjournment**

*The agenda packet with all background material will be available on the City's website for viewing by the public. Published agenda is subject to change without notice. Information and materials relating to the above items are available for review at city hall by appointment.*



## CITY COUNCIL MEETING MINUTES January 22, 2024

### 1) Call to Order

Mayor Whalen called the meeting to order at 7:00 p.m.

#### a) Pledge of Allegiance

- b) Introductions: City Council: Mayor Lisa Whalen, Cathleen Reffkin and Claudia Lacy Staff: City Administrator Jasper Kruggel, Finance Director Brian Grimm, Director of Public Safety Paul Falls, Director of Public Works Gary Peters Consultants: Peter Michael, Kennedy & Graven and Chris Bunders, WSB Engineering. Absent: Ann MacGregor, Peter Vickery.

#### c) Approval of Agenda

Motion by Reffkin, seconded by Lacy to approve the agenda.

**MOTION PASSED** 3-0. Absent: Macgregor & Vickery

### 2) Special Presentations

#### a) Minnehaha Watershed District Update

James Whisker presented an overview of the many projects the Minnehaha Watershed District is working on and took questions from Council and Staff.

#### b) GFOA Award

Finance Director Brian Grimm presented to Council that the City of Minnetrista received the 2022 GFOA Award for Excellence in Financial Reporting. The City has received this award since 2004 and plans to submit its 2023 financial report once it is completed.

### 3) Persons to Be Heard

### 4) Consent Agenda

- a) Approve Work Session Meeting Minutes from January 8, 2024
- b) Approve City Council Regular Meeting Minutes from January 8, 2024
- c) Res No. 3-24 Approve Claims
- d) Res No. 4-24 Approve Plans and Specs and Authorize Advertisement for Bids – 2024 Street Improvement Project, City Project 01-24
- e) Res No. 5-24 Appointing Election Judges for the March 5<sup>th</sup> Presidential Primary
- f) Res No. 6-24 Approve Task Order #8: General Services Agreement with Advanced Engineering and Environmental Services, LLC (AE2S)

Motion by Reffkin, seconded by Lacy to approve the consent agenda.

**MOTION PASSED** 3-0. Absent: Macgregor & Vickery.

### 5) Public Hearings

- a) Res. No. 7-24 Approve Easement Vacation at 3316 & 3320 Williams Lane as requested by Sharon Thaler

Mayor Whalen opened the public hearing at 7:34 p.m.  
Mayor Whalen closed the public hearing at 7:34 p.m.

City Administrator Kruggel shared that the City Council approved an adjustment to the common lot line between the properties to meet a condition regarding lot coverage of a previously approved variance for a porch addition. There is currently a drainage and utility easement over the common lot line that has since been adjusted. The applicant has requested these be vacated. Since new easements over the new common lot line have been dedicated, staff finds it acceptable for the City Council to vacate the old easements.

Motion by Lacy, seconded by Reffkin to adopt Resolution 7-24, Approving Easement Vacation at 3316 & 3320 Williams Lane as requested by Sharon Thaler.

**MOTION PASSED** 3-0. Absent: Macgregor & Vickery.

## 6) Business Items

## 7) Administrative Items

### a) Staff Reports

#### 1. City Administrator – Senate Bonding Tour Update

Jasper Kruggel gave an update on the Senate Bonding Tour that he and Mayor Whalen attended.

### b) Council Reports

#### i) Mayor Lisa Whalen

- Senate Bonding Tour

#### ii) Cathleen Reffkin

#### iii) Ann MacGregor – Absent

#### iv) Peter Vickery – Absent

#### v) Claudia Lacy

- Gillespie Center Board Meeting
- Westonka Community & Commerce

## 8) Adjournment

Motion by Reffkin, seconded by Lacy to adjourn the meeting at 7:40 p.m.

**MOTION PASSED** 3-0. Absent: Macgregor & Vickery

Respectively Submitted,

Ann Meyerhoff  
City Clerk

**RESOLUTION NO. 25-24**

**RESOLUTION APPROVING JUST AND CORRECT  
CLAIMS AGAINST CITY FUNDS**

WHEREAS, the City Council of the City of Minnetrista, pursuant to MS 412.241, shall have the full authority over the financial affairs of the City; and

WHEREAS, the City Council reviewed the Claims for payment, with checks numbered 70847 through 70905; electronic checks E1002899 through E1002908; Claims batch includes an electronic transfers for payroll in the amount of \$102,998.14.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MINNETRISTA, that the attached list of claims in the amount of \$1,734,283.81 is hereby approved.

ADOPTED this 5th day of February 2024 by a vote of \_\_\_\_ Ayes  
\_\_\_\_ Nays.

\_\_\_\_\_  
Lisa Whalen, Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

(seal)

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**\*Check Detail Register©**

Batch: 1-16-24 bridge,PR01182024,1-23-24 BOND,XCEL012624AP23,020524AP23,020524AP24

Check #	Check Date	Vendor Name	Amount	Invoice	Comment
<b>1010 1ST BK OF THE LAKES</b>					
<b>70847</b>	02/05/24	<b>AE2S</b>			
E 601-49440-303		ENGINEERING SERV	\$6,997.75	92196	Water Engineer Services
E 601-49440-303		ENGINEERING SERV	\$15,873.75	92196	Water Engineer Planning Services
		Total	\$22,871.50		
<b>70848</b>	02/05/24	<b>AMAZON CAPITAL SERVICES</b>			
E 101-43121-201		OFFICE SUPPLIES	\$187.59		paper plates and utensils
E 101-41110-440		APPRECIATION EVENTS	\$65.97		lights for border at tree lighting event
		Total	\$253.56		
<b>70849</b>	02/05/24	<b>FACTORY MOTOR PARTS</b>			
E 101-42401-404		VEHICLE & EQUIP MAIN	\$132.10	69-492038	2015 Ford Escape Maint Parts
E 601-49440-404		VEHICLE & EQUIP MAIN	(\$110.00)	69-511604	Returned Battery Cores
		Total	\$22.10		
<b>70850</b>	02/05/24	<b>Hennepin County Treasurer</b>			
E 101-42110-441		CORRECTION FEES/CH	\$150.00	1000217741	Booking Fee
		Total	\$150.00		
<b>70851</b>	02/05/24	<b>KENNEDY &amp; GRAVEN, CHARTERED</b>			
E 101-41610-304		LEGAL FEES - ATTORNE	\$1,026.00		General Personnel Matters
E 101-41610-304		LEGAL FEES - ATTORNE	\$3,000.00		General
G 801-1170		LAND USE RECEIVABLE	\$954.00		ML-23028 Simple SubDiv for Thaler-3316 & 3320 Williams Ln
		Total	\$4,980.00		
<b>70852</b>	02/05/24	<b>Lano Equipment of Loretto</b>			
E 651-49590-224		STREET MAINTENANCE	\$600.00	03-1046616	forestry cutter rental
		Total	\$600.00		
<b>70853</b>	02/05/24	<b>Optum</b>			
E 101-41320-437		MISCELLANEOUS EXPE	\$172.25	1547572	Acct Fee Q4 H.S.A Monthly
		Total	\$172.25		
<b>70854</b>	02/05/24	<b>STREICHER'S</b>			
E 101-42110-417		UNIFORMS	\$81.90	I 1668233	Uniform
E 101-42110-417		UNIFORMS	\$49.65	I 1668297	Uniform
E 101-42110-417		UNIFORMS	\$187.97	I 1669093	Uniform
		Total	\$319.52		
<b>70855</b>	02/05/24	<b>WSB &amp; ASSOCIATES</b>			
E 101-42401-303		ENGINEERING SERV	\$180.00	DEC23	2021 Bldg Permits/Review
E 601-49440-303		ENGINEERING SERV	\$500.00	DEC23	General Engineering Svcs
E 602-49490-303		ENGINEERING SERV	\$500.00	DEC23	General Engineering Svcs
E 651-49590-303		ENGINEERING SERV	\$500.00	DEC23	General Engineering Svcs
E 101-42600-303		ENGINEERING SERV	\$1,000.00	DEC23	General Engineering Svcs
E 101-42401-303		ENGINEERING SERV	\$520.00	DEC23	2022 Building Permit Review
E 101-42401-303		ENGINEERING SERV	\$900.00	DEC23	2023 Building Permit Review
E 651-49590-303		ENGINEERING SERV	\$825.00	DEC23	Culvert Replacemt West Brance misc eng serv
E 651-49590-303		ENGINEERING SERV	\$103.50	DEC23	Flood Plain Question misc eng serv

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Batch: 1-16-24 bridge,PR01182024,1-23-24 BOND,XCEL012624AP23,020524AP23,020524AP24

Check #	Check Date	Vendor Name	Amount	Invoice	Comment
E 602-49490-303		ENGINEERING SERV	\$728.00	DEC23	2023 GIS Services
E 433-43122-303		ENGINEERING SERV	\$2,367.16	DEC23	2023 Street Overlay Project Eng Services
E 601-43241-303		ENGINEERING SERV	\$24.92	DEC23	2023 Street Overlay Project Eng Services
E 602-49490-303		ENGINEERING SERV	\$99.67	DEC23	2023 Street Overlay Project Eng Services
E 433-43122-303		ENGINEERING SERV	\$5,738.15	DEC23	2023 Street & Utility Reconstruction Project Eng Servs
E 601-43241-303		ENGINEERING SERV	\$5,400.60	DEC23	2023 Street & Utility Reconstruction Project Eng Servs
E 602-49490-303		ENGINEERING SERV	\$112.50	DEC23	2023 Street & Utility Reconstruction Project Eng Servs
E 406-43121-303		ENGINEERING SERV	\$42.50	DEC23	2023 Street Reclamation
E 101-42401-303		ENGINEERING SERV	\$131.00	DEC23	725 Game Farm Rd-proposed pond excavation
G 801-1170		LAND USE RECEIVABLE	\$262.00	DEC23	Burl Oaks Golf ML21028
G 801-1170		LAND USE RECEIVABLE	\$262.00	DEC23	CR 26 Notice of Application ML 23029
G 801-1170		LAND USE RECEIVABLE	\$393.00	DEC23	Westonka School Notice of Decision ML 23030
E 406-43121-303		ENGINEERING SERV	\$18,603.50	DEC23	2024 Mill & Overlay
		Total	\$39,193.50		
<b>70856</b>	02/05/24	<b>ACME TOOLS</b>			
E 101-43121-221		EQUIPMENT PARTS, TIR	\$16.97	12326228	CHAINSAW CHAIN
E 101-43121-221		EQUIPMENT PARTS, TIR	\$152.73	12326810	CHAINSAW CHAIN
		Total	\$169.70		
<b>70857</b>	02/05/24	<b>ADOBE INC.</b>			
E 101-41320-433		DUES & SUBSCRIPT & TR	\$3,008.28		ADOBE SUBSCRIPTION
		Total	\$3,008.28		
<b>70858</b>	02/05/24	<b>ADVANCED GRAPHIX INC.</b>			
E 401-42110-540		MOTOR VEHICLES & MA	\$2,277.00	213281	Graphics for Squad 85 and 86
		Total	\$2,277.00		
<b>70859</b>	02/05/24	<b>ALLIED MEDICAL TRAINING</b>			
E 101-42110-434		POLICE TRAINING	\$895.00	3477	Training
		Total	\$895.00		
<b>70860</b>	02/05/24	<b>ALPHA TRAINING &amp; TACTICS LLC</b>			
E 401-42110-560		EQUIP AND FURNISHIN	\$3,767.68	2024-0018	Tactical Equipment
		Total	\$3,767.68		
<b>70861</b>	02/05/24	<b>American Mailing Machines</b>			
E 101-41320-322		POSTAGE	\$173.73	120088	CARTRIDGE INK
		Total	\$173.73		
<b>70862</b>	02/05/24	<b>ASPEN MILLS</b>			
E 101-42110-418		RECRUITING	\$55.95	326670	Uniform
E 101-42110-418		RECRUITING	\$407.65	326671	Uniform
E 101-42110-417		UNIFORMS	\$29.95	50710	Uniform
		Total	\$493.55		
<b>70863</b>	02/05/24	<b>AXON ENTERPRISE, INC</b>			
E 401-42110-560		EQUIP AND FURNISHIN	\$1,342.00	INUS217702	Taser

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Batch: 1-16-24 bridge,PR01182024,1-23-24 BOND,XCEL012624AP23,020524AP23,020524AP24

Check #	Check Date	Vendor Name	Amount	Invoice	Comment
Total			\$1,342.00		
<b>70864</b>	02/05/24	<b>BAUER BUILT TIRE</b>			
E 101-42110-221		EQUIPMENT PARTS, TIR	\$617.80	180298787	Tires- Squad 77
Total			\$617.80		
<b>70865</b>	02/05/24	<b>BOYER TRUCKS ST MICHAEL</b>			
E 101-43121-221		EQUIPMENT PARTS, TIR	\$13.56	093P7959	AIR CONNECTION -GLAD HANDS-FOR TRUCK #13 & TRAILER #24
Total			\$13.56		
<b>70866</b>	02/05/24	<b>BROWN, JOSH</b>			
E 101-42110-417		UNIFORMS	\$18.99		Uniform
Total			\$18.99		
<b>70867</b>	02/05/24	<b>CANON FINANCIAL SERVICES INC</b>			
E 101-42110-202		COPY & PRINTING SUPP	\$95.49	31914760	Copier-PD
Total			\$95.49		
<b>70868</b>	02/05/24	<b>Car-Co Auto Parts</b>			
E 101-43121-221		EQUIPMENT PARTS, TIR	\$88.35	49732841	HYDRAULIC FILTER FOR GRADER
E 101-43121-221		EQUIPMENT PARTS, TIR	\$58.99	49733434	MASTER SHUT OFF SWITCH & BATTERY CABLE LUG #38
Total			\$147.34		
<b>70869</b>	02/05/24	<b>Center Point Energy</b>			
E 601-49440-383		NATURAL GAS	\$18.56	10654144-4	Gas Utility
E 601-49440-383		NATURAL GAS	\$822.01	10658039-2	Gas Utility
E 601-49440-383		NATURAL GAS	\$29.46	10658041-8	Gas Utility
E 601-49440-383		NATURAL GAS	\$22.99	11144790-0	Gas Utility
E 601-49440-383		NATURAL GAS	\$18.56	11431330-7	Gas Utility
E 601-49440-383		NATURAL GAS	\$18.56	11553312-7	Gas Utility
E 601-49440-383		NATURAL GAS	\$18.56	11833736-9	Gas Utility
E 101-41940-383		NATURAL GAS	\$890.06	5651357-5	Gas Utility - Gov't Bldg
E 601-49440-383		NATURAL GAS	\$132.91	5659223-1	Gas - Well #5
E 601-49440-383		NATURAL GAS	\$743.87	6401076054-	Gas Utility
E 101-43121-383		NATURAL GAS	\$393.76	6744979-3	Gas Utility - PW
E 101-42110-383		NATURAL GAS	\$1,162.86	8486433-9	Gas Utility - PD
E 101-43121-383		NATURAL GAS	\$506.90	8486442-0	Gas Utility - PW
Total			\$4,779.06		
<b>70870</b>	02/05/24	<b>CINTAS</b>			
E 101-43121-417		UNIFORMS	\$124.34	4180955254	UNIFORMS
E 101-43121-417		UNIFORMS	\$124.34	4181657586	UNIFORMS
Total			\$248.68		
<b>70871</b>	02/05/24	<b>CIVICS PLUS LLC</b>			
E 673-49600-307		PROFESSIONAL SERVIC	\$2,950.00	281494	Web Subscription and Online Hosting
Total			\$2,950.00		
<b>70872</b>	02/05/24	<b>CLASSIC CLEANING COMPANY</b>			
E 101-41940-211		CLEANING & MAINT SUP	\$658.00	35835	Monthly Cleaning Jan-Bags, Towels, Soap

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Batch: 1-16-24 bridge,PR01182024,1-23-24 BOND,XCEL012624AP23,020524AP23,020524AP24

Check #	Check Date	Vendor Name	Amount	Invoice	Comment
E 101-43121-211		CLEANING & MAINT SUP	\$500.00	35835	Monthly Cleaning Jan-Bags, Towels, Soap
E 101-42110-211		CLEANING & MAINT SUP	\$775.00	35836	Monthly Cleaning Jan-PD
		Total	\$1,933.00		
<b>70873</b>	02/05/24	<b>CORE AND MAIN</b>			
E 601-49440-227		UTILITY SYSTEM MAINT	\$3,797.08	U192696	HYDRANT EXERCISER
E 602-49490-227		UTILITY SYSTEM MAINT	\$6,827.86	U247893	Replacement Air relief Valves
		Total	\$10,624.94		
<b>70874</b>	02/05/24	<b>FACTORY MOTOR PARTS</b>			
E 101-43121-221		EQUIPMENT PARTS, TIR	\$152.16	1-9362161	wiper blades
E 101-43121-212		MOTOR FUELS AND LUB	\$59.88	69-513876	10W-30 motor oil
		Total	\$212.04		
<b>70875</b>	02/05/24	<b>FINANCE AND COMMERCE</b>			
E 406-43121-351		LEGAL NOTICE & ORD P	\$151.06	745670513	2024 Mill & Overlay Project
		Total	\$151.06		
<b>70876</b>	02/05/24	<b>FRONTIER OH</b>			
E 601-49440-381		ELECTRIC UTILITIES	\$402.50	952-196-1926 Well #5 Phone Service	
E 101-43121-321		TELEPHONE	\$106.85	952-472-1082 Fire Alarm-PW	
		Total	\$509.35		
<b>70877</b>	02/05/24	<b>Grainger Inc.</b>			
E 601-49440-401		BLDG/STRUCT MAINTEN	\$681.75	9968185000	Heater for SWTP Fluoride room
		Total	\$681.75		
<b>70878</b>	02/05/24	<b>H &amp; R CONST. CO</b>			
E 101-43121-224		STREET MAINTENANCE	\$1,653.73	21859	REPAIR OF GUARD RAIL HIT BY CAR
		Total	\$1,653.73		
<b>70879</b>	02/05/24	<b>HOME DEPOT</b>			
E 601-49440-227		UTILITY SYSTEM MAINT	\$195.80		Heaters and Iron Out
		Total	\$195.80		
<b>70880</b>	02/05/24	<b>JOHN THOM</b>			
E 601-49440-433		DUES & SUBSRIPT & TR	\$175.00		Water Supply Operation Class-Hegeholz
		Total	\$175.00		
<b>70881</b>	02/05/24	<b>LOFFLER</b>			
E 401-43126-560		EQUIP AND FURNISHIN	\$2,052.61	4585993	New Elite Book Computer
E 401-42110-560		EQUIP AND FURNISHIN	\$1,123.64	4585993	New Elite Book Computer
E 401-42110-560		EQUIP AND FURNISHIN	\$2,052.61	4585993	New Elite Mini Desktop
		Total	\$5,228.86		
<b>70882</b>	02/05/24	<b>M/I HOMES OF MPLS</b>			
G 101-2025		DEPOSITS PAYABLE	\$9,000.00	MB-22251 R1	Temp Co Rtn- 6743 BlueStem Way (refunded \$1000)
		Total	\$9,000.00		
<b>70883</b>	02/05/24	<b>MENARDS BUFFALO</b>			
E 601-49440-227		UTILITY SYSTEM MAINT	\$41.87	01077	Paint for NWTP

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Batch: 1-16-24 bridge,PR01182024,1-23-24 BOND,XCEL012624AP23,020524AP23,020524AP24

Check #	Check Date	Vendor Name	Amount	Invoice	Comment
E 101-41940-401		BLDG/STRUCT MAINTEN	\$188.06	01077	Softner Salt
E 101-42110-401		BLDG/STRUCT MAINTEN	\$188.05	01077	Softner Salt
		Total	\$417.98		
<b>70884</b>	02/05/24	<b>MN Highway Safety &amp; Research</b>			
E 101-42110-434		POLICE TRAINING	\$510.00	337900-1059	Class Fee
		Total	\$510.00		
<b>70885</b>	02/05/24	<b>MID COUNTY</b>			
E 601-49440-212		MOTOR FUELS AND LUB	\$160.10	59405	Dyed Diesel Fuel
E 602-49490-212		MOTOR FUELS AND LUB	\$160.10	59405	Dyed Diesel Fuel
E 101-43121-212		MOTOR FUELS AND LUB	\$400.26	59405	Dyed Diesel Fuel
E 101-43125-212		MOTOR FUELS AND LUB	\$80.06	59405	Dyed Diesel Fuel
		Total	\$800.52		
<b>70886</b>	02/05/24	<b>MINNETONKA SPORTSMEN, INC</b>			
E 101-42110-433		DUES & SUBSCRIPT & TR	\$250.00	3999	Membership
		Total	\$250.00		
<b>70887</b>	02/05/24	<b>MN CHIEFS OF POLICE ASSN.</b>			
E 101-42110-433		DUES & SUBSCRIPT & TR	\$212.00	14850	Membership renewal-Associate
E 101-42110-433		DUES & SUBSCRIPT & TR	\$376.00	14952	Membership renewal
		Total	\$588.00		
<b>70888</b>	02/05/24	<b>MNCPA</b>			
E 101-41320-433		DUES & SUBSCRIPT & TR	\$365.00	362724	CPA Membership -Grimm
		Total	\$365.00		
<b>70889</b>	02/05/24	<b>MORRIES Parts and Service Group</b>			
E 101-43121-404		VEHICLE & EQUIP MAIN	\$12,646.28	586218	REAPIR OF TRUCK #4
		Total	\$12,646.28		
<b>70890</b>	02/05/24	<b>MOUND TRUE VALUE HARDWARE</b>			
E 601-49440-221		EQUIPMENT PARTS, TIR	\$11.84	190631	PARTS FOR PUMP LIFT
E 601-49440-227		UTILITY SYSTEM MAINT	\$168.40	190631	SHIPPING OF SWTP SPECTROPHOTOMETER FOR YRLY CALIBRATION
E 601-49440-227		UTILITY SYSTEM MAINT	\$57.39	190655	CHAIN & CLEVIS FOR PUMP REMOVAL AT WTPS
E 601-49440-227		UTILITY SYSTEM MAINT	\$15.96	190714	CHEMICAL FEED PARTS
		Total	\$253.59		
<b>70891</b>	02/05/24	<b>MYBURGER</b>			
E 101-42110-440		APPRECIATION EVENTS	\$1,800.00	Trista day 20	Trista Day Deposit for Food Vendor
		Total	\$1,800.00		
<b>70892</b>	02/05/24	<b>NCPERS MINNESOTA - 632400</b>			
G 101-2380		PAYROLL CLEARING LIF	\$224.00	6324002204	*PERA life Ins Employer Paid
		Total	\$224.00		
<b>70893</b>	02/05/24	<b>Capital One Trade Credit</b>			
E 101-43121-240		SMALL TOOLS AND MIN	\$435.10	53229140	M18 rocket dual pwr and redli ho xc6.0 ba
		Total	\$435.10		

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**\*Check Detail Register©**

Batch: 1-16-24 bridge,PR01182024,1-23-24 BOND,XCEL012624AP23,020524AP23,020524AP24

Check #	Check Date	Vendor Name	Amount	Invoice	Comment
<b>70894</b>	02/05/24	<b>OFFICE DEPOT</b>			
E 101-43121-201		OFFICE SUPPLIES	\$5.99	34980959300	Scraper
E 101-41320-201		OFFICE SUPPLIES	\$10.39	34980959400	Cups
		Total	\$16.38		
<b>70895</b>	02/05/24	<b>PAWELK, MICHAEL</b>			
E 101-43121-417		UNIFORMS	\$206.99		Boots
		Total	\$206.99		
<b>70896</b>	02/05/24	<b>Per Mar Security Services</b>			
E 101-42110-404		VEHICLE & EQUIP MAIN	\$91.68	3242279	Fire Monitoring
E 101-43121-401		BLDG/STRUCT MAINTEN	\$44.10	3245359	FIRE SUPPRESSION MONITORING PW BUILDING
		Total	\$135.78		
<b>70897</b>	02/05/24	<b>PETERSON, BYRON</b>			
R 601-400-37120		UNDISTRIBUTED UTILITI	\$215.00		Rfd Utilities Overpmt-5558 Morningview Terrace
		Total	\$215.00		
<b>70898</b>	02/05/24	<b>POOL, RYAN</b>			
E 101-42401-433		DUES & SUBSRIPT & TR	\$96.48		Mileage Reimbursement
		Total	\$96.48		
<b>70899</b>	02/05/24	<b>PUBLIC WORKS SALES HOLDINGS LLC</b>			
E 602-49490-227		UTILITY SYSTEM MAINT	\$10,063.00	0048413	Air relief Valves and Parts for Replacement at FM #1, FM #13 and FM#17
		Total	\$10,063.00		
<b>70900</b>	02/05/24	<b>RIGID HITCH INC.</b>			
E 101-43121-221		EQUIPMENT PARTS, TIR	\$201.34	1928845020	Truck and Trailer Wiring Harnesses
		Total	\$201.34		
<b>70901</b>	02/05/24	<b>STREICHER'S</b>			
E 101-42110-431		TRAIN/MTG/EXP & SUPP	\$328.00	I 1674604	Projectiles
E 101-42110-417		UNIFORMS	\$431.98	I 1674666	Uniform
E 101-42110-431		TRAIN/MTG/EXP & SUPP	\$1,265.76	I 1674760	Ammo
E 101-42110-417		UNIFORMS	\$378.98	I 1675415	Uniform
E 101-42110-417		UNIFORMS	\$23.98	I 1675596	Uniform
E 101-42110-417		UNIFORMS	\$48.00	I 1675665	Uniform
E 101-42110-417		UNIFORMS	\$149.96	I 1676652	Uniform
E 101-42110-417		UNIFORMS	\$189.99	I 1677245	Uniform
E 101-42110-417		UNIFORMS	\$75.99	I 1677251	Uniform
		Total	\$2,892.64		
<b>70902</b>	02/05/24	<b>SUMMIT FIRE PROTECTION</b>			
E 101-42110-401		BLDG/STRUCT MAINTEN	\$538.38	130098204	Annual Maintenance and Recharges for Fire Extingisher
		Total	\$538.38		
<b>70903</b>	02/05/24	<b>TORQUE FITNESS LLC</b>			
E 401-42110-560		EQUIP AND FURNISHIN	\$2,044.92	SO99215	Bars and Weights

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**\*Check Detail Register©**

Batch: 1-16-24 bridge,PR01182024,1-23-24 BOND,XCEL012624AP23,020524AP23,020524AP24

Check #	Check Date	Vendor Name	Amount	Invoice	Comment
Total			\$2,044.92		
<b>70904</b>	02/05/24	<b>US BANK EQUIPMENT FINANCE</b>			
E 101-41320-202		COPY & PRINTING SUPP	\$209.32	520567181	Copier
Total			\$209.32		
<b>70905</b>	02/05/24	<b>WING, SCOTT AND JENNIFER</b>			
R 601-400-37120		UNDISTRIBUTED UTILITI	\$346.33		Rfd Overpmt Utilities 6645 Bracken Drive
Total			\$346.33		
<b>1002899 e</b>	01/19/24	<b>BRIDGEWATER BANK</b>			
E 101-41320-437		MISCELLANEOUS EXPE	\$108.00	1/22/2024	REMOTE DEPOSIT & POSITVE PAY MONTHLY FEE
Total			\$108.00		
<b>1002900 e</b>	01/22/24	<b>Internal Revenue Service</b>			
G 101-2300		PAYROLL CLEARING FE	\$15,694.96		* PR - Fed w/h
G 101-2320		PAYROLL CLEARING FI	\$14,912.62		* PR - SS/Medicare w/h
Total			\$30,607.58		
<b>1002901 e</b>	01/22/24	<b>MINNESOTA DEPT. OF REV.</b>			
G 101-2310		PAYROLL CLEARING ST	\$7,345.13		* State w/h
Total			\$7,345.13		
<b>1002902 e</b>	01/22/24	<b>Public Employees Retirement</b>			
G 101-2330		PAYROLL CLEARING PE	\$32,740.50		* Pera w/h
Total			\$32,740.50		
<b>1002903 e</b>	01/22/24	<b>HCSP</b>			
G 101-2370		PAYROLL CLEARING DE	\$275.00		* HCSP Retirement
Total			\$275.00		
<b>1002904 e</b>	01/22/24	<b>ICMA</b>			
G 101-2370		PAYROLL CLEARING DE	\$400.00		* Roth IRA Contributions
Total			\$400.00		
<b>1002905 e</b>	01/22/24	<b>EDWARD JONES</b>			
G 101-2370		PAYROLL CLEARING DE	\$2,554.23		* Deferred Comp w/h
Total			\$2,554.23		
<b>1002906 e</b>	01/22/24	<b>Optum</b>			
G 101-2347		HSA CLEARING ACCT	\$5,664.13		HSA Employer and Employee Cont
Total			\$5,664.13		
<b>1002907 e</b>	01/23/24	<b>WELLS FARGO - BOND WIRES</b>			
E 527-47000-601		BOND PRINCIPAL	\$295,000.00	2-5-24	Bond Principal 2014B General Obligation Bond-CIP Bonds (old EDA)
E 527-47000-611		BOND INTEREST	\$34,900.00	2-5-24	Bond Interest 2014B General Obligation Bond-CIP Bonds (old EDA)
E 527-47000-620		FISCAL AGENT FEES	\$475.00	2-5-24	Bond Paying Agent Fees 2014B General Obligation- CIP Bonds (old EDA)
E 529-47000-601		BOND PRINCIPAL	\$55,000.00	2-5-24	Bond Principal 2012A General Obligation Bond-Highland/Sewer Bond

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**\*Check Detail Register©**

Batch: 1-16-24 bridge,PR01182024,1-23-24 BOND,XCEL012624AP23,020524AP23,020524AP24

Check #	Check Date	Vendor Name	Amount	Invoice	Comment
E 529-47000-611		BOND INTEREST	\$2,902.50	2-5-24	Bond Interest 2012A General Obligation Bond Highland/Sewer Bond
E 602-47000-601		BOND PRINCIPAL	\$55,000.00	2-5-24	Bond Principal 2012A General Obligation Bond Highland/Sewer Bond
E 602-47000-611		BOND INTEREST	\$2,902.50	2-5-24	Bond Interest 2012A General Obligation Bond Highland/Sewer Bond
E 602-47000-620		FISCAL AGENT FEES	\$237.50	2-5-24	Bond Paying Agent Fee 2012A Bonds (Highland/Sewer Bond)
E 529-47000-620		FISCAL AGENT FEES	\$237.50	2-5-24	Bond Paying Agent Fee 2012A Bonds (Highland/Sewer Bond)
E 601-47000-620		FISCAL AGENT FEES	\$475.00	2-5-24	Bond Paying Agent Fee 2016A Bonds (Watermain)
E 601-47000-601		BOND PRINCIPAL	\$175,000.00	2-5-24	Bond Principal 2016A General Obligation Bond (Watermain)
E 601-47000-611		BOND INTEREST	\$16,875.00	2-5-24	Bond Interest 2016A General Obligation Bonds (Watermain)
E 601-47000-611		BOND INTEREST	\$62,295.14	2-5-24	Bond Interest 2023A General Obligation Bonds (2023 GO Bond)
E 533-47000-611		BOND INTEREST	\$150,791.67	2-5-24	Bond Interest 2023A General Obligation Bonds (2023 GO Bond)
E 501-47000-611		BOND INTEREST	\$9,166.67	2-5-24	Bond Interest 2023A General Obligation Bonds (2023 Equip Certi)
E 532-47000-601		BOND PRINCIPAL	\$125,000.00	2-5-24	2017A Bond Principal (2017 Street Project)
E 532-47000-611		BOND INTEREST	\$34,700.00	2-5-24	2017A Bond Interest (2017 Street Project)
E 528-47000-601		BOND PRINCIPAL	\$90,000.00	2-5-24	Bond Principal 2019A General Obligation Bond(Game Farm South Bay)
E 528-47000-611		BOND INTEREST	\$20,275.00	2-5-24	Bond Interest 2019A General Obligation Bond(Game Farm South Bay)
E 601-47000-601		BOND PRINCIPAL	\$37,400.00	2-5-24	Bond Principal 2017C General Obligation Bond(Kings Point Rd Util)
E 601-47000-611		BOND INTEREST	\$4,053.75	2-5-24	Bond Interest 2017C General Obligation Bond(Kings Point Rd Util)
E 602-47000-601		BOND PRINCIPAL	\$17,600.00	2-5-24	Bond Principal 2017C General Obligation Bond(Kings Point Rd Util)
E 602-47000-611		BOND INTEREST	\$1,907.50	2-5-24	Bond Interest 2017C General Obligation Bond(Kings Point Rd Util)
E 528-47000-620		FISCAL AGENT FEES	\$475.00	2-5-24	Bond Paying Agent Fee 2019A General Obligation (Game Farm South Bay)
E 601-47000-620		FISCAL AGENT FEES	\$327.75	2-5-24	Bond Paying Agent Fee 2017C General Obligation (Game Farm South Bay)
E 602-47000-620		FISCAL AGENT FEES	\$147.25	2-5-24	Bond Paying Agent Fee 2017C General Obligation (Game Farm South Bay)
E 601-47000-601		BOND PRINCIPAL	\$85,000.00	2-5-24	Bond Principal 2020A General Obligation Bond (Watermain)
E 601-47000-611		BOND INTEREST	\$17,125.00	2-5-24	Bond Interest 2020A General Obligation Bond (Watermain)
E 501-47000-601		BOND PRINCIPAL	\$95,000.00	2-5-24	Bond Principal 2020A General Obligation Bond (Equipment Certif)
E 501-47000-611		BOND INTEREST	\$3,425.00	2-5-24	Bond Interest 2020A General Obligation Bond (Equipment Certif)
E 601-47000-620		FISCAL AGENT FEES	\$356.25	2-5-24	Bond Paying Agent fee 2020A General Obligation (Watermain)
E 501-47000-620		FISCAL AGENT FEES	\$118.75	2-5-24	Bond Paying Agent fee 2020A General Obligation (Equipment Certif)
E 601-47000-620		FISCAL AGENT FEES	\$133.00	2-5-24	Bond Paying Agent fee 2023A General Obligation (2023 GO Bond)

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**\*Check Detail Register©**

Batch: 1-16-24 bridge,PR01182024,1-23-24 BOND,XCEL012624AP23,020524AP23,020524AP24

Check #	Check Date	Vendor Name	Amount	Invoice	Comment
E 533-47000-620		FISCAL AGENT FEES	\$325.50	2-5-24	Bond Paying Agent fee 2023A General Obligation (2023 GO Bond)
E 501-47000-620		FISCAL AGENT FEES	\$16.50	2-5-24	Bond Paying Agent fee 2023A General Obligation (2023 Equipment Certi)
Total			\$1,394,644.73		
<b>1002908 e</b>	01/25/24	<b>XCEL ENERGY</b>			
E 101-41940-381		ELECTRIC UTILITIES	\$964.61	51-6565407-3	Electricity-City Hall
E 101-43121-381		ELECTRIC UTILITIES	\$228.73	51-6565407-3	Electricity-PW
E 101-43160-381		ELECTRIC UTILITIES	\$51.36	51-6565407-3	Electricity-Signal Sunnyfield
E 101-43160-381		ELECTRIC UTILITIES	\$57.94	51-6565407-3	Electricity-MN Dot Signal
E 101-45202-401		BLDG/STRUCT MAINTEN	\$16.19	51-6565407-3	Electricity-Hunters Trail
E 101-43121-381		ELECTRIC UTILITIES	\$444.69	51-6565407-3	Electricity
Total			\$1,763.52		
<b>1010 1ST BK OF THE LAKES</b>			\$1,631,285.67		

## Fund Summary

**1010 1ST BK OF THE LAKES**

101 GENERAL FUND	\$132,955.96
401 CAPITAL IMPROVEMENT PROGRAM	\$14,660.46
406 ROAD MAINTENANCE FUND	\$18,797.06
433 2023 STREET PROJECTS	\$8,105.31
501 CIP EQUIPMENT CERTIFICATES	\$107,726.92
527 CIP BONDS (WAS EDA) DEBT FUND	\$330,375.00
528 GAME FARM/SOUTH BAY DEBT	\$110,750.00
529 HIGHLAND ROAD DEBT	\$58,140.00
532 2017 A STREET PROJECTS DEBT	\$159,700.00
533 2023 A STREET PROJECTS DEBT	\$151,117.17
601 WATER FUND	\$435,822.41
602 SEWER FUND	\$96,285.88
651 STORM WATER MGMT FUND	\$2,028.50
673 CABLE	\$2,950.00
801 LANDUSE AGENCY	\$1,871.00
	\$1,631,285.67

## CITY OF MINNETRISTA

### CITY COUNCIL CONSENT AGENDA ITEM 4C

---



**Subject:** Request for Approval of Promotion for Joshua Brown from Officer to Sergeant within the City of Minnetrista Public Safety Department

**Prepared By:** Allie Polsfuss, Director of Administration

**Meeting Date:** February 5, 2024

---

#### **Issue**

The City Council is being asked to approve a promotion for Officer Brown to Sergeant within the City of Minnetrista Public Safety Department.

#### **Background**

Justin Thompson, former Sergeant, submitted his letter of resignation effective January 15, 2024. The Sergeant position was posted internally for all Police Department employees. Josh Brown's application was received, and he was interviewed by Chief Falls, Lieutenant Squires, Sergeant Cummings, and Director of Administration Polsfuss on January 19, 2024.

At tonight's City Council meeting, we are asking the City Council to approve this promotion with the conditions established in the letter of promotion (attachment A.)

Officer Josh Brown served the City of Minnetrista from 2016-2021 and again since 2023, successfully performing the roles of Patrol Officer, TASER instructor, Member of West Metro Mobile Field Course and Field Training Officer. He left employment in 2021 for a Patrol Officer position in Waite Park, where he gained valuable experience as an Investigator, Community Engagement Officer, School Resource Officer, and Pepperball Launcher Instructor. In early 2023, Brown returned to Minnetrista. He has had exemplary performance reviews, received a Life Saving Award, and an award for DWI enforcement.

Officer Brown has been acknowledged for his consistent use of sound judgement, remaining calm in high pressure situations, experience in multiple roles in law enforcement, and his relationship with fellow officers. Officer Brown is viewed with high esteem by his fellow officers and Public Safety leadership and has a solid knowledge of police operations.

#### **Fiscal Impact and Summary**

At the time of his promotion to Sergeant, Officer Brown will receive a rate increase from \$46.01 to \$50.52 an hour in accordance with the LELS Local 343 Police Supervisors Agreement. Officer Josh Brown been a very valuable asset to the city, and his efforts are greatly appreciated.

---

#### **Mission Statement:**

The City of Minnetrista will deliver quality services in a cost effective and innovative manner and provide opportunities for a high quality of life while protecting natural resources and maintaining a rural character.

**Recommended City Council Action:** The Personnel Committee recommends approval of promoting Officer Josh Brown to Sergeant, along with the above pay increase effective February 6, 2024.

---

**Mission Statement:**

The City of Minnetrista will deliver quality services in a cost effective and innovative manner and provide opportunities for a high quality of life while protecting natural resources and maintaining a rural character.



Municipal Offices  
7701 County Road 110 West  
Minnetrista, MN 55364-9552  
Email: [minnetrista@ci.minnetrista.mn.us](mailto:minnetrista@ci.minnetrista.mn.us)

---

January 25, 2024

Mr. Joshua Brown  
<Address>

Dear Josh:

Congratulations, this letter documents your successful completion of the application and interview process for promotion to Police Sergeant and the Personnel Committee's recommendation for your promotion. You are a valued and successful member of the police force and have served Minnetrista well as a Police Officer. Final approval of your promotion will be granted by the Minnetrista City Council at a future City Council meeting, but this letter allows us to continue with the final steps of the promotion process.

The 2024 starting rate of pay for Sergeant is \$50.52 per hour (or \$105,082.85 annually).

You will serve a six-month performance-only probation period, with a performance review performed at six-months. Upon a successful six-month performance review, you will be eligible for a change in job status from "probationary" employee to a "full-time" employee. In subsequent years, annual performance reviews will be done at the end of each calendar year, with possible pay adjustment granted each January 1. You will receive step increases on your anniversary date each year, in accordance with the language of the union contract, as well. This position is a unionized position with the Law Enforcement Labor Services, Inc. (LELS), Local #343.

We look forward to you completing these final steps, and we are very pleased to announce your promotion within the City of Minnetrista.

Sincerely,

Allie Polsfuss  
Director of Administration

Mr. Joshua Brown  
<Address>

I accept all the terms and conditions as set forth in this conditional offer of employment for the Sergeant position with the City of Minnetrista.

---

Joshua Brown

---

Date

cc: Paul Falls, Police Chief / Director of Public Safety  
Personnel File

## CITY OF MINNETRISTA

### CITY COUNCIL CONSENT AGENDA ITEM 4D

---



**Subject:** Approval of Promotion for Carter Ostlie  
from Public Works Maintenance Worker to Sewer Operator within the  
City of Minnetrista Public Works Department

**Prepared By:** Allie Polsfuss, Director of Administration

**Meeting Date:** February 5, 2024

---

#### **Issue**

The City Council is being asked to approve a promotion for Carter Ostlie to Sewer Operator in the City of Minnetrista Public Works Department.

#### **Background**

During the 2024 budgeting process, the City Council approved a Sewer Operator Position in the Public Works Department. The Sewer Operator position was posted internally for all Public Works Department employees. Carter Ostlie's application was received, and he was interviewed by Director of Public Works Gary Peters and Director of Administration Polsfuss on January 17, 2024.

At tonight's City Council meeting, we are asking the City Council to approve this promotion with the conditions established in the letter of promotion (attachment A.)

Carter Ostlie has served the City of Minnetrista since 2017. Since being employed with the City, he has gained experience in all functions of this position; including maintenance/repair on sanitary sewer lines, lift stations, pumps, control panels, manholes and related infrastructure to prevent service interruption; management of Cartegraph asset management system and SCADA system, obtained proper licenses and qualifications for the position, and understands utility maintenance operation. He has had excellent performance reviews since being employed.

Carter is viewed with high esteem by his fellow colleagues and Public Works leadership and will be an asset in his new role.

#### **Fiscal Impact and Summary**

At the time of his promotion to Sewer Operator, Ostlie will receive a rate increase from \$36.37 to \$40.84 an hour in accordance with the IUOE Local 49 Public Works Union Agreement.

---

#### **Mission Statement:**

The City of Minnetrista will deliver quality services in a cost effective and innovative manner and provide opportunities for a high quality of life while protecting natural resources and maintaining a rural character.

**Recommended City Council Action:** The Personnel Committee recommends approval of the promotion of Public Works Maintenance Worker Carter Ostlie to Sewer Operator, along with the above pay increase effective February 6, 2024.

---

**Mission Statement:**

The City of Minnetrista will deliver quality services in a cost effective and innovative manner and provide opportunities for a high quality of life while protecting natural resources and maintaining a rural character.



Municipal Offices  
7701 County Road 110 West  
Minnetrista, MN 55364-9552  
Email: [minnetrista@ci.minnetrista.mn.us](mailto:minnetrista@ci.minnetrista.mn.us)

---

January 25, 2024

Mr. Carter Ostlie  
<Address>

Dear Carter:

Congratulations, this letter documents your successful completion of the application and interview process for promotion to Sewer Operator and the Personnel Committee's recommendation for your promotion. You are a valued and successful member of the Public Works Department and have served Minnetrista well as a Public Maintenance Worker. Final approval of your promotion will be granted by the Minnetrista City Council at a future City Council meeting, but this letter allows us to continue with the final steps of the promotion process.

We are offering you the starting rate of pay of \$40.84 per hour (\$84,940.02)

You will serve a six-month performance-only probation period, with a performance review performed at six-months. Upon a successful six-month performance review, you will be eligible for a change in job status from "probationary" employee to a "full-time" employee. In subsequent years, annual performance reviews will be done at the end of each calendar year, with possible pay adjustment granted each January 1. You will receive step increases on your anniversary date each year, in accordance with the language of the union contract, as well. This position is a unionized position with the International Union of Operating Engineers Local 49.

We look forward to you completing these final steps, and we are very pleased to announce your promotion within the City of Minnetrista.

Sincerely,

Allie Polsfuss  
Director of Administration

Mr. Carter Ostlie  
<Address>

I accept all the terms and conditions as set forth in this conditional offer of promotion for the Sewer Operator position with the City of Minnetrista.

---

Carter Ostlie

---

Date

## CITY OF MINNETRISTA

### CONSENT AGENDA ITEM 4E

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**Subject:** Approve Interim Pay for Adam Hegeholz

**Prepared By:** Allie Polsfuss, Director of Administration

**Meeting Date:** February 5, 2024

---

**Issue/Background:**

Water Operator, Mike Pawelk, will be going on an extended leave starting February 6, 2024 for up to 12 weeks. Public Works Maintenance Worker, Adam Hegeholz, will be fulfilling the duties of this position until Mike returns.

**Overview:**

With the Water Operator position needing to be filled while the current employee is out on leave, Adam Hegeholz will be completing the Water Operator duties until Mike Pawelk returns. Once he returns, he will go back to Maintenance Worker duties and pay.

The Personnel Committee recommends interim pay at 10% increase from \$36.37 to \$40.00 effective February 6, 2024. Interim pay is a great way to show appreciation for someone stepping up and helping during a period of vacancy. It also provides employees with additional experience during the time they step into a different role. We have done this with several employees over the last few years.

**Recommended City Council Action:** Approve Interim Pay for Adam Hegeholz effective February 6, 2024.

---

**Mission Statement:**

The City of Minnetrista will deliver quality services in a cost effective and innovative manner and provide opportunities for a high quality of life while protecting natural resources and maintaining a rural character.

## CITY OF MINNETRISTA



### CITY COUNCIL AGENDA ITEM 4F

---

**Subject:** Approve Task Order #9 (Rehabilitation of Well #6) with Advanced Engineering and Environmental Services, LLC (AE2S)

**Prepared By:** Gary Peters, Public Works Director

**Meeting Date:** February 5, 2024

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#### **Issue:**

Well #6 in need of rehabilitation due to the pumping issues and volume reduction observations made by Public Works Staff. Staff requested AE2S prepare Task Order #9 Proposal for the preparation of bid documents, bidding administration, and construction services for the removal and inspection of Well #6 pump and its components.

#### **Overview:**

Public Works Staff has noticed start up issues with Well #6. At times there is a delay start which may be from bad motor windings; and the pumping capacities are down from what is normally obtained. This also seems to be the pump related.

All City Well pumps are scheduled to be inspected every seven years. This pump, and Well #7 pump, were put in service in 2017 and were scheduled for 2025, but due to these issues, we need to move Well #6 up a year. We will also be rehabbing Well #3 this fall, as this was already on the CIP schedule for 2024.

The quote will be asking for bid unit pricing on removal, complete inspection, and reinstallation of the pump, shaft, and all internal components, as well as a casing inspection. A complete line-item parts list and required/optional services will be included, and prices will be quoted for each. Only services and parts needed will be invoiced at those quoted prices. Once quotes are received, they will be presented to the council for award.

#### **Fiscal Impact:**

The proposed fee is an hourly fee not to exceed \$24,600.00. Please see attached TO #9 for a complete list of included services. The fees associated with professional services will be reimbursed through the water fund.

#### **Recommended City Council Action:**

Staff recommends adopting Resolution No. 26-24 approving the agreement for AE2S to provide professional services for the preparation of bid documents, bidding administration, and construction services for the Rehabilitation of Well #6.

#### **Mission Statement:**

The City of Minnetrista will deliver quality services in a cost effective and innovative manner and provide opportunities for a high quality of life while protecting natural resources and maintaining a rural character.

## **Task Order No. 9**

---

In accordance with Paragraph 1.01 of the Agreement Between Owner and Engineer for Professional Services – Task Order Edition, dated August 1, 2022 ("Agreement"), Owner and Engineer agree as follows:

### **1. Background Data**

- a. Effective Date of Task Order: January 26, 2024
- b. Owner: City of Minnetrista
- c. Engineer: Advanced Engineering and Environmental Services, LLC (AE2S)
- d. Specific Project (title): Well No. 6 Rehabilitation
- e. Specific Project (description): Engineering services to the City of Minnetrista include the Design, Bidding, Construction Administration, and Construction Observation Phases for Well No. 6 Rehabilitation. The project generally includes removing and inspecting Well No. 6 pump, motor, and column pipe; assessment of electric pump motor and pump impellor and casing; rehabilitation of removed components, if necessary; replacement of components, if necessary; brushing and swabbing well screen; and installation of existing/refurbished/new pump, motor, and casing.

### **2. Services of Engineer**

- A. The specific services to be provided or furnished by Engineer under this Task Order are detailed in Attachment No. 1 – Scope of Services, attached to this Task Order. The services (and related terms and conditions) set forth in the following sections of Exhibit A, as attached to the Agreement referred to above, such sections being hereby incorporated by reference:

- Final Design Phase (Exhibit A, Paragraph A1.03)
- Bidding or Negotiating Services (Exhibit A, Paragraph A1.04)
- Construction Phase Services (Exhibit A, Paragraph A1.05)
  - including Resident Project Representative (RPR) services (A1.05.A.2)

- B. Resident Project Representative (RPR) Services:

Exhibit D of the Agreement is expressly incorporated in this Task Order by reference.

- C. Other Services

Engineer shall also provide the following services: None

- D. All of the services included above comprise Basic Services for purposes of Engineer's compensation under this Task Order.

### 3. Additional Services

- A. Additional Services that may be authorized or necessary under this Task Order are those services (and related terms and conditions) set forth in Paragraph A2.01 of Exhibit A, as attached to the Agreement referred to above, such paragraph being hereby incorporated by reference.

### 4. Owner's Responsibilities

- A. Owner shall have those responsibilities set forth in Article 2 of the Agreement and in Exhibit B, subject to the following:
- Owner shall provide relevant information pertaining to the Assignment.
  - Engineer shall be entitled to use and rely upon all information provided by Owner or others in performing Engineer's services under this Agreement.
  - Provide access to the relevant site sufficient for Engineer to perform its services under this Agreement.

### 5. Task Order Schedule

- A. In addition to any schedule provisions provided in Exhibit A or elsewhere, the parties shall meet the following schedule: This Task Order is in effect through December 31, 2024. Specific task timelines will be established upon assignment.

### 6. Payments to Engineer

- A. Owner shall pay Engineer for services rendered under this Task Order as follows:

Description of Service	Amount	Basis of Compensation
1. Well No. 6 Rehabilitation		
a. Design Phase	\$9,500	Hourly
b. Bidding Phase	\$4,100	Hourly
c. Construction Administration	\$7,200	Hourly
d. Construction Observation (RPR)	\$3,800	Hourly
<b>TOTAL COMPENSATION</b>	<b>\$24,600</b>	

Compensation items and totals based in whole or in part on Hourly Rates or Direct Labor are estimates only. Engineer may alter the distribution of compensation between individual phases (line items) to be consistent with services actually rendered. Engineer shall not exceed the total estimated compensation amount unless approved in writing by the Owner.

- B. The terms of payment are set forth in Article 4 of the Agreement and in the applicable governing provisions of Exhibit C.

**7. Consultants retained as of the Effective Date of the Task Order:** None

**8. Other Modifications to Agreement and Exhibits:** None

**9. Attachments:** Attachment No. 1 – Scope of Services

**10. Other Documents Incorporated by Reference:** None

**11. Terms and Conditions**

Execution of this Task Order by Owner and Engineer shall make it subject to the terms and conditions of the Agreement (as modified above), which Agreement is incorporated by this reference. Engineer is authorized to begin performance upon its receipt of a copy of this Task Order signed by Owner.

The Effective Date of this Task Order is January 26, 2024.

OWNER:

By: \_\_\_\_\_

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_

DESIGNATED REPRESENTATIVE FOR TASK ORDER:

Name: Gary Peters

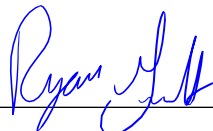
Title: Public Works Director

Address: 7701 County Road 110 W  
Minnetrista, MN 55364

E-Mail Address: GaryPeters@ci.minnetrista.mn.us

Phone: 952-241-2532

ENGINEER:

By: 

Print Name: Ryan Grubb

Title: Operations Manager

DESIGNATED REPRESENTATIVE FOR TASK ORDER:

Name: Richard Wagner

Title: Senior Project Manager

Address: Water Tower Place Business Center  
6901 E Fish Lake Rd, Suite 184  
Maple Grove, MN 55369

E-Mail Address: Richard.Wagner@AE2S.com

Phone: 763-463-5036

# **Attachment No. 1 – Scope of Services**

## **City of Minnetrista – Well No. 6 Rehabilitation Design, Bidding, Construction Administration, and Construction Observation Scope of Services**

The City of Minnetrista intends to rehabilitate their existing Well No. 6. This Scope of Services provides for the design, bidding, construction administration, and construction observation phase services to support the rehabilitation of Well No. 6. The project generally includes removing and inspecting Well No. 6 pump, motor, and column pipe; assessment of electric pump motor and pump impellor and casing; rehabilitation of removed components, if necessary; replacement of components, if necessary; brushing and cleaning well screen; and installation of existing/refurbished/new pump, motor, and casing. The following is a detailed breakdown of the Scope of Services to Minnetrista Well No. 6 Rehabilitation:

Tasks
<b><u>Well No. 6 Rehabilitation Design Phase Services</u></b> <ul style="list-style-type: none"> <li>Request and review Well No. 6 data and information from the City of Minnetrista.</li> <li>Prepare rehabilitation specifications listing the required work by well contractor, proposed schedule, and project quote line items.</li> <li>Prepare an opinion of probable construction cost for the anticipated rehabilitation work.</li> <li>Prepare final specifications based upon Well No. 6 data received from the City of Minnetrista.</li> <li>Review final construction documents with City of Minnetrista’s personnel and make edits based on responses received.</li> <li>Submit two (2) paper copies of the final bidding documents to the City and one electronic copy format (PDF).</li> <li>Submit one (1) paper copy to the Minnesota Department of Health for review, if required.</li> </ul>
<b><u>Well No. 6 Rehabilitation Bidding Phase Services</u></b> <ul style="list-style-type: none"> <li>Distribute rehabilitation specifications and quote sheet to qualified well contractors.</li> <li>Respond to Contractor questions.</li> <li>Issue addenda to specifications, if required.</li> <li>Collect, evaluate, and summarize the quotes received and prepare an Engineer’s recommendation to the City of Minnetrista.</li> </ul>
<b><u>Well No. 6 Rehabilitation Construction Administration Phase Services</u></b> <ul style="list-style-type: none"> <li>Issue contract document clarification, as required.</li> <li>Act as City’s liaison with contractor.</li> <li>Organize, coordinate, lead, and attend a Preconstruction Conference. Provide and distribute meeting minutes.</li> <li>Review Contractor submittals (shop drawings) for products and equipment.</li> <li>Process contract change order requests, if required.</li> <li>Review contractor-submitted construction progress schedules.</li> <li>Process contractor pay requests.</li> <li>Review final submittal from Contractor with respect to conformance with the contract documents.</li> <li>Process final pay requests and project close-outs.</li> <li>Coordinate with well contractor concerning key points of rehabilitation and points of decision.</li> </ul>

**Well No. 6 Rehabilitation Construction Observation Services**

- Provide periodic construction observation by team members during construction. Site visits are anticipated to occur during the well video process, pump installation, punch list documentation, and final inspection of the well (20 hrs. total.)

**RESOLUTION NO. 26-24**

**RESOLUTION APPROVING**

**Task Order #9 (Rehabilitation of Well #6) with Advanced Engineering and  
Environmental Services, LLC (AE<sub>2</sub>S)**

**WHEREAS**, the City of Minnetrista needs to have Well #6 rehabilitated;

**NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE  
CITY OF MINNETRISTA**, that an agreement has been made between the City and  
Advanced Engineering and Environmental Services, LLC (AE<sub>2</sub>S) to provide professional  
services for the Rehabilitation of Well #6 through Task Order #9.

This resolution was adopted by the City Council of the City of Minnetrista on the 5<sup>th</sup> day  
of February, 2024, by a vote of \_\_\_\_\_ Ayes and \_\_\_\_\_ Nays.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

(seal)

## CITY OF MINNETRISTA



### CITY COUNCIL AGENDA ITEM 4G

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**Subject:** Application from James & Cynthia Ernst for a street side setback variance at 920 Maple Crest Drive

**Prepared By:** Nickolas Olson, Senior City Planner  
**Through:** David Abel, Community Development Director

**Meeting Date:** February 5, 2024

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**Overview:** James & Cynthia Ernst (the “Applicants”) have made a request for a street side setback variance from the required 50 feet to 38 feet to allow for a detached garage at 920 Maple Crest Drive; R-1 – Low Density Single Family Residence Zoning District; PID# 12-117-24-22-0056 (the “Property”).

**Background:** The Applicants applied for a building permit to build a detached garage on the Property. During plan review, city staff noticed that the location of the proposed garage did not meet the required street side setback and informed the Applicants. While discussing their options, it became clear that this was the only location the Applicants could place the proposed garage required a variance due to the presence of existing geothermal wells. Once this discovery was made, city staff outlined and explained the variance process and the Applicants have put together the necessary documents attached hereto for the City Council to consider.

**Variance Request:** City Code Section 505.05 Subd. 9 allows the City to issue variances from the provisions of the zoning code. A variance is a modification or variation of the provisions of the zoning code as applied to a specific piece of. A variance is only permitted when:

**a. The variance is in harmony with the general purposes and intent of this ordinance.**

Section 505.03 Subd. 1 outlines the specific purpose and intent of the City’s zoning ordinance. One of those purpose and intent is to protect the general health and safety of the inhabitants of the City. This is accomplished through the promotion of proper use of land and structures with reasonable standards to which buildings, structures, and land will conform to for the benefit of all.

A detached accessory structure is a reasonable and proper use of the Property allowed by City Code. The location of the proposed accessory structure is reasonable as it does not encroach closer than 35 feet, which is what would be required had this been a principle structure, and the additional green space of the

**Mission Statement:**

The City of Minnetrista will deliver quality services in a cost effective and innovative manner and provide opportunities for a high quality of life while protecting natural resources and maintaining a rural character.

boulevard will allow the accessory structure to feel 50+ feet away from the roadway surface.

**b. The variance is consistent with the comprehensive plan.**

The basic intent of the comprehensive planning process is to provide a well-founded and coordinated decision-making framework to guide both public and private development and community improvements. In this regard, the comprehensive plan represents the development framework to guide and direct future land development decisions within the City. The Land Use Plan is a narrative and graphic representation of the community's land use and growth management goals and policies that provides the background and rationale for land use designations as represented on the Proposed Land Use Map.

The Property and surrounding area are guided for long term Residential Low per the 2040 Minnetrista Comprehensive Plan. The proposed variance does not alter the future use of the Property and thus remains consistent with the long term goals for the area. In addition to simply complying with the future land use plan, the proposed garage is located on the street side of the home, which helps protect the lake and neighboring views thereof.

A variance may be granted when the applicant establishes there are practical difficulties in complying with this ordinance. Practical difficulties, as used in connection with granting a variance, means:

**1. The property owner proposes to use the property in a reasonable manner not permitted by this ordinance.**

This factor means that the landowner would like to use the property in a particular reasonable way, but cannot do so under the rules of the ordinance. It does not mean that the land cannot be put to any reasonable use whatsoever without the variance.

The Applicants are proposing a detached accessory structure (garage), which is allowed by ordinance and thus is a reasonable. The Property also benefits from additional spacing between back of curb and the right-of-way line where the setback is measured, so the proposed building will appear further away.

**2. The plight of the landowner is due to circumstances unique to the property not created by the landowner.**

The uniqueness generally relates to the physical characteristics of the particular piece of property, that is, to the land and not personal characteristics or preferences of the landowner. When considering the variance for a building to encroach or intrude into a setback, the focus of this factor is whether there is anything physically unique about the particular piece of property.

The Applicants are hindered by the presence of geothermal wells, which occupy part of the buildable area allowed by City Code. These geothermal wells force

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the proposed garage towards the street and given the angle of the side property line relative to the street, this would force the proposed garage to become smaller or oddly shaped unless relief to the street side setback is granted.

**3. The variance would not alter the essential character of the locality.**

Under this factor, consider whether the resulting structure will be out of scale, out of place, or otherwise inconsistent with the surrounding area.

There are other properties in the neighborhood that have detached garages on the street side of their homes, so the existence of the proposed garage won't be out of character. The proposed structure is also consistent in size to others in the neighborhood further enforcing the reasonableness of the request.

**Neighborhood Comments:** Notices were sent out to all property owners within 500 feet of the subject property. Staff did not speak with any neighboring property owners nor received any written comments or concerns regarding this request as a result of sending the public notice.

**Planning Commission Recommendation:** The Applicants' request was presented to the Planning Commission at their January 29, 2024 meeting. At that meeting, the required public hearing was held. There was no one besides the Applicants present to speak. After reviewing the staff report and hearing no testimony at the public hearing, the Planning Commission had a motion made by Gangestad and seconded by Livermore to recommend the City Council approve the requested setback variance, based on certain findings of fact and subject to conditions. Motion passed 6-0. Absent Young and Rognli.

**Conclusion:** The City Council should review the staff report and the recommendation of the Planning Commission. After review, the City Council should consider the entire record before it prior to making a motion. Along with making a motion, findings of fact should be established which support the motion. Findings of fact based on the information submitted by the Applicants may be as follows:

1. The requested variance is in harmony with the purpose and intent of the City's zoning ordinances because the proposed accessory structure is reasonable as it does not encroach closer than 35 feet, which is what would be required had this been a principle structure, and the additional green space of the boulevard will allow the accessory structure to feel 50+ feet away from the roadway surface;
2. The requested variance is consistent with the City's comprehensive plan because the Property is guided for long term Residential Low per the 2040 Minnetrista Comprehensive Plan. The proposed variance is consistent with this long term goal as single family residential is an allowed use and the proposed detached accessory structure is located on the street side of the home, which helps protect the lake and neighboring views thereof;
3. The Applicants propose to use the Property in a reasonable manner because detached accessory structures are allowed per code and the size and setbacks that are proposed are reasonable given the circumstances;

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4. The requested variance is the result of unique circumstances not created by the landowner because of the presence of geothermal wells, which occupy part of the buildable area allowed by City Code. These geothermal wells force the proposed garage towards the street and given the angle of the side property line relative to the street the buildable area becomes further compromised; and
5. The requested variance will not alter the character of the locality because other properties in the neighborhood that have detached garages on the street side of their homes, so the existence of the proposed garage won't be out of character. The proposed structure is also consistent in size to others in the neighborhood further enforcing the reasonableness of the request.

**Recommended Action:** Motion to adopt a resolution approving the requested street side setback variance at 920 Maple Crest Drive based on certain findings of fact outlined in the staff report and subject to the following conditions:

1. The construction shall be consistent with the plan and survey documents submitted with this variance application;
2. Any required grading shall maintain existing drainage patterns or improve the existing drainage of the lot and adjacent lots;
3. The Applicants obtain all necessary permits and approvals from the City and other applicable entities with jurisdiction over the Property prior to any construction;
4. The Applicants are responsible for all fees incurred by the City in review of this application; and
5. The variance approval is valid for one year from the date of approval and will become void and expire unless a building permit has been issued for the site.

**Attachments:**

1. Location Map
2. Applicant's Narrative
3. Proposed Survey
4. Proposed Plans
5. Res. No. 27-24 Approve Street Side Setback Variance at 920 Maple Crest Drive




**Mission Statement:**

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920 Maple Crest Drive



1 in = 100 Ft

-  City Boundary
-  Address Labels
-  Parcels



Written statement for variance at 920 Maple Crest Drive, Minnetrista, MN 55364

Would like to build a 960 square foot detached garage for storage of lake and lawn equipment. We realize the setback is 50 feet from the property line there is an additional 16 feet for the city easement making it 66 feet from the street curb. Because of the location of our geothermal wells, the only place that this would work puts the northeast corner (roughly 113 sq ft) of the structure 12 feet closer to the property line than required setback. We are applying for a variance to change the front yard setback from 50 feet to 38 feet, still making the structure 54 feet from the street.

- A. Current property owners: James D and Cynthia A Ernst
- B. Property description: Parcel 1: Lot 14, Block 1 Sun Valley Hennepin County, MN (Abstract). Parcel 2: That part of Outlot 2, Maple Crest Estates lying between the Northeasterly extensions of the Northwesterly and Southeasterly lines of Lot 14, Block 1, Sun Valley (Torrens). Parcel 3: The part of Outlot 2, Maple Crest Estates lying South of the Northeasterly extension of the Southeasterly line of Lot 14, Block 1, Sun Valley (Abstract). PID: 1211724220056. Parcel Area: 0.91 acres (39,650 square feet). Land use/zoning: Residential
- C. Minnetrista City Code: Section 505.15 Subd. 2
- D. Building a 960 square foot detached garage where 113 square feet of the northeast corner of the structure would require the front yard setback to be changed from 50 feet to 38 feet.
- E. Discussion with Nickolas Olson after applying for a building permit.
- F. After reviewing Minnetrista City Code, we feel that the harmony is being met with the current comprehensive plan.
- G. If variance is granted, it would allow the owners to contain all of their items (trailers, boats and lawn equipment) neatly inside and out of sight.  
Due to the geothermal wells in the front yard, the only way to place garage on lot is to get a variance.  
Four of our closest neighbors have secondary detached garages, so adding this structure would look very similar to neighbors.
- H. Structure is for personal storage only.
- I. The structure would not cause any adverse effects to the neighborhood.

# Certificate of Survey of Existing Conditions

## for

### James D. and Cynthia A. Ernst

#### DOCUMENT NUMBERS:

DEED PER DOC.NO'S. A10090879, T05394329,  
and 11133898

#### PROPERTY IDENTIFICATION NUMBERS:

12-117-24-22-0056

#### ADDRESS:

920 Maple Crest Drive, Minnetrista, MN 55364

#### EXISTING PROPERTY DESCRIPTIONS:

- PARCEL 1: Lot 14, Block 1,  
SUN VALLEY  
Hennepin County, Minnesota  
Abstract Property.
- PARCEL 2: That part of Outlot 2, MAPLE CREST ESTATES lying between the  
Northeasterly extensions of the Northwesternly and Southeasterly  
lines of Lot 14, Block 1, SUN VALLEY.  
Torrens Property.
- PARCEL 3: That part of Outlot 2, MAPLE CREST ESTATES lying South of the  
Northeasterly extension of the Southeasterly line of Lot 14,  
Block 1, SUN VALLEY.  
Abstract Property.

#### PROPERTY DESCRIPTIONS TO BE PROPOSED:

- PARCEL A: Lot 14, Block 1,  
SUN VALLEY  
Hennepin County, Minnesota,  
together with  
That part of Outlot 2, MAPLE CREST ESTATES lying between the  
Northeasterly extensions of the Northwesternly and Southeasterly  
lines of Lot 14, Block 1, SUN VALLEY.
- PARCEL B: Lot 15, Lot 1,  
SUN VALLEY  
Hennepin County, Minnesota,  
together with  
That part of Outlot 2, MAPLE CREST ESTATES lying South of the  
Northeasterly extension of the Southeasterly line of Lot 14,  
Block 1, SUN VALLEY.

#### NOTES & LEGEND:

- WHERE PLAT TEXT IS ILLEGIBLE, NO PLAT DIMENSION IS SHOWN ON SURVEY.
- NOTE, GEOTHERMAL SHOWN IS LOCATED PER CLIENT, AS NOT VISIBLE ON SITE.
- SETBACK LINES ARE 50 FEET FROM STREET RIGHT-OF-WAY ON FRONT, 10 FEET ON SIDES.
- BENCHMARK RIM OF SANITARY MANHOLE COVER IN MAPLE CREST DRIVE EQUALS 955.08 (NAVD88 Datum)
- Survey revision of 05-30-2023 to update side yard setback to 10 feet, and remove proposed detached garage.

- ⊗ DENOTES STORM SEWER MANHOLE  
⊙ DENOTES SANITARY SEWER MANHOLE  
— OHW — DENOTES OVERHEAD WIRE  
— DENOTES RETAINING WALL  
⊞ DENOTES CATCH BASIN  
○ DENOTES TREE

THE EAST LINE OF LOT 14, BLOCK 1 IS ASSUMED TO BEAR S00°16'28"E

- DENOTES 1/2 INCH BY 14 INCH IRON MONUMENT SET AND  
MARKED BY R.L.S. NO. 41905

- DENOTES IRON MONUMENT FOUND AS NOTED

(P) DENOTES BEARING /DISTANCE PER PLAT  
(m) DENOTES MEASURED BEARING /DISTANCE

I hereby certify that this survey, plan, or  
report was prepared by me or under my direct  
supervision and that I am a duly Licensed  
Land Surveyor under the Laws of the State  
of Minnesota.

Michael H. Brandt Michael H. Brandt  
Date 25 May 2023 Reg. No. 41905  
Rev 30 May 2023

BRANDT SURVEYING & ASSOCIATES

1713 Southcross Drive West, Suite A  
Burnsville, MN 55306  
(952) 435-1966

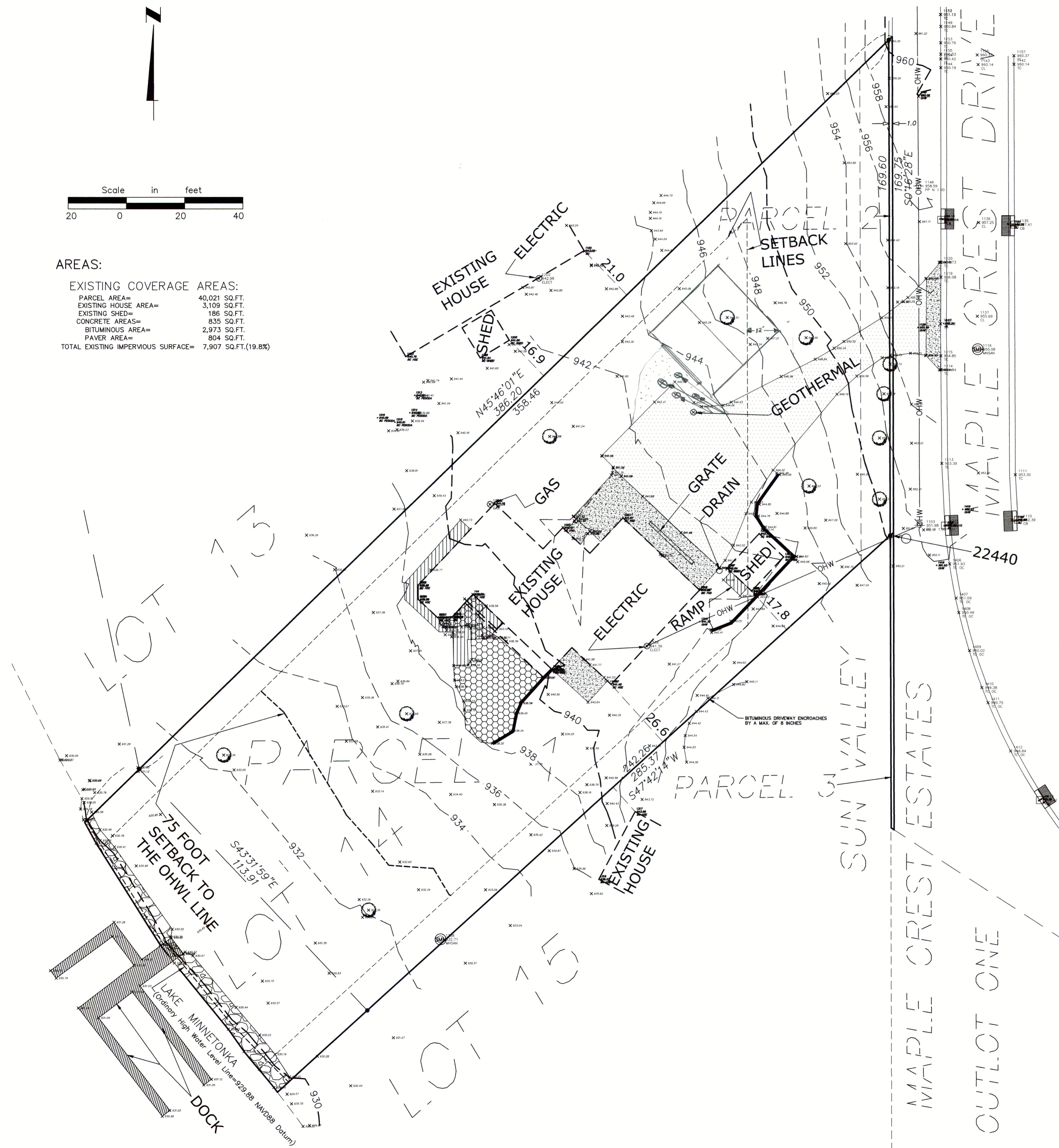
E42-01-23

Scale in feet  
20 0 20 40

#### AREAS:

##### EXISTING COVERAGE AREAS:

PARCEL AREA= 40,021 SQ.FT.  
EXISTING HOUSE AREA= 3,109 SQ.FT.  
EXISTING SHED= 186 SQ.FT.  
CONCRETE AREAS= 835 SQ.FT.  
BITUMINOUS AREA= 2,973 SQ.FT.  
PAVER AREA= 804 SQ.FT.  
TOTAL EXISTING IMPERVIOUS SURFACE= 7,907 SQ.FT.(19.8%)



## PROPOSED COVERALL

### Existing Coverage Areas:

Parcel Area= 40,021 sq. ft.

Existing House= 3,109 sq. ft.

Existing Shed= 186 sq. ft.

Concrete Areas= 835 sq. ft.

Bituminous Area= 2,973 sq. ft.

Paver Area= 804 sq. ft.

TOTAL EXISTING IMPERVIOUS= 7,907 sq. ft. (19.8%)

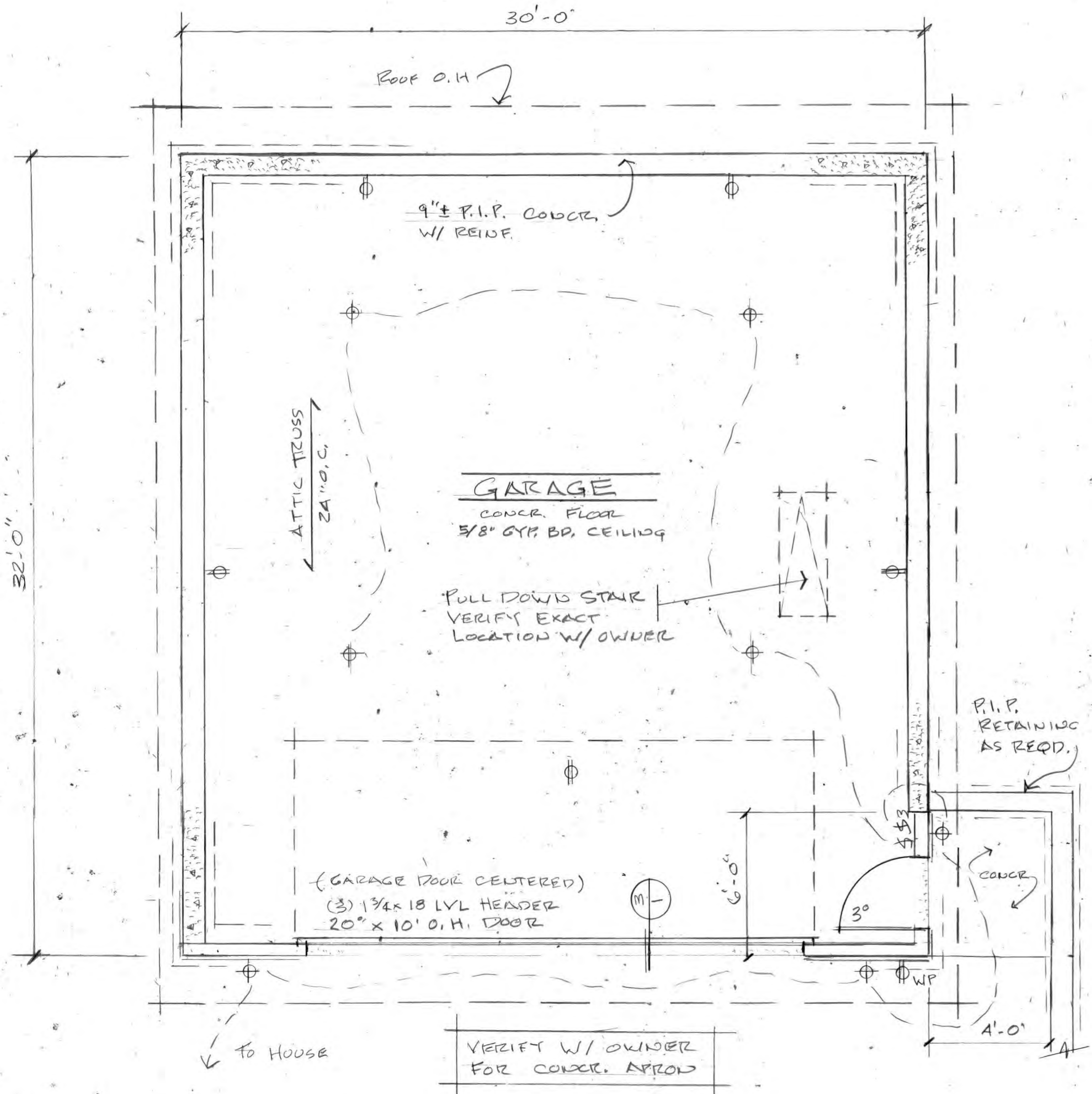
### Proposed Coverage Areas

New Garage= 960 sq. ft.

Additional Bituminous= 350 sq. ft.

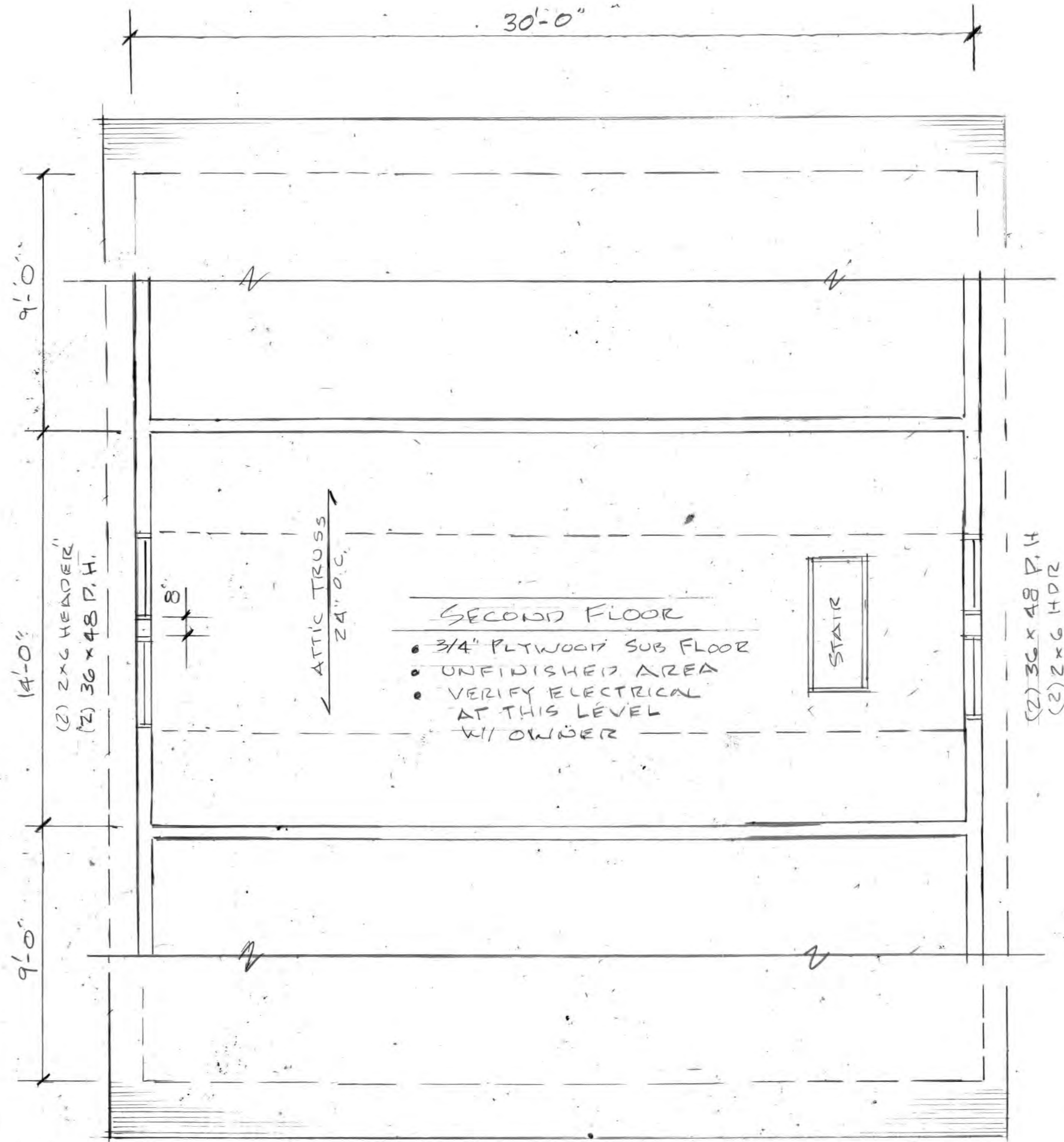
TOTAL ADDED= 1,310 sq. ft.

NEW PROPOSED COVERALL= 9,217 sq. ft. (23.0%)



GARAGE FLOOR PLAN

1/4"=1'-0"



2ND FLOOR PLAN ABOVE GARAGE

1/4"=1'-0"

#### GENERAL NOTES:

- CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND CONDITIONS SHOWN ON DRAWINGS WITH ACTUAL WORK SITE PRIOR TO THE START OF CONSTRUCTION. DRAWINGS ARE NOT TO BE SCALED. NO RESPONSIBILITY IS ASSUMED FOR DIMENSIONAL / DETAIL ERRORS OR OMISSIONS. NO WARRANTIES EXPRESS OR IMPLIED ARE MADE.
- 2020 MN. BUILDING CODES AND MANUFACTURES MATERIALS, SYSTEMS, INSTALLATION AND INSTRUCTIONS SHALL BE FOLLOWED AND TAKE PRECEDENCE OVER ANY NOTES OR DETAILS SHOWN ON THESE DRAWINGS.
- WORKING DRAWINGS SHALL BE REVIEWED WITH THE OWNER ON AN ITEM BY ITEM BASIS PRIOR TO THE START OF CONSTRUCTION AND THE FINALIZING OF THE CONSTRUCTION CONTRACT.
- ALL WORK SHALL BE IN COMPLIANCE WITH APPLICABLE LOCAL, STATE, AND NATIONAL BUILDING CODES, LOCAL ORDINANCES, REGULATIONS AND ALL OTHER AUTHORITIES HAVING JURISDICTION.
- CONTRACTOR SHALL VERIFY WITH THE OWNER THE EXACT ELECTRICAL, MECHANICAL, AND HEATING REQUIREMENTS PRIOR TO THE START OF CONSTRUCTION WHEN APPLICABLE. ALL WORK SHALL MEET CODE REQUIREMENTS.
- ALL FINISHES SHALL BE AS NOTED ON DRAWINGS AND SELECTED AND APPROVED BY OWNER. INTERIOR DOORS, MILLWORK & TRIM, SHALL MATCH EXISTING UNLESS NOTED AND APPROVED BY OWNER.
- NEW WINDOWS SHALL BE AS NOTED ON PLANS. EXACT FINISH AND TYPE SHALL BE VERIFIED WITH OWNER. WINDOW SIZES ARE NOMINAL AND SHOWN IN INCHES WIDTH x HEIGHT.
- REFER TO SITE PLAN, & SURVEY FOR EXISTING UTILITY AND MECHANICAL LOCATIONS WHERE APPLICABLE. ALWAYS VERIFY WITH UTILITY COMPANIES EXACT LOCATION OF ALL UTILITY LINES PRIOR TO EXCAVATION. CONTACT Gopher State One at 851-454-0002 OR 811 OR WITH APPLICABLE UTILITY COMPANIES.
- PERFORM EXCAVATION TO GOOD COMMON CONSTRUCTION PRACTICES TO THE LINES, GRADES, AND ELEVATIONS INDICATED ON SURVEY / SITE PLAN.
- CONTRACTORS SHALL PROVIDE DAILY PICKUP AND FINAL CLEANUP OF OF SITE RELATED TO THEIR WORK. NO CONSTRUCTION DEBRIS OR RUBBISH SHALL BE ALLOWED TO ACCUMULATE IN THE BUILDING OR ON THE PREMISES. UNDER NO CIRCUMSTANCES SHALL ANY CONSTRUCTION DEBRIS OR RUBBISH BE BURNED OR BURIED ON THE PREMISES.
- ALL CONTRACTORS SHALL BE LICENSED, BONDED, AND INSURED AS REQUIRED BY STATE LAW AND THE MUNICIPALITY OF THIS JOB.
- CONTRACTORS SHALL OBTAIN AND PAY FOR ALL PERMITS AS REQUIRED FOR THIS JOB.

DESIGN LOADS:	SOIL BEARING ASSUMED	1500#PSF
	FLOOR LOADS	40 PSF
	DEAD LOAD	15 PSF
	LIVE LOAD	35 PSF
	DEAD LOAD	17 PSF

#### 14. STRUCTURAL NOTES:

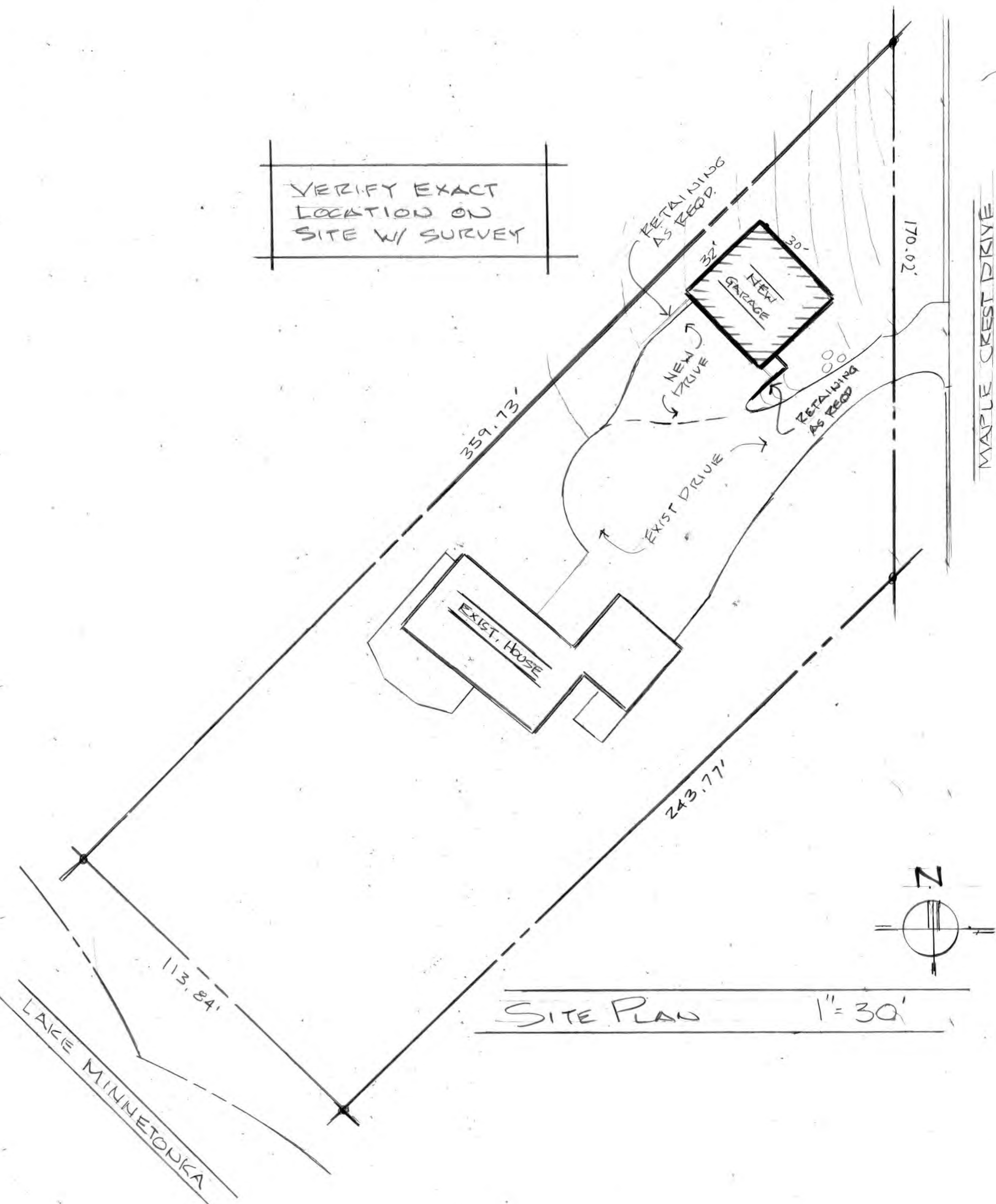
- STRUCTURAL BEAMS AND HEADERS NOTED ON DRAWINGS ARE SIZED FOR LOADS INDICATED. EXACT CONNECTIONS, ANCHORING AND SHEAR LOADS WHEN NOT DETAILED SHALL MEET CODE AND MFGRS. REQUIREMENTS AS WELL AS STANDARD CONSTRUCTION PRACTICES AND / OR BE REVIEWED AND DESIGNED BY A LICENSED STRUCTURAL ENGINEER WHEN REQUIRED, OR APPLICABLE.
- LVL LAMINATED VENEER LUMBER WHERE SHOWN IS BASE UPON LVL Weyerhaeuser CO. PRODUCTS. ALTERNATE MAY BE USED AS EQUAL.
- CONCRETE SHALL BE 5000 PSI MIN. AT 28 DAYS. REINFORCING COVERAGE SHALL BE MIN. OF 3" AT FOOTINGS AND 2" AT OTHER LOCATIONS.
- ALL WOOD IN CONTACT WITH CONCRETE SHALL BE TREATED AT EXTERIOR WALLS PROVIDE FOAM SILL SEALER UNDER PLATES.
- DECKS AND RAILS SHALL BE CEDAR, REDWOOD, WOOD NOTED, OR COMPOSITE DECK MATERIAL AS SELECTED BY OWNER. DECKING SHALL BE 2 X 6 OR 5/4 X 6 NAIL SPACED AND LAID PERPENDICULAR TO JOISTS. JOISTS SHALL BE MAXIMUM OF 16" O.C. ALL FASTENERS SHALL BE CORROSION RESISTANT AND CONNECTION DEVICES SHALL BE CODE CODE APPROVED.
- DECK RAILS SHALL MEET CODE AND BE OF TYPE, DESIGN, AND MATERIAL AS SELECTED BY OWNER.
- CONTRACTOR SUGGESTIONS ARE ENCOURAGED FOR COST REDUCTION THAT DOES NOT COMPROMISE THE SCOPE, DESIGN, OR QUALITY OF THE PROJECT AS DESIGNED. ALL SUGGESTIONS WILL BE REVIEWED BY OWNER AND ARCHITECT AND SHALL BE PRESENTED IN WRITING WITH SPECIFIC DETAILS AND COST CRITERIA.
- THESE DRAWINGS ARE JOINT PROPERTY OF THE OWNER SHOWN ON TITLE BLOCK AND THE ARCHITECT. THEY ARE TO BE USED SOLELY FOR THE PURPOSES OF THIS PROJECT AT THIS LOCATION BY THEIR RESPECTIVE CONTRACTORS. ANY CHANGES OR MODIFICATIONS TO THESE DRAWINGS FOR THIS OR ANY OTHER PROJECT IS STRICTLY PROHIBITED.
- ANY OTHER USE OF THESE DRAWINGS BY OTHER NON RELATED PARTIES / CONTRACTORS OR FOR USE AT OTHER LOCATIONS / PROJECTS WITHOUT THE OWNER AND ARCHITECT'S PERMISSION IS STRICTLY PROHIBITED. ARE NOT PART OF THIS SET OR DRAWING IF REQUIRED THEY ARE TO BE DONE BY THEIR RESPECTIVE TRADES.

#### 18. PROJECT SQUARE FOOTAGE:

MAIN LEVEL GARAGE	960.00 S.F.
SECOND LEVEL	420.00 S.F.

#### ELECTRICAL LEGEND

DUPLEX OUTLET	SURFACE MOUNTED INCANDESCENT
DUPLEX OUTLET EXISTING	RECESSED CAN INCANDESCENT
DUPLEX OUTLET IN CEILING	RECESSED CAN PIN INCANDESCENT
DUPLEX OUTLET TOP SWITCHED	HANGING INCANDESCENT
DUPLEX OUTLET 220	JUNCTION BOX CONCEALED
DUPLEX OUTLET GROUND FAULT INT.	FAN LIGHT INCANDESCENT
DUPLEX OUTLET WATERPROOF	TELEPHONE JACK
SINGLE POLE SWITCH	VACUUM RECEPTACLE
3 WAY SWITCH	SURFACE MOUNTED FLOURESCENT
4 WAY SWITCH	RECESSED CEILING FAN
DIMMER SWITCH	SMOKE DETECTOR



REV. "A" REVISED  
 Roof Pitch # 200  
 Floor Plan  
 4/24/2023  
 REV. "B" REMOVED  
 ROOF DECKERS  
 4/26/2023

CONSTRUCTION DRAWINGS FOR NEW GARAGE

JIM & CINDY ERNST RESIDENCE  
 920 MAPLE CREST DRIVE  
 MINNETRISTA, MINNESOTA 55364

PLANS AND GENERAL NOTES

CARL J. GRAMENTZ, FARA

REGISTERED ARCHITECT

5848 CLEAR SPRING ROAD | MINNETONKA, MINNESOTA 55345  
 PH: 952-933-4590 FAX: 952-933-0684 | CELL: 612-978-4954  
 email: carl@carlgramentz.com | www.carlgramentz.com

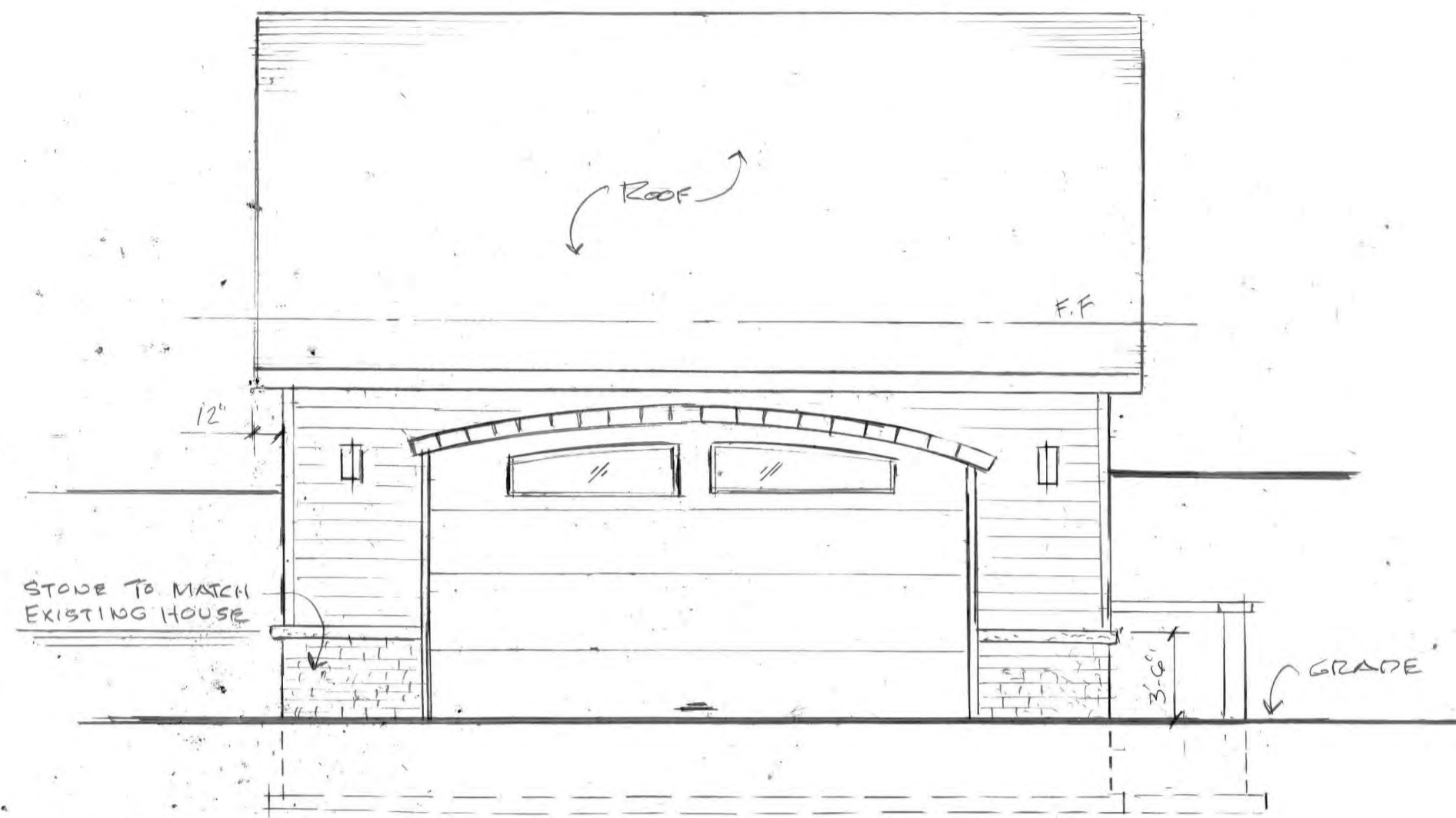
PROJECT NO. 1-1190

DATE: 05-21-2021

DRAWN BY: C

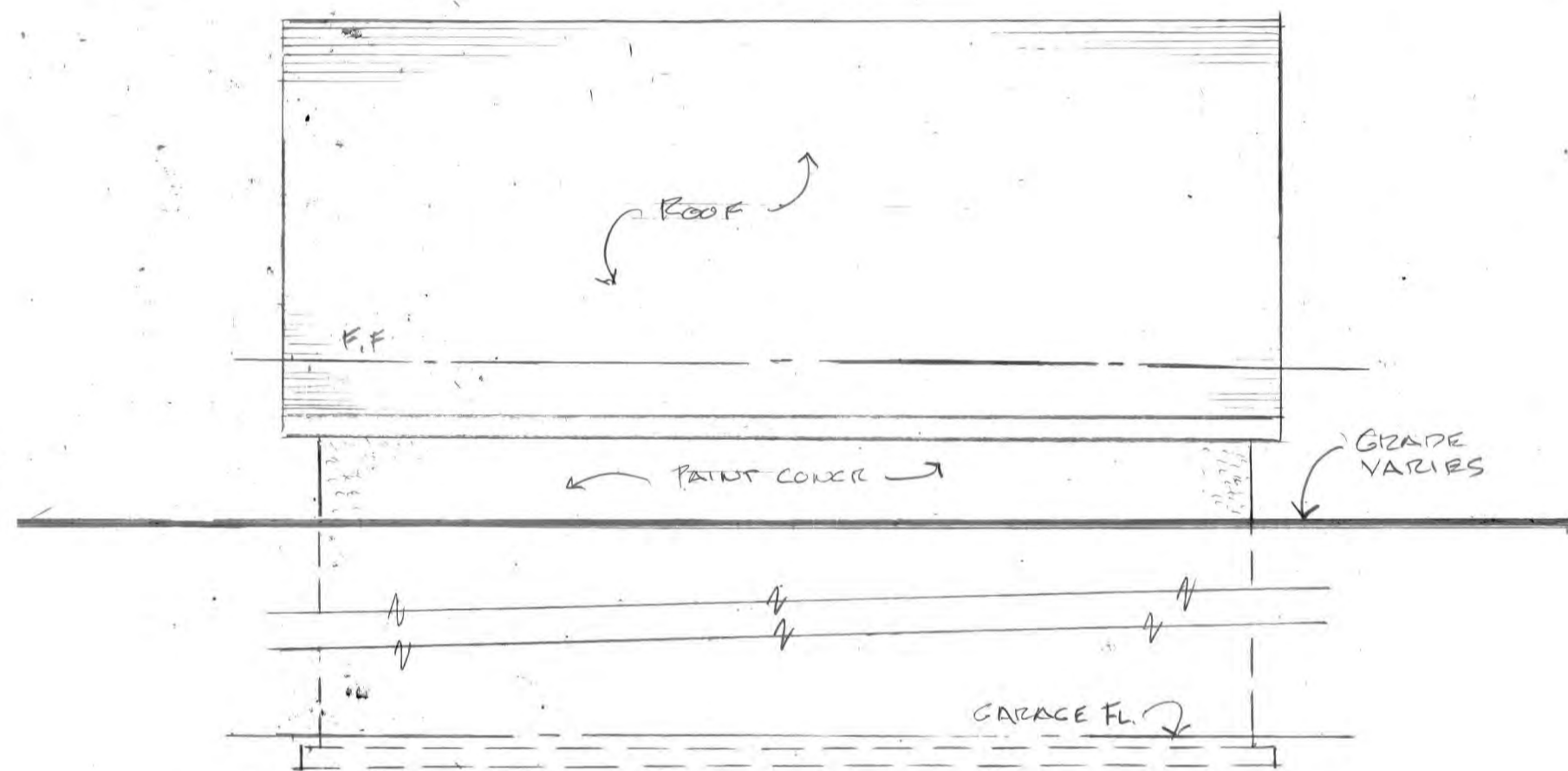
SHEET NO. 1 OF 2

REV. "B"



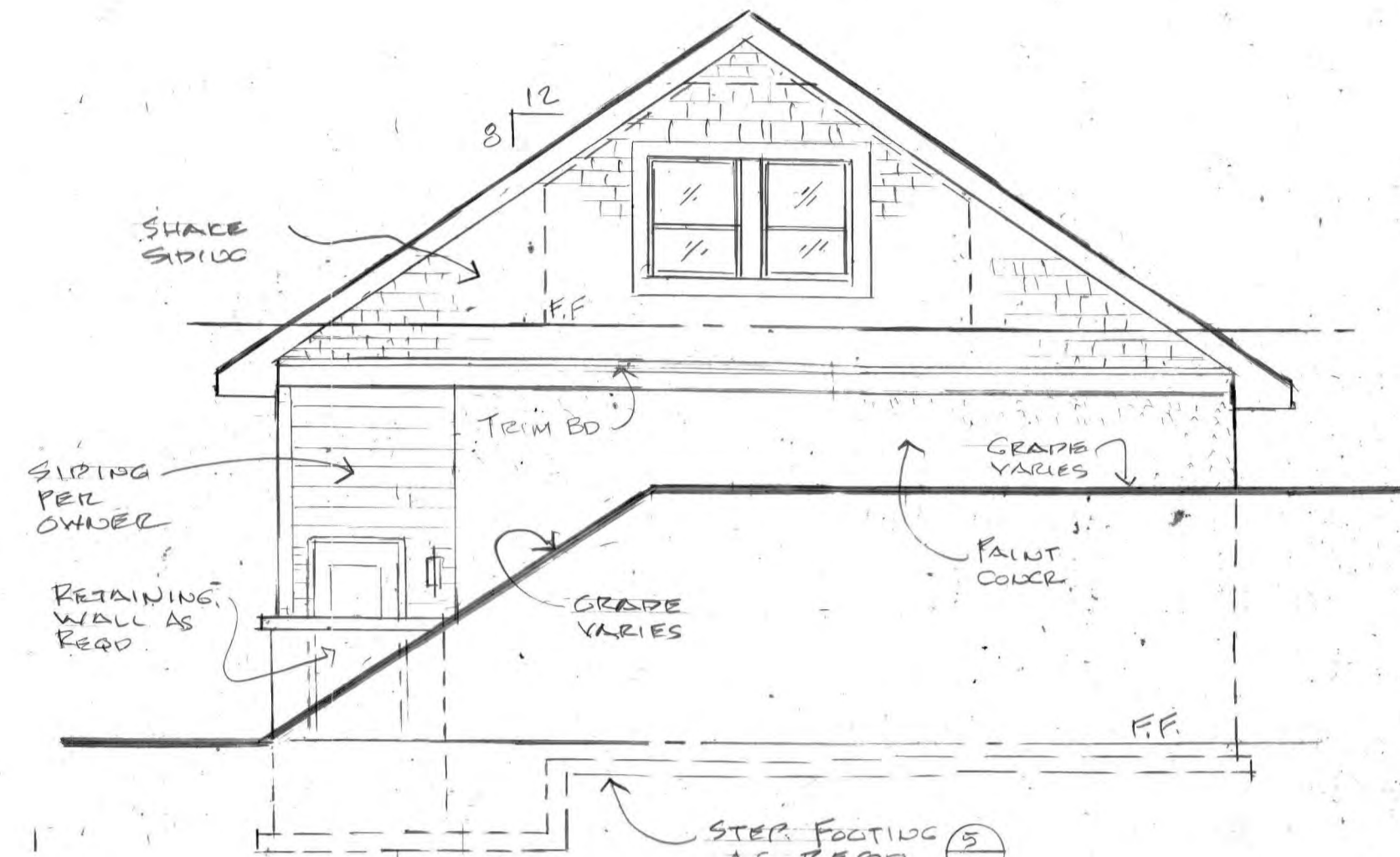
SOUTH ELEVATION

3/16"=1'-0"



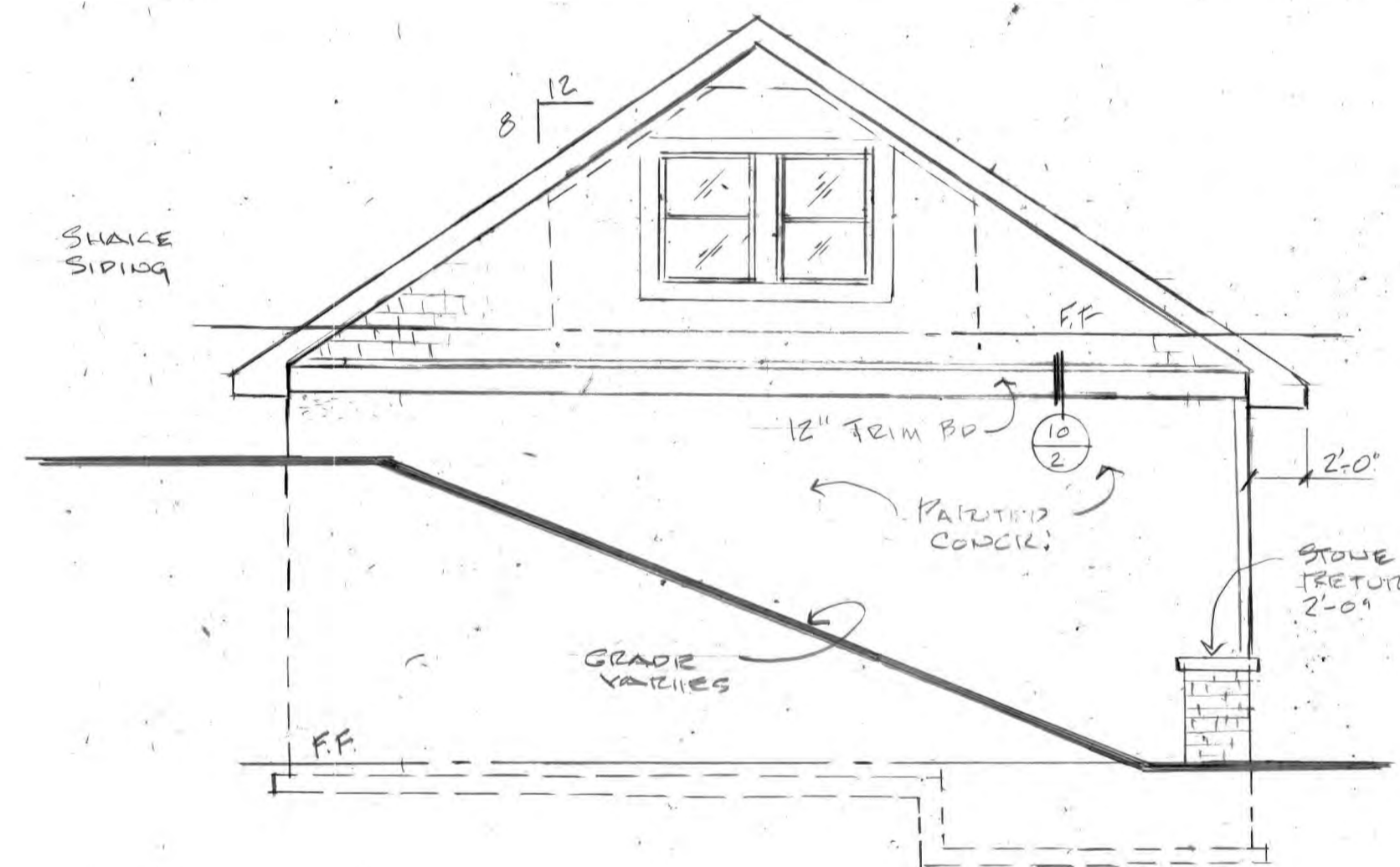
NORTH ELEVATION

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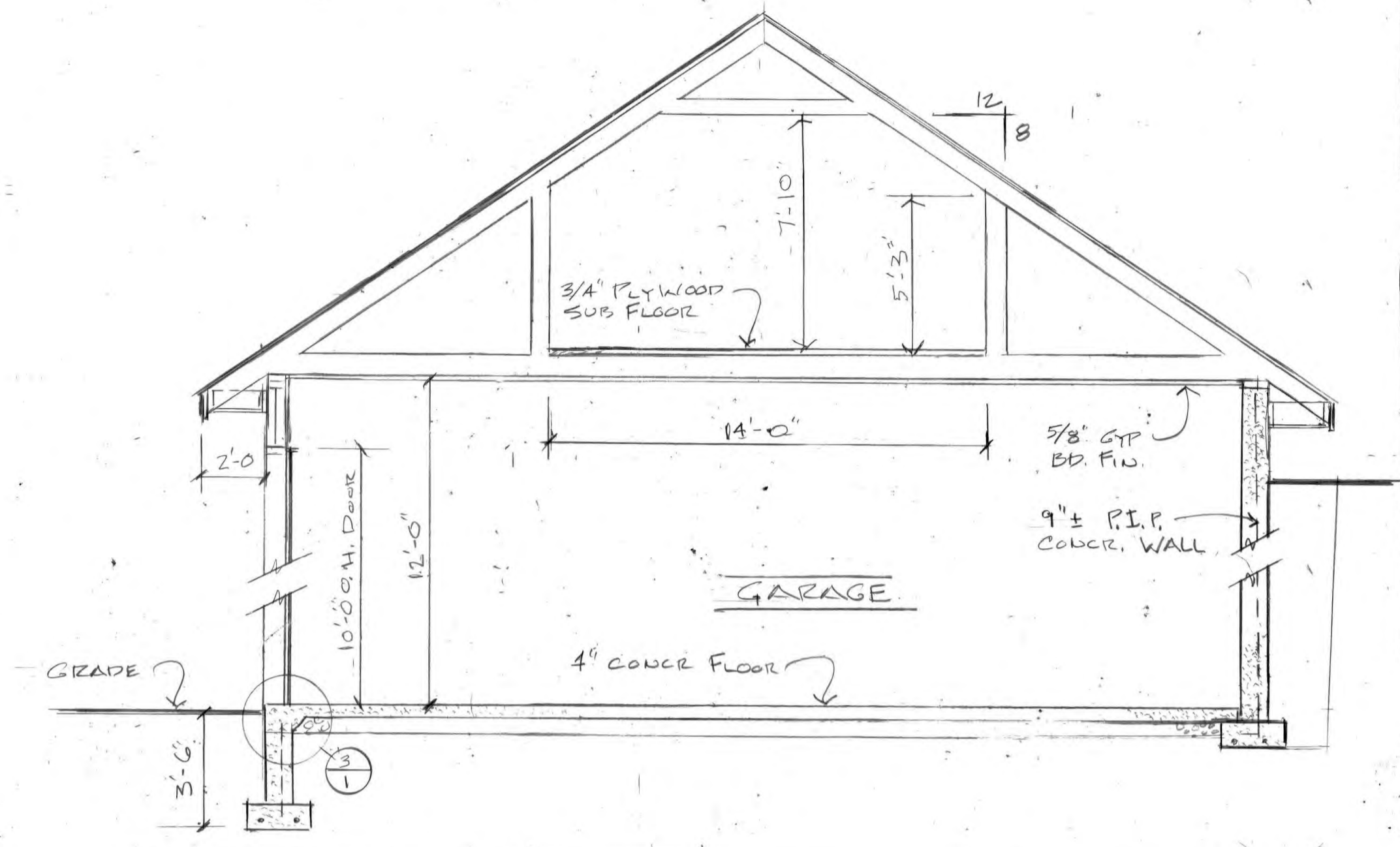
EAST ELEVATION

3/16"=1'-0"



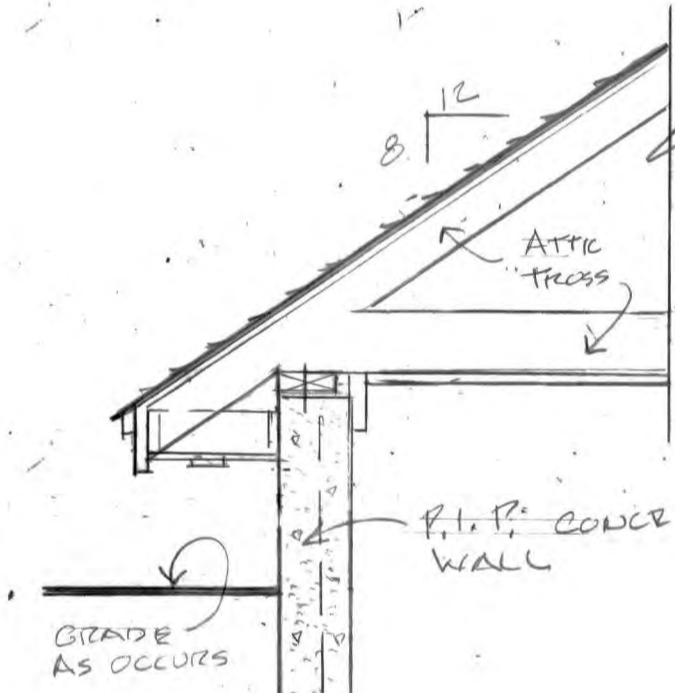
WEST ELEVATION

3/16"=1'-0"



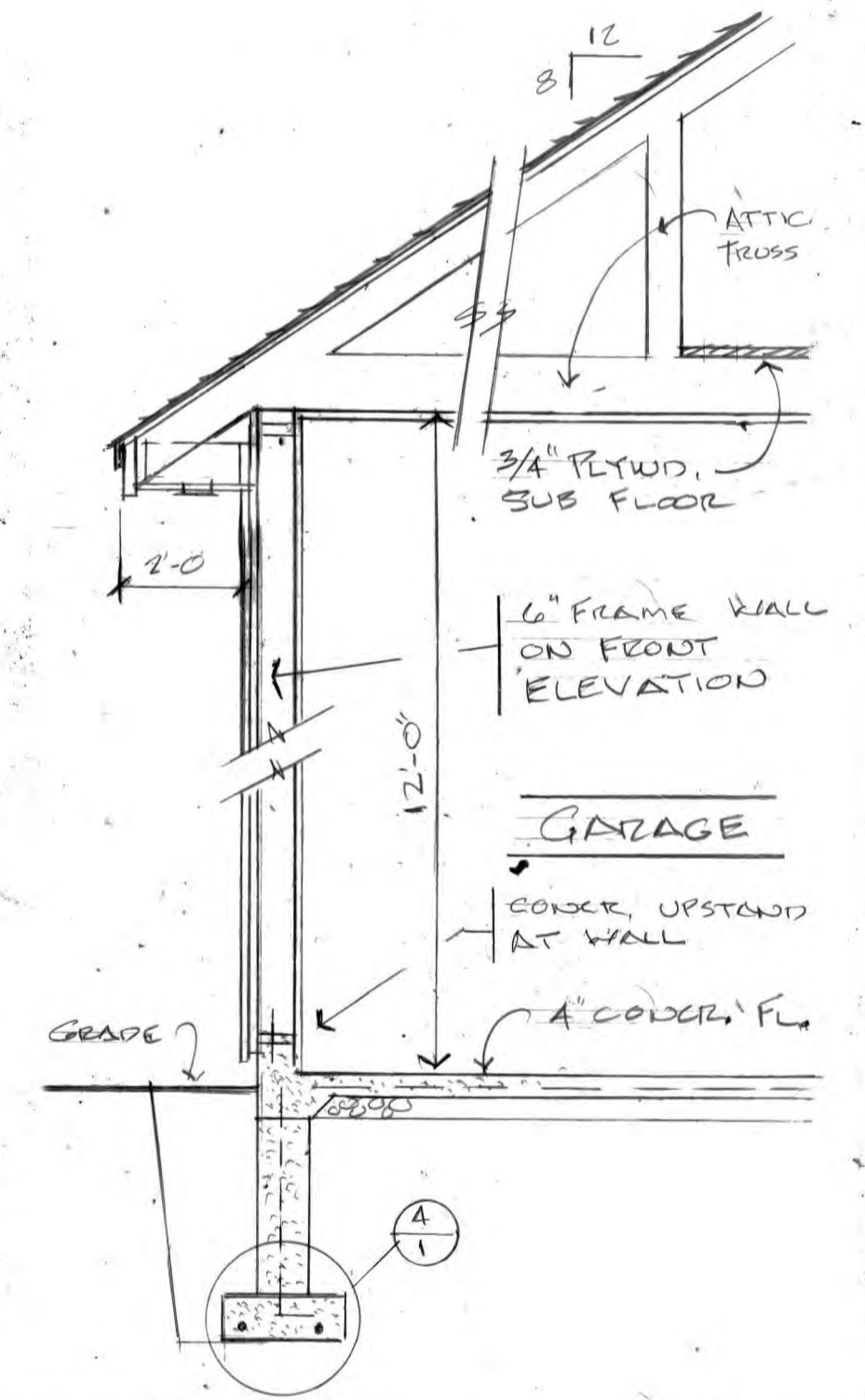
GARAGE SECTION

1/4"=1'-0"



BACK WALL SECTION

3/8"=1'-0"



**ROOF:**  
PRE-ENGINEERED ROOF ATTIC TYPE TRUSSES AT 24" O.C.  
STICK FRAMING AS REQUIRED AT DORMERS  
ROOF SHEATHING: 5/8 IN. O.S.B. BOARD OR CDX PLYWD.  
W/ APPLICABLE USE AND SPAN RATING  
ROOF UNDERLAYMENT: TWO LAYERS FOR ROOF SLOPES 4:12 OR LESS & ONE LAYER FOR OVER 4:12  
SHINGLES: ASPHALT, 300 LB. COLOR AND TYPE PER OWNER  
FLASHING AT VALLEY AND INTERSECTIONS, 26 GA. GALV.  
SHEET METAL W/ ICE AND WATER SHIELD UNDERLAYMENT  
STARTER STRIP EAVE FLASHING, 6 FT. FROM EDGE OR AS REQUIRED BY CODE, QUALITY TO BE GRADE ICE & WATERSHIELD OR EQUAL MIN AT SLOPED ROOF.

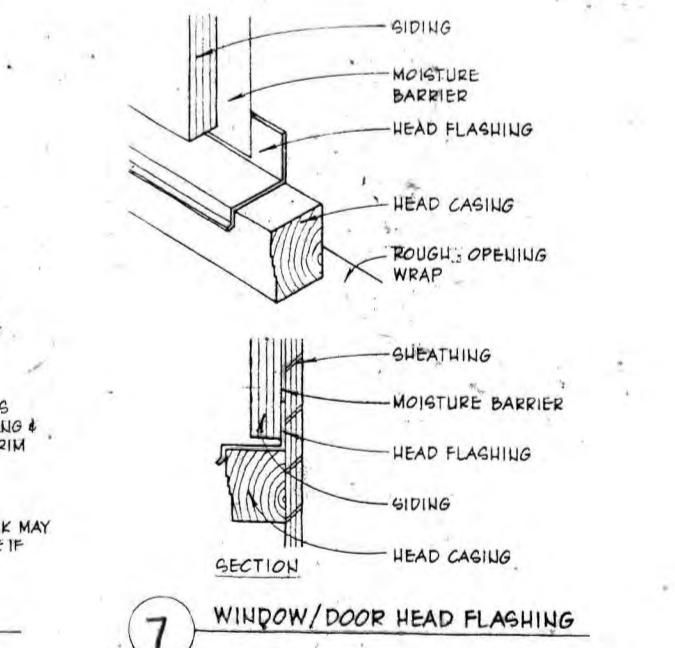
**SOFFIT AND EAVES:**  
FACIA: 1 X 4 WITH 1/2" TRIM EDGE, SUB FACIA AND 2 X 4 LOOKOUTS FOR SOFFIT FRAMING AT 24" O.C.  
SOFFIT: 3/8 INCH EXTERIOR GRADE PLYWOOD WITH 2 INCH WIDE CONTINUOUS VENT

**WALLS:**  
2 X 6 WOOD STUD FRAMING AT 16 IN. O.C. AT FRONT WALL AND DORMER WALLS  
2 X 6 BOTTOM PLATE TREATED AND ANCHORED TO FOUND. ANCHOR BOLTS 1/2 IN. DIA. X 9" AT 6 FT. O.C. & 12 IN. FROM ENDS, MIN 2 PER PIECE, & 7 IN. MIN. EMBED.  
SILL SEALER STRIP CONT. UNDER SILL PLATE TYPICAL  
WALL INSULATION: PER OWNER  
WALL SHEATHING: 1/2 IN. PLYWOOD CDX OSBOS BOARD, W/ APPLICABLE USE AND SPAN RATING.  
AIR INFILTRATION BARRIER TYPICAL OR EQUAL.  
SIDING: SHAKES SIDING WHERE SHOWN AS SELECTED BY OWNER. CAULK & FLASH ALL EXTERIOR OPENINGS & HORZ. TRIM.  
INTERIOR FINISH: 1/2 IN. GYPSUM BOARD ON FRONT FRAME WALL

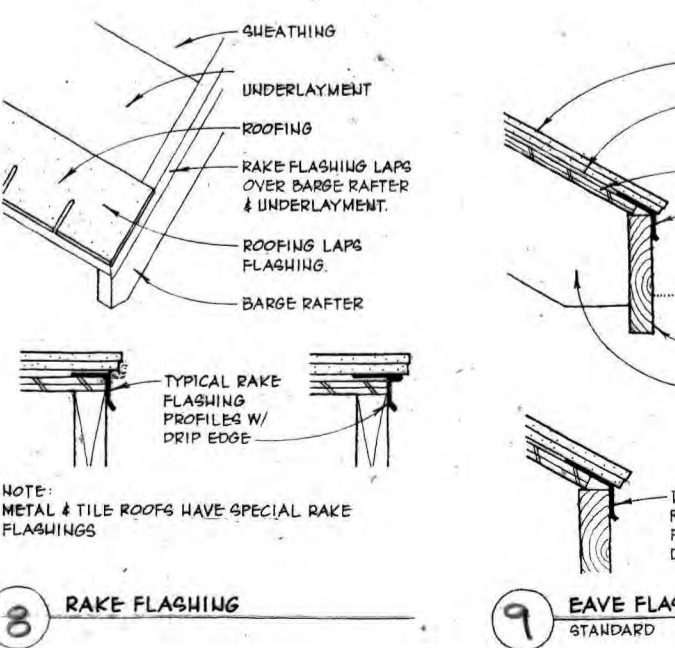
**SECOND FLOOR:**  
WOOD FLOOR INTEGRAL WITH ATTIC TRUSS  
SHEATHING: 3/4 IN. TAG PLYWD. JOINTS GLEED & SCREWED AT 6" O.C. AT EDGES AND 12" O.C. IN FIELD, STAGGER JOINTS.  
2 X 4 BOTTOM PLATE TREATED AND ANCHORED TO P.L.F. WALL. ANCHOR BOLTS 1/2 IN. DIA. X 9" AT 6 FT. O.C. & 12 IN. FROM ENDS, MIN 2 PER PIECE, & 7 IN. MIN. EMBED.  
SILL SEALER STRIP CONT. UNDER SILL PLATE TYPICAL

**GARAGE FLOOR:**  
4 IN. 300 LB. MIN. CONCR. PROVIDE TOP SEALER AFTER CURE.  
PROVIDE POSITIVE SLOPE ON FLOOR TO D.R. GARAGE DOORS  
SLAB REIN. MESH 6 X 6 @ 18" WELDED WIRE MESH TYP. 4 IN. GRANULAR FILL UNDER SLAB OVER 6 MILL POLY V. B.

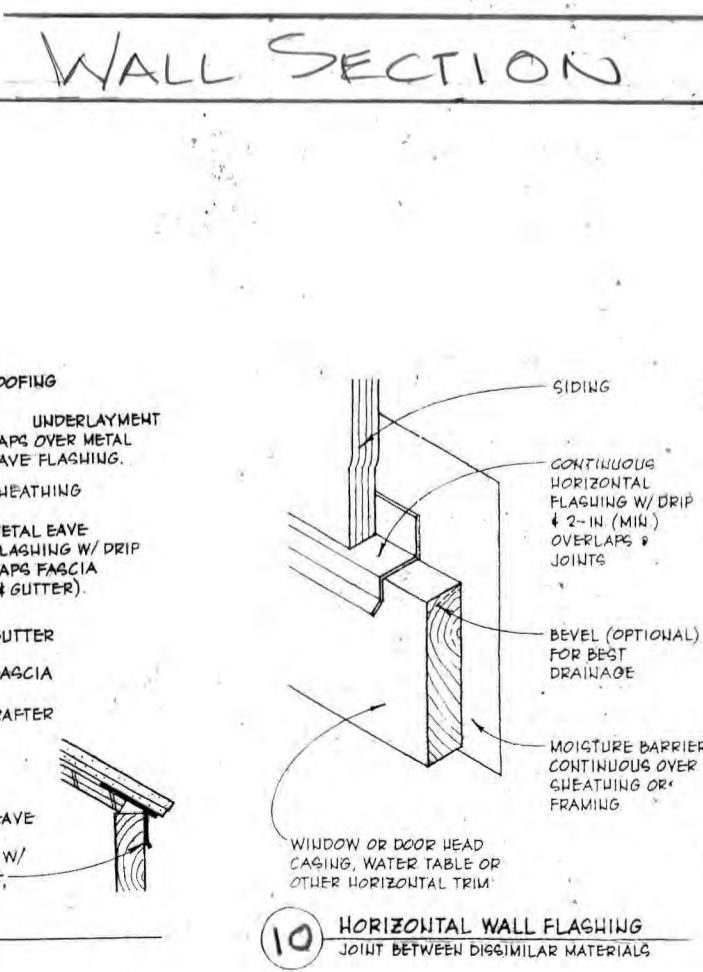
**FOUNDATION:**  
FOUNDATION WALL, POURED IN PLACE (P.P.) WITH REINFORCING PER CONTRACTOR AND CODE REQUIREMENTS  
WATER PROOFING AT FOUNDATION WALL THAT IS BACK. FILLED ON EXTERIOR SIDE, WATCHDOG SYSTEM OR EQUAL BELOW GRADE  
FOOTING: 20 IN. X 8 IN. WITH (2) #4 BARS ON UNDISTURBED SOIL MIN. OF 42 IN. BELOW FROST LINE OR PER CODE



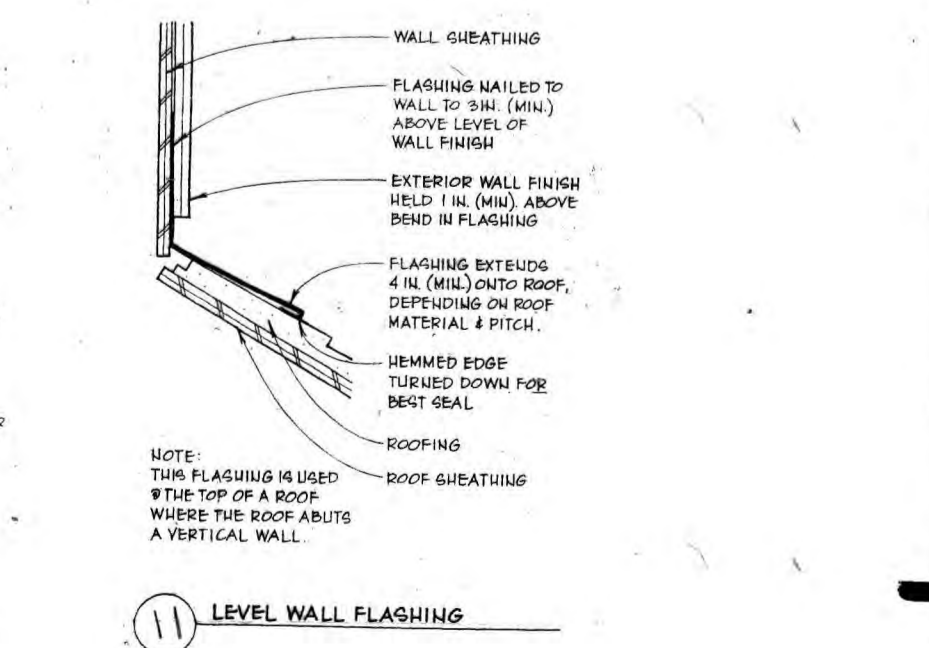
7 WINDOW/DOOR HEAD FLASHING



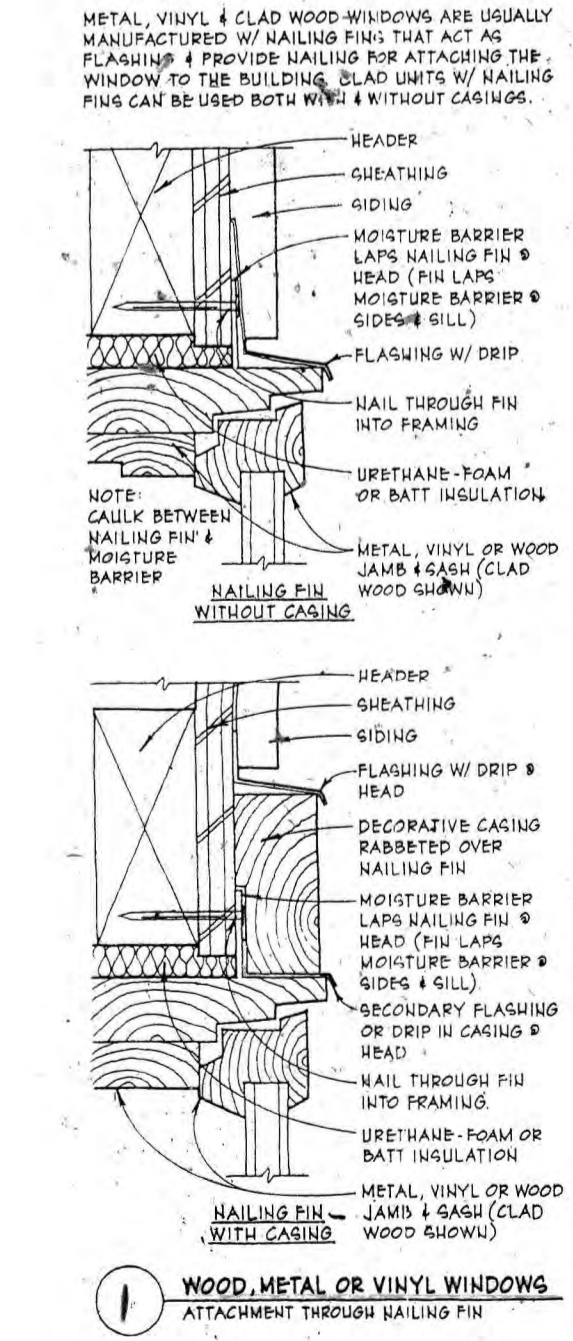
8 RAKE FLASHING



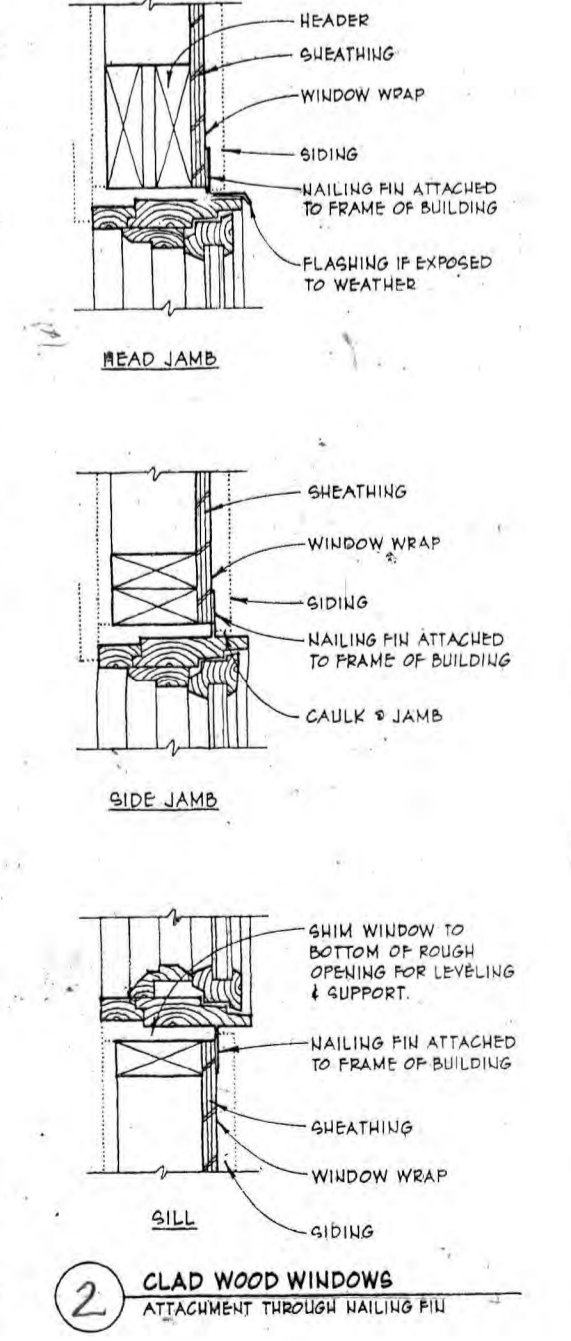
9 EAVE FLASHING



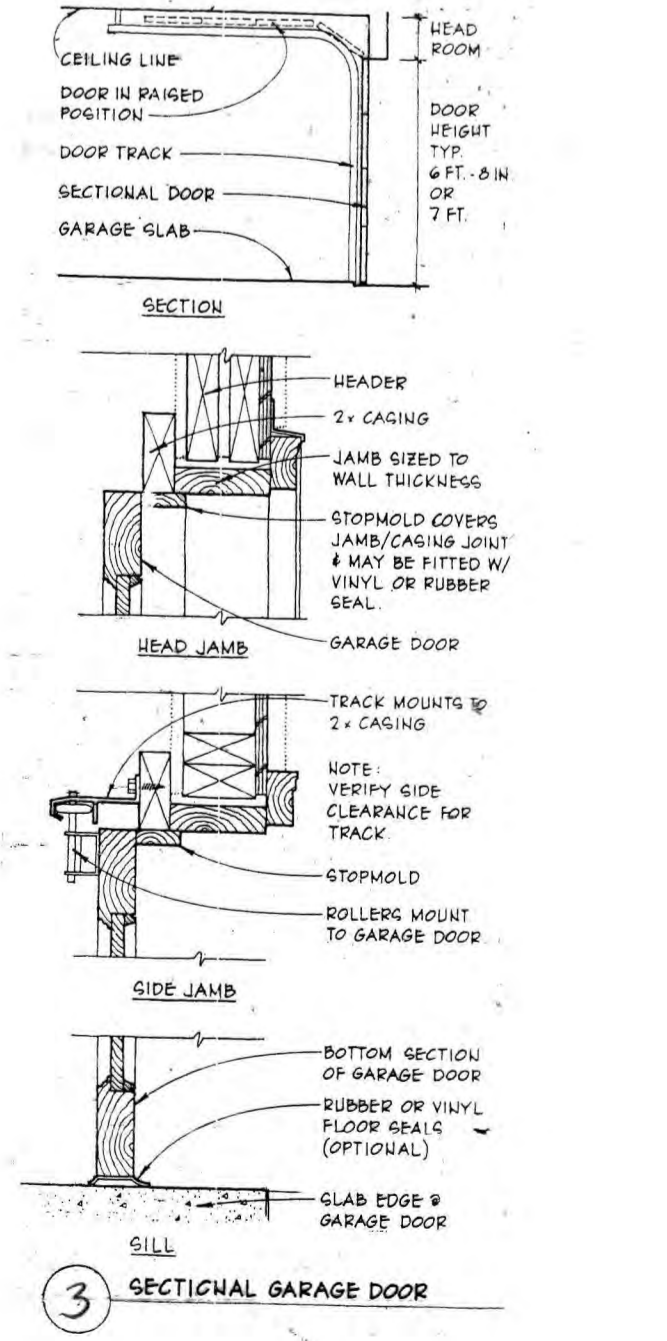
11 LEVEL WALL FLASHING



1 WOOD, METAL OR VINYL WINDOWS ATTACHMENT THROUGH NAILING PIN



2 CLAD WOOD WINDOWS ATTACHMENT THROUGH NAILING PIN



3 SECTIONAL GARAGE DOOR

REV. 'A' ROOF TRUSS  
REVISED FROM 12/12  
DOWN TO B/12  
4/24/2023  
REV. 'B' REMOVED  
DETAILS  
4/26/2023

CONSTRUCTION DRAWINGS FOR NEW GARAGE  
JIM & CINDY ERNST RESIDENCE  
920 MAPLE CREST DRIVE  
MINNETRISTA, MINNESOTA 55364  
ELEVATIONS, SECTIONS, & DETAILS

CARL J. GRAMENTZ, F.A.R.A.  
REGISTERED ARCHITECT  
5048 CLARK SWING ROAD - MINNETONKA, MINNESOTA 55345  
PH: 952.533.4900 FAX: 952.933.0684 | CELL: 612.978.4954  
email: carl@carlgramentz.com | www.carlgramentz.com

PROJECT NO.  
1-1190  
DATE:  
05-21-2023  
DRAWN BY:  
CJ  
SHEET NO.  
2 OF 2  
REV. 'B'

## **RESOLUTION NO. 27-24**

### **CITY OF MINNETRISTA**

#### **RESOLUTION APPROVING A STREET SIDE SETBACK VARIANCE FOR A DETACHED ACCESSORY STRUCTURE AT 920 MAPLE CREST DRIVE**

WHEREAS, the City of Minnetrista (the “City”) is a municipal corporation, organized and existing under the laws of the State of Minnesota; and

WHEREAS, the City Council of the City of Minnetrista has adopted zoning and subdivision regulations, per Chapter 5 of the Municipal Code, to promote the orderly, economic and safe development and utilization of land within the city; and

WHEREAS, James & Cynthia Ernst (the “Applicants”) have made an application for a variance from the required street side setback to reduce the required setback from 50 feet to 38 feet to allow for a detached accessory structure at 920 Maple Crest Drive (the “Property”) and which is legally described on Exhibit A attached hereto; and

WHEREAS, on January 29, 2024, the Minnetrista Planning Commission considered the requested street side setback variance, held a public hearing and, after consideration of the entire record before it, voted 6-0 in favor of recommending approval of the requested setback variance; and

WHEREAS, the Minnetrista City Council has reviewed the application, as submitted, and has made the following findings of fact:

1. The requested variance is in harmony with the purpose and intent of the City’s zoning ordinances because the proposed accessory structure is reasonable as it does not encroach closer than 35 feet, which is what would be required had this been a principle structure, and the additional green space of the boulevard will allow the accessory structure to feel 50+ feet away from the roadway surface;
2. The requested variance is consistent with the City’s comprehensive plan because the Property is guided for long term Residential Low per the 2040 Minnetrista Comprehensive Plan. The proposed variance is consistent with this long term goal as single family residential is an allowed use and the proposed detached accessory structure is located on the street side of the home, which helps protect the lake and neighboring views thereof;
3. The Applicants propose to use the Property in a reasonable manner because detached accessory structures are allowed per code and the size and setbacks that are proposed are reasonable given the circumstances;
4. The requested variance is the result of unique circumstances not created by the landowner because of the presence of geothermal wells, which occupy part of the buildable area allowed by City Code. These geothermal wells force the proposed garage towards the street and given the angle of the side property line relative to the street the buildable area becomes further compromised; and

5. The requested variance will not alter the character of the locality because other properties in the neighborhood that have detached garages on the street side of their homes, so the existence of the proposed garage won't be out of character. The proposed structure is also consistent in size to others in the neighborhood further enforcing the reasonableness of the request.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Minnetrista hereby approves the requested street side setback variance to allow for a detached accessory structure on the property generally located at 920 Maple Crest Drive, subject to the following conditions:

1. The construction shall be consistent with the plan and survey documents submitted with this variance application;
2. Any required grading shall maintain existing drainage patterns or improve the existing drainage of the lot and adjacent lots;
3. The Applicants obtain all necessary permits and approvals from the City and other applicable entities with jurisdiction over the Property prior to any construction;
4. The Applicants are responsible for all fees incurred by the City in review of this application; and
5. The variance approval is valid for one year from the date of approval and will become void and expire unless a building permit has been issued for the site.

This resolution was adopted by the City Council of the City of Minnetrista on the 5<sup>th</sup> day of February, 2024 by a vote of \_\_\_ Ayes and \_\_\_ Nays.

---

Lisa Whalen, Mayor

ATTEST:

---

Ann Meyerhoff, City Clerk

(SEAL)

## **EXHIBIT A**

### Legal Description of 920 Maple Crest Drive:

Parcel 1: Lot 14, Block 1, SUN VALLEY, Hennepin County, Minnesota.

Abstract Property.

Parcel 2: That part of Outlot 2, MAPLE CREST ESTATES lying between the Northeasterly extensions of the Northwesterly and Southeasterly lines of Lot 14, Block 1, SUN VALLEY.

Torrens Property.

Parcel 3: That part of Outlot 2, MAPLE CREST ESTATES lying South of the Northeasterly extension of the Southeasterly line of Lot 14, Block 1, SUN VALLEY.

Abstract Property.

## CITY OF MINNETRISTA



### CITY COUNCIL AGENDA ITEM 4H

---

**Subject:** Application from Saleem Karmaliani for a 2 lot subdivision of the property located at 3790 County Road 44.

**Prepared By:** Nickolas Olson, Senior City Planner  
**Through:** David Abel, Community Development Director

**Meeting Date:** February 5, 2024

---

**Overview:** Saleem Karmaliani (the “Applicant”) has submitted an application for a 2 lot subdivision of the property located at 3790 County Road 44; R-1 Low density single-family residence zoning district; PID# 26-117-24-31-0010 (the “Property”).

**Background:** The Applicant purchased the Property in May of 2023 with the intent to subdivide it in to 2 lots. The Property previously had a home on it, but its location was in conflict with a potential subdivision so it was demolished.

**Discussion:**

- **General:** The Property is a roughly 2.48 acre site located on Lake Minnetonka off of County Road 44. The Property is presently zoned R-1 Low density single-family residence and is located within the Shoreland overlay district. Setback and lot standard tables have been provided below for both districts for reference.

### Section 505.15 R-1 Residential Zoning District

Minimum Lot Area (sq. ft.)	14,500
Density Range (units per net acre)	2 to 3
Minimum Lot Depth (ft.)	120
Minimum Lot Width (ft.) (measured at OHW, if applicable and building setback line)	90
Maximum Impervious Surface Coverage (%)	35
Front Yard Setback (ft.)* <ul style="list-style-type: none"><li>- principal structure</li><li>- detached accessory structures or other uses</li></ul>	35 50
Side Yard Setback (ft.) <ul style="list-style-type: none"><li>- principal structure (including attached accessory structures)</li><li>- detached, accessory structures &gt; or = 1,000 sq. ft.</li><li>- detached, accessory structures &lt; 1, 000 sq. ft.</li><li>- other uses abutting residences</li><li>- other uses</li></ul>	15 30 10 45 10
Non-Lakeshore Rear Yard Setback (ft.) <ul style="list-style-type: none"><li>- principal structure</li><li>- detached accessory structures or uses</li></ul>	25 10

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- other uses	40
Lakeshore Rear Yard (Streetside) Setback (ft.)	
- principal structure	35
- detached accessory structures or uses	50
- other uses	50
Maximum Building Height (ft./stories)**	
- principal structure	35/3
- accessory structure	25/2
Maximum Driveway Width (measured at right-of-way)	24
Public Sewer Required?	Yes
Minimum Floor Area Per Dwelling (sq. ft. per 2/3 bedrooms)	960/1040 above grade
See General Regulations (Section 505.05)	

## Section 505.49 Shoreland Overlay District

- (b) Sewered areas. Land served by municipal sanitary sewer within a designated shoreland district shall be subject to the following requirements:

	Natural Environment Waters	Recreational Development Waters/Tributary Streams	General Development Waters
Lot area (sq. ft.)			
▪ waterfront lots	40,000	20,000	23,000
▪ other lots	20,000	20,000	23,000
Minimum Lot Width at building setback and OHW (ft.)	100	100	100
Top Bluff	30	30	30
Structures setback from ordinary high water mark (ft.)	150	75	75
Structure setback from federal, state or county right-of-way	50	50	50
Structure setback from municipal or private right-of-way	35	35	35
Road and parking area setback from ordinary high water mark	Same as structure setback, when feasible, but in all instances at least 50 feet.		
Maximum lot area covered by impervious surface (%)	25	25	25

- **Parks, Trails, & Open Space:** Pursuant to MN Statutes, section 462.358, subd. 2b, the city requires all subdividers to dedicate to the city or preserve for public use as parks, recreational facilities, playgrounds, trails, open space or areas of natural and environmental significance a reasonable portion of the buildable land of the subdivision. The city council, at its discretion, may elect to require in lieu of land an equivalent cash payment based on the fair market value of the buildable land no later than the time of final subdivision approval. Any cash payment shall be placed in a special fund and used only for the purposes for which it was obtained, including the acquisition and development or improvement of the public park system or debt retirement in connection with land previously acquired.

As proposed, the following is a breakdown of the park dedication requirement:

- Zoned Density 2-3 unit/acre

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- Gross Site Area 2.48 acres
- Proposed Density 0.8 units/acre
- Park Dedication Requirement 11% of land or land value
- Gross Site Area is 2.48 acres \* 0.11 = 0.2728 acres of land; or
- Cash in lieu dedication would be 11% of the fair market value of the Property, with a maximum of \$25,000 per lot.

The Applicant did not include an appraisal with their application submittal, however County records show a taxable market value of \$2,731,800 assessed in 2023 and payable in 2024. In the past, city staff at times has been willing to start the park dedication requirement discussion with the County assessed value. At any rate, 11% of the County assessed value or an appraisal is likely to exceed the maximum fee of \$25,000 per lot. Therefore, with the proposed 2 lot subdivision, the Applicant would be looking at a cash-in-lieu fee of \$50,000. The Applicant is welcome to submit an appraisal for the City to consider if they feel it would change the required park dedication fee.

In review of the current Parks, Trails, and Open Space Plan, the Property is not located within an existing or planned park service area. Furthermore, the size of the parcel of land that would be required is only 0.2728 acres which does not provide enough space to develop a suitable park for this area.

The Parks Commission reviewed this request at their January 9, 2024 meeting. At that meeting, a motion was made by Hughes and seconded by Randall to recommend the City Council accept cash-in-lieu of land in the sum of \$50,000 for the park dedication requirement for the proposed 2 lot subdivision at 3790 County Road 44. Motion passed 4-0. Absent: Vogel.

- **Tree Preservation Section 510.07:** All subdivisions resulting in five or more units, lots, parcels, tracts or long-term leaseholds regardless of the particular zoning district are required to protect all significant trees that are not needed to be removed to allow the reasonable development of the property. Since the request is for a 2 lot subdivision, the City's Tree Preservation ordinance does not apply in this instance.
- **Storm Water Management General/Wetlands/Floodplain:** The proposed subdivision does not include additional impervious surface outside of the future new home permits and associated driveways and thus does not trigger the City's Storm Water rules. Each lot is allowed a maximum of 25% impervious coverage per the Shoreland Overlay District rules.
- **Sanitary Sewer System General:** The Property is currently serviced by the city sewer system. The Applicant will be required to pay the necessary Sewer Area Charge (SAC) at the time of final approval. There is an existing line the run across the Property. The Applicant will be required to dedicate a drainage and utility

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easement over this line, as shown on the plat, as part of the approval process. Individual connections will be made to this line at the time of building permit.

- **Water System General:** The Property is not currently serviced by city water, however the Property is located in the Metropolitan Urban Service Area (MUSA). Given the location of the Property in relation to the existing City water system, it's unclear when water may be made available to the Property. At this time, it does not seem reasonable to charge the Applicant the Water Area Charge (WAC) for a service they may not see a return on for many years. However, the City will need to flag the resulting lots so that should city water be made available in the future, those lots pay the required area charge or assessment in addition to the connection charges.
- **Streets General:** There are no proposed streets with this application. The lots are to be serviced by the existing County Road 44. Hennepin County has been asked about access and would support a single shared driveway as proposed and did not request additional right-of-way for County Road 44.

**Neighborhood Comments:** Notices were sent out to all property owners within 500 feet of the subject property. Prior to the public hearing, staff spoke with two property owners and one submitted written comment. The written comment has been attached for the City Council to review. The comment brought up the shared driveway situation, which has been addressed as condition #1, and concerns regarding a turn-around option. The written comments mentions issues in the past with delivery drivers and with construction traffic, additional deliveries, emergency services, etc., there are more opportunities for further issues. This has been addressed as condition #2.

**Planning Commission Recommendation:** The Applicant's request was presented to the Planning Commission at their January 29, 2024 meeting. At that meeting, the required public hearing was held. There was no one besides the Applicant's contractor present to speak. After reviewing the staff report and hearing testimony at the public hearing, the Planning Commission had a motion made by Gangestad and seconded by Livermore to recommend the City Council approve the requested setback variance, based on certain findings of fact and subject to conditions. Motion passed 6-0. Absent Young and Rognli.

**Conclusion:** The City Council should review the staff report and the recommendation of the Planning Commission. After review, the City Council should consider the entire record before it prior to making a motion. The motion will serve as a summary of the discussion by the City Council and should include any additional conditions the City Council wishes to add.

**Recommended Action:** Motion to adopt a resolution approving the preliminary plat known as Karmith Cove to develop 2 single family lots at the property of 3790 County Road 44, subject to the following conditions:

1. A shared driveway easement and maintenance agreement, in a form satisfactory to the city shall be recorded along with the final plat;

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2. The Applicant shall provide a turnaround driveway plan for each of the proposed lots to allow for safe ingress and egress for deliveries, construction traffic, emergency services, and other similar vehicles;
3. The Applicant shall pay a park dedication fee in the amount of \$50,000 at the time of final plat approval;
4. The Applicant shall construct an emergency warning siren for the subdivision or pay the City a fee of \$128 as a contribution towards a siren to serve the area;
5. The Applicant shall pay the City a trunk sanitary sewer area charge fee of \$4,464 at the time of final plat approval;
6. The Applicant shall comply with rules, regulations and permitting requirements of the Minnehaha Creek Watershed District and all other governmental agencies having jurisdiction over the Property;
7. All utilities installed on the Property shall be located underground;
8. Standard drainage and utility easements shall be dedicated around the perimeter of all lots and over the existing sanitary sewer line;
9. The Applicant shall be required to construct, at its expense, all public improvements within the subdivision;
10. The Applicant shall submit title evidence satisfactory to the city attorney prior to final plat approval;
11. The Applicant shall pay to the City a fee in an amount sufficient to reimburse the City for all costs of reviewing the submissions for platting the Property and the negotiation and preparation of all related agreements and documents; and
12. A completed application for approval of the final plat must be submitted to the City within 180 days of the date of adoption of this preliminary plat resolution by the City Council. The completed application must comply with all conditions and requirements of applicable regulations and all terms and conditions of this preliminary plat approval.

**Attachments:**

1. Location Map
2. Applicant Narrative
3. Preliminary Plat
4. Neighborhood Comments

**Mission Statement:**

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5. Res. No. 28-24 Approving Preliminary Plat known as Karmith Cove



*Mission Statement:*

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# 3790 County Road 44



1 in = 100 Ft

-  City Boundary
-  Address Labels
-  Parcels



### **Subdivision of 3790 County Road 44**

- a. A listing of contact information including name(s), address(es) and phone number(s) of: the owner of record, authorized agents or representatives, engineer, surveyor, and any other relevant associates;
  - a. Owner: Saleem Karmaliani – 612-559-2288. 2841 East Lake of the Isles Parkway, Minneapolis, 55408 - skarmaliani@hotmail.com
  - b. General Contractor: Sven Gustafson – 612-267-2670. 153 Lake Street East, Wayzata MN 55391
  - c. Surveyor: Advance Survey - Mimi Wrob, 952 474 7964 ext. 7428
- b. A listing of the following site data: Address, current zoning, parcel size in acres and square feet, property identification number(s) (PID), and current legal description(s);
  - a. 3790 County Road 44, Minnetrista MN 55364
  - b. 2.48 Acres, 108,036 Sq. ft.
  - c. PID#: 2611724310010
  - d. Reg. Land Survey No. 1589
- c. A listing of general information including: the proposed name of the subdivision, the number of proposed lots, acreage dedicated for open space or public use, acreage dedicated within rights of way;
  - a. Proposed name: Karmith Cove
  - b. 2 proposed lots
- d. An explanation of how issues have been addressed since the Sketch Plat phase of the development;
  - a. No issues were identified
- e. A narrative explaining the intent of the project and/or your original or revised vision for the finished product;
  - a. Intent is to divide the property into two conforming residential lots.
- f. A statement showing the proposed density of the project with the method of calculating said density shown;
  - a. The property will be divided into two conforming residential lots.
- g. A narrative addressing concerns/issues raised by neighboring properties (staff always suggests discussing your proposal with the neighboring land owners to get a sense of what issues may arise as your application is processed);
  - a. No issues have been raised.
- h. Discuss proposed infrastructure extensions (i.e. proposed roadways, sewer systems, water systems, sidewalks/trails, parking, etc);
  - a. Existing sewer line will be extended to serve the two properties. Private wells will serve the homes.

- i. i. A description of how conflicts with nearby land uses (livability, value, potential future development, etc.) and/or disturbances to wetlands or natural areas are being avoided or mitigated; 2 Preliminary Plat Procedure - Class III & PUD Subdivisions Written statements continued:
  - a. The properties will be conforming and in harmony with surrounding properties in size.
- j. j. Provide justification that the proposal will not place an excessive burden on roads (traffic), sewage, water supply, parks, schools, fire, police, or other public facilities/services (including traffic flows) in the area;
  - a. Only one additional property is being created.
- k. k. If applicable, provide a description of proposed lakeshore access (i.e. shared dock with multiple slips, individual docks for each lot, etc.);
  - a. Each property will have it's own lakeshore and private docks.
- l. l. A description of proposed parks and/or open space. Please include a brief statement on the proposed ownership and maintenance of said areas; and
  - a. N/A
- m. m. A proposed development schedule indicating the approximate date when construction of the project, or stages of the same, can be expected to begin and be completed (including the proposed phasing of construction of public improvements and recreational and common space areas).
  - a. Construction of one home will occur as soon as the construction drawings are complete – anticipated late this year – early 2024. The 2<sup>nd</sup> property will be developed shortly thereafter.

LEGAL DESCRIPTION:  
Tracet A, REGISTERED LAND SURVEY NO. 1589, Hennepin County, Minnesota.

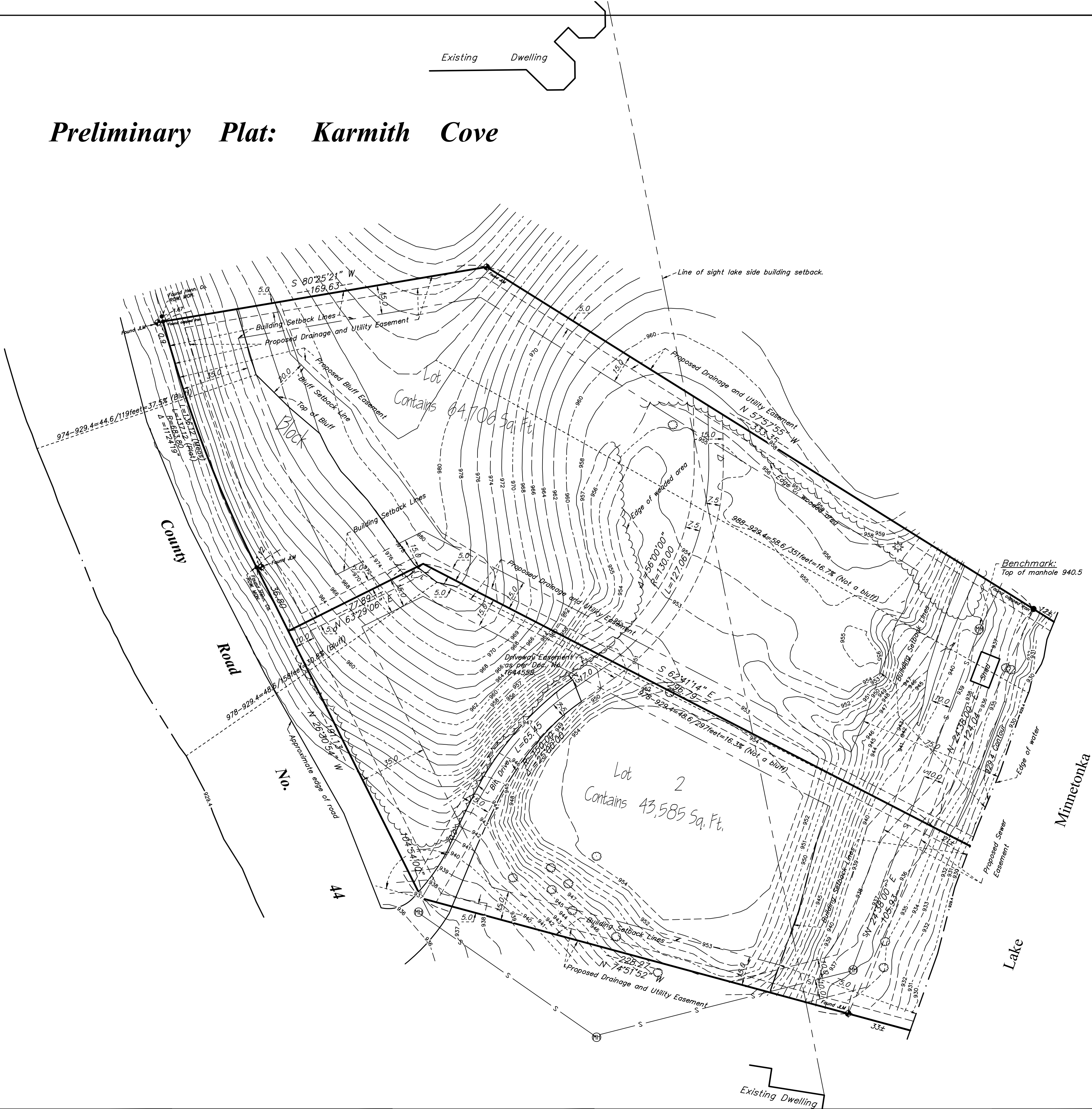
SCOPE OF WORK & LIMITATIONS:

- Showing the length and direction of boundary lines of the legal description listed above. The scope of our services does not include determining what you own, which is a legal matter. Please check the legal description with your records or consult with competent legal counsel, if necessary, to make sure that it is correct and that any matters of record, such as easements, that you wish to be included on the survey have been shown.
- Showing the location of observed existing improvements we deem necessary for the survey.
- Setting survey markers or verifying existing survey markers to establish the corners of the property.
- This survey has been completed without the benefit of a current title commitment. There may be existing easements or other encumbrances that would be revealed by a current title commitment. Therefore, this survey does not purport to show any easements or encumbrances other than the ones shown hereon.
- Note that all building dimensions and building tie dimensions to the property lines, are taken from the siding and or stucco of the building.
- Showing elevations on the site at selected locations to give some indication of the topography of the site. We have also provided a benchmark for your use in determining elevations for construction on this site. The elevations shown relate only to the benchmark provided on this survey. Use that benchmark and check at least one other feature shown on the survey when determining other elevations for use on this site or before beginning construction.
- Current zoning for the property is R-1 Low Density Single Family Residence.
- Developer:  
Stonewood, LLC  
153 Lake Street East  
Wayzata, MN 55391

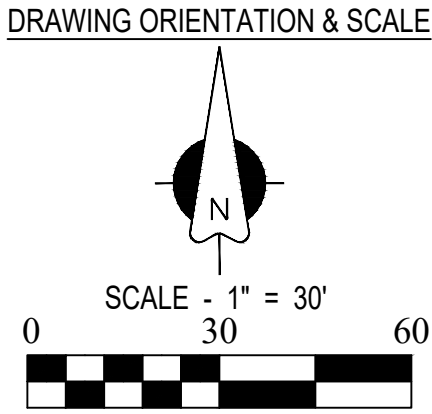
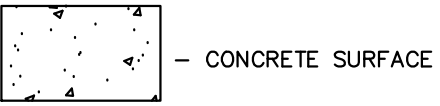
STANDARD SYMBOLS & CONVENTIONS:

"●" Denotes iron survey marker, set, unless otherwise noted.

Preliminary Plat: Karmith Cove



- LEGEND**
- = CATCH BASIN
  - GM = GAS METER
  - = FIRE HYDRANT
  - = POWER POLE
  - ⊗ = MANHOLE
  - ⊗ = TELEPHONE PED.
  - ⊗ = ELEC. TRANSFORMER
  - ⊗ = WELL
  - ⊗ = GATE VALVE
  - ⊗ = LIGHT POLE
  - ⊗ = TREE
  - X—X— = FENCE LINE
  - S— = SANITARY SEWER LINE
  - W— = WATER LINE
  - G— = GAS LINE
  - ST— = STORM DRAIN LINE
  - E— = OVERHEAD UTILITY LINE



CLIENT NAME / JOB ADDRESS

STONEWOOD, LLC  
3790 COUNTY ROAD NO. 44  
MINNETRISTA, MN

Advance  
Surveying & Engineering, Co.

18202 Minnetonka Blvd., Suite 401  
Deephaven, Minnesota 55391  
Phone (952) 474-7964  
Web: www.advsur.com

I HEREBY CERTIFY THAT THIS PLAN, SURVEY OR REPORT  
WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION  
AND THAT I AM A DULY REGISTERED LAND SURVEYOR  
UNDER THE LAWS OF THE STATE OF MINNESOTA.

Thomas M. Bloom  
# 42379  
LICENSE NO.  
OCTOBER 12, 2022  
DATE

DATE SURVEYED: OCTOBER 11, 2022

DATE DRAFTED: OCTOBER 12, 2022

SHEET TITLE

PRELIMINARY PLAT

DRAWING NUMBER

230691 TB  
REV 12 - 12

SHEET SIZE 22 X 34

SHEET NO.

S1

SHEET 1 OF 1

## Nickolas Olson

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**From:** gray5771@aol.com  
**Sent:** Monday, January 22, 2024 5:27 PM  
**To:** Nickolas Olson  
**Subject:** Subdivision of 3790 County Road 44

January 22, 2024

To: Nickolas Olson

From: Jim and Cathy Gray, 3800 County Road 44

Concerning the request to subdivide the property at 3790 County Road 44:

We are unable to attend the public meeting on January 29, so this note expresses our concerns.

Our primary concern is about doubling the number of vehicles that will use our shared driveway.

In its present configuration, there was no way for a truck or van to turn around at the top of the hill. Trucks had to back down the driveway, then make a sharp turn into our driveway in order to go forward on to County Road 44.

There have been several instances when trucks backing down have hit and destroyed our light pole (and none of them have taken responsibility for the damage). There have also been many instances where damage has been done to our lawn and the small stones surrounding the pole.

This is especially a concern for us because there will be lots of construction vehicles, and twice as many service and delivery vehicles after the subdivision.

If it's not possible to make a turn-around at the top of the hill, we will have to surround the corner of our lawn with much larger boulders.

Secondly, we hope that a subdivision will clearly spell out who is responsible for maintenance of the shared part of the driveway.

Other than those two concerns, we are looking forward to having two new neighbors.

**RESOLUTION NO. 28-24**

**CITY OF MINNETRISTA**

**RESOLUTION GRANTING PRELIMINARY APPROVAL OF THE PLAT  
OF KARMITH COVE**

WHEREAS, the city of Minnetrista (the “City”) is a municipal corporation, organized and existing under the laws of Minnesota; and

WHEREAS, the City has adopted a zoning ordinance and subdivision regulations to promote the orderly, economic and safe development and utilization of land; and

WHEREAS, County44, LLC, a Minnesota limited liability company (the “Applicant”) is the fee owner of the land generally known as 3790 County Road 44 and legally described as:

Tract A, Reg. Land Survey No. 1589, Hennepin County, Minnesota; and

WHEREAS, the Applicant has applied for preliminary approval to plat the Property; and

WHEREAS, after due notice as required by law, a public hearing on the preliminary plat was held before the planning commission on January 29, 2024; and

WHEREAS, the planning commission, after consideration of the staff report and other written materials included in its packet and the testimony delivered at the public hearing, voted 6-0 to recommend that the city council approve the preliminary plat request.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Minnetrista, Minnesota that preliminary approval of the plat of Karmith Cove is hereby granted to the Applicant in accordance with the preliminary plat and development plans presented by the Applicant and prepared by Advance Surveying & Engineering, Co. originally dated October 12, 2022 and last revised December 12, 2023 and the following terms and conditions:

1. A shared driveway easement and maintenance agreement, in a form satisfactory to the city shall be recorded along with the final plat;
2. The Applicant shall provide a turnaround driveway plan for each of the proposed lots to allow for safe ingress and egress for deliveries, construction traffic, emergency services, and other similar vehicles;
3. The Applicant shall pay a park dedication fee in the amount of \$50,000 at the time of final plat approval;
4. The Applicant shall construct an emergency warning siren for the subdivision or pay the City a fee of \$128 as a contribution towards a siren to serve the area;
5. The Applicant shall pay the City a trunk sanitary sewer area charge fee of \$4,464 at the time of final plat approval;

6. The Applicant shall comply with rules, regulations and permitting requirements of the Minnehaha Creek Watershed District and all other governmental agencies having jurisdiction over the Property;
7. All utilities installed on the Property shall be located underground;
8. Standard drainage and utility easements shall be dedicated around the perimeter of all lots and over the existing sanitary sewer line;
9. The Applicant shall be required to construct, at its expense, all public improvements within the subdivision;
10. The Applicant shall submit title evidence satisfactory to the city attorney prior to final plat approval;
11. The Applicant shall pay to the City a fee in an amount sufficient to reimburse the City for all costs of reviewing the submissions for platting the Property and the negotiation and preparation of all related agreements and documents; and
12. A completed application for approval of the final plat must be submitted to the City within 180 days of the date of adoption of this preliminary plat resolution by the City Council. The completed application must comply with all conditions and requirements of applicable regulations and all terms and conditions of this preliminary plat approval.

This resolution was adopted by the City Council of the City of Minnetrista on the 5<sup>th</sup> day of February, 2024 by a vote of \_\_\_\_\_ ayes and \_\_\_\_\_ nays.

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Lisa Whalen, Mayor

ATTEST:

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Ann Meyerhoff, City Clerk

(SEAL)

# CITY OF MINNETRISTA



## CITY COUNCIL AGENDA ITEM 4I

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**Subject:** Extension Request from Mark & Tera Kaltsas for their Setback Variance Approval

**Prepared By:** Nickolas Olson, Senior City Planner  
**Through:** David Abel, Community Development Director

**Meeting Date:** February 5, 2024

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**Issue:** Mark & Tera Kaltsas (the “Applicants”) have submitted a request to extend their setback variance approval at 7035 Halstead Drive (the “Property”) for six months. The variance approval is set to expire on February 6<sup>th</sup>, 2024.

**Background:** The Applicants received approval for a street side and lakeshore setback variances to build a new single family home on the Property. However, as explained in the letter submitted by the Applicants, they will not be able to submit for building permit before the variance expires. As a result, the Applicants wish to extend the approval an additional six months to August 6, 2024.

**Conclusion:** The request for a six month extension is reasonable given the circumstances. The extension request of the Applicants is consistent with past practices for longer than expected variance projects. Also, nothing else has changed that would alter the original approval. Therefore, staff would support this extension request. If approved, the extension would give the Applicants until August 6, 2024 to apply for the necessary permits.

<p><b><u>Recommended City Council Action:</u></b> Motion to adopt a resolution approving a six month extension to the setback variance approval at 7035 Halstead Drive.</p>
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**Attachments:**

1. Location Map
2. Applicant Narrative
3. Res. No. 29-24 Approve 6 Month Extension to Variance Approval at 7035 Halstead Drive

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**Mission Statement:**

The City of Minnetrista will deliver quality services in a cost effective and innovative manner and provide opportunities for a high quality of life while protecting natural resources and maintaining a rural character.

# 7035 Halstead Drive



1 in = 50 Ft

-  City Boundary
-  Parcels



*Mark and Tera Kaltsas*  
*Shorewood, MN*

January 24, 2024

Minnetrista Mayor and City Council  
City of Minnetrista  
7701 Co Rd 110 W  
Minnetrista, MN 55346

RE: 7035 Halstead Dr.: VARIANCE EXTENSION REQUEST

Honorable Mayor and City Council Members:

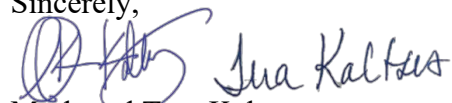
We purchased 7035 Halstead Drive in March of 2022. We spent approximately six months cleaning the property and preparing site and house plans for a new home on the property. During the design phase of our project, we determined that a setback variance would allow us to most efficiently develop the property to fit in with the surrounding homes and best accommodate our family's needs.

The City granted a variance on February 6, 2023 (RESOLUTION No. 20-23) allowing the requested setbacks. Following approval of the variance, we spent a considerable amount of time and money finalizing the house plans and working with both our architect and structural engineer to prepare full structural plans and specification for the new home. Unfortunately, in April of last year my father was diagnosed with ALS and passed away a few months after in July. As a result of his sudden illness and death, our project was temporarily put on hold in order to help my mother and family during the difficult time.

This fall, we began moving forward again with the project and have now fully bid the project and are weeks to a month or so away from being in a position to start the project. We are hoping that the City Council will understand our delay and offer leniency so that we can begin our project and construct our dream home on this property. We believe that we will start the project as soon as construction weather allows this spring and are therefore requesting a six-month extension to the variance. We sincerely hope that we can move forward with the project previously presented to the City and now designed.

Thank you for your consideration on this matter and please let us know if you have any questions and or would like information relating to our project.

Sincerely,

A handwritten signature in blue ink, appearing to read "Mark and Tera Kaltsas", is written over a printed name.

Mark and Tera Kaltsas

**RESOLUTION NO. 29-24**

**CITY OF MINNETRISTA**

**RESOLUTION APPROVING A SIX MONTH EXTENSION TO THE SETBACK  
VARIANCE APPROVAL FOR MARK & TERA KALTSAS AT 7035 HALSTEAD  
DRIVE**

WHEREAS, the City of Minnetrista is a municipal corporation, organized and existing under the laws of the State of Minnesota; and

WHEREAS, the City Council of the City of Minnetrista has adopted zoning and subdivision regulations, per Chapter 5 of the Municipal Code, to promote the orderly, economic and safe development and utilization of land within the City; and

WHEREAS, Mark & Tera Kaltsas (the “Applicants”) have requested a six month extension to their setback variance approval (the “Approval”) located at 7035 Halstead (the “Property”), which is legally described as:

Lot 2, Block 1, Elbert Lee Shores, Hennepin County, Minnesota; and

WHEREAS, the City Council originally granted the Approval to the Applicants on February 6, 2023, and the Approval was valid for one year, until February 6, 2024; and

WHEREAS, market conditions do not allow the Property to be developed in accordance with the Approval at this time; and

WHEREAS, zoning regulations have not changed with respect to the Approval.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Minnetrista hereby approves a six month extension to the setback variance approval at 7035 Halstead, allowing the Applicants until August 6, 2024, to submit for the necessary permits.

This resolution was adopted by the City Council of the City of Minnetrista on this 5<sup>th</sup> day of February, 2024 by a vote of \_\_\_ Ayes and \_\_\_ Nays.

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Lisa Whalen, Mayor

ATTEST:

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Ann Meyerhoff, City Clerk  
(SEAL)

## CITY OF MINNETRISTA



### CITY COUNCIL AGENDA ITEM 6A

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**Subject:** Application from Joseph Cheney a side yard setback variance at 3800 Enchanted Lane

**Prepared By:** Nickolas Olson, Senior City Planner  
**Through:** David Abel, Community Development Director

**Meeting Date:** February 5, 2024

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**Overview:** Joseph Cheney (the “Applicant”) has made a request for a variance to reduce the side yard setback from 15 feet to 10 and 13.8 feet to allow for a new single family home at 3800 Enchanted Lane; R-1 – Low Density Single Family Residence Zoning District; PID# 25-117-24-43-0005 (the “Property”).

Since the original variance request, the Applicant agreed to shift the proposed home location to the north which would allow for compliance with the 15 foot side yard setback, but result in a reduction from 15 feet to 8.8 feet on the northern side yard setback.

**Background:** As the City Council will remember, a previous application was reviewed back in August 2023. Variances for relief from the lakeshore, street side, and side yard setbacks were reviewed. A recommendation was forwarded to the City Council and ultimately the City Council approved the lakeshore setback at 39.1 feet and street side setback at 26.3, but they denied the side yard setback variance requests.

The Applicant is requesting relief from the side yard setback requirement on the south side of the Property. The proposal complies with the lakeshore and streetside setback variances the City Council approved in August 2023. For review, the Applicant has put together the necessary documents attached hereto for the City Council to consider.

The day of the Planning Commission meeting, new survey information was presented to the Applicant and City Staff that raised issues with the northern property line of 3790 Enchanted Lane. As a result, the Applicant withdrew their request for side setback variances at 3790 Enchanted Lane. During the Planning Commission meeting, the Applicant stated that they will be working with their neighbor to resolve the property line issue and that they will not pursue any side setback variances at 3790 Enchanted Lane. This factored in to the Planning Commission’s recommendation as they were more willing to allow relief on the northern setback with the assumption that there will be a 15 foot side setback at 3790 Enchanted Lane.

#### **Mission Statement:**

The City of Minnetrista will deliver quality services in a cost effective and innovative manner and provide opportunities for a high quality of life while protecting natural resources and maintaining a rural character.

**Variance Request:** City Code Section 505.05 Subd. 9 allows the City to issue variances from the provisions of the zoning code. A variance is a modification or variation of the provisions of the zoning code as applied to a specific piece of. A variance is only permitted when:

**a. The variance is in harmony with the general purposes and intent of this ordinance.**

Section 505.03 Subd. 1 outlines the specific purpose and intent of the City's zoning ordinance. One of those purpose and intent is to protect the general health and safety of the inhabitants of the City. This is accomplished through the promotion of proper use of land and structures with reasonable standards to which buildings, structures, and land will conform to for the benefit of all.

**b. The variance is consistent with the comprehensive plan.**

The basic intent of the comprehensive planning process is to provide a well-founded and coordinated decision-making framework to guide both public and private development and community improvements. In this regard, the comprehensive plan represents the development framework to guide and direct future land development decisions within the City. The Land Use Plan is a narrative and graphic representation of the community's land use and growth management goals and policies that provides the background and rationale for land use designations as represented on the Proposed Land Use Map.

A variance may be granted when the applicant establishes there are practical difficulties in complying with this ordinance. Practical difficulties, as used in connection with granting a variance, means:

**1. The property owner proposes to use the property in a reasonable manner not permitted by this ordinance.**

This factor means that the landowner would like to use the property in a particular reasonable way, but cannot do so under the rules of the ordinance. It does not mean that the land cannot be put to any reasonable use whatsoever without the variance.

**2. The plight of the landowner is due to circumstances unique to the property not created by the landowner.**

The uniqueness generally relates to the physical characteristics of the particular piece of property, that is, to the land and not personal characteristics or preferences of the landowner. When considering the variance for a building to encroach or intrude into a setback, the focus of this factor is whether there is anything physically unique about the particular piece of property.

**3. The variance would not alter the essential character of the locality.**

Under this factor, consider whether the resulting structure will be out of scale, out of place, or otherwise inconsistent with the surrounding area.

**Mission Statement:**

The City of Minnetrista will deliver quality services in a cost effective and innovative manner and provide opportunities for a high quality of life while protecting natural resources and maintaining a rural character.

**Neighborhood Comments:** Notices were sent out to all property owners within 500 feet of the subject property. To date, staff has spoken with one neighboring property owner and has received three written comments. Those comments have been attached for Planning Commission review.

**Planning Commission Recommendation:** The Applicant's request was presented to the Planning Commission at their January 29, 2024 meeting. At that meeting, the required public hearing was held. During the public hearing, the Planning Commission heard from the Applicant and his surveyor and three neighboring property owners. After reviewing the staff report and hearing the testimony at the public hearing, the Planning Commission had a motion made by Hussain and seconded by Charles to recommend the City Council approve the requested setback variance, as amendmended to only one side yard setback variance at 8.8 feet from the northern property line, based on certain findings of fact and subject to conditions. Motion passed 6-0. Absent Young and Rognli.

**Conclusion:** The application is for a new single-family dwelling, which is an allowed use of the Property and is consistent with the zoning. This proposal conforms to the lakeshore and street side setback variances previously granted.

The Property and surrounding area are guided for long term Residential Low per the 2040 Minnetrista Comprehensive Plan. The proposed variance does not alter the future use of the Property and thus remains consistent with the long-term goals for the area. However, while relief of the side yard setbacks doesn't impact riparian views, it results in homes closer together which can feel crowded along the lakeshore. The Property is a non-conforming lot of record, which was created before the current setback requirements were in place. When the current setbacks are applied, the building pad is rather small. Relief has been granted to the lakeshore and streetside setbacks back in August 2023 to help alleviate the constraints. Other homes in the area have complied with the side yard setback requirements in the past. This may suggest that relief from the side yard setbacks may be out of character of the neighborhood. Allowing side yard setback variance could change the character of the neighborhood making it feel more crowded along the lakeshore.

The City Council needs to determine if this relief is sufficient for the development of the Property or if additional relief to the side yard setbacks is necessary. In this instance, it may be more reasonable to consider some sort of relief. When considering additional relief, the City Council ought to look at the character of the neighborhood and determine how it may be altered as a result of any additional relief.

The City Council should review the staff report and the recommendation of the Planning Commission. After review, the City Council should consider the entire record before it prior to making a motion. Along with making a motion, findings of fact should be established which support the motion. Findings of fact based on the information submitted by the Applicants may be as follows:

1. The requested variance is in harmony with the purpose and intent of the City's zoning ordinances because the proposed single family home maintains at 15 foot

**Mission Statement:**

The City of Minnetrista will deliver quality services in a cost effective and innovative manner and provide opportunities for a high quality of life while protecting natural resources and maintaining a rural character.

- setback to the existing developed neighborhood, which preserves the general welfare of the existing residents;
2. The requested variance is consistent with the City's comprehensive plan because the Property is guided for long term Residential Low per the 2040 Minnetrista Comprehensive Plan. The proposed variance is consistent with this long term goal as single family residential is an allowed use and the proposed single family home only requires one side yard setback variance which helps prevent the overcrowding of the existing properties;
  3. The Applicants propose to use the Property in a reasonable manner because the proposed single family home is an allowed use and its size is appropriate relative to the lot;
  4. The requested variance is the result of unique circumstances not created by the landowner because the Property is an existing non-conforming lot of record that is only roughly 50 feet wide which, when setbacks are applied, results in a building pad that's roughly 20 feet wide and difficult to develop; and
  5. The requested variance will not alter the character of the locality because the proposed single family home is consistent in size to other homes in the neighborhood.

**Recommended Action:** Motion to adopt a resolution approving a side yard setback variance at 3800 Enchanted Lane, based on certain findings of fact outlined in the staff report and subject to the following conditions:

1. The construction shall be consistent with the plan and survey documents submitted with this variance application;
2. Any required grading shall maintain existing drainage patterns or improve the existing drainage of the lot and adjacent lots;
3. The Applicant obtain all necessary permits and approvals from the City and other applicable entities with jurisdiction over the Property prior to any construction;
4. The Applicant is responsible for all fees incurred by the City in review of this application; and
5. The variance approval is valid for one year from the date of approval and will become void and expire unless a building permit has been issued for the site.

**Attachments:**

1. Location Map
2. Applicant's Narrative
3. Proposed Survey
4. Proposed Plans
5. Neighborhood Comments
6. Res. No. 30-24 Approve Side Yard Setback Variance at 3800 Enchanted Lane


**Mission Statement:**

The City of Minnetrista will deliver quality services in a cost effective and innovative manner and provide opportunities for a high quality of life while protecting natural resources and maintaining a rural character.

# 3800 Enchanted Lane



1 in = 50 Ft

-  City Boundary
-  Address Labels
-  Parcels



# Dear City of Minnetrista,

My name is Joe Cheney, I am requesting a variance because I think these homes are very proportionate for the lot and neighborhood as well as fits a versatile amount of needs for a smaller dwelling. I personally think it would be a better fit than a long narrow 3 story custom build. I am an investor of lakeshore properties and have a very good track record of buying and selling with happy clients and cities I've worked with. If I get the variance I plan to put the property for sale with the proposed house, if it does not sell I plan on building before the variance expires. I have no intentions of renting the property, that would be a last resort for me and I'm fully aware that short term rentals are not allowed in the city.

EXISTING PROPERTY DESCRIPTION

That part of Lot 13, "Enchanted Island Park" lying Southerly of the following described line and its Westerly extension:

Commencing at a point of the Southerly line of Lot 15, "Enchanted Island Park", distant 228.73 feet Westerly from the Southeasterly corner of said Lot 15; thence on an assumed bearing of North 80 degrees 52 minutes East along a line hereinafter referred to as "Line A" drawn to a point on the Southerly line of said Lot 13 distant 230.83 feet Westerly from the Southeasterly corner of said Lot 13; thence continuing North 8 degrees 52 minutes East along said "Line A" a distance of 88.05 feet to the point of ending of said "Line A"; said point of ending being the point of beginning of the line being described; thence South 89 degrees 07 minutes 30 seconds East to the Easterly line of said Lot 13, and there ending.

AND

Lying Northerly of the following described line and its Easterly and Westerly extensions:

Commencing at the intersection of said "Line A" with the Southerly line of said Lot 13; thence North 8 degrees 52 minutes East along said "Line A" a distance of 38.48 feet to the point of beginning of the line being described; thence South 87 degrees 45 minutes 40 seconds East to the Easterly line of said Lot 13, and there ending, according to the plat thereof on file and of record in the office of the Register of Deeds, in and for Hennepin County, Minnesota.

SURVEYORS NOTE:

The Existing Property Description is ambiguous. The description relies on the east line of Lots 13 and 15 of ENCHANTED ISLAND PARK. This line is not monumented since it is in a large wetland complex and, as such, cannot be established on the ground. I have written the following Suggested Revised Property Description based on the section. An attorney should be contacted to discuss this.

SUGGESTED REVISED PROPERTY DESCRIPTION

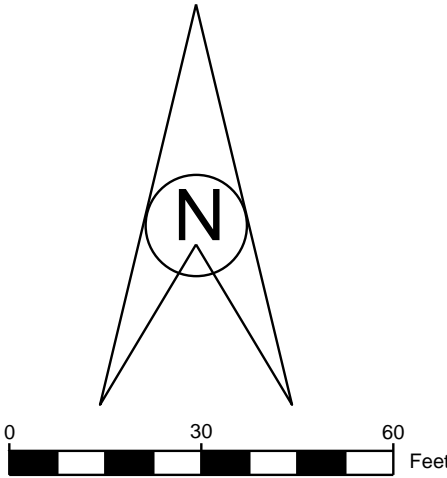
That part of Government Lot 4, Section 25, Township 117, Range 24, Hennepin County, Minnesota, also being a part of the recorded plat of ENCHANTED ISLAND PARK, described as follows:

Commencing at Meander Corner No. 36 on the East line of said Government Lot 4; thence South 52 degrees 19 minutes 18 seconds West, assuming the East line of said Government Lot 4, being a line drawn from Meander Corner No. 36 to Meander Corner No. 37, bears South 00 degrees 39 minutes 30 seconds West, a distance of 1596.85 feet to the point of beginning; thence South 10 degrees 27 minutes 06 seconds West, a distance of 48.11 feet; thence North 86 degrees 21 minutes 28 seconds West, a distance of 255 feet, more or less, to the shoreline of Lake Minnetonka; thence Northerly along said shoreline to a line that bears North 85 degrees 59 minutes 37 seconds West from the point of beginning; thence South 85 degrees 59 minutes 37 seconds East, a distance of 260 feet, more or less, to the point of beginning.

SURVEYORS NOTE:

I was not provided with information as to an easement on the traveled Enchanted Lane.

# Certificate of Survey & Topographic Survey



LEGEND

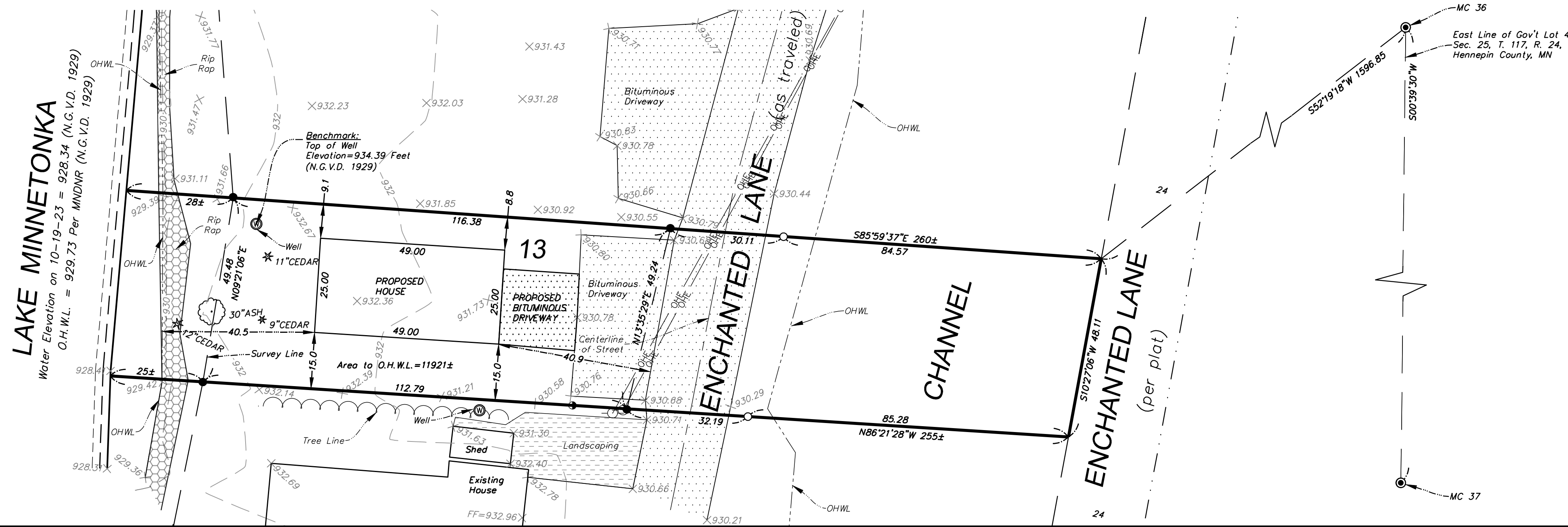
- 988 — denotes Existing Contour
- 988.00 X denotes Existing Spot Elevation
- FF=980.40 denotes Finished Floor Elevation
- denotes Power Pole
- denotes Guy Wire
- denotes Deciduous Tree
- ★ denotes Coniferous Tree
- OHE — denotes Overhead Electric Line
- X — denotes Fence Line

EXISTING HARDCOVER CALCULATIONS:		
AREA TO OHWL LESS BITUMINOUS STREET=	10,797±	S.F.
	AREA	
Bituminous Driveway	947	S.F.
TOTAL	947	S.F.
% HARDCOVER	8.8	%

Bituminous Street(not included in hardcover) = 1,124 SF

PROPOSED HARDCOVER CALCULATIONS:		
AREA TO OHWL LESS BITUMINOUS STREET=	10,797±	S.F.
	AREA	
Proposed House	1,225	S.F.
Proposed Driveway	409	S.F.
Bituminous Driveway	947	S.F.
TOTAL	2581	S.F.
% HARDCOVER	23.9	%

Bituminous Street(not included in hardcover) = 1,124 SF



Certificate of Survey & Topographic Survey on Part of Gov't Lot 4, Sec. 25, T. 117, R. 24, Hennepin County, MN

Revised: 01-30-24 B.M.H. HOUSE REVISION

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

*Paul E. Otto*  
Paul E. Otto  
License #40062 Date: 01-30-24

Requested By:

Enchanted Island, LLC

Date: 10-19-23 Drawn By: B.M.H. Scale: 1"=20' Checked By: P.E.O.



www.ottoassociates.com  
9 West Division Street  
Buffalo, MN 55313  
(763)682-4727  
Fax: (763)682-3522

- denotes iron monument found
- denotes 1/2 inch by 14 inch iron pipe set and marked by License #40062
- denotes Soil Boring
- denotes found Judicial Land Monument

Project No. 23-0431

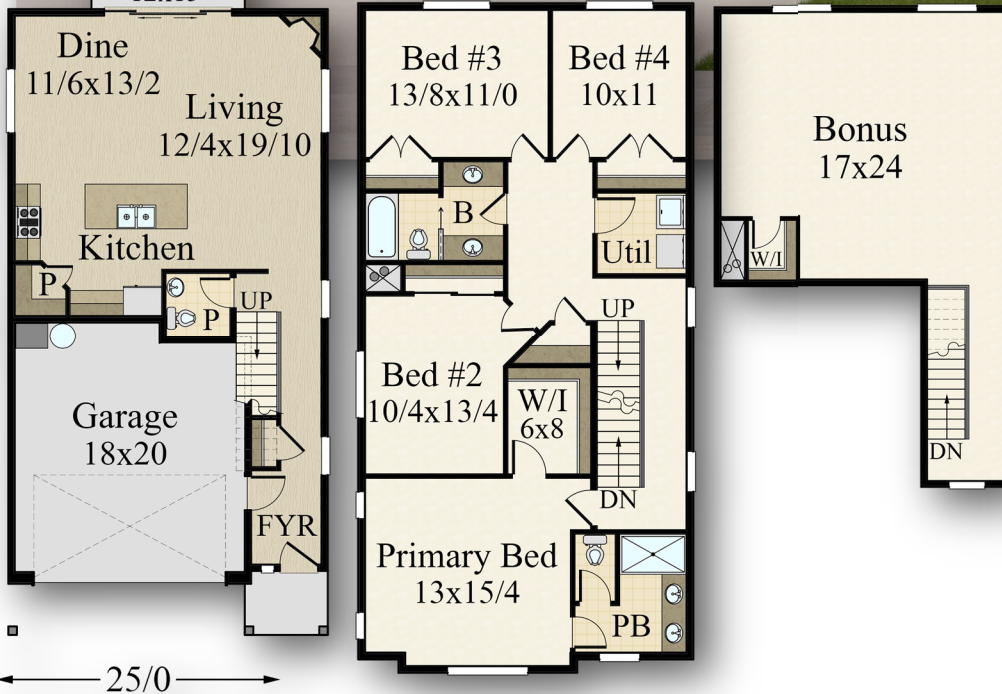


MARK STEWART  
HOME DESIGN

*Mark Stewart*

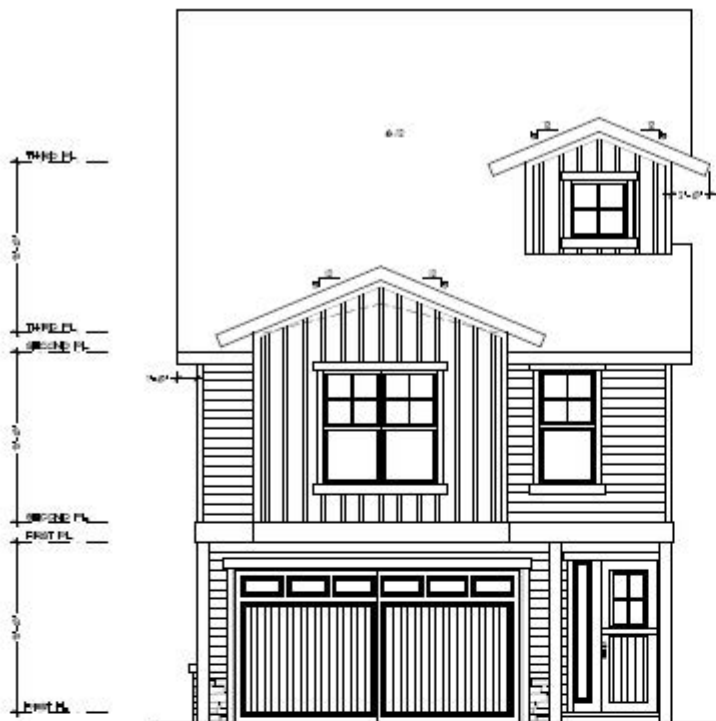


Patio  
12x15



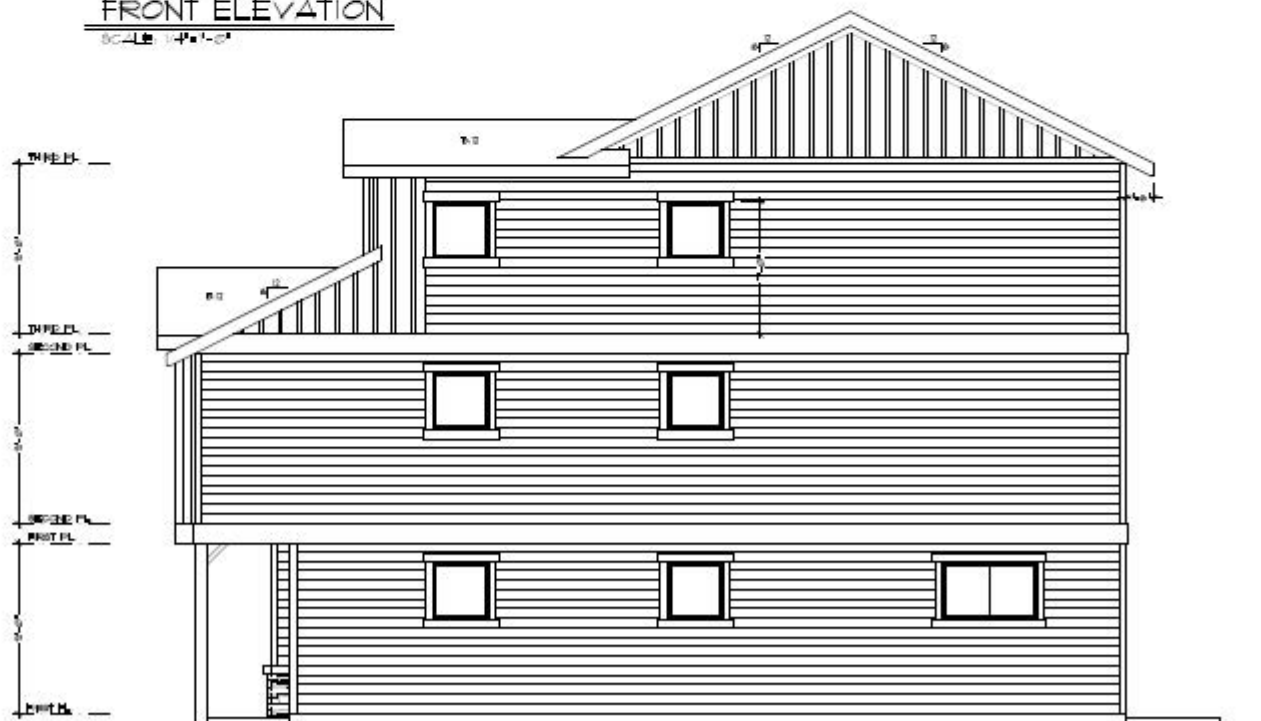
## Green Loft Willow M-2610

Main Floor	750 sq ft
Upper	1194 sq ft
Third floor	666 sq. ft
<b>Total Finished</b>	<b>2,610 sq. ft.</b>
<b>25/0 W</b>	<b>x 49/0 D</b>



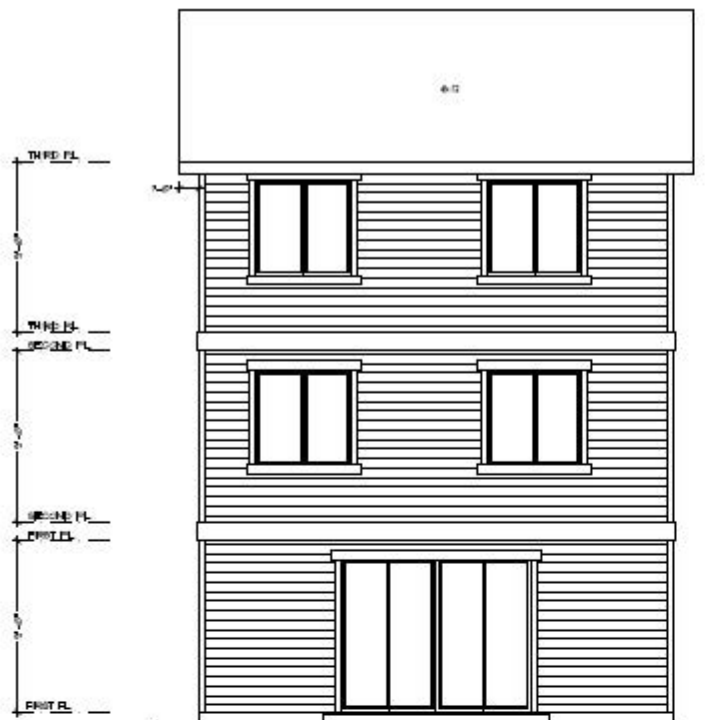
FRONT ELEVATION

SCALE 1/4" = 1'-0"



RIGHT ELEVATION

SCALE 1/4" = 1'-0"



REAR ELEVATION

SCALE 1/4" = 1'-0"



LEFT ELEVATION

SCALE 1/4" = 1'-0"

Nicholas Olson, Senior City Planner

City of Minnetrista

Please share this note with the planning commission.

Regarding properties at 3790 and 3800 Enchanted Ln:

We are not in favor of any side yard variances on the properties in this Enchanted Island neighborhood, as we understand that the homes that have been built since the regulation has been put in place have adhered to the side yard setbacks.

We are concerned that granting side yard setbacks here will set a precedence and the next property that plans to build in this neighborhood will use this as the 'New Standard', they will be able to argue because 3790 was granted a variance that they should also be granted. These properties are in a low density R1 housing zone, this is not R2 Douglas beach.

In 2014 these lots had standing water, our property had no standing water, now there is a proposal to build much larger structures and they will be elevated. There runoff should NOT flow to any of the neighboring properties. This is a huge concern, there is no new elevation/drainage plan on the surveys and it states in the variance procedure that it is required (Section 6).

Regarding 3790:

This is approximately a 60' wide lot, an ample sized home can be built on this property without any side yard variances. We can't understand the need for side yard setback variances on this property but we can understand the want to maximize the profits by building wider/larger house.

We are not in favor in granting a side yard setback variance on this piece of property.

Regarding 3800:

It is our understanding that this lot is less than 50' and may not be a confirming lake shore buildable lot, we would be in favor of minimal side yard setbacks that would allow a house that would be acceptable on a 50' lot, similar to 3850 Enchanted Ln.

Thank you,

Steve Shoop

Nancy Rigelhof

3780 Enchanted Ln

## Nickolas Olson

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**From:** Minnetrista  
**Sent:** Monday, January 22, 2024 8:20 AM  
**To:** David Abel; Nickolas Olson  
**Subject:** FW: Variance request for 3790 and 3800 Enchanted Lane

**From:** Pat Scherber [mailto:tpscherber@gmail.com]  
**Sent:** Saturday, January 20, 2024 10:54 AM  
**To:** Minnetrista <minnetrista@ci.minnetrista.mn.us>  
**Subject:** Variance request for 3790 and 3800 Enchanted Lane

Dear City Planners,

We are the owners of 3810 Enchanted Lane, the property adjacent to 3800 and 3790 requesting the variances.

In reference to the side setbacks variances - we strongly urge you to deny these variances.

The variance request is for a 10 foot ONLY side set back between the two new homes and a 13.8 foot side set back from our existing lot line. The City of Minnetrista requires a minimum of a 15 foot side set back with all new construction.

We encourage the city planners to adhere to these rulings !

What happens when the next out of town developer wants to squeeze a too large of house on a too small lot ??

Please vote NO !!!

Thank you,

Tom and Pat Scherber

## Nickolas Olson

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**From:** John Barlow <jbarlow@barlowresearch.com>  
**Sent:** Friday, January 26, 2024 4:00 PM  
**To:** Nickolas Olson  
**Cc:** Kathy Barlow  
**Subject:** Objection to Joseph Chaney variance requests

Nicholas

I am writing about the variance applications for Joseph Chaney at 3790 and 3800 Enchanted Lane in Minnetrista.

This is the second time someone has applied for a variance on these properties in the last few months. We are concerned about the density of the housing and its occupants on an already packed area of Enchanted Lane. We object to these variance requests.

Thank you.

John & Kathy Barlow  
3946 Enchanted Lane  
Minnetrista MN 55364  
612-759-7161

**RESOLUTION NO. 30-24**

**CITY OF MINNETRISTA**

**RESOLUTION APPROVING A SIDE YARD SETBACK VARIANCE FOR A NEW  
SINGLE FAMILY HOME AT 3800 ENCHANTED LANE**

WHEREAS, the City of Minnetrista (the “City”) is a municipal corporation, organized and existing under the laws of the State of Minnesota; and

WHEREAS, the City Council of the City of Minnetrista has adopted zoning and subdivision regulations, per Chapter 5 of the Municipal Code, to promote the orderly, economic and safe development and utilization of land within the city; and

WHEREAS, Joseph Cheney (the “Applicant”) originally made an application for a variance from the required side yard setbacks to reduce the required setbacks from 15 feet to 10 and 13.8 feet to allow for a new single family home at 3800 Enchanted Lane (the “Property”) and which is legally described on Exhibit A attached hereto; and

WHEREAS, on January 29, 2024, the Minnetrista Planning Commission considered the requested side setback variance and held a public hearing; and

WHEREAS, while discussing the Applicant’s request, the Planning Commission recommended the request be amended to shift the proposed home location to the north to eliminate the need for a side setback variance from the southern property line; and

WHEREAS, shifting the home to the north results in a proposed side setback of 8.8 feet, which the Planning Commission found acceptable based on the understanding that no side yard setback variance would be applied for on the property to the north; and

WHEREAS, after consideration of the entire record before it, voted 6-0 in favor of recommending an amended approval of the requested setback variance; and

WHEREAS, the Minnetrista City Council has reviewed the application, as submitted, and has made the following findings of fact:

1. The requested variance is in harmony with the purpose and intent of the City’s zoning ordinances because the proposed single family home maintains at 15 foot setback to the existing developed neighborhood, which preserves the general welfare of the existing residents;
2. The requested variance is consistent with the City’s comprehensive plan because the Property is guided for long term Residential Low per the 2040 Minnetrista Comprehensive Plan. The proposed variance is consistent with this long term goal as single family residential is an allowed use and the proposed single family home only requires one side yard setback variance which helps prevent the overcrowding of the existing properties;

3. The Applicants propose to use the Property in a reasonable manner because the proposed single family home is an allowed use and its size is appropriate relative to the lot;
4. The requested variance is the result of unique circumstances not created by the landowner because the Property is an existing non-conforming lot of record that is only roughly 50 feet wide which, when setbacks are applied, results in a building pad that's roughly 20 feet wide and difficult to develop; and
5. The requested variance will not alter the character of the locality because the proposed single family home is consistent in size to other homes in the neighborhood.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Minnetrista hereby approves the a side yard setback variance to allow for a new single family home on the property generally located at 3800 Enchanted, subject to the following conditions:

1. The construction shall be consistent with the plan and survey documents submitted with this variance application;
2. Any required grading shall maintain existing drainage patterns or improve the existing drainage of the lot and adjacent lots;
3. The Applicant obtain all necessary permits and approvals from the City and other applicable entities with jurisdiction over the Property prior to any construction;
4. The Applicant is responsible for all fees incurred by the City in review of this application; and
5. The variance approval is valid for one year from the date of approval and will become void and expire unless a building permit has been issued for the site.

This resolution was adopted by the City Council of the City of Minnetrista on the 5<sup>th</sup> day of February, 2024 by a vote of \_\_\_\_ Ayes and \_\_\_\_ Nays.

\_\_\_\_\_  
Lisa Whalen, Mayor

ATTEST:

\_\_\_\_\_  
Ann Meyerhoff, City Clerk

(SEAL)

## **EXHIBIT A**

### Legal Description of 3800 Enchanted Lane:

That part of Lot 13, ENCHANTED ISLAND PARK, lying southerly of the following described line and its westerly extension: Commencing at a point on the southerly line of Lot 15, ENCHANTED ISLAND PARK, distant 228.73 feet westerly from the southeasterly corner of said Lot 15; thence on an assumed bearing of North 08 degrees 52 minutes East along a line hereinafter referred to as "Line A" drawn to a point on the southerly line of said Lot 13, distant 230.83 feet westerly from the southeasterly corner of said Lot 13; thence continuing North 8 degrees 52 minutes East along said "Line A" a distance of 88.05 feet to the point of ending of said "Line A", said point of ending being the point of beginning of the line being described; thence South 89 degrees 07 minutes 30 seconds East to the easterly line of said Lot 13, and there ending, and lying northerly of the following described line and its easterly and westerly extensions: Commencing at the intersection of said "Line A" with the southerly line of said Lot 13; thence North 08 degrees 52 minutes East along said "Line A" a distance of 38.48 feet to the point of beginning of the line being described; thence South 87 degrees 45 minutes 40 seconds East to the easterly line of said Lot 13, and there ending, according to the plat thereof on file and of record in office of the Register of Deeds, in and for Hennepin County, Minnesota.