Agenda
City Council Meeting
Monday, June 9, 2025, 6:00 PM
City Council Chambers | 2780 Kelley Parkway, Orono, MN 55356
952-249-4600 /oronomn.gov

Roll Call

Pledge of Allegiance

Approval of Agenda

Consent Agenda

These items are considered routine and will be enacted by one motion with no discussion unless a council member or staff requests and the item will be removed from the consent agenda for separate discussion and action.

1. City Council Minutes
2. Claims/Bills
3. Upcoming Work Session and Council Training Schedule
4. Hire Police Officer
5. Hire Seasonal Employees
6. Fireworks Display - June 13
7. Fireworks Display - June 19
8. Solicitor License
9. 2025 Sewer Rehabilitation Award (25-012)
10. LA24-000068, 430 Old Crystal Bay Rd, Final Plat Amendment, Resolution 7595
11. LA25-000007, 4745 North Shore Drive, After-the-Fact Conditional Use Permit Amendment - Resolution 7589

Public Comments

This is an opportunity for the public to address the City Council. The council will not engage in discussion or take action on items presented at this time. However, the council may refer issues to staff for follow up or consideration at a future meeting. Speakers should state their name and home address at the podium before speaking. Speakers should be mindful of time and limit their remarks to three (3) minutes to allow sufficient opportunity for others to speak. We encourage speakers to address their comments to the mayor and council and to keep their remarks respectful and relevant. Please no personal attacks. Criticism of ideas is acceptable, but attacks against individuals are not tolerated. Please make your statements in a civil manner. Similarly, we ask everyone in the audience to be respectful of speakers and refrain from disruptive behavior, such as shouting, heckling, or making excessive noise.

Public Hearing

This is an opportunity for the public to address City Council on a proposed action or issue before a decision is made. Relevant comments of support and opposition from the public are reflected in the meeting record and considered by the council when making a decision.

12. Stubbs Bay Lake Improvement District Public Hearing

Community Development Report

13. LA25-000019, 245 Ferndale Rd N, RPUD Concept Plan Review

Attorney Report

City Administrator/Engineer Report

Council Committee Reports

14. Council Committee and Board Reports

Mayor/Council Report

Closed Session
15. Annual Performance Review of the City Administrator
16. Closed Session - Labor Negotiation Discussion

Adjournment

Upcoming Events
Jun 13 Early Childhood @ Bederwood Park
Jun 16 Planning Commission
Jun 19 Holiday - office closed
Jun 23 City Council

AGENDA ITEM

Date: June 9, 2025 **Item:** 1

Title: City Council Minutes

Presenter: Christine Lusian, City Clerk

Section: Consent Agenda

1. **Purpose:**
   The purpose of this item is to approve the City Council meeting minutes.

2. **Staff Recommendation:**
   Approve the City Council work session and regular meeting minutes.

COUNCIL ACTION REQUESTED

Approve the City Council work session and regular meeting minutes.

Exhibits

A. 05-27-2025 CC Minutes - work session
B. 05-27-2025 City Council Minutes

Minutes
City Council Work Session
Tuesday, May 27, 2025, 5:00 PM
City Council Chambers | 2780 Kelley Parkway, Orono, MN 55356

ROLL CALL

City Council members present: Mayor Bob Tunheim, City Council Members Alisa Benson, Steve Persian, Jacqueline Ricks, and Jon Schwingler.

Staff present: City Administrator Adam Edwards, Community Development Director Laura Oakden, City Clerk Christine Lusian.

REVIEW COUNCIL GOALS AND PRIORITIES

Administrator Edwards introduced the topic and the mission, vision, goals, last updated in 2019, and the group agreed that it's solid and includes the right stuff. Oakden explained the 2040 community management plan, last updated in 2018, which will be updated in 2026.

The group discussed service level expectations, the development and routine measurement of objectives that align with the goals, and the need for the new council to learn more about the value of the city's current assets.

The group directed staff to develop and present a draft customer service process at the next meeting as well as a parks assessment based on our current standards for proper allocation of capital improvement funds.

ADJOURNMENT

Work session ended at 5:57 p.m.

ATTEST: CITY COUNCIL

_____ _____

Christine Lusian, City Clerk Bob Tunheim, Mayor

Minutes
City Council Regular Meeting
Tuesday, May 27, 2025, 6:00 PM
City Council Chambers 2780 Kelley Parkway, Orono, MN 55356

Mayor Tunheim called the meeting to order at 6:00 p.m., followed by the Pledge of Allegiance.

OATH OF OFFICE

1. Oath of Office – Councilmember

Jon Schwingler, newly elected Councilmember, took the Oath of Office administered by the City Clerk.

ROLL CALL

Orono City Council members present: Mayor Bob Tunheim, City Council Members Alisa Benson, Steve Persian, Jacqueline Ricks, and Jon Schwingler. Members absent: None

Staff present were Substitute City Attorney Corine Heine, City Administrator/Engineer Adam Edwards, Interim Fire Chief Shea Chwialkowski, Parks Superintendent Joe Ruthenberg, and City Clerk Christine Lusian.

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

The Agenda was approved by consensus.

CONSENT AGENDA

2. City Council Minutes
3. Claims/Bills
4. Resignation and Recruitment – Public Works Maintenance Worker
5. Rename Police Administrative Assistant to Police Administrative Support Specialist
6. Hire Seasonal Employee
7. Professional Service Contract Review Schedule
8. Upcoming Work Session and Council Training Schedule

Benson moved, Ricks seconded, to approve the Consent Agenda as submitted. VOTE: Ayes 5, Nays 0.

PUBLIC COMMENTS

Marilyn Mulvanny, 141 Hackberry Hill; Kris Clover, 4957 Grand View Ave., Minnetrista; Keli Selness, 2915 Minnehaha Curve, Wayzata; Jen Nowlin, 311 Lanewood Lane, Plymouth; Mike Halvorson, 15372 64th Ave. N., Maple Grove; Kelly Jeremiason, 5580 Eastview Drive, Minnetrista; Joe Wilcox, 1105 Quinwood Lane North, Plymouth; Tom Wilcox, 2008 County Rd 19, Maple Plain; and Will Beck, 2636 Independence Rd, Independence, provided comments.

PARKS REPORT

9. 2025 Parks Projects

City Administrator Edwards gave a staff report on 2025 Parks Projects and the need to seek grant or outside funding for some items, and asked the Council to approve the consulting proposal and to direct staff to undertake the design process on these projects. Bolton and Menk, engineering consultants, had provided "not-to-exceed" proposals of $87,200 for Hackberry Park Design, $6,980 for the County Rd. 6 trail improvement, and $10,600 for the Antoine Park Master Plan.

The Council discussed the item and asked questions of staff.

Benson moved, Schwingler seconded, to direct staff to implement design work for Hackberry Park and approve engagement with Bolton and Menk for design services. VOTE: Ayes 5, Nays 0.

Benson moved, Ricks seconded, to approve the CR 6 trail resurfacing proposal. VOTE: Ayes 5, Nays 0.

Ricks moved, Persian seconded, to move forward with the Antoine Park design process. VOTE: Ayes 5, Nays 0.

10. Mountain Bike/Multiuse Trail

The City Council is requested to review the Staff report, receive a presentation, and discuss and approve up to $15,000 for the design phase for a Mountain Bike Trail next to the Orono Golf Course. Rick Carter of the Parks Commission explained the proposed trail.

The Council discussed the item and asked questions of staff and Parks Commission representatives. Concern centered on the impact on the Golf Course of a trail on the perimeter to reach the Mountain Bike area and safety for bikers passing close to golfers.

Benson moved, Persian seconded, to deny the design proposal not to exceed $15,000 at Orono Orchards Golf Course. VOTE: Ayes 3, Nays 2 (Tunheim and Schwingler).

PUBLIC SAFETY REPORT

11. Hire Part-Time Firefighters

The City Council is requested to review the Staff report, receive a presentation, and discuss and approve the hiring of two part-time firefighters.

The Council discussed the item and asked questions of staff.

Persian moved, Ricks seconded, to hire Aiden Liebl and Cam Aslakson as part-time firefighters effective May 28, 2025. VOTE: Ayes 5, Nays 0.

CITY ATTORNEY REPORT

None.

CITY ADMINISTRATOR/ENGINEER REPORT

12. 2026 Street Improvement Project Planning and Engineering Project (Project #26-001)

The City Council is requested to review the Staff report, receive a presentation, and discuss and approve the design work for 2026 street improvements. Bolton and Menk had provided a scope of services and design fee estimate not to exceed $129,000 for the roadway portion of the project or $184,000 for the roadway and trail.

The Council discussed the item and asked questions of staff.

Benson moved, Schwingler seconded, to direct the City Engineer to move forward with the planning and design of the 2026 street improvement project and accept the Bolton and Menk proposal for design. VOTE: Ayes 5, Nays 0.

COUNCIL COMMITTEE REPORTS

None

MAYOR/COUNCIL REPORT

Mayor and Council provided reports.

ADJOURNMENT

Ricks moved, Benson seconded, to adjourn the meeting at 8:50 p.m. to Monday, June 9, 2025, at 6:00 p.m. VOTE: Ayes 5, Nays 0.

ATTEST:

_____ _____

Christine Lusian, City Clerk Bob Tunheim, Mayor

Minutes approved by Orono City Council June 9, 2025. Meeting videos and transcripts available at oronomn.gov.

AGENDA ITEM

Date: June 9, 2025 **Item:** 2

Title: Claims/Bills

Presenter: Kellie Hoen, Administrative Assistant

Section: Consent Agenda

1. **Purpose:**
   The purpose of this action item is to approve payment of claims made on the City for services and/or products provided to the City.

2. **Background:**
   The attached claims for payment have been received by the City. Staff has reviewed the claims and is recommending approval of the listing for payment. The claims will be paid by checks 126118 to 126191, and ACH transactions 20130684 to 20130695 totaling $585,684.23

3. **Staff Recommendation:**
   Staff recommends approval of a motion authorizing payment to the claims listed as presented.

COUNCIL ACTION REQUESTED
Motion to approve the claims list as presented.

Exhibits
A. Check Register2025-06-04
B. Check Register2025-06-04-FIRE RELIEF

Payee	Check Issue Date	Check Number	Invoice Number	Invoice GL Account	Description	Department	Invoice Amount
JENNIFER SCHUGEL	05/28/2025	126050	UB REFUND	999-10015	UB REFUND - 1971 FAGERNESS POINT RD - SC		15.01-
Total 126050:							15.01-
UTILITY BILL REFUND	05/28/2025	126083	UB REFUND	999-10015	UB REFUND - 2805 CASCO PT RD - FROMMELT		3.89-
Total 126083:							3.89-
LK WURZER ART INC	05/28/2025	126118	2025-6	101-45200-319	PAINTING OF GC ROCK	Parks	500.00
Total 126118:							500.00
ALE TRAINING	06/09/2025	126119	1802	613-49830-437	ALCOHOL LIABLITY TRAINING 2024	Golf Course	375.00
Total 126119:							375.00
ALLEN'S SERVICE	06/09/2025	126120	25-38271	701-49800-402	422 TOWING	Fleet Services	157.00
Total 126120:							157.00
ARVU AUTO	06/09/2025	126121	13448	701-49800-402	FIRE DURANGO ALIGNMENT	Fleet Services	134.50
Total 126121:							134.50
Awards by Cindy LLC	06/09/2025	126122	5349	101-41900-221	NAME PLATES - PLANNING COMMISSIONERS	Central Services	223.10
Awards by Cindy LLC	06/09/2025	126122	5354	101-41110-439	NAME PLATE - MAYOR	Mayor & Council	12.90
Total 126122:							236.00
BOLTON & MENK INC.	06/09/2025	126123	0363377	651-16500	25-022 CASCO COVE STORMWATER IMPROVEM		326.00
BOLTON & MENK INC.	06/09/2025	126123	0363377	651-16500	25-020 2025 KENOBI POND STORMWATER IMPR		231.00
BOLTON & MENK INC.	06/09/2025	126123	0363377	651-16500	24-024 MCULLEY ROAD OUTLET STORMWATER		77.00
BOLTON & MENK INC.	06/09/2025	126123	0363378	602-49450-305	GIS MAINTENANCE SEWER	Sewer	1,150.00
BOLTON & MENK INC.	06/09/2025	126123	0363378	601-49400-305	GIS MAINTENANCE WATER	Water	1,475.00
BOLTON & MENK INC.	06/09/2025	126123	0363378	651-49910-305	GIS MAINTENANCE STORM SEWER	Storm Water	967.50
BOLTON & MENK INC.	06/09/2025	126123	0363378	101-43170-305	GIS MAINTENANCE GENERAL	Engineering	1,035.00
BOLTON & MENK INC.	06/09/2025	126123	0363378	101-43000-305	GIS FOR STREETS	Public Works Department	180.00
BOLTON & MENK INC.	06/09/2025	126123	0363383	101-43170-304	SEWER TELEVISING REVIEW	Engineering	4,874.00
BOLTON & MENK INC.	06/09/2025	126123	0363409	602-16500	25-012 SANITARY SEWER REHABILITATION		7,851.50
BOLTON & MENK INC.	06/09/2025	126123	0363411	435-48979-304	25-001 2025 STREETS IMPROVEMENT		5,323.50

Payee	Check Issue Date	Check Number	Invoice Number	Invoice GL Account	Description	Department	Invoice Amount
BOLTON & MENK INC.	06/09/2025	126123	0363412/036	402-48050-304	25-002 BROWN ROAD IMPROVEMENTS		1,287.00
BOLTON & MENK INC.	06/09/2025	126123	0363468	101-43280-304	LA24-000054 GARAGE CONDOS	Special Services	475.00
BOLTON & MENK INC.	06/09/2025	126123	0363469	101-43280-304	LA07-3311 CRYSTAL BAY BUSINESS CENTER-IN	Special Services	112.50
BOLTON & MENK INC.	06/09/2025	126123	0363472	101-43280-304	LA25-000001 SKY BLUE WATERS ADITION	Special Services	190.00
BOLTON & MENK INC.	06/09/2025	126123	0363473	101-43280-304	LA24-000040 GREEN HAVEN FARM	Special Services	95.00
BOLTON & MENK INC.	06/09/2025	126123	0363859	601-16500	22-022 SOUTH WATERPLANT CONTROL UPGRA		8,825.00
Total 126123:							34,475.00
BOND TRUST SERVICES CORP	06/09/2025	126124	95191	324-47000-611	2021A BONDS INTEREST		177,621.88
Total 126124:							177,621.88
CAPITOL BEVERAGE SALES L.P	06/09/2025	126125	3136564	613-49830-091	BEER	Golf Course	174.60
CAPITOL BEVERAGE SALES L.P	06/09/2025	126125	3136564	613-49830-092	POP	Golf Course	238.20
Total 126125:							412.80
CENTERPOINT ENERGY MAIN	06/09/2025	126126	05.2025	601-49400-381	GAS SERVICE 04/18/25-05/20/25	Water	816.73
CENTERPOINT ENERGY MAIN	06/09/2025	126126	05.2025	602-49450-381	GAS SERVICE 04/18/25-05/20/25	Sewer	629.64
CENTERPOINT ENERGY MAIN	06/09/2025	126126	05.2025	101-41900-381	GAS SERVICE 04/18/25-05/20/25	Central Services	550.56
CENTERPOINT ENERGY MAIN	06/09/2025	126126	05.2025	101-42110-381	GAS SERVICE 04/18/25-05/20/25	Police Department	146.05
CENTERPOINT ENERGY MAIN	06/09/2025	126126	05.2025	101-42260-381	GAS SERVICE 04/18/25-05/20/25	Fire Protection Services	494.11
CENTERPOINT ENERGY MAIN	06/09/2025	126126	05.2025	613-49830-381	GAS SERVICE 04/18/25-05/20/25	Golf Course	125.81
Total 126126:							2,762.90
CENTRAL PENSION FUND SOU	06/09/2025	126127	05.29.25 FU	101-21705	CENTRAL PENSION FUND 05.29.2025		2,240.00
Total 126127:							2,240.00
CENTURYLINK	06/09/2025	126128	05.2025 GC	601-49400-321	WTP PHONE/INTERNET 05/19/25-06/18/25	Water	75.72
CENTURYLINK	06/09/2025	126128	05.2025 GC	613-49830-321	GC PHONE/INTERNET 05/19/25-06/18/25	Golf Course	135.90
Total 126128:							211.62
City of Orono Utilities	06/09/2025	126129	05.2025 CH&	101-41900-382	05.2025 CH	Central Services	287.48
City of Orono Utilities	06/09/2025	126129	05.2025 CH&	101-42110-382	05.2025 PD	Police Department	287.48
City of Orono Utilities	06/09/2025	126129	05.2025 FIR	101-42260-382	05.2025 NORTH TEMP FIRE	Fire Protection Services	148.64
City of Orono Utilities	06/09/2025	126129	05.2025 POS	101-41900-382	05.2025 PO	Central Services	89.53

Payee	Check Issue Date	Check Number	Invoice Number	Invoice GL Account	Description	Department	Invoice Amount
City of Orono Utilities	06/09/2025	126129	05.2025 PW	651-49910-382	05.2025 PW	Storm Water	79.55
City of Orono Utilities	06/09/2025	126129	05.2025 PW	601-49400-382	05.2025 PW	Water	79.55
City of Orono Utilities	06/09/2025	126129	05.2025 PW	602-49450-382	05.2025 PW	Sewer	79.55
City of Orono Utilities	06/09/2025	126129	05.2025 PW	101-41900-382	05.2025 PW	Central Services	79.55
City of Orono Utilities	06/09/2025	126129	05.2025 WT	601-49400-382	05.2025 WTP	Water	162.74
Total 126129:							1,294.07
CITY OF WAYZATA	06/09/2025	126130	05.2025 UTIL	602-49450-387	MAY 2025 SEWER	Sewer	7,831.30
CITY OF WAYZATA	06/09/2025	126130	05.2025 UTIL	601-49400-387	MAY 2025 WATER	Water	3,757.85
Total 126130:							11,589.15
CJS SERVICES LLC	06/09/2025	126131	1596	101-43000-405	TASK 93278 ROW TREES	Public Works Department	2,500.00
CJS SERVICES LLC	06/09/2025	126131	1628	101-43000-405	TASK 94554 TREE REMOVAL	Public Works Department	1,000.00
Total 126131:							3,500.00
COMPASS MINERALS AMERICA	06/09/2025	126132	1501092	101-43000-224	UNTREATED ROAD SALT	Public Works Department	24,034.86
Total 126132:							24,034.86
COTTER, RACHEL	06/09/2025	126133	05.2025 CO	101-41430-437	GOVERNMENT SOCIAL MEDIA CONFERENCE -	Communications	814.70
Total 126133:							814.70
DAHLHEIMER BEVERAGE MON	06/09/2025	126134	2470928	613-49830-094	WATER	Golf Course	74.50
DAHLHEIMER BEVERAGE MON	06/09/2025	126134	2470928	613-49830-091	BEER	Golf Course	330.60
DAHLHEIMER BEVERAGE MON	06/09/2025	126134	2482657	613-49830-093	SNACKS	Golf Course	108.30
DAHLHEIMER BEVERAGE MON	06/09/2025	126134	2482657	613-49830-094	WATER	Golf Course	59.60
DAHLHEIMER BEVERAGE MON	06/09/2025	126134	2482657	613-49830-091	BEER	Golf Course	721.50
Total 126134:							1,294.50
DELANO CARQUEST	06/09/2025	126135	6829-324630	701-49800-222	PD 266 PARTS	Fleet Services	66.28
DELANO CARQUEST	06/09/2025	126135	6829-324631	701-49800-222	PD 266 THERMOSTAT (PARTS)	Fleet Services	31.99
DELANO CARQUEST	06/09/2025	126135	6829-324703	701-49800-222	PD 268 PARTS	Fleet Services	20.76
DELANO CARQUEST	06/09/2025	126135	6829-324790	701-49800-222	FIRE 503 FUEL PUMP	Fleet Services	376.61

Payee	Check Issue Date	Check Number	Invoice Number	Invoice GL Account	Description	Department	Invoice Amount
Total 126135:							495.64
EARL F ANDERSEN & ASSOC	06/09/2025	126136	0139614-IN	101-43000-224	SIGNS	Public Works Department	305.80
Total 126136:							305.80
ECM PUBLISHERS INC	06/09/2025	126137	1048879	101-41900-340	25-012 SANITARY SEWER IMPROVEMENT PROJ	Central Services	403.20
ECM PUBLISHERS INC	06/09/2025	126137	1050797	101-41900-352	JUNE 9 PH STUBBS BAY LAKE	Central Services	289.80
Total 126137:							693.00
EMBEDDED SYSTEMS INC.	06/09/2025	126138	344887	101-42110-403	6-MONTH SIREN MAINT 07/01-12/31/2025	Police Department	1,199.28
Total 126138:							1,199.28
Erosion Products LLC	06/09/2025	126139	2025457	651-49910-227	BIO LOGS	Storm Water	244.80
Total 126139:							244.80
FACTORY MOTOR PARTS	06/09/2025	126140	1-10764918	701-49800-222	PD 274 WINDOW SWITCH	Fleet Services	25.04
FACTORY MOTOR PARTS	06/09/2025	126140	1-10771445	701-49800-222	PD DURANGO FILTERS	Fleet Services	62.52
FACTORY MOTOR PARTS	06/09/2025	126140	1-10796266	701-49800-222	PD 267 PARTS	Fleet Services	176.09
FACTORY MOTOR PARTS	06/09/2025	126140	128-Z18050	701-49800-222	VEHICLE BATTERY CORE REFUND	Fleet Services	18.00-
FACTORY MOTOR PARTS	06/09/2025	126140	128-Z18136	701-49800-222	BATTERY CORE RETURNS AND NEW BATTERIE	Fleet Services	42.96
FACTORY MOTOR PARTS	06/09/2025	126140	17-905519	701-49800-222	FIRE 503 PARTS	Fleet Services	20.36
FACTORY MOTOR PARTS	06/09/2025	126140	70-590199	701-49800-222	SQUAD CAR BATTERIES	Fleet Services	473.56
FACTORY MOTOR PARTS	06/09/2025	126140	70-590355	701-49800-222	422 STARTER	Fleet Services	153.00
FACTORY MOTOR PARTS	06/09/2025	126140	70-590364	701-49800-213	BRAKE CLEANER	Fleet Services	124.32
FACTORY MOTOR PARTS	06/09/2025	126140	GV12080523	701-49800-222	422 STARTER CORE RETURN REFUND	Fleet Services	28.00-
Total 126140:							1,031.85
FASTENAL COMPANY	06/09/2025	126141	MNPLY1505	101-43000-226	PPE SAFETY GLASSES	Public Works Department	164.02
Total 126141:							164.02
GOPHER ACE	06/09/2025	126142	024913/1	101-41900-223	PAINT SUPPLIES	Central Services	74.04
GOPHER ACE	06/09/2025	126142	025037/1	101-41900-401	BUILDING REPAIRS COPY ROOM	Central Services	55.47
GOPHER ACE	06/09/2025	126142	025053/1	101-41900-223	DOOR REPAIR SUPPLIES	Central Services	22.98

Payee	Check Issue Date	Check Number	Invoice Number	Invoice GL Account	Description	Department	Invoice Amount
GOPHER ACE	06/09/2025	126142	025085/1	101-41900-404	PARK SIGN REPAIR	Central Services	1.99
GOPHER ACE	06/09/2025	126142	025109/1	101-41900-401	BUILDING REPAIRS COPY ROOM	Central Services	50.16
GOPHER ACE	06/09/2025	126142	025112/1	101-41900-223	DOOR REPAIR SUPPLIES	Central Services	13.43
GOPHER ACE	06/09/2025	126142	19395/1	601-49400-240	TOOLS FOR UTILITY DIVISION TRUCKS	Water	888.50
GOPHER ACE	06/09/2025	126142	19395/1	602-49450-240	TOOLS FOR UTILITY DIVISION TRUCKS	Sewer	888.50
GOPHER ACE	06/09/2025	126142	25010/1	701-49800-215	SHOP SUPPLIES	Fleet Services	54.57
Total 126142:							2,049.64
GRAINGER INC	06/09/2025	126143	9518427134	101-41900-223	STATIONARY STEP TO ACCESS GENERATOR	Central Services	208.94
Total 126143:							208.94
HENNEPIN COUNTY ACCOUNT	06/09/2025	126144	1000246938	101-41600-309	JAIL CHARGES/ALL CITIES	Law/Legal Services	502.08
Total 126144:							502.08
HIGHVIEW PLUMBING INC	06/09/2025	126145	17603	602-49450-319	I&I INSPECTION BY HIGHVIEW PLUMBING	Sewer	250.00
Total 126145:							250.00
HOLIDAY COMPANIES	06/09/2025	126146	0796010625	101-42110-402	CAR WASHES / HOLIDAY	Police Department	258.50
Total 126146:							258.50
HOLTON ELECTRIC CONTRACT	06/09/2025	126147	8213	613-49830-404	GOLF COURSE FOUNTAIN REPIAR	Golf Course	170.00
Total 126147:							170.00
INDEPENDANT PET PARTNERS	06/09/2025	126148	PS-INV1043	101-42110-230	K9 SUPPLIES	Police Department	80.49
Total 126148:							80.49
JENNIFER OR BRANDON BOLD	06/09/2025	126149	UB REFUND	999-10015	UB REFUND - 3365 CRYSTAL BAY RD - BOLDUC		179.44
Total 126149:							179.44
JENNIFER SCHUGEL	06/09/2025	126150	UB REFUND	999-10015	UB REFUND - 1971 FAGERNESS POINT RD - SC		115.01

Payee	Check Issue Date	Check Number	Invoice Number	Invoice GL Account	Description	Department	Invoice Amount
Total 126150:							115.01
JUSTIN OR MEGAN BOTHAM	06/09/2025	126151	UB REFUND	999-10015	UB REFUND - 1335 ORONO OAKS DR		13.12
Total 126151:							13.12
KELLI DOTY	06/09/2025	126152	UB REFUND	999-10015	UB REFUND - 3780 TOGO RD - DOTY		256.00
Total 126152:							256.00
KIESLER POLICE SUPPLY	06/09/2025	126153	SI105738	101-42110-228	FIREARMS/NEW GLOCK HOLSTERS	Police Department	183.60
Total 126153:							183.60
LANO EQUIPMENT INC	06/09/2025	126154	03-1156547	701-49800-221	EQUIPMENT FITTINGS	Fleet Services	129.66
LANO EQUIPMENT INC	06/09/2025	126154	03-1156718	701-49800-221	BOBNCAT HYDRAULIC COUPLERS	Fleet Services	110.26
Total 126154:							239.92
LEAGUE OF MN CITIES	06/09/2025	126155	419987	651-49910-433	MN CITIES STORMWATER COALITION	Storm Water	915.00
Total 126155:							915.00
LEHR, ADAM	06/09/2025	126156	UB REFUND	999-10015	UB REFUND - 1981 FAGERNESS PT RD - LEHR		165.83
Total 126156:							165.83
LOCKRIDGE GRINDAL NAUEN	06/09/2025	126157	119517	703-49960-378	LITIGATION-SPECIAL ELECTION DEFENSE		13,602.92
Total 126157:							13,602.92
MEB ENTERPRISE INC	06/09/2025	126158	1249	101-43000-224	FILL DIRT	Public Works Department	250.00
Total 126158:							250.00
MINNEAPOLIS OXYGEN COMPA	06/09/2025	126159	0000144938	701-49800-215	OXYGEN, ACETYLENE	Fleet Services	81.05
MINNEAPOLIS OXYGEN COMPA	06/09/2025	126159	0000144942	101-42260-219	MEDICAL OXYGEN/TANK FEE	Fire Protection Services	19.07
MINNEAPOLIS OXYGEN COMPA	06/09/2025	126159	000144939	101-42110-221	MEDICAL OXYGEN/TANK FEE	Police Department	144.72
MINNEAPOLIS OXYGEN COMPA	06/09/2025	126159	0020358628	101-42260-219	OXYGEN REFILL	Fire Protection Services	188.48

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Total 126159:							433.32
MINNESOTA DEPARTMENT OF	06/09/2025	126160	05.2025 J. N	601-49400-441	WATER LICENSE - JIMMY	Water	23.00
Total 126160:							23.00
MOTOROLA	06/09/2025	126161	8282090314	101-19999	MOTOROLA SOLUTIONS/RADIO FOR MAZDA BUI		6,193.44
Total 126161:							6,193.44
MTI DISTRIBUTING INC	06/09/2025	126162	1476900-00	613-49830-404	GOLF COURSE IRRIGATION REPAIR	Golf Course	510.00
Total 126162:							510.00
NAVARRE HARDWARE	06/09/2025	126163	349992	101-43000-224	NUMBERS TO MARK LIGHT POLES	Public Works Department	20.97
NAVARRE HARDWARE	06/09/2025	126163	350094	101-43000-224	PAINT BRUSH	Public Works Department	12.48
NAVARRE HARDWARE	06/09/2025	126163	350110	101-42110-240	MISC HARDWARE	Police Department	18.99
NAVARRE HARDWARE	06/09/2025	126163	350147	101-43000-224	HOSE CLAMPS	Public Works Department	3.28
Total 126163:							55.72
NOLA DICKHAUSEN	06/09/2025	126164	05.2025 NOL	101-41300-437	MN MUNICIPAL CLERK INSTITUTE (NOLA MILES/	Administration	200.50
Total 126164:							200.50
NOVA TECHNOLOGIES	06/09/2025	126165	IN-80009186	710-49970-329	MONTHLY PHONE SIP CHARGE 6/2/25	IT Services	229.23
Total 126165:							229.23
ODP BUSINESS SOLUTIONS LL	06/09/2025	126166	4229447890	101-42110-201	OFFICE SUPPLIES	Police Department	4.74
ODP BUSINESS SOLUTIONS LL	06/09/2025	126166	4229522020	101-42110-201	OFFICE SUPPLIES	Police Department	54.34
Total 126166:							59.08
ONSITE DRUG TESTING & CON	06/09/2025	126167	02160	601-49400-319	DRUG TESTING-POST ACCIDENT J. HOLMS	Water	238.25
ONSITE DRUG TESTING & CON	06/09/2025	126167	02160	602-49450-319	DRUG TESTING-POST ACCIDENT J. HOLMS	Sewer	238.25
Total 126167:							476.50

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PUMP AND METER SERVICE IN	06/09/2025	126168	1022065	701-49800-403	REPAIRS TO FUEL SYSTEM	Fleet Services	222.50
Total 126168:							222.50
QUADIENT INC	06/09/2025	126169	Q1874024	710-49970-413	POSTAGE MACHING LEASE 06.28.25-09.27.25	IT Services	2,829.00
Total 126169:							2,829.00
REPUBLIC SERVICES #894	06/09/2025	126170	0894-007154	101-41900-404	TRASH SERVICE 05/01/25-05/31/25 - PW	Central Services	488.25
REPUBLIC SERVICES #894	06/09/2025	126170	0894-007154	101-41900-404	TRASH SERVICE 05/01/25-05/31/25 - POLICE DE	Central Services	214.85
REPUBLIC SERVICES #894	06/09/2025	126170	0894-007154	613-49830-404	TRASH SERVICE 05/01/25-05/31/25- GOLF COUR	Golf Course	663.94
REPUBLIC SERVICES #894	06/09/2025	126170	0894-007154	101-41900-404	TRASH SERVICE 05/01/25-05/31/25- BRUSH SITE	Central Services	34.67
REPUBLIC SERVICES #894	06/09/2025	126170	0894-007154	101-45200-404	TRASH SERVICE 05/01/25-05/31/25LURTON PAR	Parks	231.00
Total 126170:							1,632.71
RYAN AUTO MALL	06/09/2025	126171	275218	701-49800-222	PD 266 SQUAD CAR PARTS	Fleet Services	276.36
Total 126171:							276.36
SCHWARZ BUILDERS INC	06/09/2025	126172	LA25-000005	101-22205	ESCROW REFUND - LA25-000005 - 1480 BOHNS		700.00
Total 126172:							700.00
SHAUGHNESSY LAWN CARE	06/09/2025	126173	05.2025	101-45200-404	PARK MOWING 04/15/2025 - 5/15/25	Parks	4,428.57
Total 126173:							4,428.57
SHERWIN WILLIAMS	06/09/2025	126174	1556-1	101-41900-223	PAINT SUPPLIES	Central Services	58.96
SHERWIN WILLIAMS	06/09/2025	126174	1737-7	101-41900-404	PAINT SUPPLIES	Central Services	44.18
Total 126174:							103.14
SiteOne Landscape Supply LLC	06/09/2025	126175	153593072-0	613-49830-225	GOLF COURSE SUPPLIES	Golf Course	25.74
SiteOne Landscape Supply LLC	06/09/2025	126175	154308168-0	101-45200-221	IRRIGATION PARTS	Parks	90.06
Total 126175:							115.80
SJ FISHER CONSTRUCTION	06/09/2025	126176	CAS25-0000	101-34410	BP REFUND - CAS25-000001 - 1442 SHORELINE		167.23

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Total 126176:							167.23
STOP STICK LTD	06/09/2025	126177	00038375-IN	101-42110-240	STOP STICKS/REPLACEMENTS	Police Department	499.00
Total 126177:							499.00
STREICHER'S	06/09/2025	126178	I1763298	101-42110-226	UNIFORMS/RAZE	Police Department	97.07
STREICHER'S	06/09/2025	126178	I1763945	101-42110-228	SWAT AMMUNITION FOR MCCOY	Police Department	470.35
STREICHER'S	06/09/2025	126178	I1764068	101-42110-226	UNIFORMS/STURM	Police Department	259.99
Total 126178:							827.41
STREICHER'S	06/09/2025	126179	I1764542	101-42260-226	UNIFORM PANTS FOR PAUL WILSON	Fire Protection Services	69.99
Total 126179:							69.99
SWANSON HOMES LLC	06/09/2025	126180	RPS18-0001	101-22205	ESCROW REFUND - RPS18-000106 - 2632 CASC		1,000.00
Total 126180:							1,000.00
TERMINAL SUPPLY CO	06/09/2025	126181	30729-00	701-49800-221	SHOP SUPPLIES	Fleet Services	279.36
Total 126181:							279.36
THOMSON REUTERS - WEST	06/09/2025	126182	851997850	101-42110-311	DATA PROCESSING/THOMSON REUTERS	Police Department	318.14
Total 126182:							318.14
TIMESAVER OFF SITE SECRET	06/09/2025	126183	30516	101-41110-319	CITY COUNCIL MINUTES 5/19/2025 CANVASS BO	Mayor & Council	172.00
TIMESAVER OFF SITE SECRET	06/09/2025	126183	30517	101-41110-319	CITY COUNCIL MINUTES 5/12/2025	Mayor & Council	212.50
TIMESAVER OFF SITE SECRET	06/09/2025	126183	30518	101-41110-319	CITY COUNCIL MINUTES 5/27/2025	Mayor & Council	334.00
TIMESAVER OFF SITE SECRET	06/09/2025	126183	30519	101-42400-319	PLANNING COMMISSION MINUTES 05/19/2025	Building & Zoning	293.50
Total 126183:							1,012.00
TOLL GAS & WELDING SUPPLY	06/09/2025	126184	0040213285	701-49800-215	OXYGEN ACETYLENE TANKS	Fleet Services	13.64
Total 126184:							13.64

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TONKA BUILT LLC	06/09/2025	126185	5026	101-45200-404	BIG ISLAND DOCK PLACEMENT	Parks	4,500.00
Total 126185:							4,500.00
UNIFIRST CORPORATION	06/09/2025	126186	1410144419	613-49830-223	RUGS & CLEANING TOWELS-GOLF	Golf Course	109.92
UNIFIRST CORPORATION	06/09/2025	126186	1410144420	101-41900-223	MATS/AIRFRESHNERS PW	Central Services	90.36
UNIFIRST CORPORATION	06/09/2025	126186	1410146246	613-49830-223	RUGS & CLEANING TOWELS-GOLF	Golf Course	17.74
UNIFIRST CORPORATION	06/09/2025	126186	1410146280	101-45200-226	UNIFORMS - PARKS	Parks	16.35
UNIFIRST CORPORATION	06/09/2025	126186	1410146280	613-49830-226	UNIFORMS-GOLF COURSE	Golf Course	16.35
UNIFIRST CORPORATION	06/09/2025	126186	1410146280	101-41900-226	UNIFORMS-FACILITY	Central Services	2.91
UNIFIRST CORPORATION	06/09/2025	126186	1410146280	101-43000-226	UNIFORMS - STORMWATER	Public Works Department	63.43
UNIFIRST CORPORATION	06/09/2025	126186	1410146280	101-43000-226	UNIFORMS-STREETS	Public Works Department	63.43
UNIFIRST CORPORATION	06/09/2025	126186	1410146280	601-49400-226	UNIFORMS PW-WATER DEPT	Water	30.67
UNIFIRST CORPORATION	06/09/2025	126186	1410146280	602-49450-226	UNIFORMS PW-SEWER DEPT	Sewer	30.67
UNIFIRST CORPORATION	06/09/2025	126186	1410146280	701-49800-226	UNIFORMS - FLEET	Fleet Services	33.96
UNIFIRST CORPORATION	06/09/2025	126186	1410146280	101-41900-223	MOPS/CLEANING TOWELS	Central Services	24.41
UNIFIRST CORPORATION	06/09/2025	126186	1410146280	101-43000-404	RUGS-PW	Public Works Department	28.73
UNIFIRST CORPORATION	06/09/2025	126186	1410146280	701-49800-221	SHOP TOWELS - PW	Fleet Services	3.91
Total 126186:							532.84
US Bank Equipment Finance	06/09/2025	126187	556851657	710-49970-413	FLEET DEPT COPIER - 05/25/25-06/25/25	IT Services	175.47
Total 126187:							175.47
WIEBUSCH, TREY	06/09/2025	126188	06.2025 TRE	101-42110-226	UNIFORM/WIEBUSCH INVESTIGATIONS	Police Department	213.91
Total 126188:							213.91
XCEL ENERGY	06/09/2025	126189	928287800	101-41900-381	PW BUILDING ELECTRICITY 04/20/25-05/19/25	Central Services	1,492.59
XCEL ENERGY	06/09/2025	126189	928329455	101-43000-386	OCB TRAFFIC SIGNAL 04/20/25-05/19/25	Public Works Department	111.59
XCEL ENERGY	06/09/2025	126189	929246322	602-49450-381	3425 LYRIC 04/27/25-05/27/25	Sewer	24.71
XCEL ENERGY	06/09/2025	126189	929741362	101-41900-381	ELECTRIC SERVICE 4/23/25-05/22/25	Central Services	998.08
XCEL ENERGY	06/09/2025	126189	929741362	101-42110-381	ELECTRIC SERVICE 4/23/25-05/22/25	Police Department	998.08
XCEL ENERGY	06/09/2025	126189	929741362	101-42110-381	ELECTRIC SERVICE 4/23/25-05/22/25	Police Department	35.50
XCEL ENERGY	06/09/2025	126189	929741362	101-43000-381	ELECTRIC SERVICE 4/23/25-05/22/25	Public Works Department	170.82
XCEL ENERGY	06/09/2025	126189	929741362	101-43000-386	ELECTRIC SERVICE 4/23/25-05/22/25	Public Works Department	2,691.74
XCEL ENERGY	06/09/2025	126189	929741362	101-45200-381	ELECTRIC SERVICE 4/23/25-05/22/25	Parks	75.74
XCEL ENERGY	06/09/2025	126189	929741362	601-49400-381	ELECTRIC SERVICE 4/23/25-05/22/25	Water	6,671.38
XCEL ENERGY	06/09/2025	126189	929741362	602-49450-381	ELECTRIC SERVICE 4/23/25-05/22/25	Sewer	2,933.51

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XCEL ENERGY	06/09/2025	126189	929741362	613-49830-381	ELECTRIC SERVICE 4/23/25-05/22/25	Golf Course	485.44
XCEL ENERGY	06/09/2025	126189	929741362	101-42260-381	ELECTRIC SERVICE 4/23/25-05/22/25	Fire Protection Services	806.05
Total 126189:							17,495.23
ZAYO GROUP LLC	06/09/2025	126190	21541889	613-49830-321	PHONE SERVICE 05/23/25-06/22/25	Golf Course	17.24
ZAYO GROUP LLC	06/09/2025	126190	21541889	101-41900-321	PHONE SERVICE 05/23/25-06/22/25	Central Services	420.38
ZAYO GROUP LLC	06/09/2025	126190	21541889	101-42110-321	PHONE SERVICE 05/23/25-06/22/25	Police Department	282.84
Total 126190:							720.46
ZUMBRO TOOLS	06/09/2025	126191	0521251682	701-49800-240	MECHANICS TOOLS	Fleet Services	153.75
ZUMBRO TOOLS	06/09/2025	126191	0528251701	701-49800-240	MECHANICS TOOLS	Fleet Services	532.95
Total 126191:							686.70
LK WURZER ART INC	05/28/2025	20130681	2025-6	101-45200-319	PAINTING OF GC ROCK	Parks	500.00-
Total 20130681:							500.00-
AMAZON CAPITAL SERVICE	06/09/2025	20130685	14TQ-GGQ3-	601-49400-227	FLAGS FOR UTILITY LOCATES	Water	28.05
AMAZON CAPITAL SERVICE	06/09/2025	20130685	14TQ-GGQ3-	602-49450-227	FLAGS FOR UTILITY LOCATES	Sewer	28.04
AMAZON CAPITAL SERVICE	06/09/2025	20130685	197D-97Y6-3	101-43000-226	MUCK BOOTS BRENT	Public Works Department	132.00
AMAZON CAPITAL SERVICE	06/09/2025	20130685	1GPM-3RT4-	710-49970-221	MONITORS FOR PD	IT Services	620.14
AMAZON CAPITAL SERVICE	06/09/2025	20130685	1HCR-TX9V-	701-49800-222	VEHICLE PARTS RETURN	Fleet Services	89.99-
AMAZON CAPITAL SERVICE	06/09/2025	20130685	1LQD-JTT9-	101-41900-223	DUSTERS	Central Services	40.94
AMAZON CAPITAL SERVICE	06/09/2025	20130685	1Q6G-PY7M-	701-49800-215	SHOP SUPPLIES	Fleet Services	61.57
AMAZON CAPITAL SERVICE	06/09/2025	20130685	1Q6G-PY7M-	701-49800-222	421 SHORE CHARGER	Fleet Services	117.94
AMAZON CAPITAL SERVICE	06/09/2025	20130685	1Q6G-PY7M-	701-49800-222	PD 268 FLOOR MATS	Fleet Services	134.24
AMAZON CAPITAL SERVICE	06/09/2025	20130685	1QCT-LH6X-	101-42110-229	PROMOTIONAL ITEMS FOR THE COMMUNITY	Police Department	104.23
AMAZON CAPITAL SERVICE	06/09/2025	20130685	1QCT-LH6X-	101-41900-201	PAPER PLATES	Central Services	61.26
AMAZON CAPITAL SERVICE	06/09/2025	20130685	1QCT-LH6X-	101-41900-201	PAPER PLATES	Central Services	72.70
AMAZON CAPITAL SERVICE	06/09/2025	20130685	1QCT-LH6X-	101-41900-201	THERMAL PAPER TOLLS	Central Services	26.90
AMAZON CAPITAL SERVICE	06/09/2025	20130685	1QCT-LH6X-	101-41900-201	NAME TAGS	Central Services	9.89
AMAZON CAPITAL SERVICE	06/09/2025	20130685	1QCT-LH6X-	101-41900-201	NAME PLATE HOLDERS	Central Services	18.29-
Total 20130685:							1,329.62
CARDMEMBER SERVICE	06/09/2025	20130686	05.2025 CAR	101-42110-221	MEDICAL EQUIPMENT	Police Department	392.55
CARDMEMBER SERVICE	06/09/2025	20130686	05.2025 CAR	101-42110-221	PBT GAS	Police Department	230.75

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CARDMEMBER SERVICE	06/09/2025	20130686	05.2025 CAR	101-42110-439	MEETING SUPPLIES	Police Department	30.89
CARDMEMBER SERVICE	06/09/2025	20130686	05.2025 CAR	701-49800-441	PONTOON REGISTRATION YEARLY DECALS	Fleet Services	10.73
CARDMEMBER SERVICE	06/09/2025	20130686	05.2025 CAR	101-45200-221	PONTOON BOAT PARTS TRIM SWITCH AND CO	Parks	339.10
CARDMEMBER SERVICE	06/09/2025	20130686	05.2025 CAR	101-43000-489	FOOD FOR SPRING CLEAN UP DAY	Public Works Department	479.07
CARDMEMBER SERVICE	06/09/2025	20130686	05.2025 CAR	101-43000-441	ROW APPLICATOR LICENCE FOR PESTICIEDS B	Public Works Department	30.66
CARDMEMBER SERVICE	06/09/2025	20130686	05.2025 CAR	101-42110-433	PELOTON MONTHLY MEMBERSHIP	Police Department	47.76
CARDMEMBER SERVICE	06/09/2025	20130686	05.2025 CAR	101-42110-437	PLEA CONFERENCE - HOTEL - RASMUSSEN	Police Department	286.08
CARDMEMBER SERVICE	06/09/2025	20130686	05.2025 CAR	101-42110-437	PLEA CONFERENCE - HOTEL - MCGREGOR	Police Department	286.08
CARDMEMBER SERVICE	06/09/2025	20130686	05.2025 CAR	101-42110-437	PLEA CONFERENCE - WATER - MCGREGOR	Police Department	6.00
CARDMEMBER SERVICE	06/09/2025	20130686	05.2025 CAR	101-42110-433	POST LICENSES	Police Department	1,260.00
CARDMEMBER SERVICE	06/09/2025	20130686	05.2025 CAR	101-41110-433	ICMA RENEWAL	Mayor & Council	200.00
CARDMEMBER SERVICE	06/09/2025	20130686	05.2025 CAR	101-41410-489	ELECTION MEALS PM	Elections	67.16
CARDMEMBER SERVICE	06/09/2025	20130686	05.2025 CAR	101-41410-489	ELECTION MEALS PM	Elections	60.67
CARDMEMBER SERVICE	06/09/2025	20130686	05.2025 CAR	101-41410-489	ELECTION MEALS AM	Elections	31.43
CARDMEMBER SERVICE	06/09/2025	20130686	05.2025 CAR	101-41110-439	CITY COUNCIL MEALS MAY 12	Mayor & Council	176.49
CARDMEMBER SERVICE	06/09/2025	20130686	05.2025 CAR	101-41300-433	MUNICIPAL CLERK INSTITUTE RENEWAL	Administration	195.00
CARDMEMBER SERVICE	06/09/2025	20130686	05.2025 CAR	101-41410-489	ELECTION MEALS WATERS	Elections	40.11
CARDMEMBER SERVICE	06/09/2025	20130686	05.2025 CAR	101-41410-489	ELECTION MEALS SATURDAY VOTING	Elections	18.39
CARDMEMBER SERVICE	06/09/2025	20130686	05.2025 CAR	101-41300-331	CLERK INSTITUTE LODGING (NOLA)	Administration	652.80
CARDMEMBER SERVICE	06/09/2025	20130686	05.2025 CAR	101-41410-489	ELECTION MEALS MID-DAY	Elections	388.51
CARDMEMBER SERVICE	06/09/2025	20130686	05.2025 CAR	101-41110-439	CITY COUNCIL MEALS APRIL 28	Mayor & Council	154.15
CARDMEMBER SERVICE	06/09/2025	20130686	05.2025 CAR	101-41110-437	LEAGUE OF MN CITIES CONFERENCE - BENSO	Mayor & Council	425.00
CARDMEMBER SERVICE	06/09/2025	20130686	05.2025 CAR	101-41110-437	LEAGUE OF MN CITIES CONFERENCE - TUNHEI	Mayor & Council	275.00
CARDMEMBER SERVICE	06/09/2025	20130686	05.2025 CAR	101-41300-489	NEW EMPLOYEE BREAKFAST - PW/HUNTER	Administration	69.65
CARDMEMBER SERVICE	06/09/2025	20130686	05.2025 CAR	101-41300-489	NAME BADGES - ADAM, RACHEL	Administration	19.98
CARDMEMBER SERVICE	06/09/2025	20130686	05.2025 CAR	101-41410-489	ELECTION MEALS	Elections	3.98-
CARDMEMBER SERVICE	06/09/2025	20130686	05.2025 CAR	101-41410-489	ELECTION MEALS PM	Elections	23.38
CARDMEMBER SERVICE	06/09/2025	20130686	05.2025 CAR	101-41110-439	CITY COUNCIL MEALS - WATER	Mayor & Council	5.99
CARDMEMBER SERVICE	06/09/2025	20130686	05.2025 CAR	101-41300-489	WELCOME BREAKFAST - PW/HUNTER	Administration	60.99
CARDMEMBER SERVICE	06/09/2025	20130686	05.2025 CAR	101-43000-437	PESTICIDE APPICATOR CLAAS -BRIAN, HUNTER	Public Works Department	155.42
CARDMEMBER SERVICE	06/09/2025	20130686	05.2025 CAR	101-43000-437	LUNCH CARTEGRAPH TRAINING	Public Works Department	64.97
CARDMEMBER SERVICE	06/09/2025	20130686	05.2025 CAR	710-49970-221	QR LABELS FOR FLEET	IT Services	49.80
CARDMEMBER SERVICE	06/09/2025	20130686	05.2025 CAR	601-49400-437	WATER SCHOOL	Water	420.00
CARDMEMBER SERVICE	06/09/2025	20130686	05.2025 CAR	601-49400-319	UPS BILLING CENTER - SHIPPING WATER SAMP	Water	31.50
CARDMEMBER SERVICE	06/09/2025	20130686	05.2025 CAR	601-49400-319	UPS BILLING CENTER - SHIPPING WATER SAMP	Water	19.66
CARDMEMBER SERVICE	06/09/2025	20130686	05.2025 CAR	101-42260-437	TRAINING CONFERENCE: HOTEL	Fire Protection Services	1,127.80
CARDMEMBER SERVICE	06/09/2025	20130686	05.2025 CAR	101-42260-437	TRAINING CONFERENCE: FLIGHT	Fire Protection Services	622.36
CARDMEMBER SERVICE	06/09/2025	20130686	05.2025 CAR	101-42260-219	AED PADS	Fire Protection Services	162.80
CARDMEMBER SERVICE	06/09/2025	20130686	05.2025 CAR	101-42260-219	LUCAS 3 STRAP	Fire Protection Services	136.75
CARDMEMBER SERVICE	06/09/2025	20130686	05.2025 CAR	101-42260-228	TRAINING SOFTWARE	Fire Protection Services	276.00

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CARDMEMBER SERVICE	06/09/2025	20130686	05.2025 CAR	101-42260-403	LPG TANK	Fire Protection Services	74.60
CARDMEMBER SERVICE	06/09/2025	20130686	05.2025 CAR	101-42260-439	DEPT MEETING MEAL	Fire Protection Services	195.66
CARDMEMBER SERVICE	06/09/2025	20130686	05.2025 CAR	613-49830-221	CART TAGS	Golf Course	21.24
CARDMEMBER SERVICE	06/09/2025	20130686	05.2025 CAR	613-49830-093	FOOD AND SNACKS TO SELL	Golf Course	381.98
CARDMEMBER SERVICE	06/09/2025	20130686	05.2025 CAR	613-49830-091	ICE FOR DRINKS	Golf Course	5.49
CARDMEMBER SERVICE	06/09/2025	20130686	05.2025 CAR	613-49830-092	POP	Golf Course	17.34
CARDMEMBER SERVICE	06/09/2025	20130686	05.2025 CAR	613-49830-092	POP	Golf Course	20.03
CARDMEMBER SERVICE	06/09/2025	20130686	05.2025 CAR	613-49830-240	FANS	Golf Course	119.94
CARDMEMBER SERVICE	06/09/2025	20130686	05.2025 CAR	613-49830-092	POP	Golf Course	88.18
CARDMEMBER SERVICE	06/09/2025	20130686	05.2025 CAR	613-49830-091	DRINKS	Golf Course	26.54
CARDMEMBER SERVICE	06/09/2025	20130686	05.2025 CAR	613-49830-093	FOOD AND SNACKS TO SELL	Golf Course	220.23
CARDMEMBER SERVICE	06/09/2025	20130686	05.2025 CAR	101-42400-437	MEMBERSHIP AND TRAINING- SLUC	Building & Zoning	133.00
CARDMEMBER SERVICE	06/09/2025	20130686	05.2025 CAR	710-49970-311	ZOOM SUBSCRIPTION	IT Services	15.99
CARDMEMBER SERVICE	06/09/2025	20130686	05.2025 CAR	101-41300-489	STAFF APPRECIATION-NEW BABY	Administration	89.09
CARDMEMBER SERVICE	06/09/2025	20130686	05.2025 CAR	101-41300-489	US FEDERAL CONTRACTOR - RETURN	Administration	2,396.00-
CARDMEMBER SERVICE	06/09/2025	20130686	05.2025 CAR	101-45200-319	BACKGROUND CHECKS	Parks	209.60
Total 20130686:							8,550.36
HOME DEPOT CREDIT SERVIC	06/09/2025	20130687	2523915	101-41900-223	FACILITY SUPPLIES	Central Services	62.84
HOME DEPOT CREDIT SERVIC	06/09/2025	20130687	3014277	613-49830-223	BUILDING REPAIR SUPPLIES CLUBHOUSE	Golf Course	34.14
HOME DEPOT CREDIT SERVIC	06/09/2025	20130687	7510796	101-41900-223	FACILITY SUPPLIES	Central Services	111.86
HOME DEPOT CREDIT SERVIC	06/09/2025	20130687	7510841	613-49830-223	BUILDING REPAIR SUPPLIES CLUBHOUSE	Golf Course	23.76
HOME DEPOT CREDIT SERVIC	06/09/2025	20130687	9016775	613-49830-223	FACILITY SUPPLIES GOLF COURSE	Golf Course	279.00
Total 20130687:							511.60
HUNTINGTON NATIONAL BANK	06/09/2025	20130688	970958	415-42260-602	FIRE TRUCK LEASE - ROSENBAUER PUMPER U	Fire Capital	36,928.43
HUNTINGTON NATIONAL BANK	06/09/2025	20130688	970958	415-42260-612	FIRE TRUCK LEASE - ROSENBAUER PUMPER U	Fire Capital	10,343.08
Total 20130688:							47,271.51
LOGIS-WIRE	06/09/2025	20130689	152070	710-49970-416	M365 MIGRATION	IT Services	18,000.00
LOGIS-WIRE	06/09/2025	20130689	152103	710-49970-311	NETWORK SERVICES - 04/30/25	IT Services	2,983.75
LOGIS-WIRE	06/09/2025	20130689	152136	710-49970-416	INSIGHT PUBLIC SECTOR	IT Services	2,411.30
Total 20130689:							23,395.05
MEDSURETY LLC	06/09/2025	20130690	05.23.25 DC	101-21719	DCAP J. CUTA		104.17
MEDSURETY LLC	06/09/2025	20130690	05.28.25 FU	101-21719	MFSA 14.18.25-5.25.25 FUNDS		23.28

Payee	Check Issue Date	Check Number	Invoice Number	Invoice GL Account	Description	Department	Invoice Amount
MEDSURETY LLC	06/09/2025	20130690	41654	101-41900-319	JUNE 2025 FEES	Central Services	214.00
Total 20130690:							341.45
PSN: PAYMENT SERVICE INVOI	06/09/2025	20130691	311223	101-41900-312	MISC PSN FEES 05.25	Central Services	1.65
PSN: PAYMENT SERVICE INVOI	06/09/2025	20130691	311721	602-49450-312	SEWER FUND PSN FEES 05.25	Sewer	279.91
PSN: PAYMENT SERVICE INVOI	06/09/2025	20130691	311721	601-49400-312	WATER FUND PSN FEES 05.25	Water	279.91
PSN: PAYMENT SERVICE INVOI	06/09/2025	20130691	311721	651-49910-312	STORMWATER PSN FEES 05.25	Storm Water	279.93
PSN: PAYMENT SERVICE INVOI	06/09/2025	20130691	311945	101-41900-312	BUILDING PERMIT PSN FEES 05.25	Central Services	12.65
Total 20130691:							854.05
SQUARE SERVICES	06/09/2025	20130692	06.2025	613-49830-312	GC SQUARE FEE 06/01/2025-07/01/2025	Golf Course	35.00
Total 20130692:							35.00
STREET FLEET EXPEDITED LL	06/09/2025	20130693	577489	701-49800-221	BIG ISLAND MOWER PARTS DELIVERY	Fleet Services	37.26
STREET FLEET EXPEDITED LL	06/09/2025	20130693	578607	701-49800-222	PARTS SHIPPING FOR E-1	Fleet Services	99.19
Total 20130693:							136.45
UNITED STATES POSTAL SERVI	06/09/2025	20130694	05.2025 UB	602-49450-322	05.2025 UB POSTAGE	Sewer	379.04
UNITED STATES POSTAL SERVI	06/09/2025	20130694	05.2025 UB	651-49910-322	05.2025 UB POSTAGE	Storm Water	379.04
UNITED STATES POSTAL SERVI	06/09/2025	20130694	05.2025 UB	601-49400-322	05.2025 UB POSTAGE	Water	379.04
Total 20130694:							1,137.12
WEX BANK	06/09/2025	20130695	104904217	101-42110-212	FUEL/K9 VEHICLE WHILE AT TRAINING	Police Department	424.43
WEX BANK	06/09/2025	20130695	104904217	101-45200-212	FUEL FOR PONTOON	Parks	14.78
Total 20130695:							439.21
Grand Totals:							415,711.63

Payee	Check Issue Date	Check Number	Invoice Number	Invoice GL Account	Description	Department	Invoice Amount
ORONO FIREFIGHTERS RELIEF	05/23/2025	20130684	05.22.2025	101-42260-489	PAID ON CALL FIRE - FUNDS	Fire Protection Services	169,972.60
Total 20130684:							169,972.60
Grand Totals:							169,972.60

AGENDA ITEM

Date: June 9, 2025 **Item:** 3

Title: Upcoming Work Session and Council Training Schedule

Presenter: Adam Edwards, City Administrator / Engineer

Section: Consent Agenda

1. **Purpose:**
The purpose of the action item is to schedule future work session agendas and council training / orientations.

2. **Background:**
a. **Work Sessions**. This is an opportunity for council members to propose and agree to future work session topics. Work session meetings are at 5 pm on the same days as 6 pm regular council meetings. The table below lists upcoming *proposed* subjects and dates.

Date	Subject	Date	Subject
13 Jan		14 Jul	Code Enforcement Average Lakeshore set back (Part 6)
27 Jan	Council Code of Conduct Special Elections Council Goals	28 Jul	General Fund Budget Update
10 Feb	Council Code of Conduct (Part 2)	11 Aug	Social Media Policy and Procedures
24 Feb	Interview Commissioner Applicants (Parks/Planning)	25 Aug	Enterprise Budget Update
10 Mar	Fire Service Coverage Discussion	8 Sep	Preliminary Levy / Budget
14 Apr	Joint Meeting With Parks Commission	22 Sep	*City Facilities Review*
28 Apr	Street Maintenance 2026 Average Lakeshore set back (Part 6)	13 Oct	Draft Capital Improvement Plans
12 May	Request for Proposal (RFP) process summary	27 Oct	Draft Capital Improvement Plans
27 May	City Goals and Vision Discussion - Comp Plan look ahead	10 Nov	
9 Jun	City Goals and Vision Discussion Part 2	24 Nov	Fee Schedule Update
23 Jun	Preliminary Budget Guidance 2026	8 Dec	None

b. **Council Trainings and Orientations**. This is an opportunity for council members to propose and agree to additional trainings or orientations for council.. Staff will then prepare and execute the trainings. The table below lists upcoming *proposed* subjects and dates.

Date and Time	Subject	Location	Staff Lead

March 7, 8:30-10:00	Salt and Commodities Tours	Wayzata and Medina	DJ
April 4, 10:00-12:00	Orono's Conservation Design Code Orientation	Council Chambers	Laura
May 21st and 22nd	New Council Member Orientation (CM Schwingler)	City Hall	Dept Heads

3. **Staff Recommendation:**
   I recommend the next work session occur as scheduled.

COUNCIL ACTION REQUESTED
Move to approve the draft work session schedule.

AGENDA ITEM

Date: June 9, 2025 **Item:** 4

Title: Hire Police Officer

Presenter: Correy Farniok, Police Chief

Section: Consent Agenda

1. **Purpose:**
   The purpose of this action item is to gain approval to hire a full-time Police Officer.

2. **Background:**
   As part of its ongoing effort to recruit qualified police officers for the Orono Police Department, the City of Orono established the Police Cadet Program in 2003. This program provides part-time, entry-level experience for individuals pursuing a career in law enforcement. Cadet positions are part-time and non-benefited, with flexible scheduling to accommodate class attendance. Cadets typically work between 16 to 24 hours per week.
   Terms of Employment:
   - Must be enrolled in a law enforcement education program
   - Must maintain a minimum GPA of 2.0

   City of Orono Provides:
   - Uniforms and equipment for each Cadet
   - Wages

   To encourage continued participation and long-term commitment, cadets in this program will be eligible for a school reimbursement incentive of $2,500 per year, up to a maximum of $10,000. This reimbursement will be awarded upon successful hire as a police officer and completion of all program requirements. In addition to the financial incentive, cadets benefit from hands-on training and mentorship within the department, providing valuable experience and preparation for a successful transition into the role of police officer.

3. **Recruitment:**
   The selection process for the position was an internal process. This is a promotion from Police Cadet to Police Officer. First round interviews are completed by a panel of currently serving officers and second round interviews by the Chief of Police. Police Officer applicants must also successfully complete a Psychological Exam, a Physical (Pre-employment medical) exam and passed the MN Peace Officers Standards and Training (POST) licensing exam.

4. **Recommended Candidate:**
   Kohlton Beck has been employed as a Police Cadet with our department since 2023. Beck has been working part-time for the last two years while attending college.
   Beck has completed his AAS in Law Enforcement from Alexandria Technical College and has passed the POST licensing requirements. Beck is excited about the opportunity to work for the Orono Police Department as a police officer. Beck is the first to be promoted from the cadet program to police officer.

5. **Recommended Compensation:**
   I recommend to hire Kohlton Beck as a Full-Time Police Officer with the effective start date of June 23, 2025. Starting rate of $37.15/hour start (LELS Local 40 Agreement pay scale). As a full-

time employee the position is eligible for benefits as outlined in the LELS Local 40 Agreement and personnel handbook. This includes enrollment in the Police and Fire Plan of the Public Employee Retirement Association (PERA).

COUNCIL ACTION REQUESTED

Motion to approve the hiring of Kohlton Beck as a full-time police officer at the rate of $37.15 per hour with a start date of June 23, 2025.

AGENDA ITEM

Date: June 9, 2025 **Item:** 5

Title: Hire Seasonal Employees

Presenter: Joe Ruthenberg, Superintendent - Parks, Facilities

Section: Consent Agenda

1. **Purpose:**
   The purpose of this agenda item is to gain approval of hiring summer seasonal employees.

2. **Background:**
   The City hires seasonal employees to accomplish a variety of tasks. The hourly pay is proposed to be $14.50-$17.50 for the Golf Course Clubhouse Attendants and Brush Site Attendants; $14.50-$18.50 for Parks/Golf Course Maintenance Employees and Public Works Maintenance Workers. Seasonal employees fall under the 6-month PERA Classification and are therefore excluded from PERA membership.

3. **Seasonal Employee Appointments and Candidates:**
   Seasonal Employee Appointment and Candidates

Name	Position	Wage (Per Hour)	Remarks
Doug Erickson	Clubhouse Attendant	$15.00	New Hire

COUNCIL ACTION REQUESTED

Motion to approve hiring the seasonal employee listed in the table above.

AGENDA ITEM

Date: June 9, 2025 **Item:** 6

Title: Fireworks Display - June 13

Presenter: Christine Lusian, City Clerk

Section: Consent Agenda

1. **Purpose:**
   The purpose of this action item is to review fireworks display plans.

2. **License Applicant(s):**
   City code section 66-224(d) and (f)(2) requires city council review of special events requesting the use of city land and involving fireworks.

   In partnership with our neighbors, Spring Park and Orono are reviewing permits from RES Pyro to launch fireworks Friday, June 13 from a floating platform on West Arm Bay's coffee cove for an event at Lord Fletchers. The fireworks will launch for about 10 minutes between the hours of 8:30 and 9:30pm from the water just east of Fagerness Point. Plans included with the application are attached.

3. **Staff Recommendation:**
   Staff from Administration, Community Development, Fire, Parks, and Police have reviewed and approved the application.

COUNCIL ACTION REQUESTED

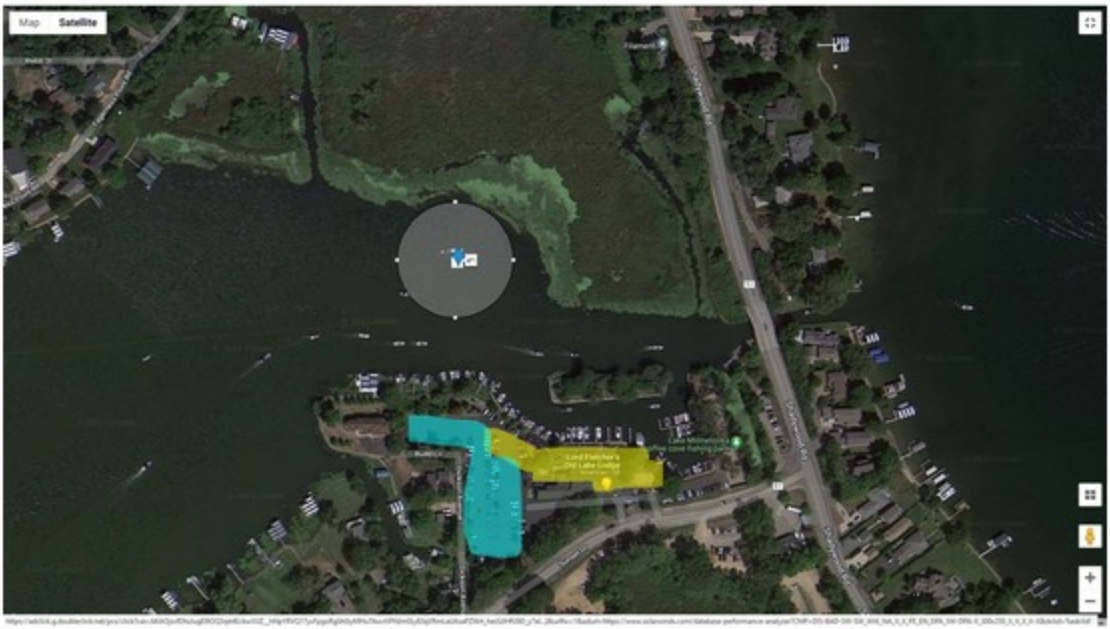
Review the fireworks display plans at coffee cove for June 13.

Exhibits

A. Fireworks location
B. Fireworks operator
C. Fireworks notice

Lord Fletchers
June 13, 2025

Maximum Shell Size: 2”
NFPA 1123 Fallout Zone Radius: 140 ft



RES PYRO | Spectators | Parking | Shoot site | Fallout zone | N

Lord Fletcher's Fireworks Display

Lead Operator:
Colin Chase
651-234-9182
DOB: 10-15-2000

No Assistants



State of Minnesota
Department of Public Safety
State Fire Marshal
eApplication Public Portal

Home | Minnesota State Fire Marshal's Website | Licensing and Permits Webpage | Explosives Webpage | Fireworks Webpage | Sprinklers Webpage

Account Login
Education
Lookup
User
Company
Complaints

Public User Lookup Detail

NOTE: If you are looking for additional information, please submit an SFM data request.

User: Chase, Colin Thomas

Primary Certification Type: NFPA 1123, NFPA 160/1126
Primary Certification Number: FW1121
Primary Certification Issue Date: 01/01/2023
Primary Certification Expiration Date: 12/31/2027
Primary Certification Status: Current
Account Identifier: None

Certification Type	Certification Number	Certification Level	Certification Issue Date	Certification Expiration Date	Certification Status
Fireworks Operator	FW1121	NFPA 1123, NFPA 160/1126	01/01/2023	12/31/2027	Current

Monday, May 5th, 2025

Dear Resident:

We are writing as a courtesy to inform you that there will be a fireworks display taking place in West Arm Bay on Friday, June 13th for a public event held by Lord Fletcher's. This display will take place between the hours of 8:30pm and 9:30pm and should be approximately ten minutes in duration.

Sincerely,



Cory Stinar
RES Pyro

AGENDA ITEM

Date: June 9, 2025 **Item:** 7

Title: Fireworks Display - June 19

Presenter: Christine Lusian, City Clerk

Section: Consent Agenda

1. **Purpose:**
   The purpose of this action item is to review fireworks display plans.

2. **License Applicant(s):**
   City code section 66-224(d) and (f)(2) requires city council review of special events requesting the use of city land and involving fireworks.

   J & M Displays completed an application to launch fireworks Friday, June 19 from a floating platform on Carman Bay for a wedding reception at 2800 Pheasant Rd. The fireworks will launch at 10pm from the water just east of Narrows Bridge. Plans included with the application are attached.

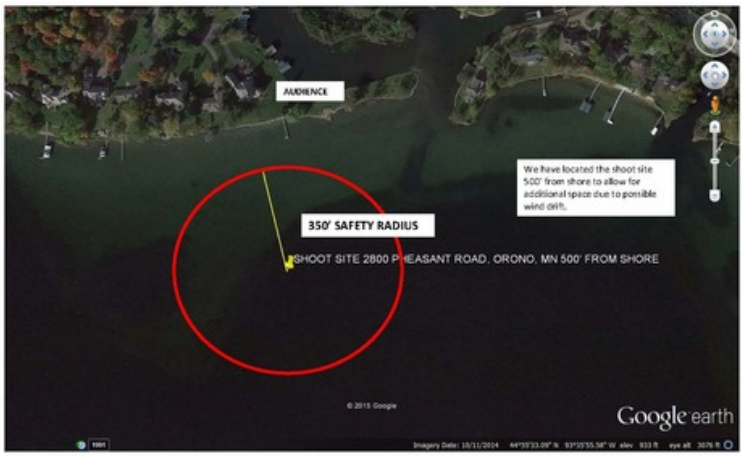
3. **Staff Recommendation:**
   Staff from Administration, Community Development, Fire, Parks, and Police have reviewed and approved the application.

COUNCIL ACTION REQUESTED

Review the fireworks display plans in Carman Bay for June 19.

Exhibits

A. Fireworks location
B. Fireworks operator
C. Fireworks notice


AUDIENCE
We have located the shoot site 500' from shore to allow for additional space due to possible wind drift.
350' SAFETY RADIUS
SHOOT SITE 2800 PHEASANT ROAD, ORONO, MN 500' FROM SHORE
© 2015 Google
Google earth

MINNESOTA PUBLIC SAFETY

STATE FIRE MARSHAL

EST. 1905

FIREWORK OPERATOR CERTIFICATE

Certificate Type: **O**

NFPA 1123

Certificate No: **1090**

Cory Jehoich

15188 10th St.

Clear Lake, MN 55319

Effective Date
1/2/2025

Expiration Date
12/31/2029

The assistants for the display will be Glenn Dalen, 24, Ryan Hansen, 33, and Jonathan Kubichek, 48.

There will be letters sent to all properties with 1000 feet from the display notifying them about when it will be taking place.

The lead operator will be watching the weather radar all throughout the day and if the weather is too bad or the wind is strong the operator will cancel or postpone the show. If the event is cancelled or postponed the town will be notified either through a phone call or over an email and the county sheriff through the water patrol on site.

AGENDA ITEM

Date: June 9, 2025 **Item:** 8

Title: Solicitor License

Presenter: Christine Lusian, City Clerk

Section: Consent Agenda

1. **Purpose:**
   The purpose of this action item is to approve an extended license period.

2. **License Applicant(s):**
   Aptive Environmental, a company providing residential pest control solutions, currently holds a solicitor permit valid for 10 days, expiring on June 14, 2025. Aptive's team of seven representatives requested to extend their time in Orono until the end of August, to continue their outreach efforts. City code gives council the authority to authorize an additional 50 days beyond the initial license period.

   The initial licenses were issued on June 5, 2025, and will expire on June 14, 2025. An extension of 50 days would make the new expiration date of the licenses August 4, 2025.

3. **Staff Recommendation:**
   Application requirements are complete and staff recommends extending the license period.

COUNCIL ACTION REQUESTED

Approve the license period extension for 50 days, until August 4, 2025.

AGENDA ITEM

Date: June 9, 2025 **Item:** 9

Title: 2025 Sewer Rehabilitation Award (25-012)

Presenter: Adam Edwards, City Administrator / Engineer

Section: Consent Agenda

1. **Purpose:**
   The purpose of this action item is to award the 2025 Sanitary Sewer Rehabilitation Project.

2. **Background:**
   Since 2005, Metropolitan Council Environmental Services (MCES) has identified Orono as one of the communities who contribute excessive inflow and infiltration (I&I). I/I is clear water — stormwater and groundwater — that enters the wastewater system. It overloads the system and can cause costly sewer backups into homes and buildings. I&I can also cause sewer overflows into rivers and lakes.

   The City has been executing a sanitary sewer rehabilitation project annually to reduce I&I. Each year the City works to identify I&I points within the sanitary sewer system thought our annual inspection program. These inspections then inform our rehabilitation efforts for the upcoming years.

3. **Scope:**
   This Sanitary Sewer Rehabilitation project will consist of 9 Cured-in-Place Pipe Lateral Lining, 8 CIPP Short liner-5 LF, 1 Grouting Manhole/Pipe Connection, the installation of 39 Manhole Internal Chimney Seal, 476 vertical feet of 1" Cementitious Manhole Rehabilitation, and other miscellaneous related work to successfully rehabilitate the existing sanitary sewer system.. The purpose of the project is to reduce I&I into the sanitary sewer systems and extend the life to the existing pipes. (Exhibits A & B)

4. **Cost:**
   The city received proposals from one contractor for $261,339.76 from Hydro-Klean (Exhibit C). The engineer's estimate for the project was $268,150. In addition to the construction cost, Bolton and Menk provided a proposal not to exceed $12,800 for construction oversight. (Exhibit D)

Who	Work	Cost	Status
Bolton &Menk, Inc	Design and Engineering	$ 31,814.00	Not to exceed, previously approved
Hydro-Klean	Construction	$ 261,339.76	Pending award
Bolton &Menk, Inc	Construction Oversight	$ 12,800.00	Not to exceed
Total		**$305,953.76**	

5. **Funding:**
   The project is funded from the Sanitary Sewer Fund. The CIP amount was projected at $300,000.

6. **Staff Recommendation:**
   I recommend council award the project.

COUNCIL ACTION REQUESTED

Motion to award the 2025 Sanitary Sewer Rehabilitation project to Hydro-Klean for $261,339.76 and authorize Bolton and Menk to perform design and construction oversight for a fee not to exceed $12,800.

Exhibits

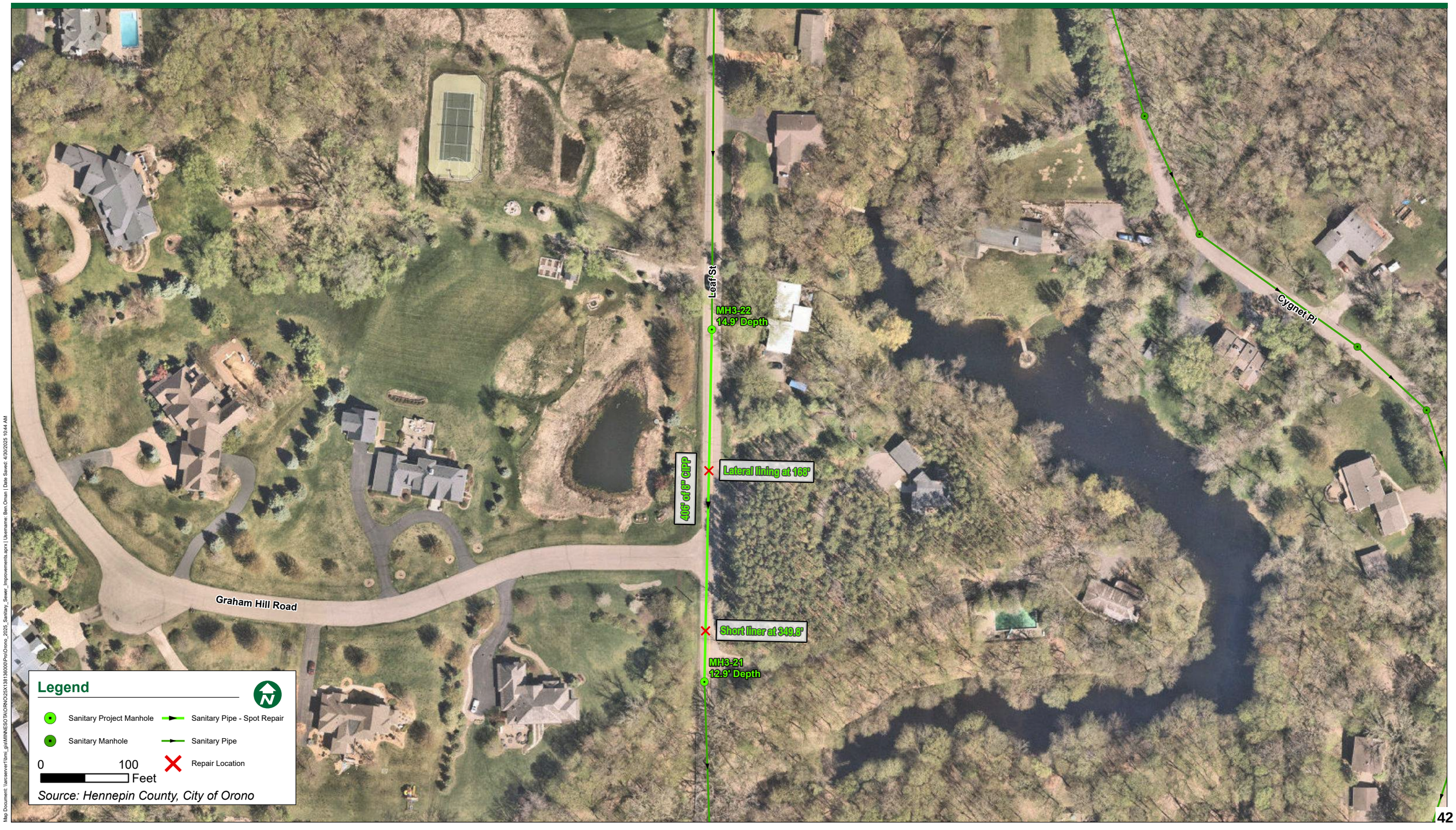
A. Plan Set 2025 Sanitary Sewer Improvements-Spot Lining
B. Plan Set 2025 Sanitary Sewer Improvements-Manhole Lining
C. Bid Award Recommendation
D. Fee Estimate - 2025 Sewer Construction Services



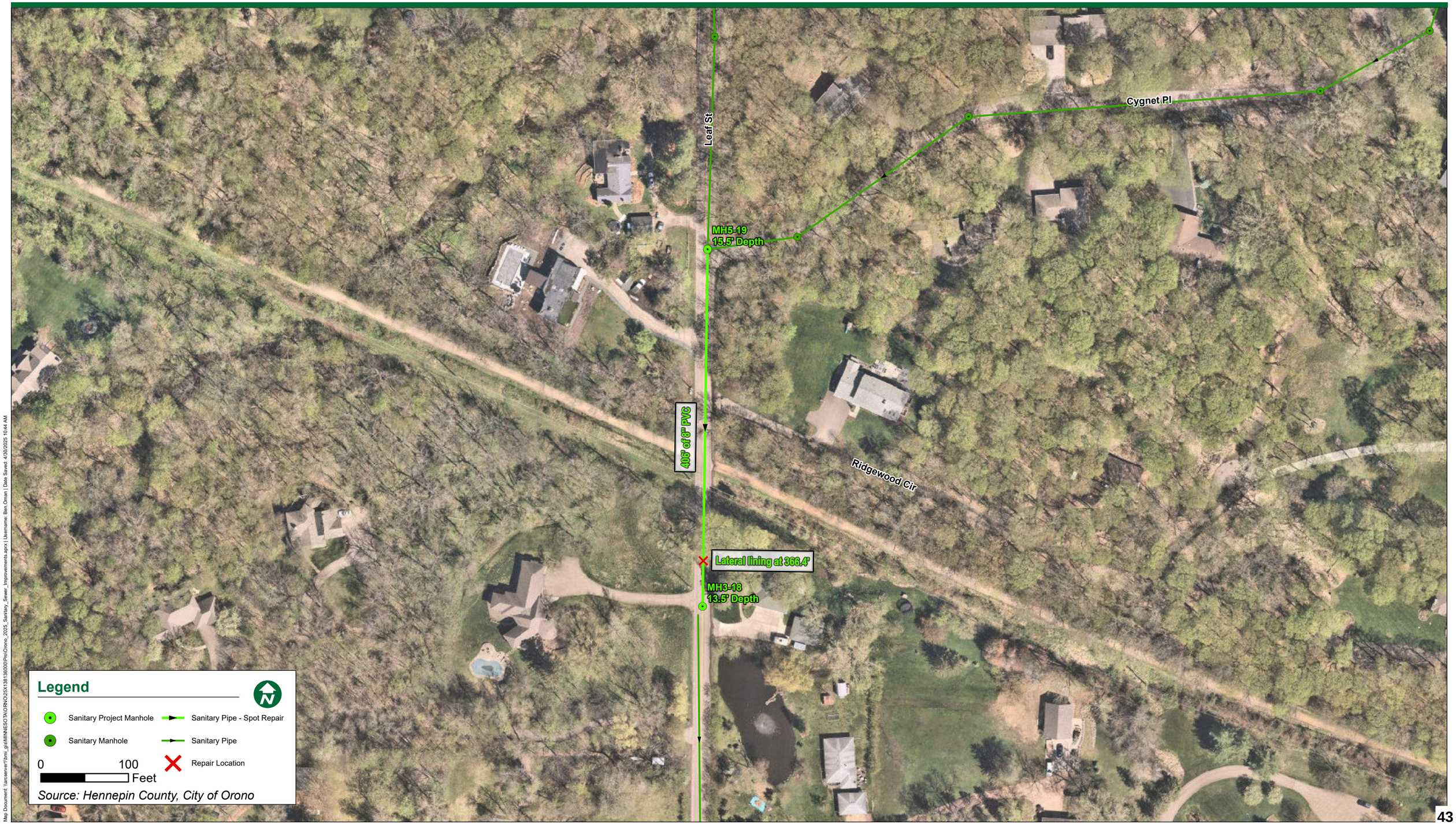
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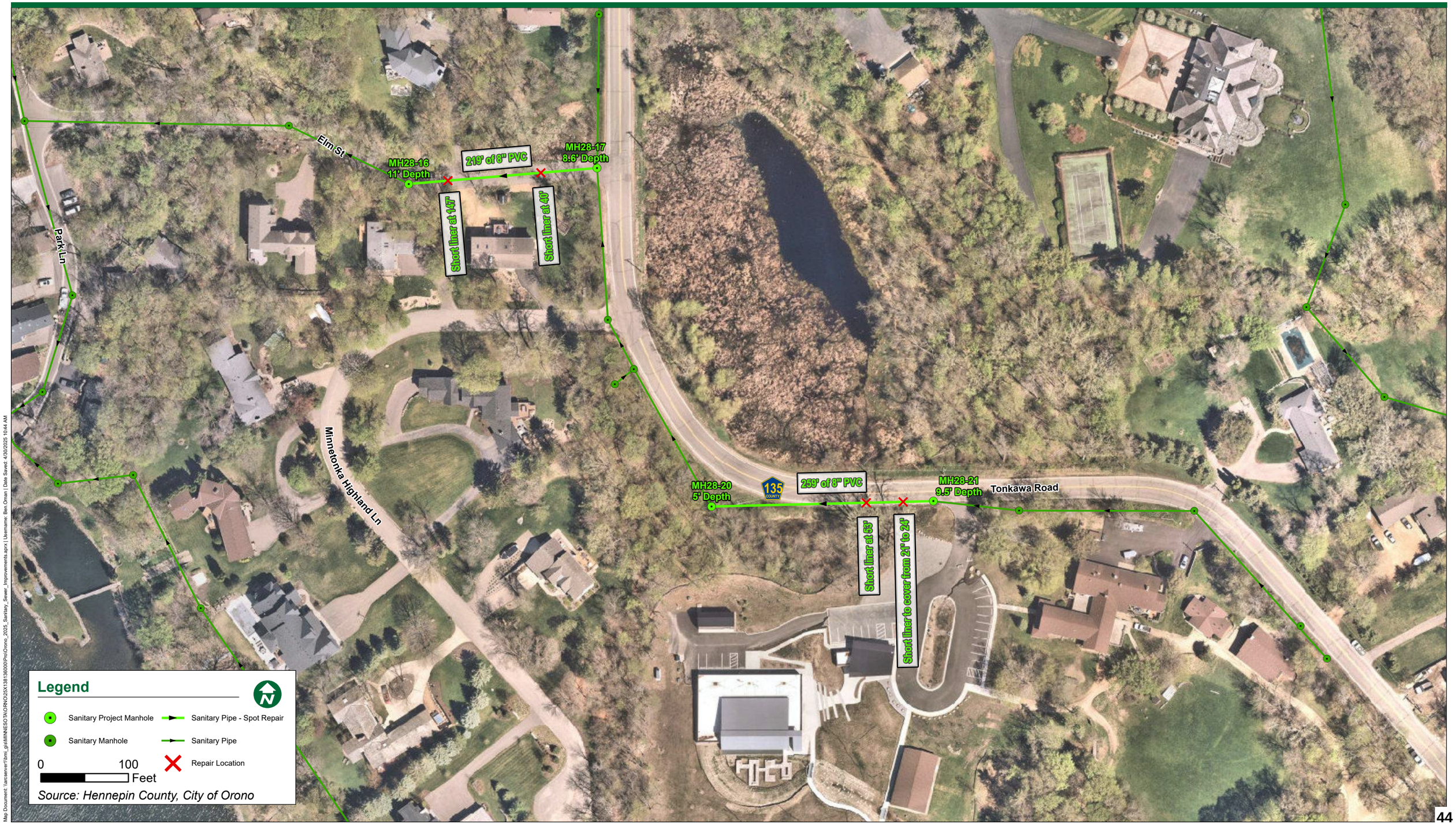
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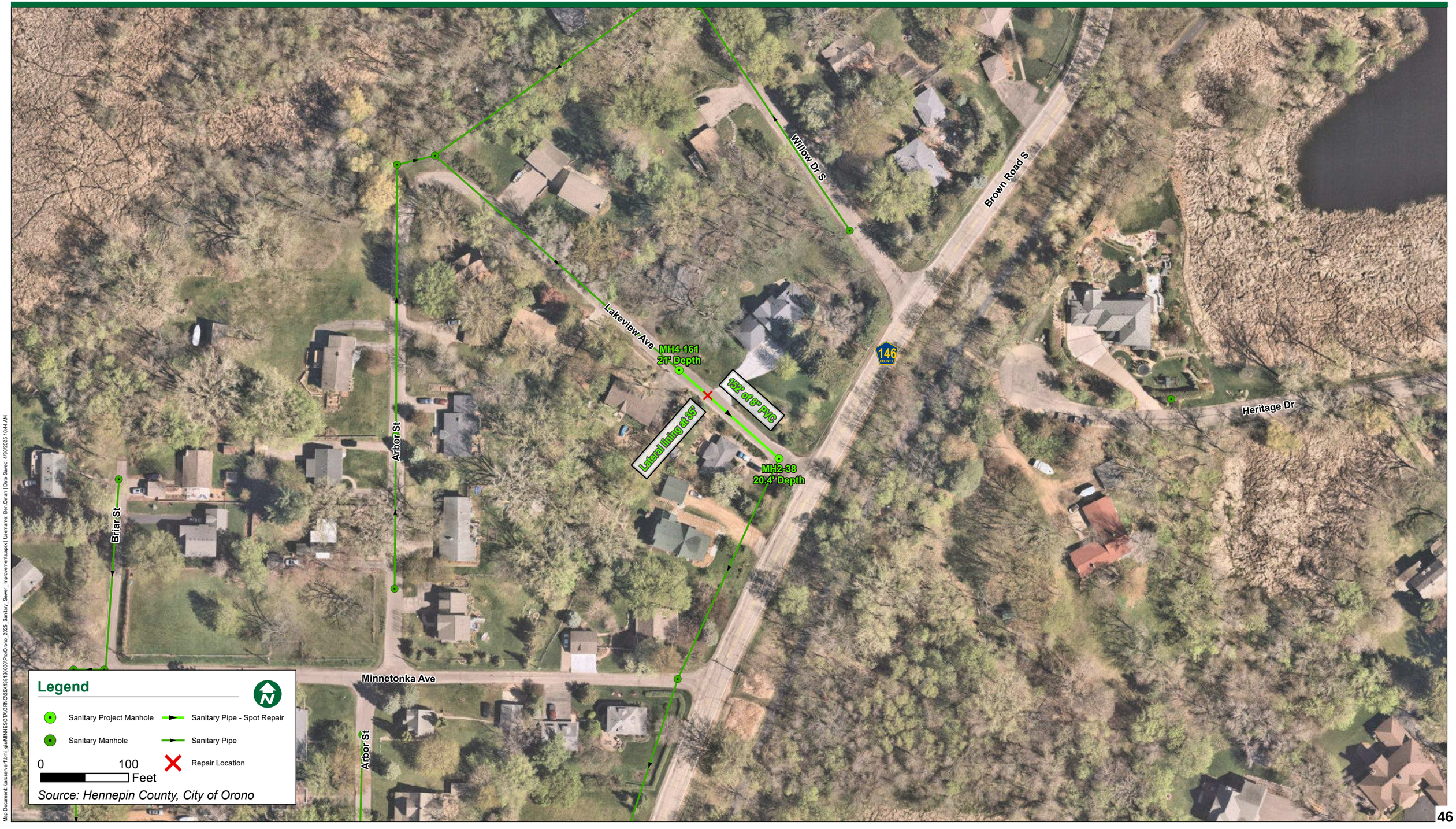
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MH28-12
1 EA Internal Chimney Seal
7 VF Cementitous MH Rehab
Alt Bid 7 VF Epoxy MH Rehabilitation Coating

MH28-15
1 EA Internal Chimney Seal
9.4 VF Cementitous MH Rehab
Alt Bid 9.4 VF Epoxy MH Rehabilitation Coating

MH28-9
1 EA Internal Chimney Seal
3 VF Cementitous MH Rehab
Alt Bid 3 VF Epoxy MH Rehabilitation Coating

MH28-8
1 EA Internal Chimney Seal
7.5 VF Cementitous MH Rehab
Alt Bid 7.5 VF Epoxy MH Rehabilitation Coating

MH28-7
1 EA Internal Chimney Seal
9.1 VF Cementitous MH Rehab
Alt Bid 9.1 VF Epoxy MH Rehabilitation Coating

MH28-1
1 EA Internal Chimney Seal
6.2 VF Cementitous MH Rehab
Alt Bid 6.2 VF Epoxy MH Rehabilitation Coating

Linden Ave
Park Ave
Oak St
Elm St
Park Ln
135 COUNTY
Minnetonka Highland Ln
Tonkawa Rd

Legend

- Sanitary Manhole
- Sanitary Project Manhole

0 200 Feet

Source: Hennepin County, City of Orono

Map Document: \\arcserver10mi_gis\MINNESOTA\ORNO\25X138136000\Pro\Orono_2025_Sanitary_Sewer_Improvements.aprx | Username: Ben.Oman | Date Saved: 4/16/2025 3:09 PM

W Branch Rd

MH21-12
1 EA Internal Chimney Seal
11 VF Cementitious MH Rehab
Alt Bid 11 VF Epoxy MH Rehabilitation Coating

MH21-26
1 EA Internal Chimney Seal
10 VF Cementitious MH Rehab
Alt Bid 10 VF Epoxy MH Rehabilitation Coating

MH21-27
1 EA Internal Chimney Seal
10.5 VF Cementitious MH Rehab
Alt Bid 10.5 VF Epoxy MH Rehabilitation Coating

151 COUNTY

MH21-11
1 EA Internal Chimney Seal
15.4 VF Cementitious MH Rehab
Alt Bid 15.4 VF Epoxy MH Rehabilitation Coating

Windjammer Ln

MH21-10
1 EA Internal Chimney Seal
10.6 VF Cementitious MH Rehab
Alt Bid 10.6 VF Epoxy MH Rehabilitation Coating

MH21-18
1 EA Internal Chimney Seal
11.8 VF Cementitious MH Rehab
Alt Bid 11.8 VF Epoxy MH Rehabilitation Coating

MH21-09
1 EA Internal Chimney Seal
15.3 VF Cementitious MH Rehab
Alt Bid 15.3 VF Epoxy MH Rehabilitation Coating

MH21-1
1 EA Internal Chimney Seal
8.8 VF Cementitious MH Rehab
Alt Bid 8.8 VF Epoxy MH Rehabilitation Coating

MH21-14
1 EA Internal Chimney Seal
12 VF Cementitious MH Rehab
Alt Bid 12 VF Epoxy MH Rehabilitation Coating

Forest Arms Ln

N Arm Dr

MH21-21
1 EA Internal Chimney Seal
9.8 VF Cementitious MH Rehab
Alt Bid 9.8 VF Epoxy MH Rehabilitation Coating

MH17-12
1 EA Internal Chimney Seal
6.3 VF Cementitious MH Rehab
Alt Bid 6.3 VF Epoxy MH Rehabilitation Coating

Forest Lake Dr

MH21-22
1 EA Internal Chimney Seal
16.2 VF Cementitious MH Rehab
Alt Bid 16.2 VF Epoxy MH Rehabilitation Coating

Wildhurst Trl

Dahl Rd

MH21-23
1 EA Internal Chimney Seal
17.5 VF Cementitious MH Rehab
Alt Bid 17.5 VF Epoxy MH Rehabilitation Coating

Linden Ln

Legend

- Sanitary Manhole
- Sanitary Project Manhole

0 200 Feet

Source: Hennepin County, City of Orono

Map Document: \\arcserver10mn_gis\MINNESOTA\ORNO\25X138136000\Pro\Orono_2025_Sanitary_Sewer_Improvements.aprx | Username: Ben.Oman | Date Saved: 4/16/2025 3:09 PM



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MH18-24
1 EA Internal Chimney Seal
9.5 VF Cementitous MH Rehab
Alt Bid 9.5 VF Epoxy MH Rehabilitation Coating

MH18-22
1 EA Internal Chimney Seal
10 VF Cementitous MH Rehab
Alt Bid 10 VF Epoxy MH Rehabilitation Coating

MH18-20
1 EA Internal Chimney Seal
16 VF Cementitous MH Rehab
Alt Bid 16 VF Epoxy MH Rehabilitation Coating

MH18-19
1 EA Internal Chimney Seal
18.5 VF Cementitous MH Rehab
Alt Bid 18.5 VF Epoxy MH Rehabilitation Coating

MH18-14
1 EA Internal Chimney Seal
12.5 VF Cementitous MH Rehab
Alt Bid 12.5 VF Epoxy MH Rehabilitation Coating

MH18-17
1 EA Internal Chimney Seal
21.8 VF Cementitous MH Rehab
Alt Bid 21.8 VF Epoxy MH Rehabilitation Coating

MH18-11
1 EA Internal Chimney Seal
14.6 VF Cementitous MH Rehab
Alt Bid 14.6 VF Epoxy MH Rehabilitation Coating

MH18-27/2
1 EA Internal Chimney Seal
13.6 VF Cementitous MH Rehab
Alt Bid 13.6 VF Epoxy MH Rehabilitation Coating

MH18-10
1 EA Internal Chimney Seal
13.2 VF Cementitous MH Rehab
Alt Bid 13.2 VF Epoxy MH Rehabilitation Coating

MH18-5
1 EA Internal Chimney Seal
23.2 VF Cementitous MH Rehab
Alt Bid 23.2 VF Epoxy MH Rehabilitation Coating

MH18-9
1 EA Internal Chimney Seal
11.6 VF Cementitous MH Rehab
Alt Bid 11.6 VF Epoxy MH Rehabilitation Coating

MH18-7
16.3 VF Cementitous MH Rehab
Alt Bid 16.3 VF Epoxy MH Rehabilitation Coating

MH18-4
1 EA Internal Chimney Seal
20 VF Cementitous MH Rehab
Alt Bid 20 VF Epoxy MH Rehabilitation Coating

Elmwood Ave
Elmwood Ave
Loma Linda Ave
Spruce Pl
N Arm Dr
151 COUNTY
Park Dr
Park Dr
Cherry Pl
Cherry Pl
N Shore Dr

Legend

- Sanitary Manhole
- Sanitary Project Manhole

0 200 Feet

Source: Hennepin County, City of Orono

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Chaska, MN 55318-1172

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

May 28, 2025

City of Orono
Attn: Adam Edwards
2750 Kelley Pkwy
PO Box 66
Orono, MN 55356

RE: Bid Results for the 2025 Sanitary Sewer Rehabilitation Improvement Project

Dear Mr. Edwards:

Enclosed is the bid abstract for the 2025 Sanitary Sewer Rehabilitation Improvement Project. Only one bid was submitted for the project. This was due to limited contractor availability to complete the work during the 2025 construction season as well as the project providing a multitude of sanitary sewer rehabilitation techniques that many of the sewer lining contractors cannot complete without bringing in and managing multiple subcontractors under one contract.

As such, the bid results are listed below:

Contractor	Bid
Hydro-Klean	**$261,339.76**

The engineer's estimate, which was determined prior to the bid opening, was $268,150.00. Although we only received one bid for the recommended improvements, Hydro-Klean has the experience and ability to complete this project successfully within the constraints of the project. Their ability to complete a majority of the work in house, coupled with past successful projects in the City of Orono, make them a strong choice for this project award.

We recommend awarding the project to the low bidder, Hydro-Klean, in the amount of **$261,339.76**.

Please let me know if you have questions or need additional information.

Sincerely,
Bolton & Menk, Inc.

David P. Martini

David P. Martini, P.E.
Senior Principal Engineer

H:\ORNO\25X138136000\1_Corres\C_To Others\2025-05-28 138136 Bid Award Recommendation.docx

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2638 Shadow Lane
Suite 200
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Ph: (952) 448-8838
Fax: (952) 448-8805
Bolton-Menk.com

May 28, 2025

City of Orono
Attn: Adam Edwards
PO Box 66
Orono, MN 55323

RE: 2025 Sanitary Sewer Rehabilitation Improvements – Construction Services

Dear Adam:

As requested, we have prepared a scope of services and estimated fee for the construction services associated with the 2025 Sanitary Sewer Rehabilitation Improvements Project.

Scope of Services

Construction Observation
Part-time construction observation will be provided. Duties of the Construction Observer will include the following:

- Attendance at the pre-construction meeting and all construction-related meetings
- Serve as a liaison between the city and the contractor
- Review of the completed work to determine if the project is in general conformance with the plans and specifications
- Maintenance of construction documentation
- Communication with affected property owners, as necessary, to address their construction-related concerns and issues

Construction Administration
Construction administration duties will include the following:

- Administering a pre-construction meeting
- Review of shop drawings
- Preparation of pay estimates
- Contractor Communications
- Liaison with City Staff and Council

Fee Estimate
Based on the scope of services described above, we propose a fee of **$12,800** to be billed on an hourly basis. Additional services that may be required after the contract's substantial completion date for the project will be billed on an hourly basis.

Please let me know if you have questions or need additional information.

Sincerely,

Bolton & Menk, Inc.



David P. Martini, P.E.
Senior Principal Engineer

Bolton & Menk is an equal opportunity employer.

AGENDA ITEM

Date: June 9, 2025 **Item:** 10

Title: LA24-000068, 430 Old Crystal Bay Rd, Final Plat Amendment, Resolution 7595

Presenter: Laura Oakden, Community Development Director

Section: Consent Agenda

1. **Purpose:**
   To amend the final plat development fees for the LA24-000068, 430 Old Crystal Bay Rd

2. **Background:**
   The City of Orono adopted a final plat (Resolution 7586). The applicant requested an amendment to the stormwater drainage trunk fee for the site. The final plat identified a stormwater drainage trunk fee of $47,384.10. The original development for Crystal Bay Business Centner paid a stormwater drainage trunk fee as part of the 2007 development.

   After reviewing the Orono ordinances, there is support to waive the charges for a supplemental stormwater and drainage trunk fee in addition to what Ryan Companies previously paid.

   Sec. 14-288(2) ("Credit for past payments") provides: "If a lot for which the trunk fee was paid under a past subdivision is then itself subdivided, no additional trunk fee will be charged if the original trunk fee was based on the entire acreage of the parcel now being divided." The letter notes that Ryan paid the fee for the "larger site that includes my client's current proposed development. . ." Assuming this is correct and verified, the foregoing provision would seem to apply.

   Based on the provision above, staff supports waiving the stormwater trunk fee due to the nature or type of development.

3. **Staff Recommendation:**
   Staff supports waiving the stormwater drainage trunk fee for LA24-000068 at 430 Old Crystal Bay Road.

COUNCIL ACTION REQUESTED
Motion to adopted Resolution 7595

Exhibits
A. Resolution 7595- Fee Amendment
B Request to Amend Development Fees
C. LA 24-000068, Final Plat Resolution No. 7579
D. Crystal Bay Business Center Development Document

CITY OF ORONO

RESOLUTION OF THE CITY COUNCIL

NO. **7595**

A RESOLUTION
AMENDING THE DEVELOPMENT FEES FOR
ORONO GARAGE CONDOMIMIUM FINAL PLAT

FILE NO.LA 25-000068

WHEREAS, representatives from Garage Condo LLC (the "Developer") on behalf Old Crystal Bay LLC, who is the owner of the property addressed 430 Old Crystal Bay Road and legally described as:

That part of Lot 1, Block 1, Crystal Bay Business Center, embraced within Lot 4, Block 1, Van Dale Addition, Hennepin County, Minnesota (hereinafter the "Property");

WHEREAS, the City of Orono (hereinafter the "City") adopted Resolution 7586 granting final plat approval of the Common Interest Community Plat: "Orono Garage Condominium" CIC Plat Phase 1: Building 1 and 2; and

WHEREAS, Resolution 7586 identified a Stormwater and Drainage Trunk Fee is $47,384.10; and

WHEREAS, the Developer has requested to waive the stormwater Drainage Trunk Fee; and

WHEREAS, the City has determined that a Stormwater Drainage Trunk Fee was paid in 2007 as part of the Crystal Bay Business Center development which fully satisfies the stormwater drainage trunk fee associated with the Garage Condo project.

NOW, THEREFORE, BE IT RESOLVED that the City Council of Orono, Minnesota hereby approves the requested amendment of the stormwater drainage trunk fee to be waived based on one or more of the following findings of fact concerning the Property:

ADOPTED by the Orono City Council on this _____ day of _____, 20__.

ATTEST:

_____
Christine Lusian, City Clerk

CITY OF ORONO:

_____
Bob Tunheim, Mayor

Snyder Attorneys, PA
ATTORNEYS AT LAW

Brent C. Sny
brent.snyder@

May 28, 2025

SENT VIA EMAIL

Laura Oakden
Community Development Director
Orono City Hall
2750 Kelley Pkwy
Orono, MN 55356
Email: loakden@oronomn.gov

Re: ORONO GARAGE CONDOS LLC
PROJECT NO.: LA24 – 000068
PROPOSED DEVELOPMENT CONTRACT

Dear Ms. Oakden:

I write on behalf of my client, Orono Garage Condos LLC, regarding the referenced Development Contract ("Contract") for Project NO.: LA24 – 000068.

In reviewing the Contract with my client, we have read the existing Development Agreement – Crystal Bay Business Center, dated December 5, 2007, that was originally entered into between the City of Orono and Ryan Companies US, Inc. Pursuant to Section 17 of that Development Agreement, Ryan Companies US, Inc. paid a Storm Water and Drainage Trunk Fee in the amount of $128,100.00 at the time of its execution for the entire Crystal Bay Business Center project that now includes my client's project.

Because the previous developer already paid a Storm Water and Drainage Trunk Fee for the larger site that includes my client's current proposed development, my client requests that Section 20 of the Contract (Storm Water and Drainage Trunk Fee) be deleted from the final draft and that the Orono Garage Condominium CIC Plat be amended to delete Section 7) Payment of Development Fees Required (Stormwater and Drainage Trunk Fee).

Sincerely,

SNYDER ATTORNEYS, P.A.



Brent C. Snyder

Enclosures: Development Agreement – Crystal Bay Business Center, dated December 5, 2007

cc: Orono Garage Condos LLC (robertlouis.page@gmail.com)

CITY OF ORONO

RESOLUTION OF THE CITY COUNCIL

NO. **7579**

A RESOLUTION GRANTING
PRELIMINARY APPROVAL FOR A CIC PLAT,
CONDITIONAL USE PERMIT AND SITE PLAN APPROVAL
FOR THE GARAGE CONDO DEVELOPMENT

FILE NO. LA24-000068

WHEREAS, Orono Garage Condos LLC, (hereinafter the "Developer") on behalf of the owners Old Crystal Bay LLC, (hereinafter the "Owners") of the following property: **430 Old Crystal Bay Rd**, (PID **33-118-23-13-0016)** legally described within **Exhibit A** (hereinafter collectively the "Property");

WHEREAS on January 9, 2025, the Developer made a complete application for Preliminary Plat, Conditional Use Permit and Site Plan approval to create a garage condo development; and

WHEREAS, on February 18, 2025, after published and mailed notice in accordance with Minnesota Statutes and the City Code, the Planning Commission held public hearings, at which time all persons desiring to be heard concerning this application were allowed to speak thereon; and

WHEREAS, on February 18, 2024, the Planning Commission tabled the application provided guidance to the developer and regarding access, parking and landscaping changes; and

WHEREAS, on March 17, 2025, the Planning Commission reviewed the revised application. Although the Developer provided the requested information, the site plan did not provide off-street parking on the site. The Commission was unsatisfied with the revised plans which did not identify off- street parking, with a vote of 4-1, recommended denial of the application as revised; and

WHEREAS, on March 27, 2025, the Developer submitted revised plans addressing proof of parking identified with the site.

WHEREAS, on April 14, 2025, the City Council reviewed the revised application, the recommendations of the Planning Commission and City staff, and made the following findings:

FINDINGS OF FACT:

A1. This application was reviewed as Zoning File #LA24-000068. The analysis contained within staff memos and the exhibits attached to the aforesaid memos, all minutes from the above-

CITY OF ORONO

RESOLUTION OF THE CITY COUNCIL

NO. **7579**

mentioned meetings, and all other materials distributed at these meetings are hereby incorporated by reference.

A2. The Property is guided in the 2020-2040 Community Management Plan for industrial use.

A3. The Property is located in the I- industrial Zoning District, which allows a garage condo business as a conditional use.

A4. The Property contains 4.88 gross acres in area.

A5. The proposal would create 85 condo units within 5 buildings.

A6. The Property is located within the MUSA and will be served by city sewer and water.

A7. The Property is within the Stormwater Quality Overlay District which restricts overall hardcover. The property is located in Tier 5 with a maximum allowed hardcover of 85%. The proposal results in 126,869 sq.ft of hardcover or 75% of the site.

A8. The Developer has prepared grading plans to manage stormwater on-site.

A9. A Site Plan Analysis was completed and the development of the vacant lot will meet all zoning standards according to the revised plans.

A10. The existing public roadway, Orono Industrial Blvd, provides access to the Property. Orono Industrial Blvd will be constructed to complete the Crystal Bay Business Center development improvements. The existing right of way is unimproved and is scheduled to be built to meet city standards.

A11. The proposal requires a preliminary and final plat due to the condo plat proposed. The land is not being subdivided. The proposed development is not a subdivision therefore, park dedication fees or Conservation Design Plans are not required.

CONDITIONAL USE PERMIT ANALYSIS:

The City Council may approve a conditional use permit for garage condo use as long as the following criteria are met:

B1. No exterior parking or storage is permitted for a period longer than twenty-four (24) hours. A parking plan must be provided to demonstrate accessibility to the site. *The applicant has submitted a proof of parking plan noting parking for each unit and 7 additional possible additional guest parking stalls. The applicant notes that the site does not support outdoor storage or overnight parking. Additionally, the applicant notes in their covenants that no*

CITY OF ORONO

RESOLUTION OF THE CITY COUNCIL

NO. **7579**

outdoor storage will be permitted. ***This standard it met.***

B2. The premises shall not be used or customized for residential living purposes or community gatherings or events. *The development is within the industrial district which does not support living and dwelling units. The developer's covenant includes prohibition of living/dwelling within units on site as well a prohibition on holding "events". The covenant also defines events. The definition of "events" is included as a listed condition to clarify the use on the site.* ***This condition is met.***

B3. The premises shall not be used for the operation of a business for retail purposes, including but not limited to automobile repair. This does not prohibit minor maintenance, care, or upkeep of motor vehicles, boats, trailers, or recreational vehicles stored in individual units. Storage and warehousing may be permitted. *This condition is met for the proposed development. If any new or more intense uses are contemplated in the future, a review by City staff and approval by the City Council is required.* ***This condition is met.***

B4. The management, use, and customization of the garage condos, including common areas, and individual units, shall be governed by an association, which association rules shall place adequate controls to ensure compliance with applicable city code. *A draft declaration of covenants for management of the development has been provided by the Developer. This condition will be met.* ***This condition is met.***

B5. The premises shall maintain adequate access to individual units and any common areas or office space for emergency response and snow removal/storage. *The developers propose easements for access, drainage, and utilities throughout the common spaces including the drive aisles. A knox box will be placed at the entrance gate for emergency personnel and vehicle access. This condition is met.* ***This condition is met.***

B6. The premises shall contain sufficient lighting and/or security measures to deter or mitigate criminal activity and ensure adequate access for emergency response.*A lighting plan has been provided. The property is also proposed to be fenced and gated.* ***This condition is met.***

B7. Any individual unit that is connected to the city sewer and water system shall have individual meters. *The applicant is proposing individual water and sewer connections to serve building; and each unit will have their own meter.* ***This condition is met.***

Based on the application and the evidence submitted, the Council finds that the proposed use at the proposed location is or will be:

CITY OF ORONO

RESOLUTION OF THE CITY COUNCIL

NO. **7579**

B8. Consistent with the community management plan; *The proposed use is consistent with the community management plan. The garage condo use is consistent with the intended Industrial use of the site.*

B9. Compliant with the zoning code, including any conditions imposed on specific uses as required by article V, division 3 of the City Code; *The proposed use meets the requirements of the Code within the Industrial District as a Conditional Use.*

B10. Adequately served by police, fire, roads, and stormwater management; *The site is adequately served by police, fire, roads, and stormwater management. The proposed site has been reviewed by the police, fire and engineering departments and the site meets the development standards to support this application.*

B11. Provided with an adequate water supply and sewage disposal system; The site is provided with adequate water supply and sewage disposal system for the proposed use. The *utilities within the development be privately installed and maintained. The City will have access for utility shut off and emergency services. The developer will be responsible for installation and maintenance of the utility infrastructure. Each unit will be individually metered to follow the CUP standards.*

B12. Not expected to generate excessive demand for public services at public cost; A *storm pond is proposed. The proposed use is not expected to generate an excessive demand for public services at public cost based on other similar developments' historic operating records.*

B13. Compatible with the surrounding area as the area is used both presently and as it is planned to be used in the future; *The proposed use is compatible with the surrounding area and with the other Industrial uses. There are residentially-zoned properties across Old Crystal Bay Road North. This low-intensity Industrial use is preferable to the adjacent residential properties as compared other Industrial uses such as manufacturing or uses which may create more noise, pollution or other externalities.*

B14. Consistent with the character of the surrounding area, unless a change of character is called for in the community management plan; *The design of the buildings is consistent with the architectural design standards outlined for the industrial district and the industrial uses.*

B15. Compatible with the character of buildings and site improvements in the surrounding area, unless a change of character is called for in the community management plan; *The design of the buildings and site are consistent with the surrounding area.*

B16. Not expected to substantially impair the use and enjoyment of the property in the area or have a materially adverse impact on the property values in the area when compared to the impairment or impact of generally permitted uses; *This is a conditional use within the Industrial district. It will not impair the use and enjoyment of the properties in the area. The development is proposed to meet the conditions of the district.*

CITY OF ORONO

RESOLUTION OF THE CITY COUNCIL

NO. **7579**

B17. Provided with screening and buffering adequate to mitigate undesirable views and activities likely to disturb surrounding uses; *The proposed landscape plan includes a variety of plantings on the edge of the property creating screening for the site. The site is surrounded on two sides by industrial parcels, a state highway to the south, and a residential development to the west separated by a 66-foot-wide right-of-way (Old Crystal Bay Road N). The proposed vegetative screening and distance from the adjacent residential developments should provide adequate mitigation from any negative impacts of the site.*

B18. Not create a nuisance which generates smoke, noise, glare, vibration, odors, fumes, dust, electrical interference, general unsightliness, or other means; *Access to the site is off of an interior road within the industrial district. The site is designed with fencing and landscaping around the perimeter to buffer any adverse impacts. The applicant states the activity resulting from the Garage Condos will not cause a nuisance, smoke, noise, glare, vibration, odors, fumes, dust, electrical interference, or general unsightliness.*

B19. Not cause excessive non-residential traffic on residential streets, parking needs that cause a demonstrable inconvenience to adjoining properties, traffic congestion, or unsafe access; *The adjoining properties should not experience parking issues or traffic congestion. The proposed use is expected to have significantly less traffic than the generally allowed uses in the Industrial zoning district. The site will support the parking needs generated by the use.*

B20. Designed to take into account the natural, scenic, and historic features of the area and to minimize environmental impact; *The site is designed to enhance the natural environment with the stormwater management and planting plans. The site was originally graded when the Crystal Bay Business Center developed was platted in 2007 and has been vacant with no native plantings or natural areas.*

B21. All exterior lighting shall be so directed so as not to cast glare toward or onto the public right-of-way or neighboring residential uses or districts; and *The lighting for the site is designed to aim downwards and will not cast glare toward public right-of-way or neighboring residential uses or districts.*

B22. Not detrimental to the public health, public safety, or general welfare. *The proposed use is not detrimental to the public health, public safety, or general welfare and is expected to less impact as a garage condo development than the generally allowed uses within the Industrial zoning district.*

B23. *Economic return.* The use will provide an economic return to the community and be commensurate with other industrial uses for which the property could feasibly be used. In considering the economic return to the city, the planning commission and city council may give weight to the sociological impact of proposed use, both positive and negative. *The use is consistent with the industrial district and other surrounding uses. The site is screened*

CITY OF ORONO

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NO. **7579**

and buffered from abutting residential districts. The use of the property will be interior to the buildings with little exterior activity thus limiting negative impacts to the surrounding area.

CONCLUSIONS, ORDER AND CONDITIONS:

NOW, THEREFORE, BE IT RESOLVED, based upon one or more of the above findings, the Orono City Council hereby grants Preliminary CIC Plat, Conditional Use Permit and Site Plan Approvals allowing the Developer to proceed with a final plat of the Property to allow a garage condo development with a stormwater pond. The preliminary plat (attached as **Exhibit B**) together with the stormwater grading, site plan, and landscape plan will establish the elevations, drainage swales, and stormwater basins, common element spaces, landscaping and building footprints for the site. Preliminary Plat approval is subject to the following conditions:

C1. Approval is subject to Minnehaha Creek Watershed District (hereinafter the "MCWD") approval and permits as required. Final Plat approval shall not be granted until the Developer has provided evidence that all required MCWD permits have been obtained.

C2. Approval is subject to drainage, utility and access easement dedications.

C3. The Developer shall address all outstanding engineering comments and/or conditions provided by the City Engineer with the Final Plat development plan submittal.

C4. The erosion control plan shall adhere to "Best Management Practices for Protecting Water Quality in Urban Areas" and to the approved SWPPP. All erosion controls as required by the City and the MCWD shall be in place before commencing grading and excavation on the site. All such erosion control measures shall be maintained in working order until the site is vegetated and stabilized.

C5. Upon evidence of resettlement history, the Developer shall cease all activity and contact the City and the Minnesota State Historic Preservation Office (SHPO) before proceeding.

C6. Violation of or non-compliance with any of the terms and conditions of this resolution may result in the termination of any authority granted herein.

C7. **Easements Required.**

1. Drainage and Utility Easements shall be dedicated to the public on the Final Plat 10' along all exterior property lines, except such easements shall be increased to accommodate drainage where required, subject to City staff approval.
2. A Drainage and Utility easement shall be dedicated to the public on the plat over stormwater pond areas, drainageways, and stormwater facilities.

CITY OF ORONO

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NO. **7579**

3. A Utility and Access Easement shall be granted to the City over the common element space which align with the drive aisles on the Property.

C8. **Development Fees:**

a. **Stormwater and Drainage Trunk Fee**: The property will be subject to the 2025 Stormwater and Drainage Trunk Fee of $9,690.00 per acre. The 4.89 acres property is proposed to be developed, therefore $9,690.00 x 4.89 = **$47,384.10.**

b. **Water and Sewer Connection Permits**: Connection permits will be required for each individual unit (85 units proposed) and will follow the applicable fee schedule. The individual permits and fees will be due when the connection is being installed to each unit with the building permit.

c. **Met Council Sewer Availability Charge:** Due to the size of the buildings and the number/type of proposed connections it is estimated that the development will require 14 SAC units in total according to the Met Council determination letter. Below is the break down for SAC units for each building. The SAC fee will be collected with each building permit.
   i) Building 1:1 SAC Unit
   ii) Building 2: 3 SAC Units
   iii) Building 3: 4 SAC Units
   iv) Building 4: 4 SAC Units
   v) Building 5: 2 SAC Units

   The current fee is $2,485.00 per SAC unit which would result in a total of (14 x $2,485) $34,790.00 required to connect in 2025.

d. **Water and Sewer Area Connections**: The city determined that the units identified by the Met Council should be used to apply the water and sewer area connection charges. The City of Orono does not have a unit breakdown for industrial uses and the regional authority made a determination of use as it compares to single family homes. Following their logic, it is appropriate to apply the same SAC unit determination when applying the water and sewer area connection fees. These fees will be collected with each building permit. The following fees are proposed to be required using the 2025 fee schedule for $4,370.00 water unit and $6,000.00 per sewer unit. (Total $10,370.00 per unit)
   i) Building 1:1 SAC Unit = $10,370.00
   ii) Building 2: 3 SAC Units = $ 31,110.00
   iii) Building 3: 4 SAC Units = $ 41,480.00
   iv) Building 4: 4 SAC Units = $ 41,480.00
   v) Building 5: 2 SAC Units = $ 20,740.00

   In total all 5 buildings will result in 14 SAC units and would require (14 x $10,370.00) $145,180.00 in fees for water and sewer area connection fees.

CITY OF ORONO

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C9. **Plans and Specifications.** The following plans and specifications shall be submitted for review and approval by the City and other appropriate jurisdictions before Final Plat approval, to ensure that the proposed plat will accomplish the intended purposes:

1. Final grading, drainage, and erosion control plan showing existing and proposed contours, anticipated building locations, elevations, stormwater facilities and calculations, utilities and erosion control measures to be used during construction.
2. Final Landscape Plan which shall include planting plans with tree calculations.
3. Final Stormwater Management Plan.
4. Final stormwater pollution prevention plan (SWPPP).
5. Sufficient detail to meet the recommendations of the City Engineer.

C10. Council approval is based on the entire record and the above Findings. Any amendments to the plans that are not in conformity with City codes may require further Planning Commission and City Council review. This approval does not limit the City from revising or amending these conditions as the review process continues.

C11. Authorities granted by this resolution run with the Property not with the Owners, but are permissive only and must be exercised by filing a Final Plat application within one year of the date of Council approval, or the preliminary plat approvals will expire on that date.

C12. **Conditional Use Permit Conditions:**

a. Approval of the CUP will be conditioned upon preliminary and final plat approval.
b. All permitting from MCWD and other agencies must be obtained prior to issuance of building permits.
c. Any changes to or intensification of the use may trigger additional council review and approval.
d. All City Staff comments must be addressed prior to placement on the City Council's agenda for final plat review.
e. The hours of operation for the site are set as 6am - 10pm 7-days a week.
f. The premises shall not be used or customized for residential living purposes or community gatherings or events. *Events* in this context means: outdoor activities on the property, such as promotional events, gatherings, demonstrations, displays or other activities which affect any easement or use right, obstruct driveways, access roads, or Common Elements.

FINAL SUBMITTALS:

The Developer shall complete all requirements for Final Plat Approval and all final submittals must be submitted to the Planning Department at least four (4) weeks before the regularly

scheduled Council meeting on the second and fourth Mondays of the month. These submittals are as follows:

C1. **Record Plat Drawings.** Record plat drawings in the form of two draft (2) copies (one copy for the City's records and one for filing with Hennepin County) and one (1) copy reduced to 1" = 200'. A digital copy is also required. Drawing to include:

a. Lot lines platted per preliminary plat survey/drawing by Civil Methods Inc., dated 12-28-2024 attached hereto as **Exhibit B**, except as modified herein.

b. Dedication of "Drainage and Utility Easements" 10' along exterior property lines, and over the stormwater pond, ditches, and facilities.

c. Dedication of "Ingress, Egress, Drainage and Utility Easement" over the Common Element space.

d. Name of the plat.

Record mylar drawing will be due at the time of recording for the CIC. Once the building are substantially completed the mylars will need to be signed and recorded before building final and occupancy of the building approved.

C2. **Financial Guarantee.**
The Development Agreement shall include a financial guarantee by the Developer to ensure the completion of site improvements. The Developer shall provide itemized construction estimates for all development improvements. The City Engineer shall review the estimate of improvement costs, including but not limited to storm sewers, landscaping, grading, erosion control, utilities, roads, and stormwater management facility construction, and the Developer shall provide a financial guarantee in an amount equal to 125% of the improvement costs to the City.

C3. **Legal documents required**:
a. Title commitment addressed to the City less than 90 days old. All owners, mortgage holders, or others with property interest indicated therein shall sign the plat and all other documents affected by such interest.

b. The Developer must provide certified copies of all recorded easements currently affecting the Property.

c. The City Engineer shall establish the amount to be provided in the Letter of Credit.

CITY OF ORONO

RESOLUTION OF THE CITY COUNCIL

NO. **7579**

d. Signed Developers Agreement and Letter of Credit (in the city's format) for construction of improvements.

C4. **Plat approval fees to be paid**: **Total due: $47,384.10**
   a. Stormwater and Drainage Trunk Fee: $47,384.10.

C5. **Staging:** Final platting will go to the City Council with a draft of the final plat mylars. The draft final plat must be approved by the City Council. Before building permits are issued, approval of the draft final plat, recording of the development agreement, and easement much be completed. Final mylars can be record once the building is substantially completed. Building final and Certificate of Occupancy will be held until the Final Plat for the applicable buildings are recorded with Hennepin County. The developers are proposing a constructing Buildings 1 and 2 in 2025. Separate Final Plat approval will be required when Building 3,4, and 5 are proposed to be constructed.

C6. Violation of or non-compliance with any of the terms and conditions of this resolution may result in the termination of any authority granted herein.

C7. According to City Code Section 82-116, this **Preliminary Plat approval shall be effective for one year, until April 28, 2026**. Failure to file a complete final plat application within this period shall be construed as a formal withdrawal of the proposed plat and the terms and conditions of this resolution shall be null and void. The applicant should anticipate the timing of the construction of their project and request any necessary extensions that may be needed.

ADOPTED by the Orono City Council on this 28th day of April, 2025.

ATTEST:

Christine Lusian, City Clerk

CITY OF ORONO:

Alisa Benson, Acting Mayor

Resolution 7579

Exhibit A

430 Old Crystal Bay Road

LEGAL DESCRIPTION

That part of Lot 1, Block 1, Crystal Bay Business Center, embraced within Lot 4, Block 1, Van Dale Addition, Hennepin County, Minnesota

Per Torrens Certificate No. 15 73287

Lot 1, Block 1, Crystal Bay Business Center, EXCEPT that part embraced within Lot 4, Block 1, Van Dale Addition, Hennepin County, Minnesota.

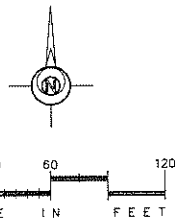
Abstract Property

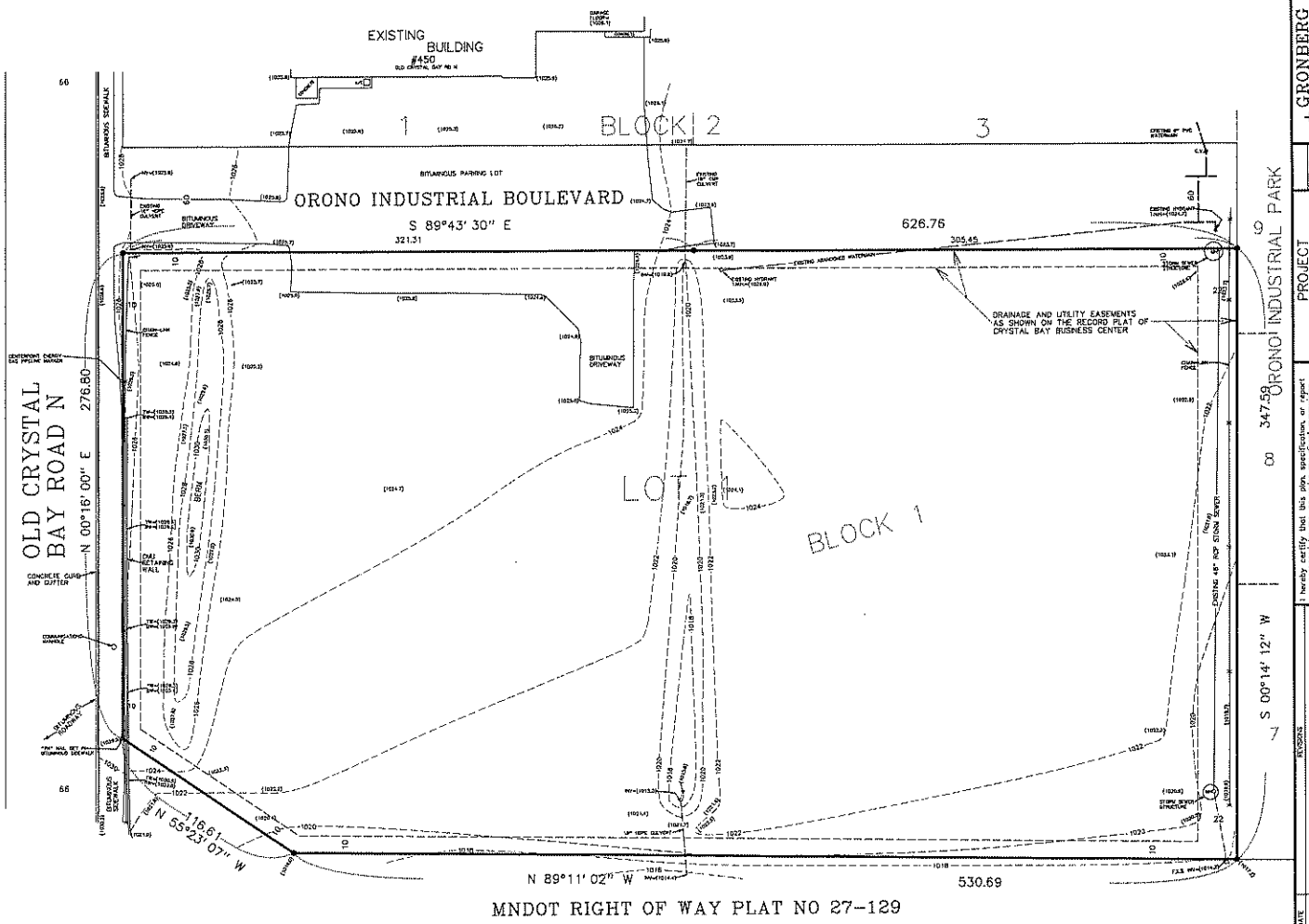
Resolution 7579
Exhibit B

ALTA/NSPS LAND TITLE SURVEY FOR

ROB PAGE, OLD CRYSTAL BAY, LLC, CHB TITLE, LLC & OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY

OF LOT 1, BLOCK 1, CRYSTAL BAY BUSINESS CENTER
HENNEPIN COUNTY, MINNESOTA





To Rob Page, Old Crystal Bay, LLC, a Minnesota limited liability company, CHB Title, LLC and Old Republic National Title Insurance Company :

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2021 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes items 1, 2, 3, 4, 5, 6(a), 7(a), 8, 11(b), 13, 16, and 17 of Table A thereof.

The fieldwork was completed on October 9, 2024.

Date of Plat or Map: October 15, 2024.

GRONBERG & ASSOCIATES, INC.

Mark S. Gronberg Reg. No. 12755 Date: 10-15-24
Licensed Land Surveyor

LEGAL DESCRIPTION :

That part of Lot 1, Block 1, Crystal Bay Business Center, embraced within Lot 4, Block 1, Van Dale Addition, Hennepin County, Minnesota
Per Torrens Certificate No. 1573287

Lot 1, Block 1, Crystal Bay Business Center, EXCEPT that part embraced within Lot 4, Block 1, Van Dale Addition, Hennepin County, Minnesota.
Abstract Property

- ● : denotes iron marker found
- (908.3) : denotes existing spot elevation, mean sea level datum
- --917-- : denotes existing contour line per ground survey

NOTES :

1. Easements shown are those listed in CHB TITLE, LLC Title Commitment No. 62337 dated September 15, 2024.
2. Property address=430 Old Crystal Bay Road N, Orono, MN 55356.
3. This property is not shown in a flood zone per FEMA map No. 27053C0301F dated 11-04-16.
4. Gross land area = 212,908 Sq. ft.
5. Contour information is from a ground survey.
6. No zoning letter has been received for Table A, item 6(a).
7. No buildings exist on the property.
8. For Table A, item 11(b), a private utility locating company (ZoneOne Locating) was hired to search this property and found no evidence of private utilities on the property.
9. For Table A, item 16, there is no visible evidence of recent earth moving work or building construction.
10. For Table A, item 17, there is no known evidence of recent street or sidewalk construction or repairs.

GRONBERG & ASSOCIATES, INC.
CIVIL ENGINEERS, LAND SURVEYORS, LAND PLANNERS
445 NORTH WILLOW DRIVE LONG LAKE, MN 55356
952-473-4141

10-15-24 — 24-242

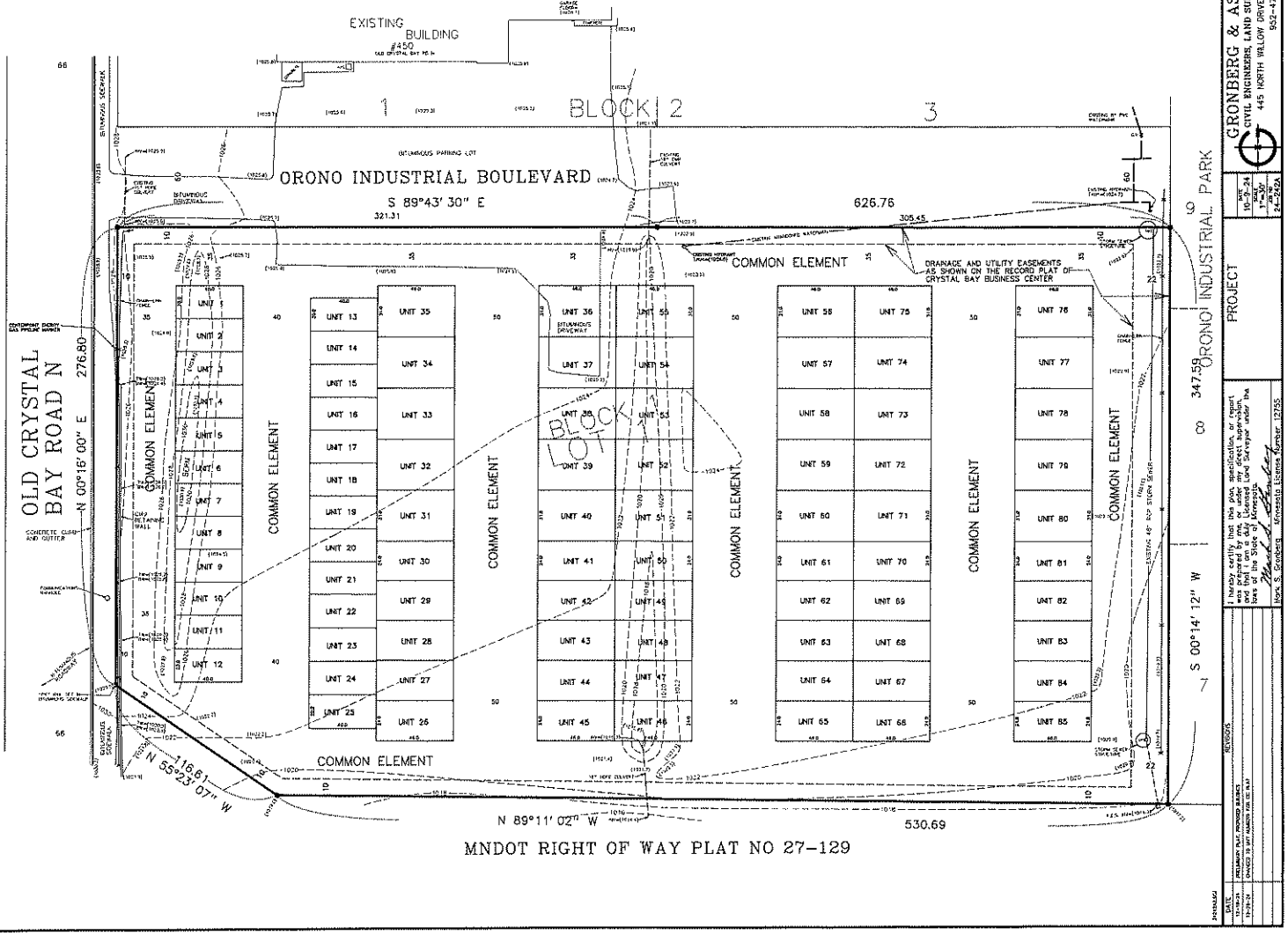
PROJECT

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.
Mark S. Gronberg Minnesota License Number 12755

DATE

24-242

PRELIMINARY CIC (CONDOMINIUM) PLAT FOR
ROB PAGE
OF LOT 1, BLOCK 1, CRYSTAL BAY BUSINESS CENTER
HENNEPIN COUNTY, MINNESOTA



0 30 60 120
SCALE IN FEET

LEGAL DESCRIPTION :

That part of Lot 1, Block 1, Crystal Bay Business Center, embraced within Lot 4, Block 1, Van Dale Addition, Hennepin County, Minnesota
Per Torrens Certificate No. 1573287

Lot 1, Block 1, Crystal Bay Business Center, EXCEPT that part embraced within Lot 4, Block 1, Van Dale Addition, Hennepin County, Minnesota.
Abstract Property

● : denotes iron marker found

(908.3) : denotes existing spot elevation, mean sea level datum

--917.-- : denotes existing contour line per ground survey

Bearings shown are based upon an assumed datum.

This survey intends to show the boundaries of the above described property, spot elevations and topography, and the proposed location of five proposed buildings thereon. It does not purport to show any other improvements or encroachments.

NOTES :

1. Easements shown are those listed in CHB TITLE, LLC Title Commitment No. 62337 dated September 15, 2024.
2. Property address=430 Old Crystal Bay Road N, Orono, MN 55356.
3. This property is not shown in a flood zone per FEMA map No. 27053C0301F dated 11-04-16.
4. Gross land area = 212,908± Sq. ft.

GRONBERG & ASSOCIATES, INC.
CIVIL ENGINEERS, LAND SURVEYORS, LAND PLANNERS
445 NORTH WILLOW DRIVE LONG LAKE, MN 55356
952-473-4141

DATE 10-24
PROJECT
JOB NO 24-242A

REVISIONS
DATE
1-24-25 REVISED PER PLANNING COMMENTS

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.
Mark S. Gronberg
Mark S. Gronberg Minnesota License Number 12755

24-242A

CAUTION: IF THIS SHEET IS NOT 24"X36" IT IS A REDUCED PRINT

ORONO GARAGE CONDOS
ORONO, MN

SITE PLAN

LOT 1, BLOCK 1, CRYSTAL BAY BUSINESS CENTER
HENNEPIN COUNTY, STATE OF MINNESOTA



CONTACT LIST

OWNER
ORONO GARAGE CONDOS
5840 CLUB VALLEY ROAD
SHOREWOOD, MN 55331
(952) 200-6384
CONTACT: DAVE RAMSEY, ROB PAGE

CIVIL ENGINEER
HAGSTROM ENGINEERING
219 5TH AVENUE E
ALEXANDRIA, MN 56308
320-759-0764
CONTACT: MATT HAGSTROM

SHEET INDEX

C1.0	COVER SHEET
C2.0	EXISTING SITE AND DEMO PLAN
C3.0	PROPOSED SITE PLAN
C3.1	PROPOSED UTILITY PLAN
C3.2	SANITARY SEWER PLAN AND PROFILE
C3.3	STORM SEWER PLAN AND PROFILE
C4.0	PROPOSED GRADING & EROSION
C4.1-C4.4	DETAILED GRADING PLAN
C4.5	DETAILED POND PLAN
C5.0 - C5.2	CONSTRUCTION DETAILS

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

SIGNATURE: _____ TYPED OR PRINTED NAME: MATTHEW R. HAGSTROM

DATE: 03/03/2025 LICENSE NUMBER: 50731

HAGSTROM ENGINEERING
219 5TH AVENUE EAST
ALEXANDRIA, MN 56308
P.320.759.0764
WWW.HAGSTROMENG.COM

BENCHMARK:
EXISTING FIRE HYDRANT LOCATED AT THE MID POINT OF NORTH PROPERTY LINE. TOP NUT OF HYDRANT =1026.02

CALL GOPHER STATE ONE CALL
811

No.	Description of Revisions	Date	By

Designed By: LEH
Checked By: MRH

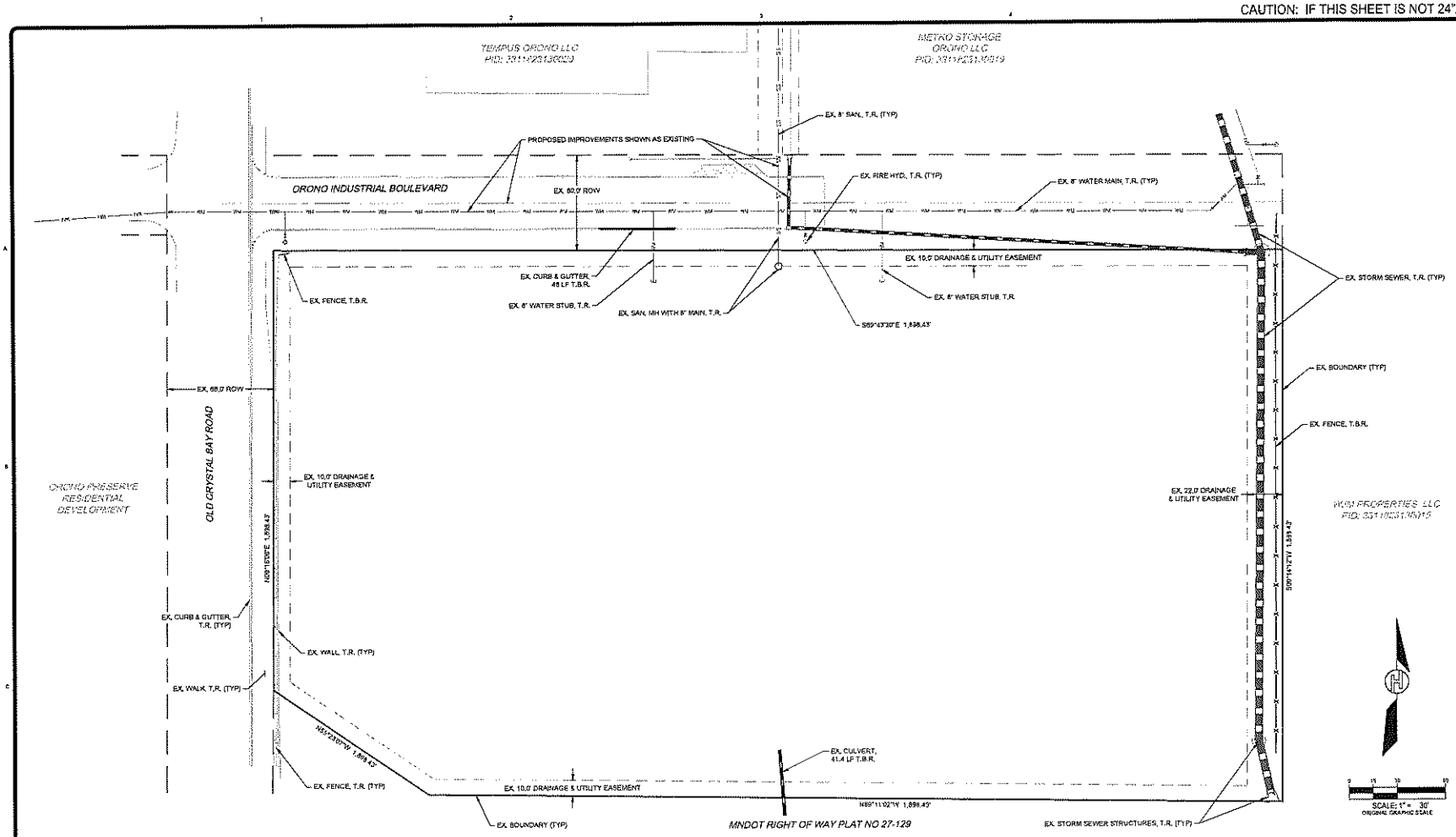
ORONO GARAGE CONDOS
SITE PLAN
COVER SHEET

Date: 03/03/2025
Job No.: 24015

C1.0

Sheet C1.0 of C5.0

CAUTION: IF THIS SHEET IS NOT 24"X36" IT IS A REDUCED PRINT



LEGEND

- EXISTING PROPERTY BOUNDARY
- EXISTING RIGHT OF WAY
- EXISTING LOT
- EXISTING EASEMENT
- EXISTING STORM SEWER W/ MANHOLE
- EXISTING SANITARY SEWER W/ MANHOLE
- EXISTING WATER MAIN W/ VALVE & HYDRANT
- EXISTING ELECTRIC
- EXISTING ELECTRICAL PEDESTAL
- EXISTING GAS
- EXISTING TELEPHONE
- EXISTING CONCRETE
- EXISTING ASPHALT
- EXISTING FENCE
- EXISTING CURB & GUTTER
- DEMO CULVERT
- DEMO FENCE
- DEMO CURB & GUTTER
- EX. EXISTING
- (TYP) TYPICAL
- T.R. TO REMAIN
- T.B.R. TO BE REMOVED

NOTES:

1. CONTRACTOR SHALL FIELD VERIFY SIZE AND LOCATION OF ALL EXISTING UTILITIES PRIOR TO CONSTRUCTION AND NOTIFY THE ENGINEER WITH ANY DISCREPANCIES.
2. CONTRACTOR IS RESPONSIBLE FOR PROVIDING ALL NECESSARY CONSTRUCTION STAKING.
3. INSTALL PERIMETER BMPS PRIOR TO ANY CONSTRUCTION, SEE SHEET C4.0.
4. ALL TREES AND TREE ROOT ZONES OUTSIDE OF THE LIMITS OF CONSTRUCTION SHALL NOT BE DISTURBED.
5. SEE SHEET C5.0 - C5.2 FOR CONSTRUCTION DETAILS.

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CIVIL ENGINEERS & LAND CONSULTANTS
219 6TH AVENUE EAST
ALEXANDRIA, MN 56308
P.320.759.0764
WWW.HAGSTROMENG.COM

BENCHMARK:
EXISTING FIRE HYDRANT LOCATED AT THE MID POINT OF NORTH PROPERTY LINE, TOP NUT OF HYDRANT =1026.02

CALL GOPHER STATE ONE CALL
811
CALL 2 BUSINESS DAYS IN ADVANCE BEFORE YOU DIG, GRADE OR EXCAVATE FOR THE MARKING OF UNDERGROUND UTILITIES
(TYP/TEL)

No.	Description of Revisions	Date	By

Designed By: LEH
Checked By: MRH

ORONO GARAGE CONDOS SITE PLAN

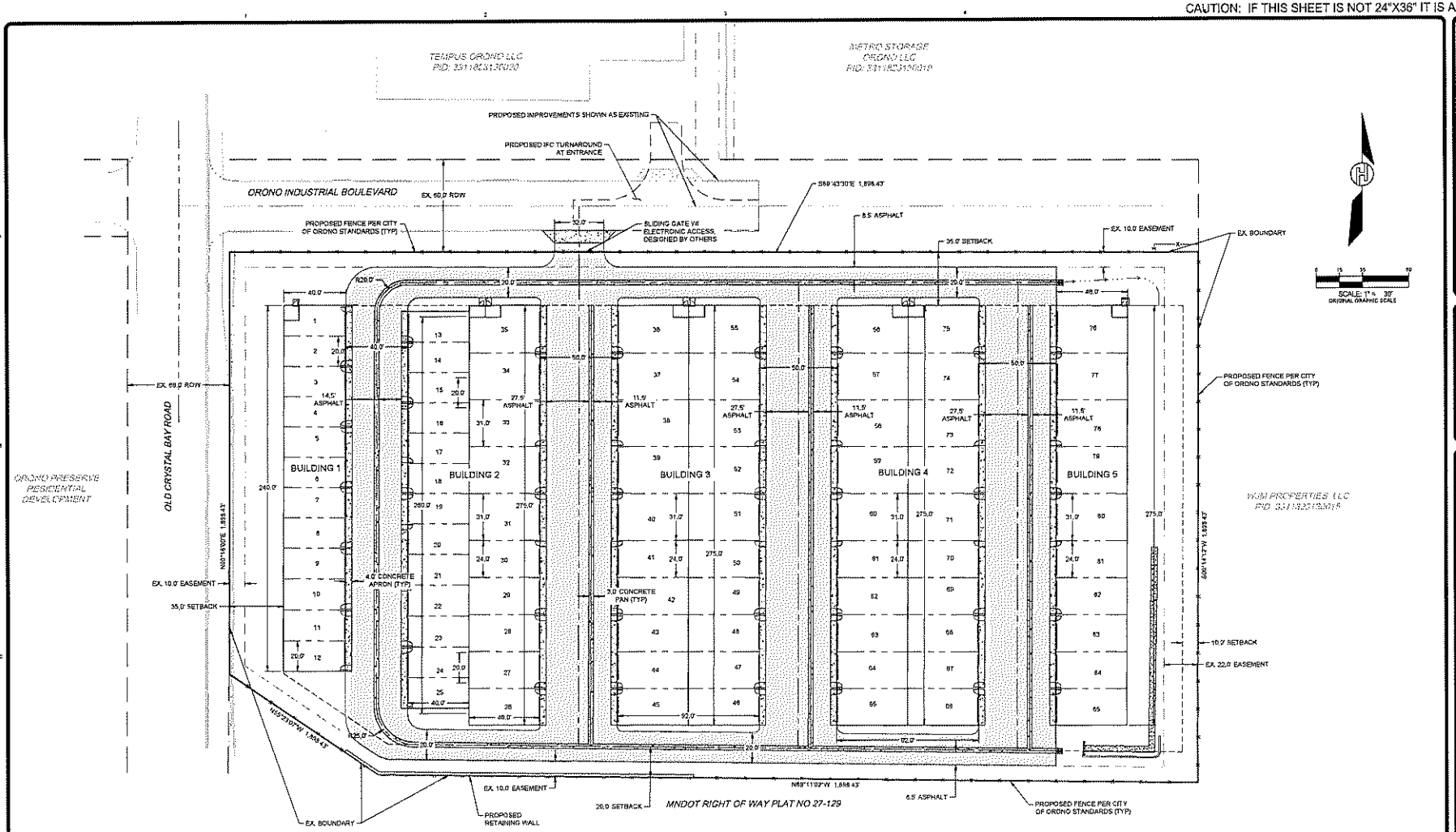
EXISTING SITE AND DEMO PLAN

Date 03/03/2025
Job No.: 24015

C2.0

Sheet C2.0 of C5.0

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LEGEND

- EXISTING PROPERTY BOUNDARY
- EXISTING RIGHT OF WAY
- EXISTING EASEMENT
- PROPOSED CONCRETE
- EXISTING ASPHALT
- PROPOSED ASPHALT
- PROPOSED FENCE
- EXISTING FENCE
- EXISTING CURB & GUTTER
- EX. EXISTING
- (TYP) TYPICAL

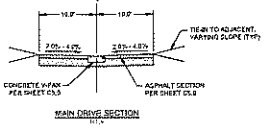
NOTES:

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3. INSTALL PERIMETER BMP'S PRIOR TO ANY CONSTRUCTION, SEE SHEET C4.0.
4. ALL TREES AND TREE ROOT ZONES OUTSIDE OF THE LIMITS OF CONSTRUCTION SHALL NOT BE DISTURBED.
5. SEE SHEETS L1.0 - L1.1 FOR DETAILED LANDSCAPE PLANS.
6. SEE SHEETS C5.0 - C5.2 FOR CONSTRUCTION DETAILS.

LAND USE SUMMARY

	(AREA IN ACRES)			
	TOTAL SITE AREA	BUILDING AREA	DRIVE AISLE	LANDSCAPE
	4.886	2.202	1.468	1.217
% OF SITE	100%	45%	30%	25%

BUILDING	AREA (SF)
1	9,600.00
2	23,350.00
3	25,300.00
4	25,350.00
5	12,650.00
SUM	95,900.00
ACRES	2.202



MAIN DRIVE SECTION

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

SIGNATURE: _____ TYPED OR PRINTED NAME: MATTHEW R. HAGSTROM

DATE: 03/03/2025 LICENSE NUMBER: 50731

HAGSTROM ENGINEERING
CIVIL ENGINEERS | LAND SURVEYORS
219 6TH AVENUE EAST
ALEXANDRIA, MN 56308
P.320.759.0764
WWW.HAGSTROMENG.COM

BENCHMARK:
EXISTING FIRE HYDRANT LOCATED AT THE MID POINT OF NORTH PROPERTY LINE. TOP NUT OF HYDRANT =1026.02

CALL GOPHER STATE ONE CALL 811
CALL 2 BUSINESS DAYS BEFORE YOU DIG, GRADE OR EXCAVATE FOR THE MARKING OF UNDERGROUND FIBER LINES.

No.	Description of Revision	Date	By

Designed By: LEH
Checked By: MRH

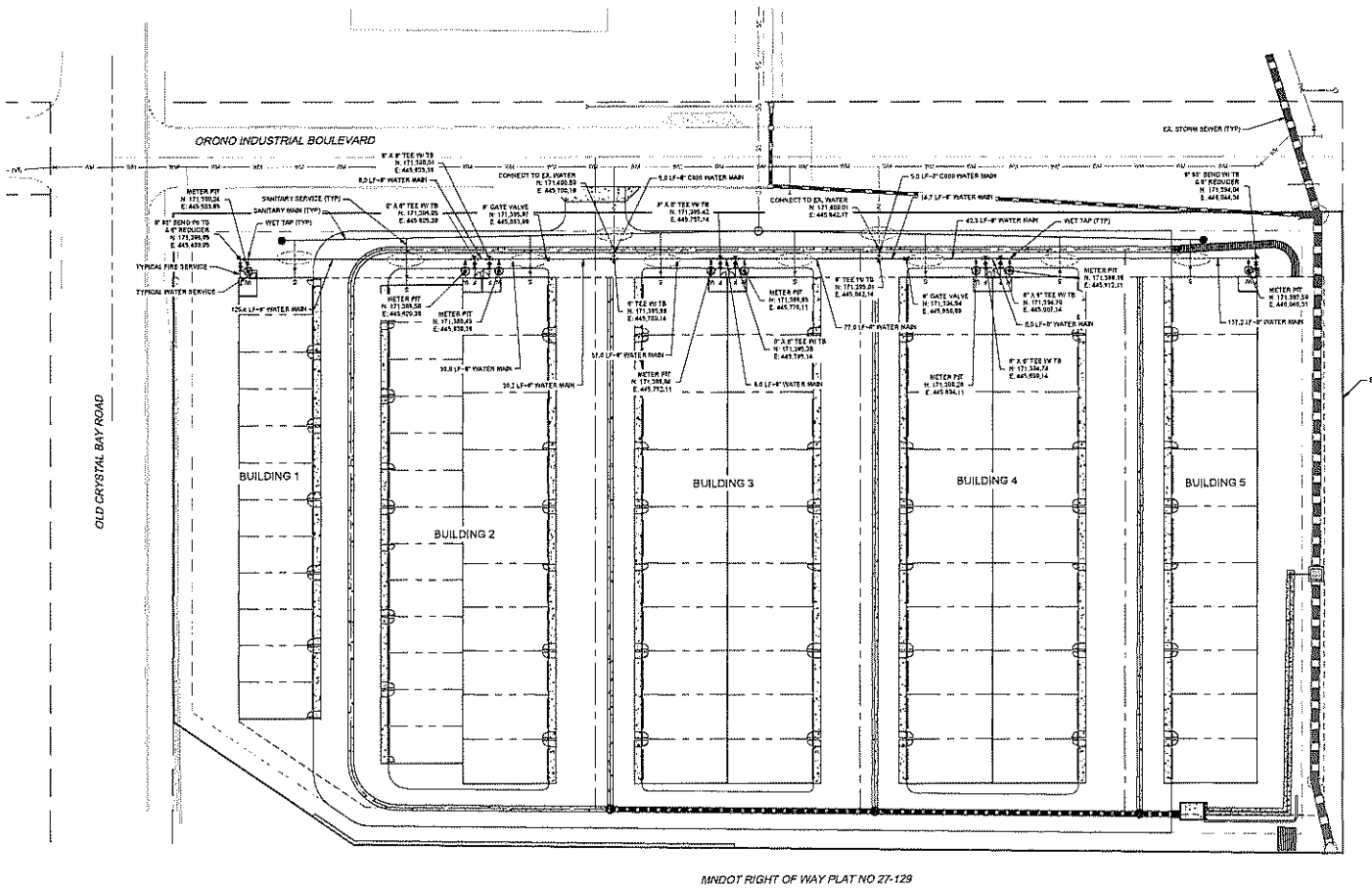
ORONO GARAGE CONDOS
SITE PLAN
PROPOSED SITE PLAN

Date: 03/03/2025
Job No.: 24015

C3.0

Sheet C3.0 of C5.0

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MNDOT RIGHT OF WAY PLAT NO 27-129

LEGEND

- EXISTING STORM SEWER, MANHOLE, F.E.S. AND INLET
- PROPOSED STORM SEWER, MANHOLE, F.E.S. AND INLET
- EXISTING ROW
- PROPOSED ROW
- EXISTING LOT LINE
- PROPOSED LOT LINE
- PROPERTY BOUNDARY
- PROPERTY SETBACK
- EXISTING EASEMENT
- PROPOSED EASEMENT
- PROPOSED SANITARY SEWER W/ MH
- EXISTING SANITARY SEWER W/ MH
- PROPOSED UNDERDRAIN AND CLEANOUT
- PROPOSED WATER LINE, VALVE AND FIRE HYDRANT
- EXISTING WATER LINE AND VALVE
- PROPOSED WATER SERVICE W/ METER
- PROPOSED SANITARY SERVICE
- EXISTING GAS LINE
- EXISTING OVERHEAD ELECTRIC
- EXISTING ELECTRIC
- EXISTING CABLE TV
- EXISTING FIBER OPTIC
- EXISTING TELEPHONE
- TYP TYPICAL
- CAUTION! UTILITY CROSSING LOWERING MAY BE REQUIRED
- EXISTING LIGHT POLE
- PROPOSED LIGHT POLE

NOTES:

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2. CONTRACTOR IS RESPONSIBLE FOR PROVIDING ALL NECESSARY CONSTRUCTION STAKING.
3. INSTALL PERIMETER BMP'S PRIOR TO ANY CONSTRUCTION, SEE SHEET C4.0.
4. ALL TREES AND TREE ROOT ZONES OUTSIDE OF THE LIMITS OF CONSTRUCTION SHALL NOT BE DISTURBED.
5. ALL UTILITIES WITHIN PROPERTY BOUNDARIES ARE PRIVATE.
6. ALL WATER SERVICES ARE 10 LF, XX" DIAMETER UNLESS OTHERWISE NOTED.
7. ALL FIRE SERVICES ARE 10 LF, 8" DIAMETER W/ GATE VALVE UNLESS OTHERWISE NOTED.
8. ALL WATER MAINS ARE 8" DIAMETER, MAINTAIN POSITIVE GRADE, 8' MIN. COVER.
9. ALL WATER MAINS AND SERVICES SHALL MEET AWWA C900 QUALITY STANDARD.
10. AN ACCESSIBLE BLUE 14 AWG MINIMUM TRACER WIRE SUITABLE FOR DIRECT BURY MUST BE USED
11. SEE SHEET C5.0 - C5.2 FOR CONSTRUCTION DETAILS.

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

SIGNATURE: _____ TYPED OR PRINTED NAME: MATTHEW R. HAGSTROM

DATE: 03/03/2025 LICENSE NUMBER: 50731

HAGSTROM ENGINEERING
CIVIL ENGINEERS | LAND DEVELOPMENT
219 6TH AVENUE EAST
ALEXANDRIA, MN 56308
P.320.759.0764
WWW.HAGSTROMENG.COM

BENCHMARK:
EXISTING FIRE HYDRANT LOCATED AT THE NRD POINT OF NORTH PROPERTY LINE, TOP NUT OF HYDRANT =1026.07

CALL GOPHER STATE ONE CALL
811
CALL 2 BUSINESS DAYS IN ADVANCE BEFORE YOU DIG, GRADE OR EXCAVATE FOR THE MARKING OF UNDERGROUND MEMBER UTILITIES

No.	Description of Revisions	Designed By: MRH	Checked By: MRH	Date	By

ORONO GARAGE CONDOS SITE PLAN

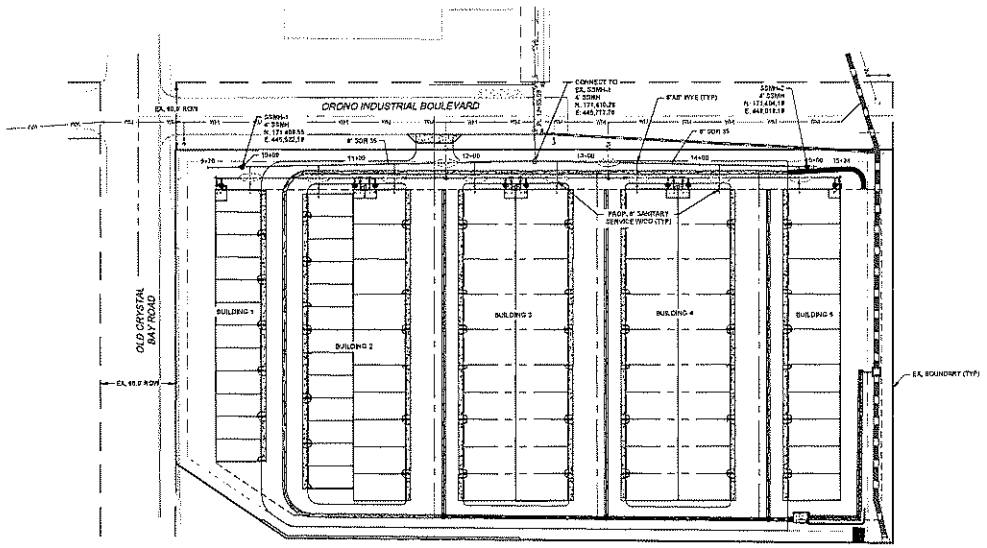
PROPOSED UTILITY PLAN

Date: 03/03/2025
Job No.: 24015

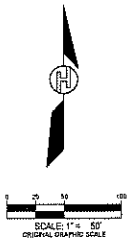
C3.1

Sheet C3.1 of C5.0

CAUTION: IF THIS SHEET IS NOT 24"X36" IT IS A REDUCED PRINT



MNDOT RIGHT OF WAY PLAT NO 27-129

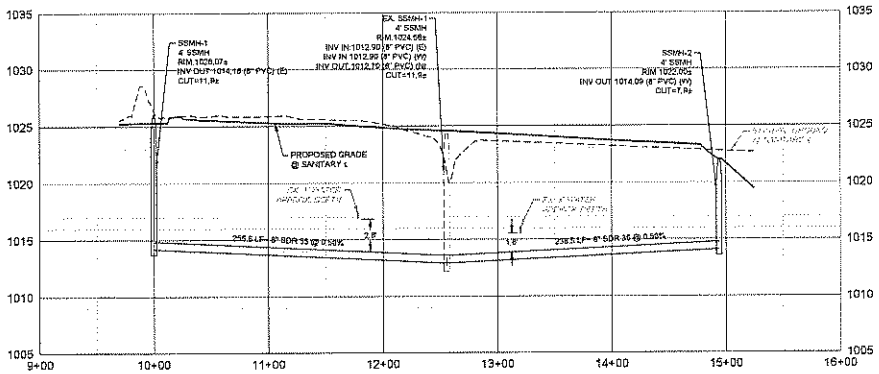


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2. CONTRACTOR IS RESPONSIBLE FOR PROVIDING ALL NECESSARY CONSTRUCTION STAKING.
3. INSTALL PERIMETER BMPS PRIOR TO ANY CONSTRUCTION. SEE SHEET C4.0.
4. ALL TREES AND TREE ROOT ZONES OUTSIDE OF THE LIMITS OF CONSTRUCTION SHALL NOT BE DISTURBED.
5. ALL SANITARY SEWER SERVICES ARE 4" DIAMETER WITH 2% SLOPE AND A STANDARD 1/4 WYE CONNECTION TO THE 8" PRIVATE MAIN UNLESS OTHERWISE NOTED.
6. ALL SANITARY MAIN LINES SHALL MEET ASTM D1785 QUALITY STANDARD.
7. SOLVENT WELDED JOINTS MUST USE ASTM F656 PURPLE PRIMER AND ASTM D2564 CEMENT.
8. SEWER MUST BE INSTALLED BY OPEN-TRENCH ON A CONTINUOUS GRANULAR BED.
9. SEE SHEET C5.0 - C5.2 FOR CONSTRUCTION DETAILS.

LEGEND

- EXISTING STORM SEWER, MANHOLE, F.E.S, AND INLET
- PROPOSED STORM SEWER, MANHOLE, F.E.S, AND INLET
- EXISTING ROW
- PROPOSED ROW
- EXISTING LOT LINE
- PROPOSED LOT LINE
- PROPERTY BOUNDARY
- PROPERTY SETBACK
- EXISTING EASEMENT
- PROPOSED EASEMENT
- PROPOSED SANITARY SEWER W/ MH
- EXISTING SANITARY SEWER W/ MH
- PROPOSED UNDERDRAIN AND CLEANOUT
- PROPOSED WATER LINE, VALVE AND FIRE HYDRANT
- EXISTING WATER LINE AND VALVE
- PROPOSED WATER SERVICE W/ METER
- PROPOSED SANITARY SERVICE
- EXISTING GAS LINE
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- EXISTING ELECTRIC
- EXISTING CABLE TV
- EXISTING FIBER OPTIC
- EXISTING TELEPHONE
- EXISTING IRRIGATION
- CAUTION! UTILITY CROSSING LOWERING MAY BE REQUIRED
- EXISTING LIGHT POLE
- PROPOSED LIGHT POLE



ALIGNMENT NAME: Sanitary 1 PROFILE
HORIZONTAL SCALE: 50.00
VERTICAL SCALE: 5.00
GRAPH VERTICAL EXAGGERATION: 10.00
STATION RANGE: 9+00 - 16+00
PROFILE VIEW ELEVATION RANGE: 1005.00 - 1035.00

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

SIGNATURE: Matthew R. Hagstrom TYPED OR PRINTED NAME: MATTHEW R. HAGSTROM

DATE: 03/03/2025 LICENSE NUMBER: 50731

HAGSTROM ENGINEERING
CIVIL ENGINEERS | LAND CONSULTANTS
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WWW.HAGSTROMENG.COM

BENCHMARK
EXISTING FIRE HYDRANT LOCATED AT THE NW POINT OF NORTH PROPERTY LINE, TOP NUT OF HYDRANT =1029.02

CALL GOPHER STATE ONE CALL
811
TWO BUSINESS DAYS IN ADVANCE BEFORE YOU DIG, GRADE OR EXCAVATE FOR THE MARKING OF UNDERGROUND NATURAL GAS, ELECTRIC, TELEPHONE, CABLE TV, TRAFFIC SIGNAL AND PIPELINE FACILITIES

No.	Description of Revisions	Designed By: MH	Drawn By: NRH	Checked By: MH	Date	By

ORONO GARAGE CONDOS
SITE PLAN

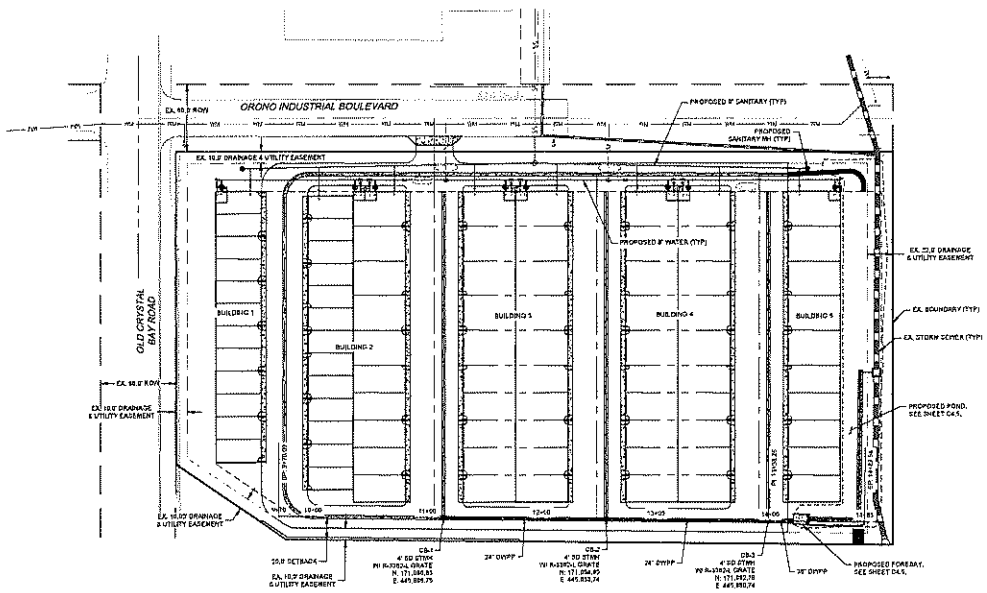
SANITARY SEWER PLAN AND PROFILE

Date: 03/03/2025
Job No.: 24015

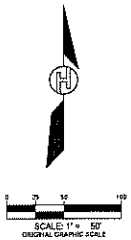
C3.2

Sheet C3.2 of C5.2

CAUTION: IF THIS SHEET IS NOT 24"X36" IT IS A REDUCED PRINT



MNDOT RIGHT OF WAY PLAT NO 27-129

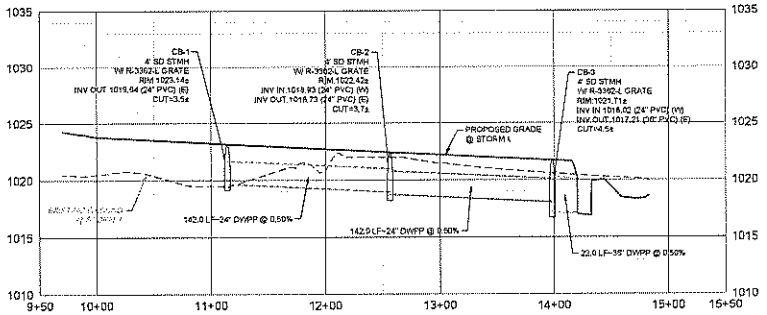


NOTES:

1. CONTRACTOR SHALL FIELD VERIFY SIZE AND LOCATION OF ALL EXISTING UTILITIES PRIOR TO CONSTRUCTION AND NOTIFY THE ENGINEER WITH ANY DISCREPANCIES.
2. CONTRACTOR IS RESPONSIBLE FOR PROVIDING ALL NECESSARY CONSTRUCTION STAKING.
3. INSTALL PERIMETER BMP'S PRIOR TO ANY CONSTRUCTION, SEE SHEET C4.0.
4. ALL TREES AND TREE ROOT ZONES OUTSIDE OF THE LIMITS OF CONSTRUCTION SHALL NOT BE DISTURBED.
5. ALL STORM SEWER SHALL BE PRIVATE ADS DUAL WALL HIGH PERFORMANCE POLYPROPYLENE PIPE.
6. ALL CATCH BASINS SHALL BE PRIVATE 48" SHALLOW DEPTH W/ R-3382 VALLEY GRATE.
7. STORM SEWER MUST BE INSTALLED BY OPEN-TRENCH ON A CONTINUOUS GRANULAR BED.
8. SEE SHEET C5.0 - C5.2 FOR CONSTRUCTION DETAILS.

LEGEND

- EXISTING STORM SEWER, MANHOLE, F.E.S. AND INLET
- PROPOSED STORM SEWER, MANHOLE, F.E.S. AND INLET
- EXISTING ROW
- PROPOSED ROW
- EXISTING LOT LINE
- PROPOSED LOT LINE
- PROPERTY BOUNDARY
- PROPERTY SETBACK
- EXISTING EASEMENT
- PROPOSED EASEMENT
- PROPOSED SANITARY SEWER W/ MH
- EXISTING SANITARY SEWER W/ MH
- PROPOSED UNDERDRAIN AND CLEANOUT
- PROPOSED WATER LINE, VALVE AND FIRE HYDRANT
- EXISTING WATER LINE AND VALVE
- PROPOSED WATER SERVICE W/ METER
- PROPOSED SANITARY SERVICE
- EXISTING GAS LINE
- EXISTING OVERHEAD ELECTRIC
- EXISTING ELECTRIC
- EXISTING CABLE TV
- EXISTING FIBER OPTIC
- EXISTING TELEPHONE
- TYP TYPICAL
- CAUTION! UTILITY CROSSING LOWERING MAY BE REQUIRED
- EXISTING LIGHT POLE
- PROPOSED LIGHT POLE



ALIGNMENT NAME: Storm 1 PROFILE
HORIZONTAL SCALE: 50.00
VERTICAL SCALE: 5.00
GRAPH VERTICAL EXAGGERATION: 10.00
STATION RANGE: 9+50 - 15+50
PROFILE VIEW ELEVATION RANGE: 1010.00 - 1035.00

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

SIGNATURE: Matthew R. Hagstrom TYPED OR PRINTED NAME: MATTHEW R. HAGSTROM

DATE: 03/03/2025 LICENSE NUMBER: 50731

HAGSTROM ENGINEERING
CIVIL ENGINEERING | LAND CONSULTANTS
219 8TH AVENUE EAST
ALEXANDRIA, MN 56308
P.320.759.0764
WWW.HAGSTROMENG.COM

BENCHMARK:
EXISTING FIRE HYDRANT LOCATED AT THE MID POINT OF NORTH PROPERTY LINE, TOP NUT OF HYDRANT =1026.92

CALL GOPHER STATE ONE CALL 811
CALL 2 BUSINESS DAYS IN ADVANCE BEFORE YOU DIG, GRADE, OR EXCAVATE FOR THE MARKING OF UNDERGROUND UTILITY LINES.

No.	Description of Revisions	Designed By: MRH	Checked By: MRH	Date	By

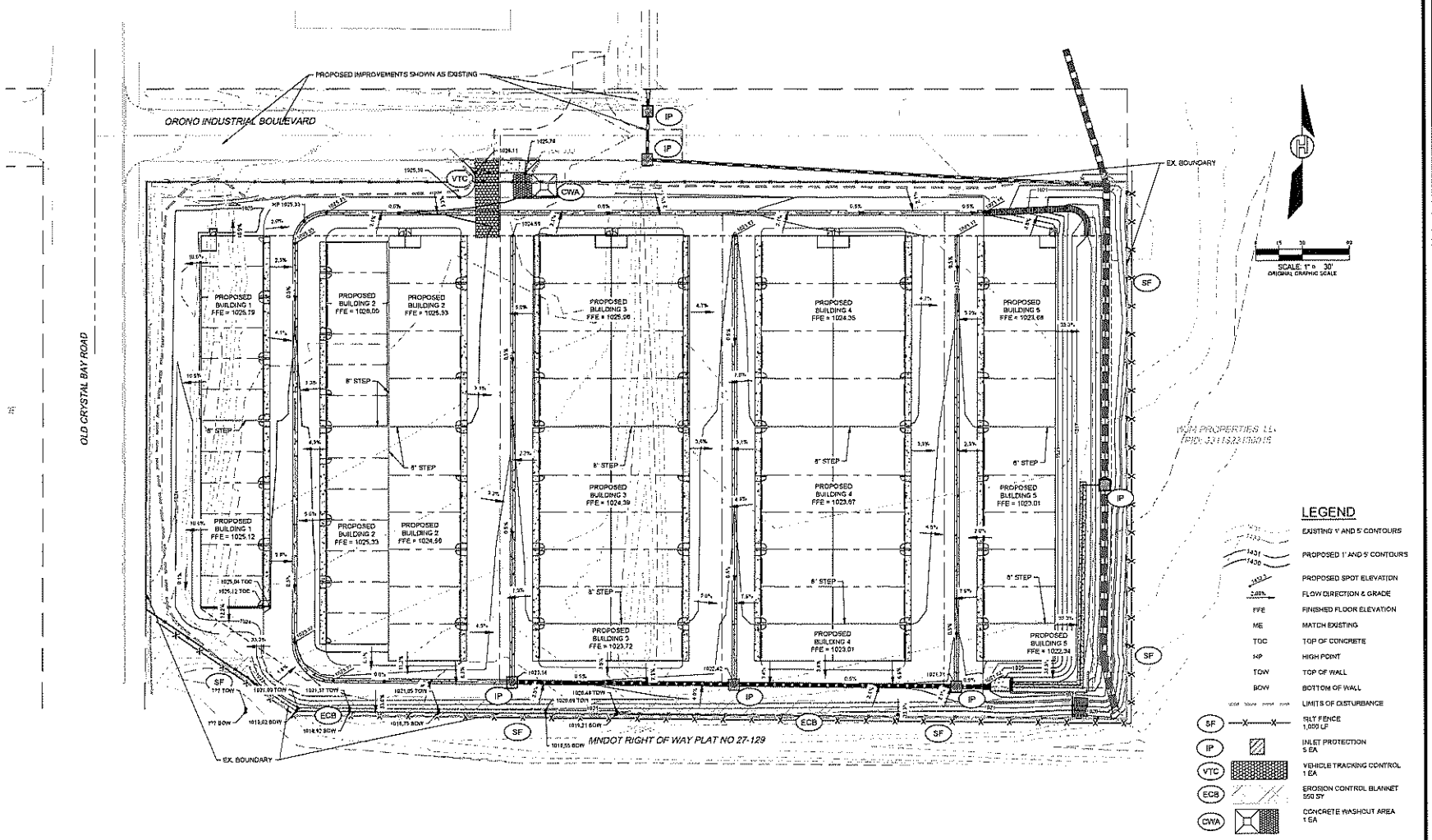
ORONO GARAGE CONDOS
SITE PLAN
STORM SEWER PLAN AND PROFILE

Date: 03/03/2025
Job No.: 24015

C3.3

Sheet C3.3 of C5.2

CAUTION: IF THIS SHEET IS NOT 24"X36" IT IS A REDUCED PRINT



LEGEND

	EXISTING 1' AND 5' CONTOURS
	PROPOSED 1' AND 5' CONTOURS
	PROPOSED SPOT ELEVATION
	FLOW DIRECTION & GRADE
FFE	FINISHED FLOOR ELEVATION
ME	MATCH EXISTING
TOC	TOP OF CONCRETE
HP	HIGH POINT
TOW	TOP OF WALL
BOW	BOTTOM OF WALL
	LIMITS OF DISTURBANCE
SF	SILT FENCE 1,000 LF
IP	INLET PROTECTION 5 EA
VTC	VEHICLE TRACKING CONTROL 1 EA
ECB	EROSION CONTROL BLANKET 550 SY
CWA	CONCRETE WASHOUT AREA 1 EA

GRADING NOTES:

1. CONTRACTOR SHALL FIELD VERIFY SIZE AND LOCATION OF ALL EXISTING UTILITIES PRIOR TO CONSTRUCTION AND NOTIFY THE ENGINEER WITH ANY DISCREPANCIES.
2. CONTRACTOR IS RESPONSIBLE FOR PROVIDING ALL NECESSARY CONSTRUCTION STAKING.
3. ALL ELEVATIONS ARE FLOWLINE UNLESS OTHERWISE NOTED
4. INSTALL PERIMETER BMP'S PRIOR TO ANY CONSTRUCTION.
5. ALL TREES AND TREE ROOT ZONES OUTSIDE OF THE LIMITS OF CONSTRUCTION SHALL NOT BE DISTURBED.
6. SEE SHEET C5.0 FOR CONSTRUCTION DETAILS.

EROSION CONTROL NOTES:

1. INSTALL PERIMETER BMP'S PRIOR TO ANY CONSTRUCTION.
2. SEE SHEET C5.0 FOR BMP DETAILS AND BMP MAINTENANCE NOTES.
3. THE CONTRACTOR SHALL PERFORM STREET SWEEPING AT THE END OF EACH WORK DAY TO MITIGATE ANY SOIL ON PERIMETER STREETS.
4. THE CONTRACTOR SHALL INSPECT THE BMP'S WEEKLY OR AFTER ANY SIGNIFICANT RAIN EVENT AND REPAIR BMP'S AS REQUIRED.
5. STOCKPILE AND STAGING LOCATION TO BE APPROVED BY ENGINEER.
6. ALL DISTURBED AREAS THAT ARE NOT HARDSCAPED SHALL RECEIVE PERMANENT STABILIZATION PER LANDSCAPE PLAN.
7. SEE SWPPP DOCUMENT BY HAGSTROM ENGINEERING FOR SEEDING, INSPECTION, AND MAINTENANCE REQUIREMENTS. .

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

SIGNATURE: _____ TYPED OR PRINTED NAME: MATTHEW R. HAGSTROM

DATE 03/03/2025 LICENSE NUMBER: 50131

HAGSTROM ENGINEERING
CIVIL ENGINEERS | LAND CONSULTANTS
219 8TH AVENUE EAST
ALEXANDRIA, MN 56308
P.320.759.0784
WWW.HAGSTROMENG.COM

BENCHMARK:
EXISTING FIRE HYDRANT LOCATED AT THE MID POINT OF NORTH PROPERTY LINE, TOP NUT OF HYDRANT =1026.02

CALL GOPHER STATE ONE CALL 811
CALL 2 BUSINESS DAYS IN ADVANCE BEFORE YOU DIG, GRADE OR EXCAVATE FOR THE MARKING OF UNDERGROUND FACILITY UTILITIES.

No.	Description of Revisions	Date	By

Designed By: LEH
Checked By: MRH

ORONO GARAGE CONDOS SITE PLAN

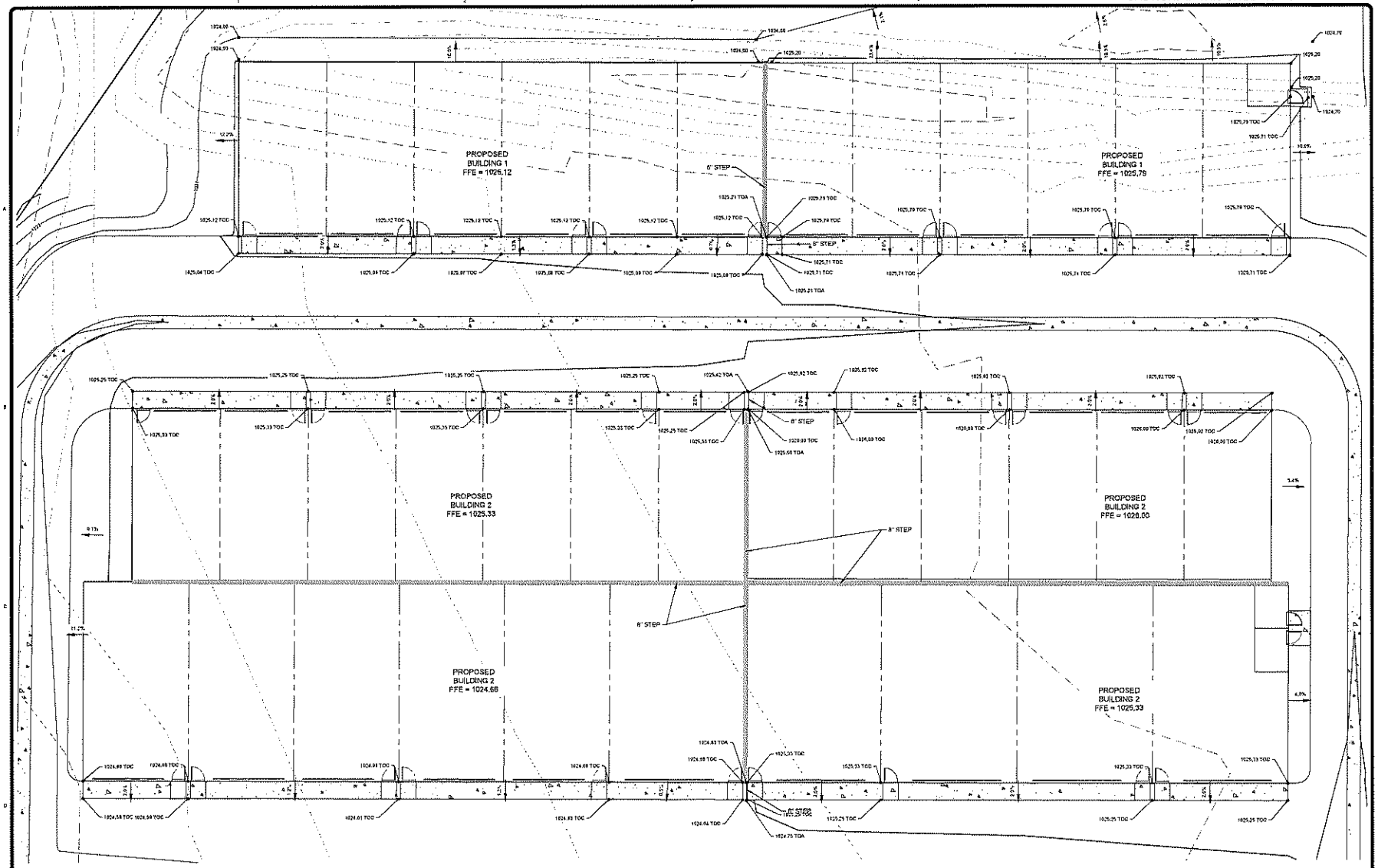
PROPOSED GRADING & EROSION CONTROL PLAN

Date: 03/03/2025
Job No.: 24015

C4.0

Sheet C4.0 of C5.0

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GRADING NOTES:

1. CONTRACTOR SHALL FIELD VERIFY SIZE AND LOCATION OF ALL EXISTING UTILITIES PRIOR TO CONSTRUCTION AND NOTIFY THE ENGINEER WITH ANY DISCREPANCIES.
2. CONTRACTOR IS RESPONSIBLE FOR PROVIDING ALL NECESSARY CONSTRUCTION STAKING.
3. ALL ELEVATIONS ARE FLOWLINE UNLESS OTHERWISE NOTED
4. INSTALL PERIMETER BMP'S PRIOR TO ANY CONSTRUCTION.
5. ALL TREES AND TREE ROOT ZONES OUTSIDE OF THE LIMITS OF CONSTRUCTION SHALL NOT BE DISTURBED.
6. SEE SHEET C5.0 FOR CONSTRUCTION DETAILS.

LEGEND

EXISTING 1' AND 5' CONTOURS	
PROPOSED 1' AND 5' CONTOURS	
PROPOSED SPOT ELEVATION	
FLOW DIRECTION & GRADE	

FFE	FINISHED FLOOR ELEVATION
ME	MATCH EXISTING
TOC	TOP OF CONCRETE
TOA	TOP OF ASPHALT
HP	HIGH POINT
TOW	TOP OF WALL
BOW	BOTTOM OF WALL

0 5 10 20
SCALE: 1" = 10'
ORIGINAL GRAPHIC SCALE

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

SIGNATURE _____ TYPED OR PRINTED NAME: MATTHEW R. HAGSTROM

DATE: 09/03/2025 LICENSE NUMBER: 59731

HAGSTROM ENGINEERING
CIVIL ENGINEERS | LAND DEVELOPMENT
219 6TH AVENUE EAST
ALEXANDRIA, MN 56308
P: 320.759.0764
WWW.HAGSTROMENG.COM

BENCHMARK:
EXISTING FIRE HYDRANT LOCATED AT THE MID POINT OF NORTH PROPERTY LINE, TOP NUT OF HYDRANT =1026.02

CALL GOPHER STATE ONE CALL
811
CALL 2 BUSINESS DAYS IN ADVANCE BEFORE YOU DIG, GRADE, OR EXCAVATE FOR THE MARKING OF UNDERGROUND FACILITIES.
GOPHERSTATEONECALL.ORG

No.	Description of Revisions	Date	By

Designed By: LEH
Checked By: MRH

ORONO GARAGE CONDOS
SITE PLAN

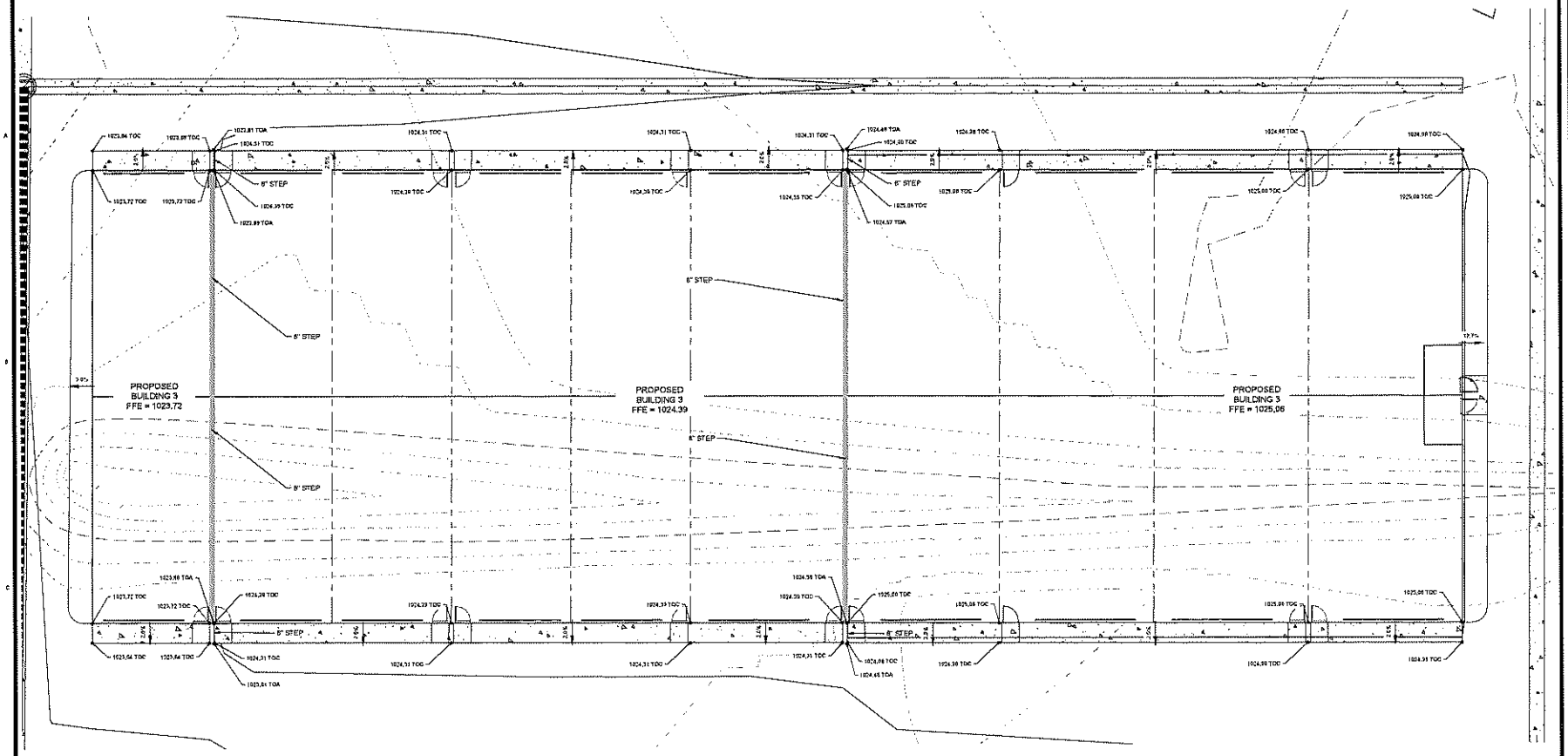
DETAILED GRADING PLAN
BUILDING 1 & 2

Date: 03/03/2025
Job No.: 24015

C4.1

Sheet C4.1 of C5.0

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GRADING NOTES:

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6. SEE SHEET C5.0 FOR CONSTRUCTION DETAILS

LEGEND

EXISTING 1' AND 5' CONTOURS

PROPOSED 1' AND 5' CONTOURS

PROPOSED SPOT ELEVATION

FLOW DIRECTION & GRADE

FFE	FINISHED FLOOR ELEVATION
ME	MATCH EXISTING
TOC	TOP OF CONCRETE
TOA	TOP OF ASPHALT
HP	HIGH POINT
TOW	TOP OF WALL
BOW	BOTTOM OF WALL

SCALE: 1" = 10'
ORIGINAL GRAPHIC SCALE

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SIGNATURE: Matthew R. Hagstrom TYPED OR PRINTED NAME: MATTHEW R. HAGSTROM

DATE: 03/03/2025 LICENSE NUMBER: 50731

HAGSTROM ENGINEERING
CIVIL ENGINEERS | LAND CONSULTANTS
219 9TH AVENUE EAST
ALEXANDRIA, MN 56308
P.320.759.0764
WWW.HAGSTROMENG.COM

BENCHMARK:
EXISTING FIRE HYDRANT LOCATED AT THE MID POINT OF NORTH PROPERTY LINE, TOP NUT OF HYDRANT =1026.02

CALL (OR DIAL 811) BEFORE YOU DIG
811
CALL 2 BUSINESS DAYS BEFORE YOU DIG, NOT INCLUDING THE DAY YOU CALL, FOR THE MARKING OF UNDERGROUND PUBLIC UTILITIES.

No.	Description of Revision	Date	By

Designed By: LEH
Checked By: MRH

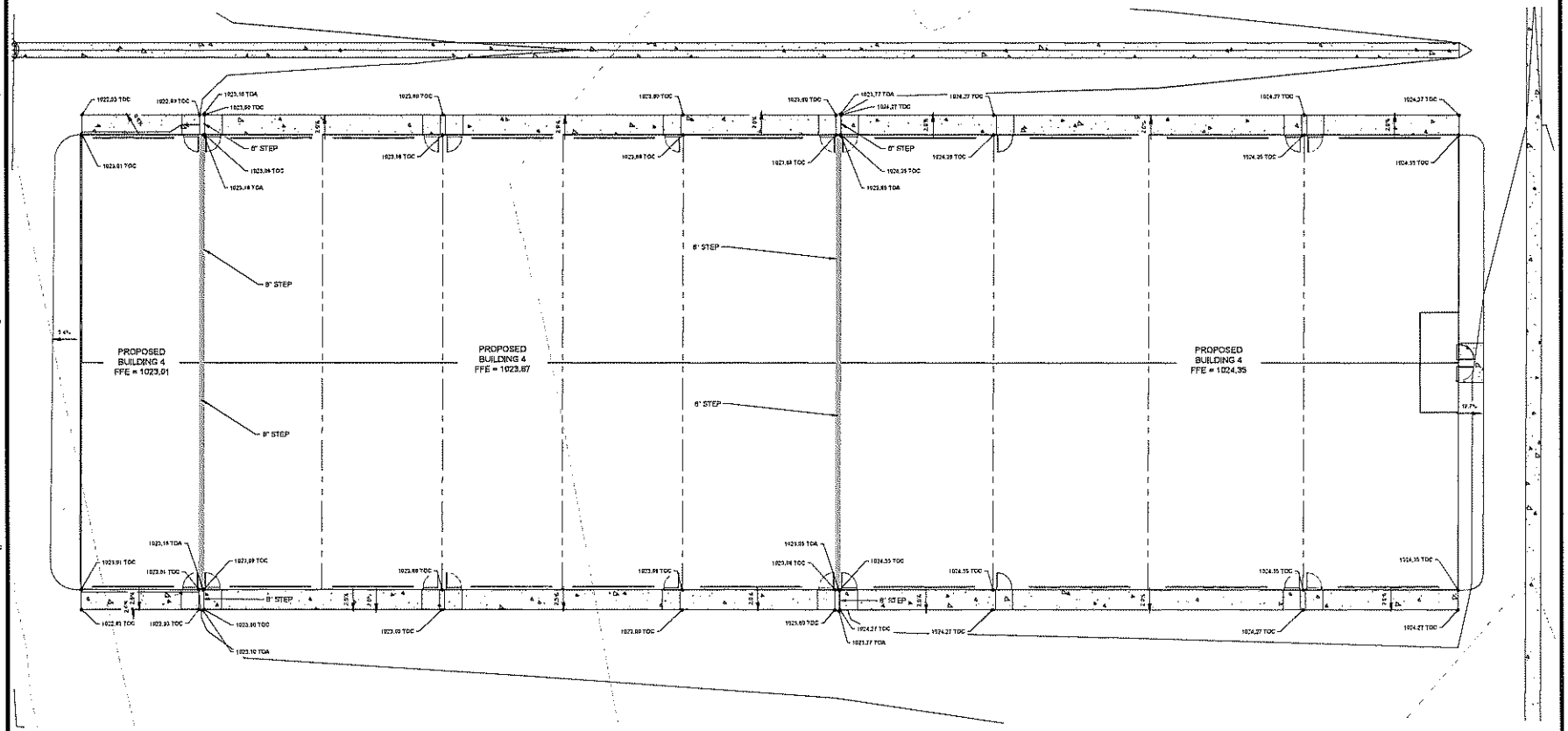
ORONO GARAGE CONDOS
SITE PLAN
DETAILED GRADING PLAN BUILDING 3

Date: 03/03/2025
Job No.: 24015

C4.2

Sheet C4.2 of C5.0

CAUTION: IF THIS SHEET IS NOT 24"X36" IT IS A REDUCED PRINT



GRADING NOTES:

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LEGEND

	EXISTING 1' AND 5' CONTOURS
	PROPOSED 1' AND 5' CONTOURS
	PROPOSED SPOT ELEVATION
	FLOW DIRECTION & GRADE

FFE	FINISHED FLOOR ELEVATION
ME	MATCH EXISTING
TOC	TOP OF CONCRETE
TOA	TOP OF ASPHALT
HP	HIGH POINT
TOW	TOP OF WALL
BOW	BOTTOM OF WALL

SCALE: 1" = 10'
ORIGINAL GRAPHIC SCALE

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WWW.HAGSTROMENG.COM

BENCHMARK:
EXISTING FIRE HYDRANT LOCATED AT THE MID POINT OF NORTH PROPERTY LINE, TOP NUT OF HYDRANT =1026.02

CALL GOPHER STATE ONE CALL 811
CALL 2 BUSINESS DAYS IN ADVANCE BEFORE YOU DIG, GRADE OR EXCAVATE FOR THE MARKING OF UNDERGROUND UTILITIES

No.	Description of Revision	Date	By

Designed By: MEH
Checked By: MRH

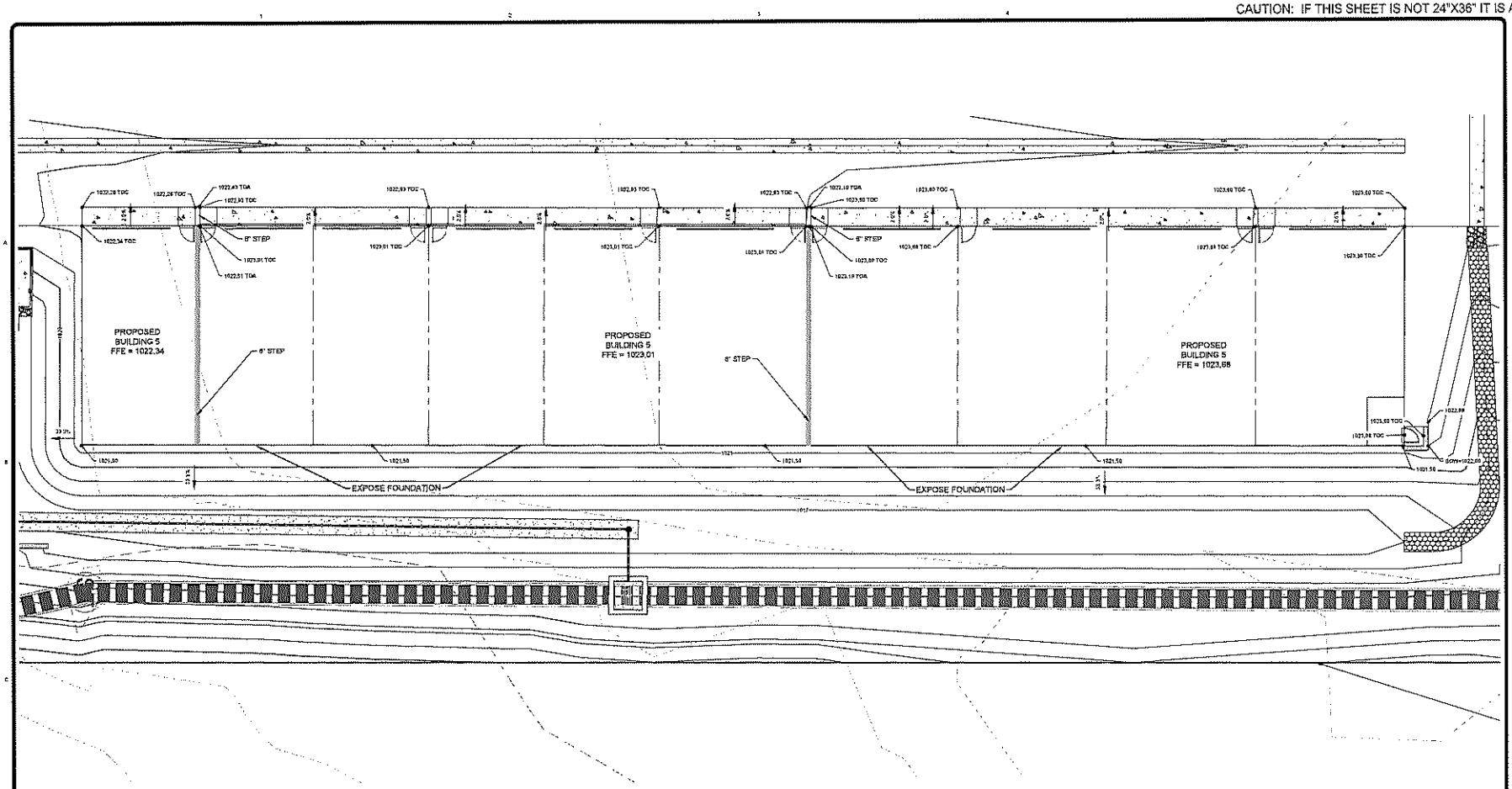
ORONO GARAGE CONDOS
SITE PLAN
DETAILED GRADING PLAN BUILDING 4

Date: 03/03/2025
Job No.: 24015

C4.3

Sheet C4.3 of C5.0

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GRADING NOTES:

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5. ALL TREES AND TREE ROOT ZONES OUTSIDE OF THE LIMITS OF CONSTRUCTION SHALL NOT BE DISTURBED.
6. SEE SHEET C5.0 FOR CONSTRUCTION DETAILS.

LEGEND

EXISTING 1' AND 5' CONTOURS	
PROPOSED 1' AND 5' CONTOURS	
PROPOSED SPOT ELEVATION	
FLOW DIRECTION & GRADE	

FFE	FINISHED FLOOR ELEVATION
ME	MATCH EXISTING
TOC	TOP OF CONCRETE
TOA	TOP OF ASPHALT
HP	HIGH POINT
TOW	TOP OF WALL
BOW	BOTTOM OF WALL

SCALE: 1" = 10'
ORIGINAL GRAPHIC SCALE

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

SIGNATURE: _____ TYPED OR PRINTED NAME: MATTHEW R. HAGSTROM

DATE: 03/03/2025 LICENSE NUMBER: 50731

HAGSTROM ENGINEERING
CIVIL ENGINEERS | LAND DEVELOPMENTERS
219 6TH AVENUE EAST
ALEXANDRIA, MN 56308
P:320.759.0764
WWW.HAGSTROMENG.COM

BENCHMARK:
EXISTING FIRE HYDRANT LOCATED AT THE MID POINT OF NORTH PROPERTY LINE, TOP NUT OF HYDRANT =1028.02

CALL GOPHER STATE ONE CALL 811

No.	Description of Revisions	Designed By: LEH	Drawn By: MGH	Checked By: MGH	Date	By

ORONO GARAGE CONDOS SITE PLAN

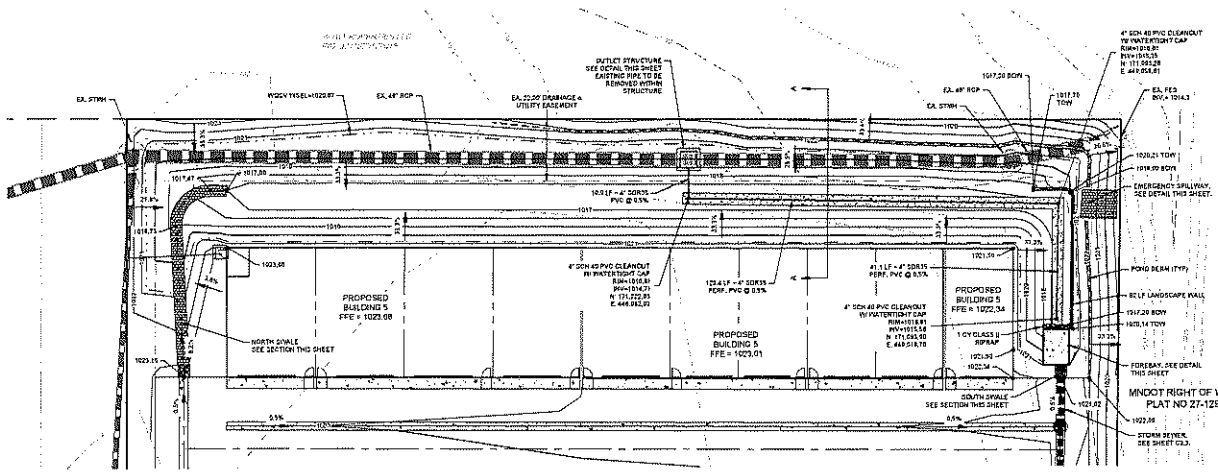
DETAILED GRADING PLAN BUILDING 5

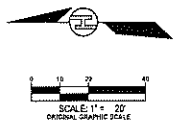
Date: 03/03/2025
Job No.: 24015

C4.4

Sheet C4.4 of C5.0

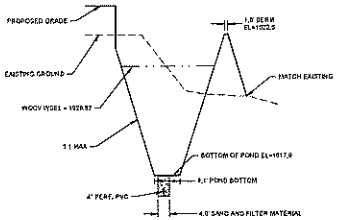
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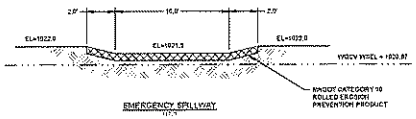


LEGEND

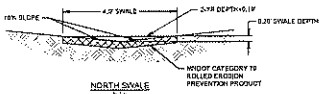
- EXISTING STORM SEWER
- PROPOSED STORM SEWER
- PROPERTY BOUNDARY
- LOT LINE
- EXISTING EASEMENT LINE
- EXISTING 1' AND 5' CONTOURS
- PROPOSED 1' AND 5' CONTOURS
- 2.00% FLOW DIRECTION & GRADE
- WSEL WATER SURFACE ELEVATION
- TOW TOP OF WALL
- BOW BOTTOM OF WALL
- PROPOSED DRAINAGE SWALE



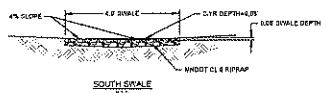
SECTION A-A
FILTRATION POND



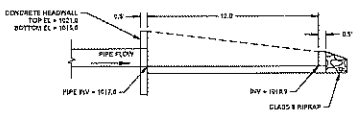
EMERGENCY SPILLWAY



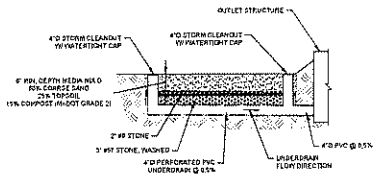
NORTH SWALE



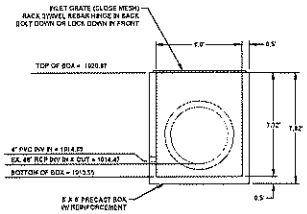
SOUTH SWALE



CONCRETE FOREBAY



UNDERDRAIN DETAIL



OUTLET STRUCTURE SOUTH FACE

POND NOTES:

1. TO AVOID OVER-COMPACTION OF THE POND, AFTER GRADING THE POND, DO NOT DRIVE HEAVY EQUIPMENT OVER THE POND AREA.
2. THE POND MAY BE UTILIZED AS TEMPORARY SEDIMENTATION BASINS DURING CONSTRUCTION. ALL CONSTRUCTION DEBRIS AND SEDIMENTATION SHALL BE REMOVED FROM POND PRIOR TO FINAL STABILIZATION.
3. REFER TO THE STORMWATER POLLUTION PREVENTION PLAN (SWPPP) FOR ORONO GARAGE CONDOS BY HAGSTROM ENGINEERING FOR CONSTRUCTION RELATED BEST MANAGEMENT PRACTICES TO REDUCE SEDIMENT AND EROSION CONTROL.
4. OPERATION AND MAINTENANCE OF THE POND IS REQUIRED FOR LONG-TERM FUNCTIONALITY OF THE POND. PLEASE SEE THE POND OPERATION AND MAINTENANCE PLAN AND CHECKLIST THAT IS INCLUDED IN THE FINAL DRAINAGE REPORT FOR ORONO GARAGE CONDOS BY HAGSTROM ENGINEERING.

NOTES:

1. CONTRACTOR SHALL FIELD VERIFY SIZE AND LOCATION OF ALL EXISTING UTILITIES PRIOR TO CONSTRUCTION AND NOTIFY THE ENGINEER WITH ANY DISCREPANCIES.
2. INSTALL PERIMETER BMPs PRIOR TO ANY CONSTRUCTION.
3. ALL ELEVATIONS PROVIDED ARE FINISHED GRADE UNLESS OTHERWISE NOTED.
4. SEE SHEETS C5.0 - C5.2 FOR CONSTRUCTION DETAILS.

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

SIGNATURE: Matthew R. Hagstrom TYPED OR PRINTED NAME: MATTHEW R. HAGSTROM

DATE: 09/03/2025 LICENSE NUMBER: 50731

HAGSTROM ENGINEERING
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BENCHMARK:
EXISTING FIRE HYDRANT LOCATED AT THE MID POINT OF NORTH PROPERTY LINE, TOP NUT OF HYDRANT =1028.02

CALL GOPHER STATE ONE CALL
811
CALL 2 BUSINESS DAYS IN ADVANCE BEFORE YOU DIG, GRADE OR EXCAVATE FOR THE MARKING OF UNDERGROUND MEMBER UTILITIES.

No.	Description of Revisions	Designed By: JEH	Checked By: MRH	Date	By

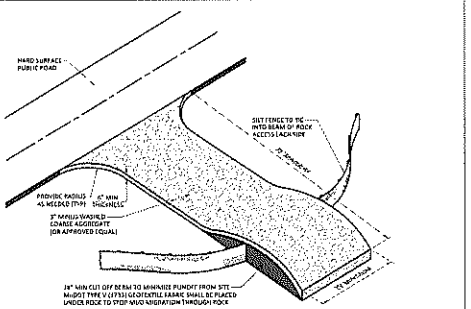
ORONO GARAGE CONDOS
SITE PLAN
DETAILED POND PLAN

Date: 03/03/2025
Job No.: 24015

C4.5

Sheet C4.5 of C5.0

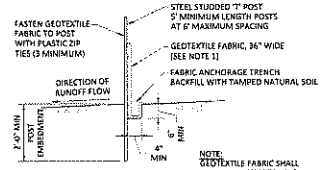
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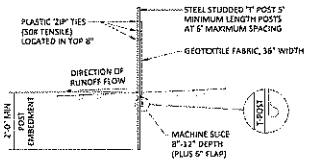
ROCK CONSTRUCTION ENTRANCE
NOT TO SCALE

ORONO PLATE NO.	ROCK CONSTRUCTION ENTRANCE	DETAIL LOG REVISIONS: DATE: Created August 2018
ERO-502		

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SILT FENCE - HEAVY DUTY
NOT TO SCALE



SILT FENCE - MACHINE SLICED
NOT TO SCALE

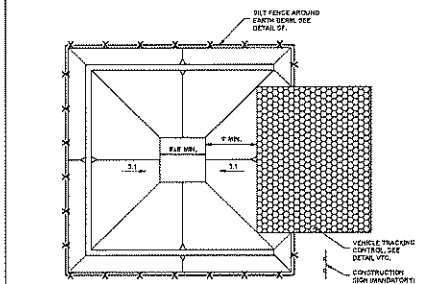
ORONO PLATE NO.	SILT FENCE	DETAIL LOG REVISIONS: DATE: Created August 2018
ERO-400		

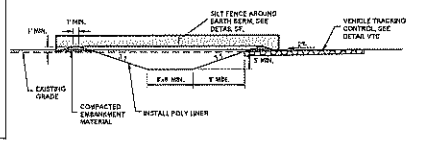
BOLTON & MENK
Real People. Real Solutions.

CONCRETE WASHOUT AREA
N.T.S.
CWA

DEFINITION
A DESIGNATED, SHALLOW EXCAVATION WITH A PERIMETER BERM, SILT FENCE, AND VTC, DESIGNED FOR CONCRETE WASHOUT OPERATIONS.

PURPOSE
TO CONTAIN WASTE FROM CONCRETE TRUCKS, SMALL BATCH CONCRETE MIXERS, PUMP TRUCKS, AND OTHER WASHOUT OPERATIONS.

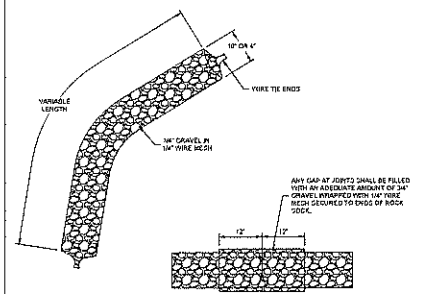




ROCK SOCK
N.T.S.
RS

DEFINITION
A TEMPORARY SEDIMENT BARRIER PLACED ON GRADE.

PURPOSE
TO INCREASE SEDIMENTATION FROM SEDIMENT LADEN RUNOFF AND SLOW THE VELOCITY OF STORM RUNOFF.

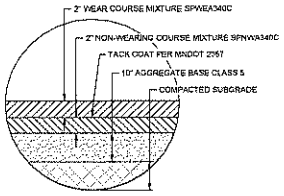


JOINT DETAIL

NOTES
1. SEE DETAIL CS FOR ROCK SOCKS USED IN CURB FLOW LINE.
2. SEE DETAIL IP FOR ROCK SOCKS (CURB SOCKS) USED AS ON-GRADE CURB INLET PROTECTION.
3. SEE DETAIL IPA FOR ROCK SOCKS USED AS SUMP CURB INLET PROTECTION.
4. SEE DETAIL RSS FOR ROCK SOCKS USED AS ROUGH CUT STREET CONTROL.
5. SEE DETAIL CP FOR ROCK SOCKS USED AS CULVERT PROTECTION

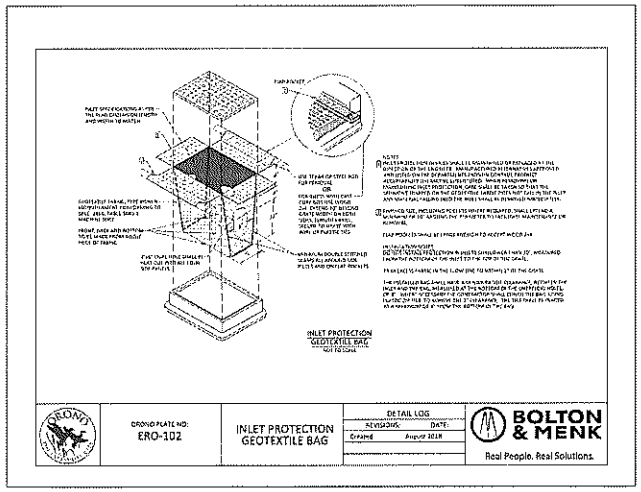


CONCRETE V-PAN DETAIL
N.T.S.



HEAVY DUTY BITUMINOUS PAVEMENT SECTION*
N.T.S.

* PAVEMENT SECTION BASED ON RECOMMENDATION OF GEOTECHNICAL ENGINEER. FINAL APPROVAL OF PAVEMENT SECTION PER OWNER.



ORONO PLATE NO.	INLET PROTECTION GEOTEXTILE BAG	DETAIL LOG REVISIONS: DATE: Created August 2018
ERO-102		

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CALL GOPHER STATE ONE CALL
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No.	Description of Revisions	Date	By

Designed By: MH
Checked By: MH

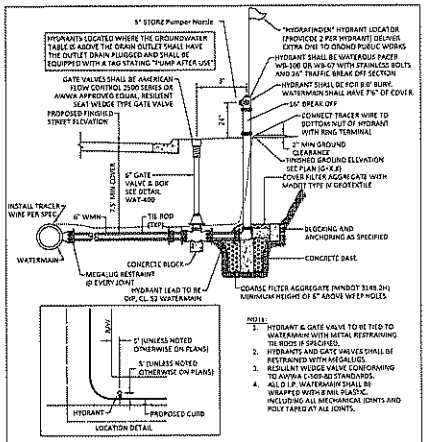
ORONO GARAGE CONDOS
SITE PLAN
CONSTRUCTION DETAILS

Date: 03/03/2025
Job No.: 24015

C5.0

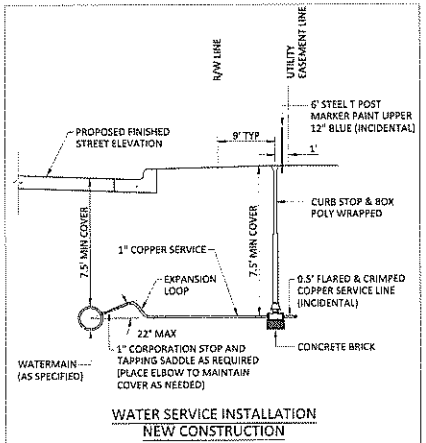
Sheet C5.0 of C5.0

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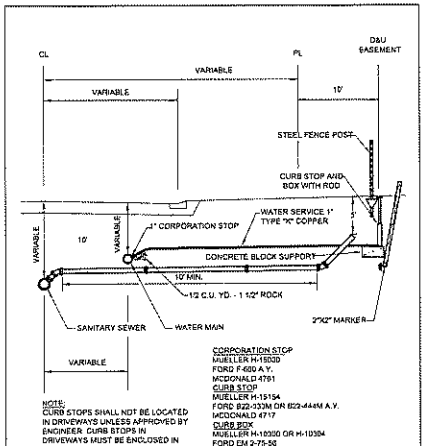
HYDRANT INSTALLATION, MEGALUGS
NOT TO SCALE

HYDRANT INSTALLATION, MEGALUGS	DETAIL LOG		BOLTON & MENK
ORONO PLATE NO: WAT-000	REVISIONS:	DATE:	Real People. Real Solutions.
	Created	August 2018	
	Added STORZ	March 2022	

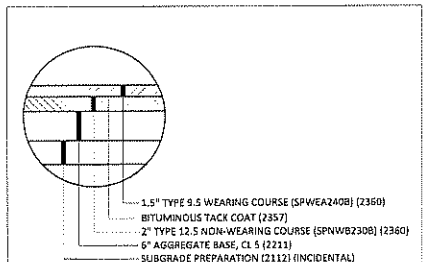


WATER SERVICE INSTALLATION
NEW CONSTRUCTION
NOT TO SCALE

WATER SERVICE INSTALLATION NEW CONSTRUCTION	DETAIL LOG		BOLTON & MENK
ORONO PLATE NO: WAT-100	REVISIONS:	DATE:	Real People. Real Solutions.
	Created	August 2018	

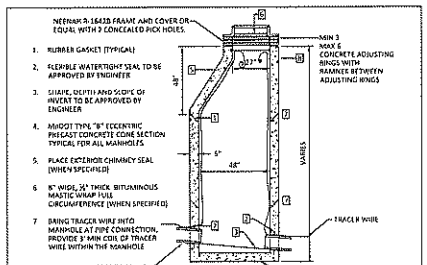


SEWER AND WATER SERVICE CONNECTIONS	DETAIL LOG		BOLTON & MENK
ORONO PLATE NO: WAT-101	REVISIONS:	DATE:	Real People. Real Solutions.
	Created	August 2018	



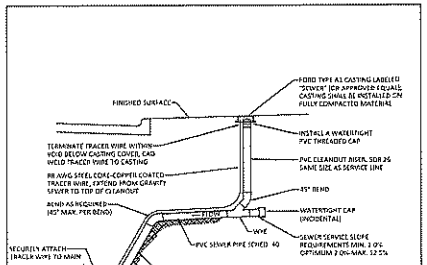
BITUMINOUS TYPICAL SECTION
NOT TO SCALE

BITUMINOUS PATCH	DETAIL LOG		BOLTON & MENK
ORONO PLATE NO: STR-100	REVISIONS:	DATE:	Real People. Real Solutions.
	Created	August 2018	



SANITARY MANHOLE WITH TRACER WIRE
NOT TO SCALE

SANITARY MANHOLE WITH TRACER WIRE	DETAIL LOG		BOLTON & MENK
ORONO PLATE NO: SAN-000	REVISIONS:	DATE:	Real People. Real Solutions.
	Created	August 2018	



SANITARY SEWER SERVICE WITH CLEANOUT
NOT TO SCALE

SANITARY SEWER SERVICE WITH CLEANOUT	DETAIL LOG		BOLTON & MENK
ORONO PLATE NO: SAN-103	REVISIONS:	DATE:	Real People. Real Solutions.
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BENCHMARK:

CALL COMPLETE STATE ONE CALL
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No.	Description of Revisions	Designed By: LSH	Checked By: MRH	Date	By

ORONO GARAGE CONDOS
SITE PLAN

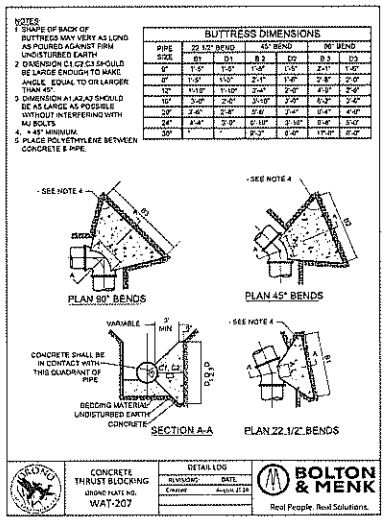
CONSTRUCTION DETAILS

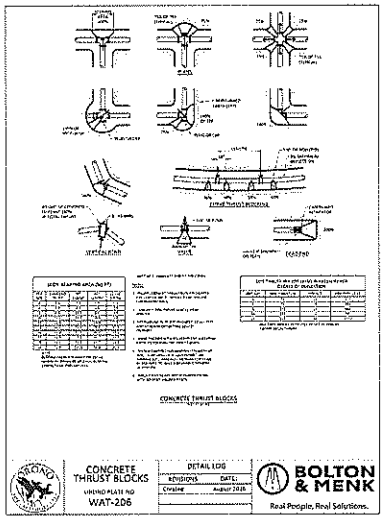
Date: 03/03/2025
Job No.: 24015

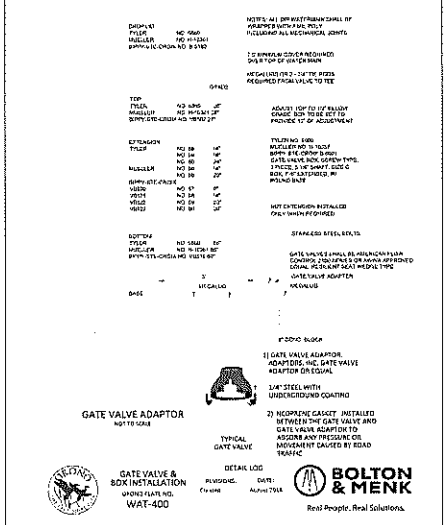
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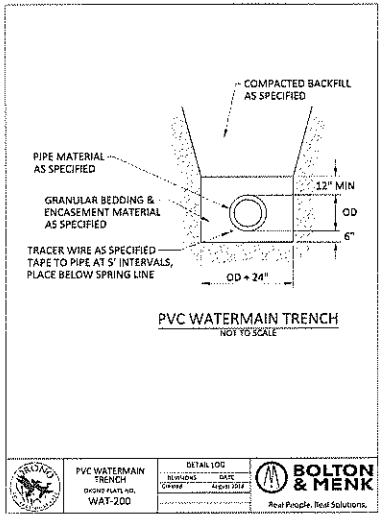
Sheet C5.1 of C5.0

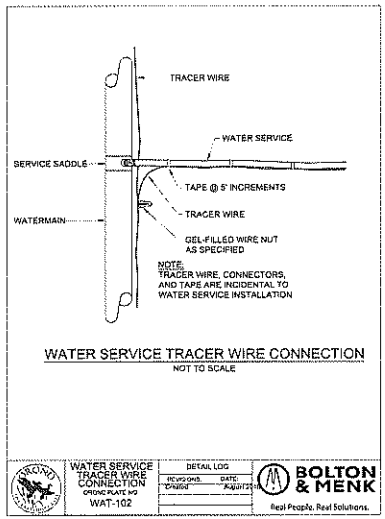
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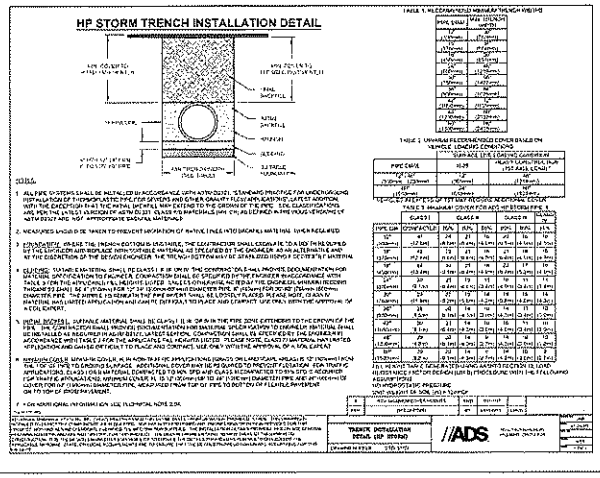


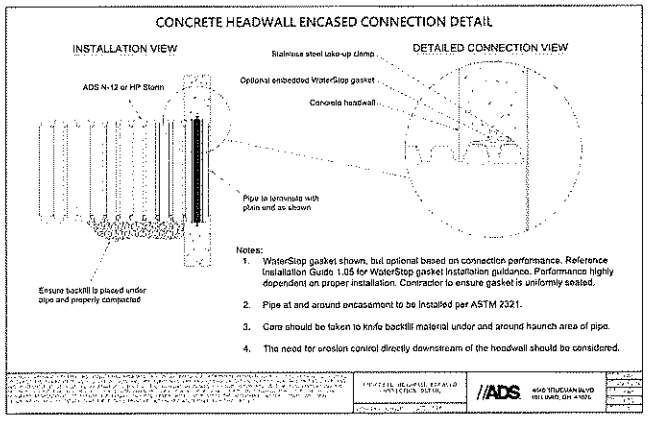












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BENCHMARK:

CALL COPHER STATE ONE CALL
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1-800-252-1166

No.	Description of Revisions	Date	By

Designed By: LEH
Checked By: MKH

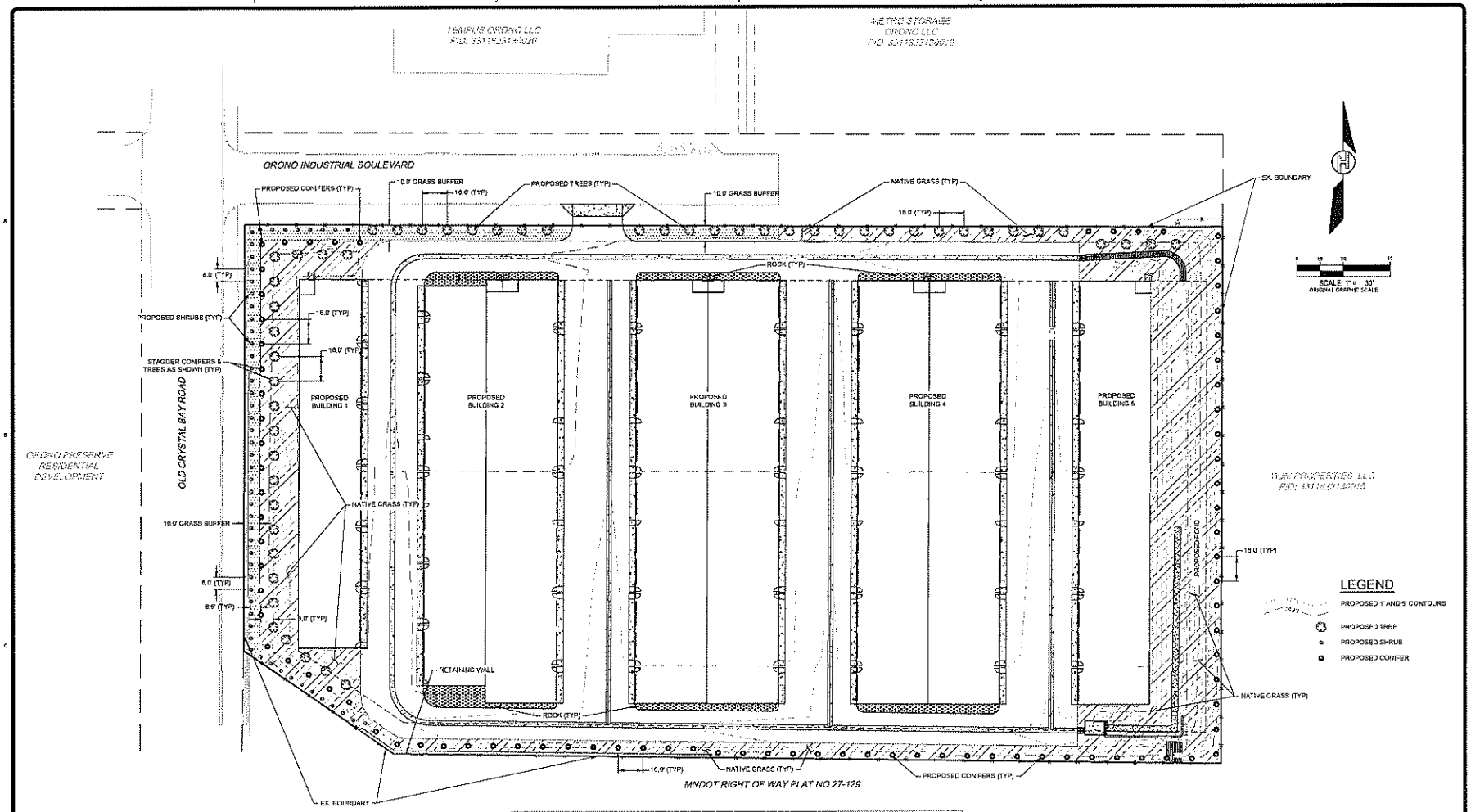
ORONO GARAGE CONDOS
SITE PLAN
CONSTRUCTION DETAILS

Date: 03/03/2025
Job No.: 24015

C5.2

Sheet C5.2 of C5.0

CAUTION: IF THIS SHEET IS NOT 24"X36" IT IS A REDUCED PRINT



LEGEND

- PROPOSED 1' AND 5' CONTOURS
- PROPOSED TREE
- PROPOSED SHRUB
- PROPOSED CONIFER

NOTES:

1. CONTRACTOR SHALL FIELD VERIFY SIZE AND LOCATION OF ALL EXISTING UTILITIES PRIOR TO CONSTRUCTION AND NOTIFY THE ENGINEER WITH ANY DISCREPANCIES.
2. CONTRACTOR IS RESPONSIBLE FOR PROVIDING ALL NECESSARY CONSTRUCTION STAKING.
3. INSTALL PERIMETER BMPS PRIOR TO ANY CONSTRUCTION.
4. ALL TREES AND TREE ROOT ZONES OUTSIDE OF THE LIMITS OF CONSTRUCTION SHALL NOT BE DISTURBED.
5. SEE SHEET C5.0 - C5.2 FOR CONSTRUCTION DETAILS.

PLANTING SCHEDULE

TREES	TYPE	CONT		QTY	
	Shade Trees	1.5" to 2.0"		16	
	Ornamental	1.0"		17	
	Large Deciduous Tree	2" - 4"		18	
SHRUBS	TYPE	CONT		QTY	
	Small Coniferous Shrubs	18" - 24"		27	
	Small Deciduous Shrubs	18" - 24"		22	
CONIFERS	TYPE	CONT		QTY	
	Coniferous Tree	4' - 6'		85	
				QTY	
SUM OF TREES				192	

GROUND COVERS	CODE	BOTANICAL / COMMON NAME	CONT	SPACING	QTY
	NATIVE GRASSES	/ Filter Strip Mix Shooting Star Native Seed or approved equal	Seed		35,950 S.F.
	ROCK	3/4" Finer Rock / 3/4" River Rock	---		3,100 S.F.
	GRASS BUFFER	Poa pratensis / Kentucky Bluegrass	---		5,700 S.F.

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

SIGNATURE: _____ TYPED OR PRINTED NAME: MATTHEW R. HAGSTROM

DATE: 03/03/2025 LICENSE NUMBER: 50731

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BENCHMARK

EXISTING FIRE HYDRANT LOCATED AT THE MID POINT OF NORTH PROPERTY LINE, TOP NUT OF HYDRANT =1028.02

CALL 811 OR STATE ONE CALL
811
CALL 2 BUSINESS DAYS BEFORE YOU DIG, GRADE OR EXCAVATE FOR THE MARKING OF UNDERGROUND UTILITIES.

No.	Description of Revision	Date	By

Designed By: LEH
Drawn By: MRH

ORONO GARAGE CONDOS
SITE PLAN

PROPOSED LANDSCAPE PLAN

Date: 03/03/2025
Job No.: 24015

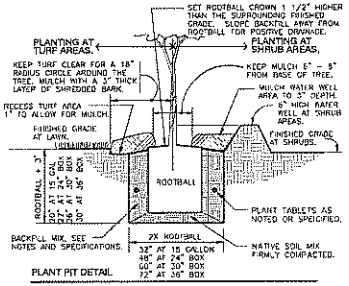
L1.0

Sheet L1.0 of L1.1

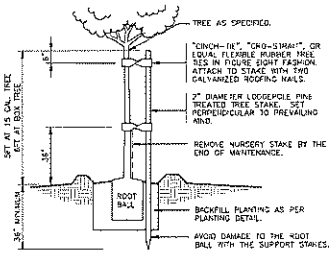
CAUTION: IF THIS SHEET IS NOT 24"X36" IT IS A REDUCED PRINT

PLANTING NOTES:

1. THE LANDSCAPE CONTRACTOR SHALL LOCATE ALL EXISTING UTILITIES WITHIN THE LIMIT OF WORK AND IS RESPONSIBLE FOR ANY DAMAGE AS A RESULT OF THE LANDSCAPE CONSTRUCTION.
2. ALL TREE AND SHRUB LOCATIONS ARE TO BE STAKED ON SITE FOR APPROVAL BY THE CONSULTANT PRIOR TO INSTALLATION.
3. SUBSTITUTIONS: THE CONSULTANT SHALL APPROVE ANY SUBSTITUTION.
4. DO NOT PRUNE PLANTS UNLESS DIRECTED TO DO SO BY THE CONSULTANT.
5. CONTAINER STOCK IS PREFERRED FOR ALL PLANTS. IF CONTAINER STOCK IS NOT AVAILABLE FOR TREES, THEN ALL B&B PLANT MATERIAL SHALL HAVE ALL WIRE, TWINE, OR OTHER CONTAINMENT MATERIAL, EXCEPT FOR 100% HEMP BURLAP, REMOVED FROM THE TRUNK AND ROOT BALL OF THE PLANT PRIOR TO PLANTING. REMOVE THE TOP 2/3 OF THE HEMP BURLAP AFTER PLACING PLANT IN THE PIT.
8. PLANTING SOIL FOR ALL PLANTING AREAS:
   a. DO NOT STORE BULK MATERIALS NEAR STRUCTURES, OVER EXISTING PLANTING, OVER UTILITIES, WALKWAYS AND PAVEMENTS.
   b. PROVIDE EROSION CONTROL MEASURES TO PREVENT DISPLACEMENT OF BULK MATERIALS, DISCHARGE INTO WATERWAYS OR SEWERS, AND AIRBORNE DUST.
   c. PREPARING PLANTING AND SEEDING AREAS. SPREADING SOIL SHALL BE COMPLETED BY THE LANDSCAPE CONTRACTOR AND SUPERVISED BY THE GENERAL CONTRACTOR SO THAT GRADES ARE MET AS NOTED ON THE GRADING PLANS.
   f. PLANTING SOIL DEPTH SHALL BE A MINIMUM OF TEN (10) INCHES IN ALL LANDSCAPE BEDS.
   g. ALL PLANTING AREA SOIL SHALL BE 2-WAY (50% SAND, 40% COMPOST) TOPSOIL FROM AN APPROVED SOURCE. PROVIDE A 1-QUART SAMPLE FOR APPROVAL PRIOR TO IMPORTING ANY SOIL. TOPSOIL NOT MEETING INDUSTRY STANDARDS FOR COMPOSITION AND NUTRIENTS SHALL BE REJECTED.
   e. APPLY 2 INCHES OF APPROVED PLANTING SOIL OVER PREPARED SUBGRADE AND TILL INTO TOP 4 INCHES OF SUBSOIL. INSTALL REMAINING PLANTING SOIL TO A MINIMUM OF 4 INCHES SO THE TOTAL MINIMUM DEPTH OF NEW PLANTING SOIL IN NO LESS THAN 8 INCHES. ROLL AND RAKE SMOOTH, ENSURE NO ROCKS OR OTHER DEBRIS EXCEEDING 3 INCHES IN DIAMETER REMAIN.
   i. IF PREPARED SOIL OR PREPARED SUBGRADE IS RE-COMPACTED, RESTORE AS DIRECTED BY THE CONSULTANT.
9. INSTALL ROCKS IN ALL PLANTING BEDS TO A DEPTH OF 3 INCHES.
10. ROCKS SHALL NOT BE ABOVE OR MORE THAN 1/2 INCH BELOW ADJOINING SURFACE. MULCH SHALL BE HELD BACK 2-3 INCHES FROM THE STEMS AND TRUNKS OF PLANTS.
11. DURING PLANTING OPERATIONS, KEEP ADJACENT PAVING AREAS CLEAN AND PROTECTED FROM DAMAGE. WORK AREA SHALL BE KEPT CLEAN AND ORDERLY.
12. REMOVE NURSERY TAGS AND STAKES.
13. WARRANTY: INSTALLER AGREES TO WARRANT PLANTING THAT FAILS IN MATERIALS, WORKMANSHIP OR GROWTH WITHIN A WARRANTY PERIOD OF 12 MONTHS FROM THE DATE OF PLANTING COMPLETION.
14. PLANT SYMBOLS SHALL DICTATE PLANT COUNT.
15. ALL LANDSCAPING SHALL BE PLANTED AND MAINTAINED IN A LIVING CONDITION BY THE CONTRACTOR UNTIL FINAL OWNER ACCEPTANCE.
16. IRRIGATION TO BE DESIGN BUILD BY IRRIGATION CONTRACTOR IF DESIRED BY OWNER, NOT PART OF THIS CONTRACT.



PLANT PIT DETAIL

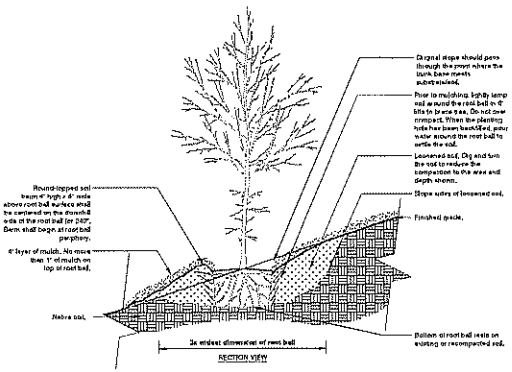


STAKING DETAIL

2 TREE SINGLE STAKE PLANTING

1" = 1'-0"

FX-PL-FX-TREE-02



3 TREE ON SLOPE - UNMODIFIED SOIL

1/2" = 1'-0"

SLOPE 5% (20:1) TO 50% (2:1)

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DATE: 03/03/2025 LICENSE NUMBER: 50731

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No.	Description of Revisions	Date	By

Designed By: LEH
Drawn By: LRR
Checked By: MRH

ORONO GARAGE CONDOS
SITE PLAN

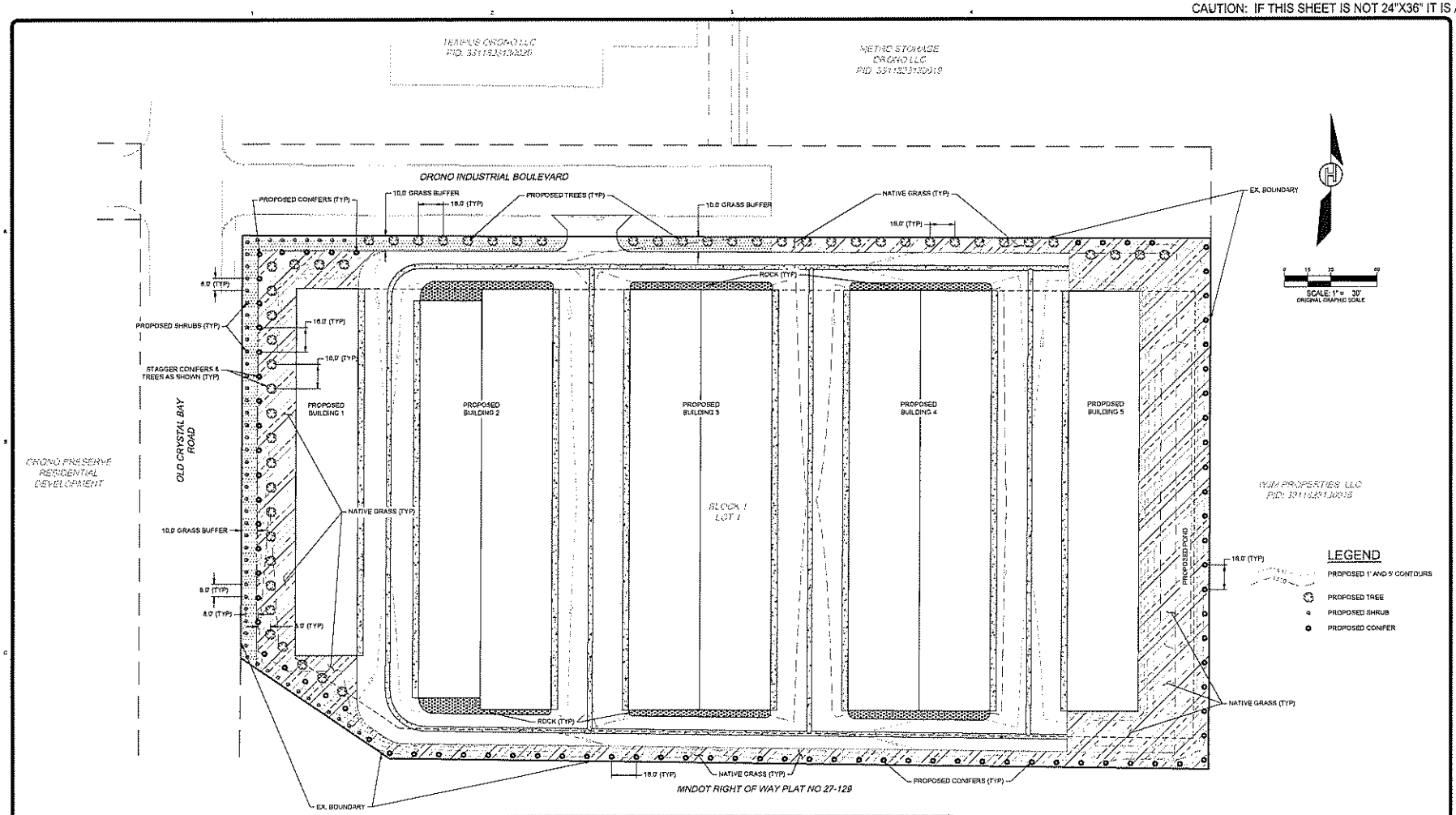
LANDSCAPE DETAILS

Date: 03/03/2025
Job No.: 24015

L1.1

Sheet L1.1 of L1.1

CAUTION: IF THIS SHEET IS NOT 24"X36" IT IS A REDUCED PRINT



LEGEND

- PROPOSED 1' AND 5' CONTOURS
- PROPOSED TREE
- PROPOSED SHRUB
- PROPOSED CONIFER

PLANT_SCHEDULE

TREES	TYPE	CONT		QTY	
	Shade Trees	1.5" to 2.0"		18	
	Ornamental	1.0"		17	
	Large Deciduous Tree	2" - 3"		15	
SHRUBS	TYPE	CONT		QTY	
	Small Coniferous Shrubs	18" - 24"		27	
	Small Deciduous Shrubs	18" - 24"		27	
CONIFERS	TYPE	CONT		QTY	
	Coniferous Tree	4' - 5'		55	
SUM OF TREES				QTY	
				162	
GROUND COVERS	CODE	BOTANICAL / COMMON NAME	CONT	SPACING	QTY
	NATIVE GRASSES	/ Fiber Strip Mix Shooting Star Native Seed or approved equal	Seed		35,550 S.F.
	ROCK	3/4" River Rock / 3/4" River Rock	---		3,100 S.F.
	GRASS BUFFER	Poa pratensis / Kentucky Bluegrass	---		5,760 S.F.

NOTES:

1. CONTRACTOR SHALL FIELD VERIFY SIZE AND LOCATION OF ALL EXISTING UTILITIES PRIOR TO CONSTRUCTION AND NOTIFY THE ENGINEER WITH ANY DISCREPANCIES.
2. CONTRACTOR IS RESPONSIBLE FOR PROVIDING ALL NECESSARY CONSTRUCTION STAKING.
3. INSTALL PERIMETER BMP'S PRIOR TO ANY CONSTRUCTION.
4. ALL TREES AND TREE ROOT ZONES OUTSIDE OF THE LIMITS OF CONSTRUCTION SHALL NOT BE DISTURBED.
5. SEE SHEET C5.0 FOR CONSTRUCTION DETAILS.

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

SIGNATURE _____ TYPED OR PRINTED NAME MATTHEW R. HAGSTROM

DATE 09/18/2024 LICENSE NUMBER 50731

HAGSTROM ENGINEERING
CIVIL ENGINEERS | LAND CONSULTANTS
219 6TH AVENUE EAST
ALEXANDRIA, MN 56308
P: 320.759.6764
WWW.HAGSTROMENG.COM

BENCHMARK

CALL GOPHER STATE ONE CALL
811
CALL 2 BUSINESS DAYS BEFORE YOU DIG, GRADE OR EXCAVATE FOR THE MARKING OF UNDERGROUND MEMBER UTILITIES.

No.	Description of Revisions	Date	By

Designed By: LEH
Checked By: MRH

ORONO GARAGE CONDOS
SITE PLAN
PROPOSED LANDSCAPE PLAN

Date: 09/18/2024
Job No.: 24015

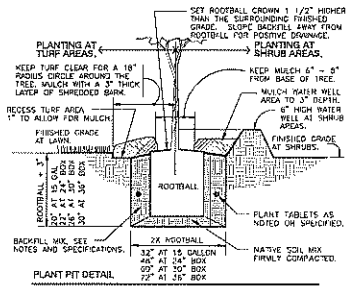
L1.0

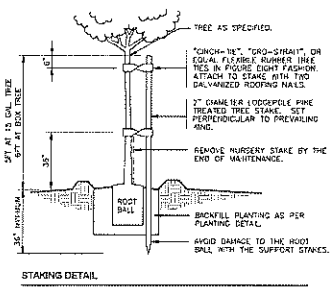
Sheet L1.0 of L1.1

CAUTION: IF THIS SHEET IS NOT 24"X36" IT IS A REDUCED PRINT

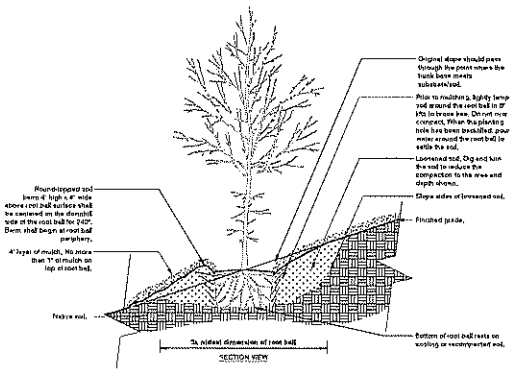
PLANTING NOTES:

1. THE LANDSCAPE CONTRACTOR SHALL LOCATE ALL EXISTING UTILITIES WITHIN THE LIMIT OF WORK AND IS RESPONSIBLE FOR ANY DAMAGE AS A RESULT OF THE LANDSCAPE CONSTRUCTION.
2. ALL TREE AND SHRUB LOCATIONS ARE TO BE STAKED ON SITE FOR APPROVAL BY THE CONSULTANT PRIOR TO INSTALLATION.
3. SUBSTITUTIONS: THE CONSULTANT SHALL APPROVE ANY SUBSTITUTION.
4. DO NOT PRUNE PLANTS UNLESS DIRECTED TO DO SO BY THE CONSULTANT.
5. CONTAINER STOCK IS PREFERRED FOR ALL PLANTS. IF CONTAINER STOCK IS NOT AVAILABLE FOR TREES, THEN ALL B&B PLANT MATERIAL SHALL HAVE ALL WIRE, TWINE, OR OTHER CONTAINMENT MATERIAL, EXCEPT FOR 100% HEMP BURLAP, REMOVED FROM THE TRUNK AND ROOT BALL OF THE PLANT PRIOR TO PLANTING. REMOVE THE TOP 2/3 OF THE HEMP BURLAP AFTER PLACING PLANT IN THE PIT.
6. PLANTING SOIL FOR ALL PLANTING AREAS
   a. DO NOT STORE BULK MATERIALS NEAR STRUCTURES, OVER EXISTING PLANTING, OVER UTILITIES, WALKWAYS AND PAVEMENTS.
   b. PROVIDE EROSION CONTROL MEASURES TO PREVENT DISPLACEMENT OF BULK MATERIALS, DISCHARGE INTO WATERWAYS OR SEWERS, AND AIRBORNE DUST.
   b. PREPARING PLANTING AND SEEDING AREAS. SPREADING SOIL SHALL BE COMPLETED BY THE LANDSCAPE CONTRACTOR AND SUPERVISED BY THE GENERAL CONTRACTOR SO THAT GRADES ARE MET AS NOTED ON THE GRADING PLANS.
   c. PLANTING SOIL DEPTH SHALL BE A MINIMUM OF SIX (6) INCHES IN ALL LANDSCAPE BEDS.
   d. ALL PLANTING AREA SOIL SHALL BE 3-WAY (60% SAND, 40% COMPOST) TOPSOIL FROM AN APPROVED SOURCE. PROVIDE A 1-QUART SAMPLE FOR APPROVAL PRIOR TO IMPORTING ANY SOIL. TOPSOIL NOT MEETING INDUSTRY STANDARDS FOR COMPOSITION AND NUTRIENTS SHALL BE REJECTED.
   e. APPLY 2 INCHES OF APPROVED PLANTING SOIL OVER PREPARED SUBGRADE AND TILL INTO TOP 4 INCHES OF SUBSOIL. INSTALL REMAINING PLANTING SOIL TO A MINIMUM OF 4 INCHES SO THE TOTAL MINIMUM DEPTH OF NEW PLANTING SOIL IN NO LESS THAN 8 INCHES. ROLL AND RAKE SMOOTH. ENSURE NO ROCKS OR OTHER DEBRIS EXCEEDING 3 INCHES IN DIAMETER REMAIN.
   f. IF PREPARED SOIL OR PREPARED SUBGRADE IS RE-COMPACTED, RESTORE AS DIRECTED BY THE CONSULTANT.
9. INSTALL ROCKS IN ALL PLANTING BEDS TO A DEPTH OF 3 INCHES.
10. ROCKS SHALL NOT BE ABOVE OR MORE THAN 1/2 INCH BELOW ADJOINING SURFACE. MULCH SHALL BE HELD BACK 2-3 INCHES FROM THE STEMS AND TRUNKS OF PLANTS.
11. DURING PLANTING OPERATIONS, KEEP ADJACENT PAVING AREAS CLEAN AND PROTECTED FROM DAMAGE. WORK AREA SHALL BE KEPT CLEAN AND ORDERLY.
12. REMOVE NURSERY TAGS AND STAKES.
13. WARRANTY INSTALLER AGREED TO WARRANTY PLANTING THAT FAILS IN MATERIALS, WORKMANSHIP OR GROWTH WITHIN A WARRANTY PERIOD OF 12 MONTHS FROM THE DATE OF PLANTING COMPLETION.
14. PLANT SYMBOLS SHALL DICTATE PLANT COUNT.
15. ALL LANDSCAPING SHALL BE PLANTED AND MAINTAINED IN A LIVING CONDITION BY THE CONTRACTOR UNTIL FINAL OWNER ACCEPTANCE.
16. IRRIGATION TO BE DESIGN BUILD BY IRRIGATION CONTRACTOR IF DESIRED BY OWNER. NOT PART OF THIS CONTRACT.





2 TREE SINGLE STAKE PLANTING
1" = 1'-0"
FX-PL-FX-TREE-02



3 TREE ON SLOPE - UNMODIFIED SOIL
1/2" = 1'-0"
SLOPE 5% (20:1) TO 50% (2:1)

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

SIGNATURE: _____ TYPED OR PRINTED NAME: MATTHEW R. HAGSTROM

DATE: 09/18/2024 LICENSE NUMBER: 58731

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CIVIL ENGINEERS | LAND SURVEYORS
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BENCHMARK:

CALL GOPHER STATE ONE CALL
811
CALL 2 BUSINESS DAYS (MON-FRI) BEFORE YOU DIG, GRADE, OR EXCAVATE FOR THE MARKING OF UNDERGROUND UTILITIES.

No.	Description of Revisions	Designed By: LEH	Checked By: MRH
		Date	By

ORONO GARAGE CONDOS
SITE PLAN
LANDSCAPE DETAILS

Date: 09/18/2024
Job No.: 24015

L1.1

Sheet L1.1 of L1.1

BETAFENCE

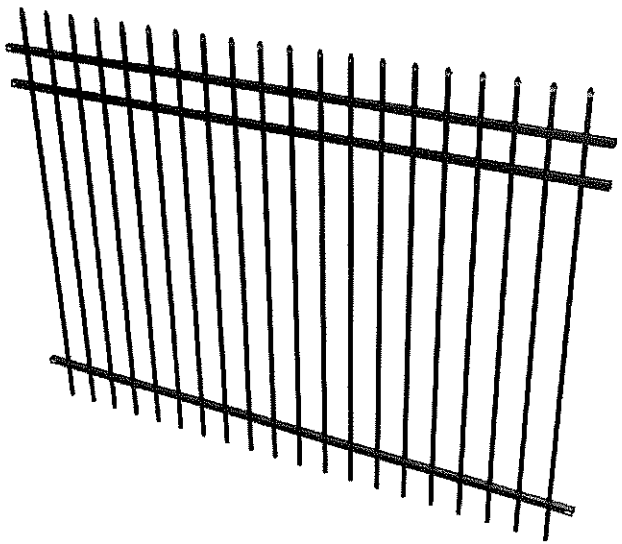
Home > All > TruView Ornamental - Steel Fence Panels - Pinnacle - Pressed Point











TruView Ornamental - Steel Fence Panels - Pinnacle - Pressed Point

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Size: 6ft

5 ft tall | 6ft

Style: Pinnacle

Pinnacle

SKU: 4013230

Quantity

− 1 +

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3704649

OFFICE OF THE REGISTRAR
OF TITLES
HENNEPIN COUNTY, MINNESOTA
CERTIFIED FILED ON
MAR 20 2003 9AM
REGISTRAR
OF TITLES
BY Michael P. Conroy SEE PLAT DEPUTY

3704649

MINN. D. O. T. R/W PLAT NO. 27-129

STATE OF MINNESOTA
TO
PUBLIC

[Do not scan; see scanned image of plat]

PLAT DATED---MARCH 18, 2003
FILING FEE---$30.00
SURCHARGE---$5.00

CERTIFICATE OF TITLE NO. 481783
LOCATED: LOTS 3 & 4, BLOCK 1, VAN DALE ADDITION
PARCEL 21
[FEE TAKING]
[TEMP. EASEMENT TO EXPIRE 12-01-2008]

CERTIFICATE OF TITLE NO. 1068997
LOCATED: LOT 7, BLOCK 1, ORONO INDUSTRIAL PARK
SE ½ OF THE NE ¼ OF SECTION 33
VACATED LINCOLN DRIVE
PARCEL 48
[FEE TAKING]
[TEMP. EASEMENT TO EXPIRE 12-01-2008]

CONTROL SECTION NO. 2713(12=10)903

PARCEL	OWNER	LOCATION	TORRENS CERTIFICATE NO.	NEW T.H. R/W	TEMPORARY EASEMENT	PERMANENT DRAINAGE EASEMENT	PERMANENT WALL MAINTENANCE AND DRAINAGE EASEMENT	TEMPORARY EASEMENT EXPIRES ON	PERMANENT R/W INTEREST
				SQUARE FEET (MORE OR LESS)					
RIGHT OF WAY IN VAN DALE ADDITION									
21	VCI CAPITAL, INC.	LOTS 3 & 4 BLOCK 1	481783	35571	6869			12-01-08	FEE
RIGHT OF WAY IN SECTION 33									
29	THE CHURCH OF ST. GEORGE OF LONG LAKE	SE 1/4 NE 1/4		19685	30208	264883	8044	12-01-08	FEE
31	GRONBERG PROPERTIES, LLC	SE 1/4 NE 1/4			2457			12-01-08	
RIGHT OF WAY IN ORONO INDUSTRIAL PARK & SECTION 33									
48	DRB #8, LLC	SE 1/2 NE 1/4 LOT 7, BLOCK 1 VACATED LINCOLN DRIVE	1068997	42198	10086			12-01-08	FEE
RIGHT OF WAY IN LEVERING'S WOODHAVEN									
27	MILTON H. BIX	LOT 1, BLOCK 1			5217	800		12-01-08	EASE
RIGHT OF WAY IN MEYER DAIRY ADDITION									
21A	JOHN E. VOGT	OUTLOT A		5859					FEE
24	SPEAK THE WORD CHURCH	LOT 7, BLOCK 1		56509	4533			12-01-08	FEE

NOTE: TEMPORARY EASEMENTS IN PUBLIC ROADS WILL EXPIRE ON 12-01-2008

CONVENTIONAL SYMBOLS

Section Line
Quarter Line
Sixteenth Line
Property Line
R/W Boundary — R/W
Existing D.O.T. R/W Line
And Other Road R/W's
Railroad R/W
Private Easement
Temporary Easement — T. E.
Building Removal Easement — B. R. E.

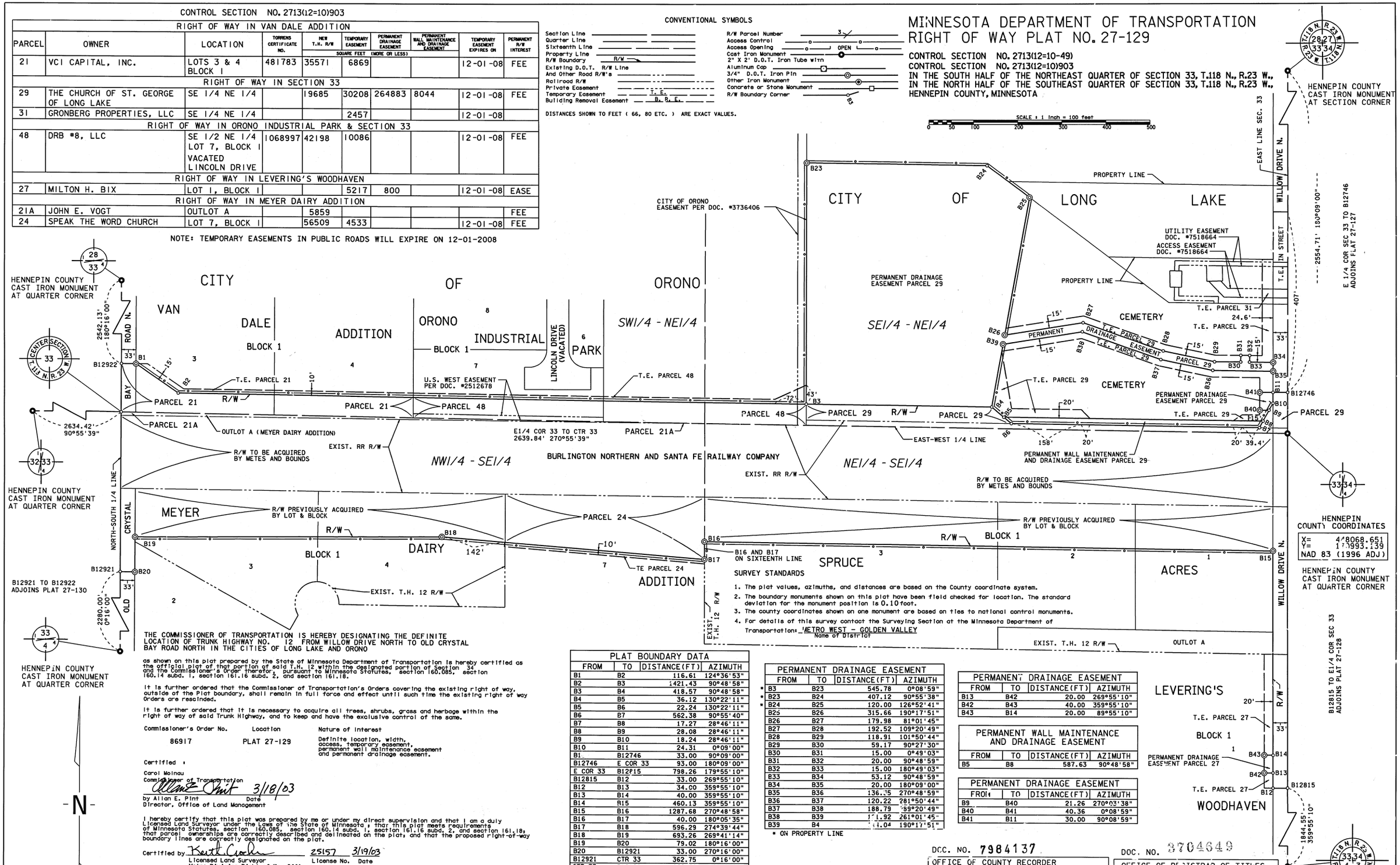
R/W Parcel Number — 3
Access Control
Access Opening — OPEN
Cast Iron Monument
2" X 2' D.O.T. Iron Tube W/Rn
Aluminum Cap
3/4" D.O.T. Iron Pin
Other Iron Monument
Concrete or Stone Monument
R/W Boundary Corner — B3

DISTANCES SHOWN TO FEET (66, 80 ETC.) ARE EXACT VALUES.

MINNESOTA DEPARTMENT OF TRANSPORTATION
RIGHT OF WAY PLAT NO. 27-129

CONTROL SECTION NO. 2713(12=10-49)
CONTROL SECTION NO. 2713(12=10)903
IN THE SOUTH HALF OF THE NORTHEAST QUARTER OF SECTION 33, T.118 N., R.23 W.,
IN THE NORTH HALF OF THE SOUTHEAST QUARTER OF SECTION 33, T.118 N., R.23 W.,
HENNEPIN COUNTY, MINNESOTA

SCALE 1 inch = 100 feet
0 50 100 200 300 400 500



THE COMMISSIONER OF TRANSPORTATION IS HEREBY DESIGNATING THE DEFINITE LOCATION OF TRUNK HIGHWAY NO. 12 FROM WILLOW DRIVE NORTH TO OLD CRYSTAL BAY ROAD NORTH IN THE CITIES OF LONG LAKE AND ORONO

as shown on this plat prepared by the State of Minnesota Department of Transportation is hereby certified as the official plat of that portion of said T.H. 12 within the designated portion of Section 34 and the Commissioner's Order therefor, pursuant to Minnesota Statutes, section 160.085, section 160.14 subd. 1, section 161.16 subd. 2, and section 161.18.

It is further ordered that the Commissioner of Transportation's Orders covering the existing right of way, outside of the Plat boundary, shall remain in full force and effect until such time the existing right of way Orders are rescinded.

It is further ordered that it is necessary to acquire all trees, shrubs, grass and herbage within the right of way of said Trunk Highway, and to keep and have the exclusive control of the same.

Commissioner's Order No.	Location	Nature of Interest
86917	PLAT 27-129	Definite location, width, access, temporary easement, permanent wall maintenance easement and permanent drainage easement.

Certified:

Carol Molnau
Commissioner of Transportation

Allan E. Pint 3/18/03
by Allan E. Pint Date
Director, Office of Land Management

I hereby certify that this plat was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the Laws of the State of Minnesota; that this plat meets requirements of Minnesota Statutes, section 160.085, section 160.14 subd. 1, section 161.16 subd. 2, and section 161.18; that parcel ownerships are correctly described and delineated on the plat; and that the proposed right-of-way boundary lines are correctly designated on the plat.

Certified by Keith Crocker 25157 3/19/03
Licensed Land Surveyor License No. Date
Metro Division Right of Way Office

I hereby certify that this plat was surveyed by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the Laws of the State of Minnesota; that all measurements are correctly shown on this plat; that all monuments have been correctly placed as shown on this plat, and that certificates of location for the monumented public land survey corners as shown on this plat are on file in the County Surveyor's or Recorder's office.

Certified by David B. Toso 23675 031803
Licensed Land Surveyor License No. Date
Mn/DOT District Office

PLAT BOUNDARY DATA			
FROM	TO	DISTANCE(FT)	AZIMUTH
B1	B2	116.61	124°36'53"
B2	B3	1421.43	90°48'58"
B3	B4	418.57	90°48'58"
B4	B5	36.12	130°22'11"
B5	B6	22.24	130°22'11"
B6	B7	562.38	90°55'40"
B7	B8	17.27	28°46'11"
B8	B9	28.08	28°46'11"
B9	B10	18.24	28°46'11"
B10	B11	24.31	0°09'00"
B11	B12746	33.00	90°09'00"
B12746	E COR 33	93.00	180°09'00"
E COR 33	B12815	798.26	179°55'10"
B12815	B12	33.00	269°55'10"
B12	B13	34.00	359°55'10"
B13	B14	40.00	359°55'10"
B14	B15	460.13	359°55'10"
B15	B16	1287.68	270°48'58"
B16	B17	40.00	180°05'35"
B17	B18	596.29	274°39'44"
B18	B19	693.26	269°41'14"
B19	B20	79.02	180°16'00"
B20	B12921	33.00	270°16'00"
B12921	CTR 33	362.75	0°16'00"
CTR 33	B12922	109.81	0°16'00"
B12922	B1	33.00	90°16'00"

PERMANENT DRAINAGE EASEMENT			
FROM	TO	DISTANCE(FT)	AZIMUTH
* B3	B23	545.78	0°08'59"
* B23	B24	407.12	90°55'38"
* B24	B25	120.00	126°52'41"
B25	B26	315.66	190°17'51"
B26	B27	179.98	81°01'45"
B27	B28	192.52	109°20'49"
B28	B29	118.91	101°50'44"
B29	B30	59.17	90°27'30"
B30	B31	15.00	0°49'03"
B31	B32	20.00	90°48'59"
B32	B33	15.00	180°49'03"
B33	B34	53.12	90°48'59"
B34	B35	20.00	180°09'00"
B35	B36	136.35	270°48'59"
B36	B37	120.22	281°50'44"
B37	B38	188.79	89°20'49"
B38	B39	141.92	261°01'45"
B39	B4	181.04	190°17'51"

* ON PROPERTY LINE

PERMANENT DRAINAGE EASEMENT			
FROM	TO	DISTANCE(FT)	AZIMUTH
B13	B42	20.00	269°55'10"
B42	B43	40.00	359°55'10"
B43	B14	20.00	89°55'10"

PERMANENT WALL MAINTENANCE AND DRAINAGE EASEMENT			
FROM	TO	DISTANCE(FT)	AZIMUTH
B5	B8	587.63	90°48'58"

PERMANENT DRAINAGE EASEMENT			
FROM	TO	DISTANCE(FT)	AZIMUTH
B9	B40	21.26	270°03'38"
B40	B41	40.36	0°08'59"
B41	B11	30.00	90°08'59"

AZIMUTH ORIENTATION AND GRID CONVERSION
Plat azimuths are oriented to the County Coordinate System with 0 degrees 0 minutes 0 seconds being "GRID NORTH". Plat distances are ground lengths.

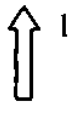
PLAT NO. 27-129
C.S. 2713(12=10-49)
C.S. 2713(12=10)903

DOC. NO. 7984137
OFFICE OF COUNTY RECORDER
HENNEPIN COUNTY, MINNESOTA
I HEREBY CERTIFY THAT THIS PLAT HAS BEEN FILED IN THIS OFFICE ON MARCH 24, 2003 AT 12:37 P.M. IN CAB. ____ NO. ____
Lee C. Leyde
DEP. COUNTY RECORDER

DOC. NO. 3704649
OFFICE OF REGISTRAR OF TITLES
HENNEPIN COUNTY, MINNESOTA
I HEREBY CERTIFY THAT THIS PLAT HAS BEEN FILED IN THIS OFFICE ON MARCH 25, 2003 AT 9:00 A.M. IN BOOK ____ OF ____, PAGE ____
Kathleen Reuter
REGISTRAR OF TITLES

HENNEPIN COUNTY COORDINATES
X= 478068.651
Y= 170993.139
NAD 83 (1996 ADJ)

95





Doc No 4215102 01/20/2006 10:00 AM
Certified filed and or recorded on above date:
Office of the Registrar of Titles
Hennepin County, Minnesota
Michael H. Cunniff, Registrar of Titles
TransID 183216

New cert	Cert	Deputy 24
	481783	Fees
	1120362	$1.50 AF
		$10.50 STATEFEE
		$54.00 TDOCFEE
		$0.00 TSUR
		$66.00 Total

THIS DOCUMENT HAS BEEN RECORDED IN BOTH THE ABSTRACT AND TORRENS REAL ESTATE RECORDS

See above for Torrens document number.
See next page for Abstract document number.

Torrens reference number(s): _____,

_____.

F2D

1

Doc No 8734468 01/20/2006 10:28 AM
Certified filed and or recorded on above date:
Office of the County Recorder
Hennepin County, Minnesota
Michael H. Cunniff, County Recorder
TransID 183200

Deputy 24
Fees
$35.50 DOC
$10.50 SUR
$46.00 Total

THIS DOCUMENT HAS BEEN RECORDED IN BOTH THE ABSTRACT AND TORRENS REAL ESTATE RECORDS

See above for Abstract document number.

Torrens document number: 4215102

STATE OF MINNESOTA,
COUNTY OF HENNEPIN
Certified to be a true and correct copy
of the original on file and of record in my office
1-20-06 (Date)
MICHAEL H. CUNNIFF, COUNTY RECORDER

BY D.L. Klinke, Deputy

COUNTY RECORDER
L'ETOILE DU NORD
HENNEPIN COUNTY, MINN.

F2D

FILED PSL
05 JAN 19 PM 1:22
BY _____ DEPUTY
COURT ADMINISTRATOR

PARTIAL FINAL CERTIFICATE
AS TO ALL PARCELS EXCEPT
PARCELS 24 AND 95
CONDEMNATION

STATE OF MINNESOTA

IN DISTRICT COURT

COUNTY OF HENNEPIN

FOURTH JUDICIAL DISTRICT
Court File No. CD 2725

ORIGINAL

State of Minnesota, by its Commissioner of Transportation,

Petitioner,

vs.

H. William Lurton, City of Orono, Susan Elizabeth Lurton, Van Ericson, Clifford L. Otten, Louise Otten, Otten Brothers Nursery and Landscaping, Inc., County of Hennepin, Al Kalsbeck, Jenn Posterick, Mike Norris, Robert Scherer, Kayla Scherer, City of Wayzata, Robert E. Dumas, also known as Robert Edward Dumas, Kathryn G. Dumas, also known as Kathryn Gleason Dumas and Kathryn Dumas, VCI Capital, Inc., successor in interest to VanDale Companies, Inc. and to VEDA, Inc., Drop Ship Express, Inc., John E. Vogt, Maureen C.P. Vogt, Michael J. Hilbelink, Ann M. Hilbelink, Richard D. Meyer, Patricia M. Meyer, The Burlington Northern and Santa Fe Railway Company, successor in interest to Burlington Northern Railway Company and to Great Northern Railway Company and to Chicago, Burlington & Quincy Railroad Co. and to Northern Pacific Railway Company and to The Atchison, Topeka and Santa Fe Railway Company, Speak the Word Church International, formerly known as Speak the Word Church and World Outreach, Central Bank, U.S. Bank National Association, successor in interest to Metropolitan Federal Bank, fsb, Randy O. Morrison, WJM Properties, LLC, DRB #8, LLC, City of Long Lake, Lartch Development Co., Qwest Corporation, successor in interest to U S West Communications, Inc., WSI Industries, Inc., Carole A. Winterhalter, U.S. Bank National Association ND, Gregory J. Ehalt, Rosemarie C. Ehalt, John Ray-Ranck, formerly known as John Ranck, Betsy Ray-Ranck, formerly known as Betsy Ray, Carol A. Coleman, also known as Carole A. Coleman, Mortgage Electronic Registration Systems, Inc., Unknown successors

in interest Van Eekhout Building Corporation, an inactive Minnesota in interest to Norwest Bank Minnesota, National Association, Scott K. Harris, Terri Mills Harris, Bank of America, National Association, Benn Endsley, John M. James, Lisa H. James, John M. James, Trustee of the Theodore F. Wolf Revocable Trust Agreement dated July 1, 1996, Jeanne Seth, doing business as Fox Hounds Pet Grooming, Lundgren Bros. Construction, Inc., Brian E. Palmer, Julia M. Palmer, SBS Development, LLP, Voyager Bank, formerly known as The Family Bank, FSB, New Horizon Child Care, Inc., also all other persons unknown claiming any right, title, estate, interest or lien in the real estate described in the Petition herein,

Respondents.

- - - - -

IN THE MATTER OF THE CONDEMNATION OF
CERTAIN LANDS FOR TRUNK HIGHWAY PURPOSES

- - - - -

PARTIAL FINAL CERTIFICATE
AS TO ALL PARCELS EXCEPT PARCELS 24 AND 95

- - - - -

By authority of Section 117.205 Minnesota Statutes, I hereby certify that the lands or rights herein described have been taken by the State of Minnesota in eminent domain proceeding for trunk highway purposes in conformity with the requirements of Chapter 117 of said statutes; that commissioners were duly appointed by the court to ascertain and report the amount of damages sustained by the several owners on account of such taking; that said commissioners qualified and made and filed their report of such damages; that the time for appeal from the awards in said report has expired; that appeals, if taken, have been disposed of; that all damages have been paid by the State of Minnesota; that said proceedings are now complete as to all parcels except Parcels 24 and 95; and that said State now owns said lands in fee simple absolute, together with the following rights, to-wit: has acquired from the owners whose lands front thereon any existing right of access to said highway in those cases which are herein particularly mentioned; has acquired a temporary easement in those cases which are herein particularly mentioned; and has acquired easements for walls, wall maintenance, footings and drainage in those cases which are herein particularly mentioned.

With reference to Parcel 210, the State of Minnesota has also acquired a wetland easement in perpetuity.

With reference to all parcels, the award assumed that the property was free of all pollutants, contaminants, and hazardous wastes. The commission had not assessed any damage for the presence of pollutants, contaminants, and hazardous wastes on the subject property. The award was made with the express understanding that the petitioner, State of Minnesota, has reserved all rights to recover damages, testing cost, and clean-up costs attributable to the existence of pollutants, contaminants, or hazardous wastes on the property

from the respondent in a separate legal action. The commission had not considered the impact of pollutants, contaminants, and hazardous wastes on the fair market value of the subject property either before or after the taking in its assessment of damages.

Parcels 65, 67, 69, 77L and 78D were dismissed from the original proceedings.

Said lands are situated in Hennepin County, Minnesota, and are described as follows:

FEE ACQUISITION

Parcel 210 C.S. 2713 (12=10-55)

S.P. 2713-75

All of Tract A described below:

Tract A. That part of the Northeast Quarter of the Northwest Quarter of Section 32, Township 118 North, Range 23 West, Hennepin County, Minnesota, described as follows: Beginning at a point 2.5 chains south of the northeast corner thereof; thence West 2.6 chains; thence South 3 degrees East to the present railroad right of way; thence southeasterly along the north side of said right of way to the east line of said Northeast Quarter of the Northwest Quarter; thence North to the point of beginning;

Tract B. The Northwest Quarter of the Northeast Quarter of Section 32, Township118 North, Range 23 West, Hennepin County, Minnesota lying north of the present railroad right of way;

together with that part of Tract B herein before described which lies southwesterly of Line 1 described below:

Line 1. Commencing at the northwest corner of said Northwest Quarter of the Northeast Quarter; thence on an assumed azimuth of 179 degrees 27 minutes 49 seconds along the west line thereof for 165.00 feet to the point of beginning of Line 1 to be described; thence on an azimuth of 159 degrees 27 minutes 52 seconds for 400.00 feet; thence on an azimuth of 144 degrees 27 minutes 52 seconds for 500.00 feet; thence on an azimuth of 124 degrees 27 minutes 52 seconds for 400.00 feet; thence on an azimuth of 101 degrees 27 minutes 52 seconds for 612.72 feet to the east line of said Northwest Quarter of the Northwest Quarter and there terminating;

containing 12.25 acres, more or less, of which 2.71 acres is encumbered by an existing highway easement;

together with a wetland easement in perpetuity over that part of Tract B hereinbefore described, adjoining and northeasterly of the above described strip, which lies Southwesterly of the following described line: Beginning at a point on Line 1 described above, distant 972.72 feet northwesterly of its point of termination; thence run northeasterly at right angles to said Line 1 for 350.00 feet; thence deflect to the right at an angle of 90 degrees 00 minutes 00 seconds to a point distant 222.00 feet northeasterly (measured at right angles) of a point on said Line 1, distant 240.00 feet northwesterly of its point of termination; thence run southwesterly to a point distant 240.00 feet northwesterly of point of termination of said Line 1 and there terminating.

containing 4.87 acres, more or less;

also a right to use the following described strips for highway purposes, which right shall cease on December 1, 2007 or on such earlier date upon which the Commissioner of Transportation determines by formal order that is no longer needed for highway purposes;

A strip being that part of Tract B hereinbefore described adjoining and northeasterly of the first above described strip and adjoining and southeasterly of the second above described strip, which lies southwesterly of a line run parallel with and distant 20 feet northeasterly of the following described line: Beginning at the point of termination of Line 1 described above, thence run northwesterly along said Line 1 for 240 feet and there terminating;

A strip being that part of Tract B hereinbefore described adjoining and northeasterly of the first above described strip and adjoining and northwesterly of the second above described strip, which lies southwesterly of a line run parallel with and distant 20 feet northeasterly of Line 1 described above and its northwesterly extension;

containing 0.55 acre, more or less.

FEE ACQUISITION

Parcel 311 C.S. 2713 (12=10-55)

S.P. 2713-75

All of Tract A described below:

Tract A. Lots 16 and 17, MINNETONKA GARDEN ACRES, according to the plat thereof on file and of record in the office of the County Recorder in and for Hennepin County, Minnesota; also that part of the County Road lying southerly of the centerline of said County Road as shown in said MINNETONKA GARDEN ACRES, which lies westerly of the easterly line of said plat, northeasterly of a line drawn parallel with and distant 83 feet northeasterly of the southwesterly line of said plat and southerly of the southerly line of County State Aid Highway No. 6 as shown in Hennepin County Highway Plat No. 5, according to the duly recorded plat thereof.

FEE ACQUISITION

Parcel 201C C.S. 2713 (12=10) 901

S.P. 2713-75

All of the following:

That part of the Southeast Quarter of the Southeast Quarter of Section 35, Township 118 North, Range 23 West, shown as Parcel 201C on Minnesota Department of Transportation Right of Way Plat Numbered 27-134 as the same is on file and of record in the office of the County Recorder in and for Hennepin County, Minnesota;

containing 1.94 acres, more or less;

together with other rights as set forth below, forming and being part of said Parcel 201C:

Access:

All right of access as shown on said plat by the access control symbol.

Temporary Easement:

A temporary easement for highway purposes as shown on said plat as to said Parcel 201C by the temporary easement symbol, said easement shall cease on December 1, 2008, or on such earlier date upon which the Commissioner of Transportation determines by formal order that it is no longer needed for highway purposes.

FEE ACQUISITION

Parcel 13 C.S. 2713 (12=10) 903

S.P. 2713-75

All of the following:

That part of Lot 1, Block 1, DUMAS ORCHARDS and Government Lot 2 of Section 33, Township 118 North, Range 23 West, shown as Parcel 13 on Minnesota Department of Transportation Right of Way Plat Numbered 27-130 as the same is on file and of record in the office of the County Recorder in and for Hennepin County, Minnesota;

containing 1.77 acres, more or less, in the unplatted portion;

together with other rights as set forth below, forming and being part of said Parcel 13:

Access:

All right of access as shown on said plat by the access control symbol.

Temporary Easement:

A temporary easement for highway purposes as shown on said plat as to said Parcel 13 by the temporary easement symbol, said easement shall cease on December 1, 2008, or on such earlier date upon which the Commissioner of Transportation determines by formal order that it is no longer needed for highway purposes.

FEE ACQUISITION

Parcel 21 C.S. 2713 (12=10) 903

S.P. 2713-75

All of the following:

481783
T

That part of Lot 4, Block 1, VAN DALE ADDITION, shown as Parcel 21 on Minnesota Department of Transportation Right of Way Plat Numbered 27-129 as the same is on file and of record in the office of the Registrar of Titles in and for Hennepin County, Minnesota; the title thereto being registered as evidenced by Certificate of Title No. 481783;

NT

also that part of Lot 3, Block 1, VAN DALE ADDITION, shown as Parcel 21 on Minnesota Department of Transportation Right of Way Plat Numbered 27-129 as the same is on file and of record in the office of the County Recorder in and for Hennepin County, Minnesota; *

together with other rights as set forth below, forming and being part of said Parcel 21:

Access:

All right of access as shown on said plat by the access control symbol.

Temporary Easement:

A temporary easement for highway purposes as shown on said plat as to said Parcel 21 by the temporary easement symbol, said easement shall cease on December 1, 2008, or on such earlier date upon which the Commissioner of Transportation determines by formal order that it is no longer needed for highway purposes.

FEE ACQUISITION

Parcel 21A C.S. 2713 (12=10) 903

S.P. 2713-75

All of the following:

That part of Outlot A, MEYER DAIRY ADDITION, shown as Parcel 21A on Minnesota Department of Transportation Right of Way Plat Numbered 27-129 as the same is on file and of record in the office of the County Recorder in and for Hennepin County, Minnesota.

FEE ACQUISITION

Parcel 48 C.S. 2713 (12=10) 903

S.P. 2713-75

All of the following:

That part of Lot 7, Block 1, ORONO INDUSTRIAL PARK, and also that part of the South Half of the Northeast Quarter of Section 33, Township 118 North, Range 23 West, shown as Parcel 48 on Minnesota Department of Transportation Right of Way Plat Numbered 27-129 as the same is on file and of record in the office of the Registrar of Titles in and for Hennepin County, Minnesota; the title thereto being registered as evidenced by Certificate of Title No. 1068997;

containing 0.51 acre, more or less, in the unplatted portion;

together with other rights as set forth below, forming and being part of said Parcel 48:

Access:

All right of access as shown on said plat by the access control symbol.

Temporary Easement:

A temporary easement for highway purposes as shown on said plat as to said Parcel 48 by the temporary easement symbol, said easement shall cease on December 1, 2008, or on such earlier date upon which the Commissioner of Transportation determines by formal order that it is no longer needed for highway purposes.

FEE ACQUISITION

Parcel 85B C.S. 2713 (12=10) 903

S.P. 2713-75

34-118-23-11&12

All of the following:

That part of Government Lot 3, Section 34, Township 118 North, Range 23 West, shown as Parcel 85B on Minnesota Department of Transportation Right of Way Plat Numbered 27-131 as the same is on file and of record in the office of the County Recorder in and for Hennepin County, Minnesota;

NT

containing 0.04 acre, more or less, of which 0.01 acre is encumbered by an existing road easement;

together with other rights as set forth below, forming and being part of said Parcel 85B:

Access:

All right of access as shown on said plat by the access control symbol.

Temporary Easement:

A temporary easement for highway purposes as shown on said plat as to said Parcel 85B by the temporary easement symbol, said easement shall cease on December 1, 2008, or on such earlier date upon which the Commissioner of Transportation determines by formal order that it is no longer needed for highway purposes.

Parcel 87B C.S. 2713 (12=10) 903

S.P. 2713-75

All of the following:

A wall maintenance and footing easement in perpetuity for the purpose of erecting and maintaining a wall and footings on that part of Lot 7, Block 1 and Lot 7, Block 2, STONERIDGE COLONY, shown as Parcel 87B on Minnesota Department of Transportation Right of Way Plat Numbered 27-132 as the same is on file and of record in the office of the County Recorder in and for Hennepin County, Minnesota, and designated as a permanent wall maintenance and footing easement;

together with other rights as set forth below, forming and being part of said Parcel 87B:

Temporary Easement:

A temporary easement for highway purposes as shown on said plat as to said Parcel 87B by the temporary easement symbol, said easement shall cease on December 1, 2008, or on such earlier date upon which the Commissioner of Transportation determines by formal order that it is no longer needed for highway purposes.

FEE ACQUISITION

Parcel 97 C.S. 2713 (12=10) 903

S.P. 2713-75

All of the following:

That part of the South Half of the Southeast Quarter of Section 35, Township 118 North, Range 23 West, shown as Parcel 97 on Minnesota Department of Transportation Right of Way Plat Numbered 27-134 as the same is on file and of record in the office of the County Recorder in and for Hennepin County, Minnesota;

containing 1.40 acres, more or less;

together with other rights as set forth below, forming and being part of said Parcel 97:

Access:

All right of access as shown on said plat by the access control symbol.

Temporary Easement:

A temporary easement for highway purposes as shown on said plat as to said Parcel 97 by the temporary easement symbol, said easement shall cease on December 1, 2008, or on such earlier date upon which the Commissioner of Transportation determines by formal order that it is no longer needed for highway purposes.



Doc No 4322667 10/31/2006 09:00 AM
Certified filed and or recorded on above date:
Office of the Registrar of Titles
Hennepin County, Minnesota
Michael H. Cunniff, Registrar of Titles

TransID 267181

New cert

Cert
1191597

Deputy 59
Fees
$1.50 AF
$10.50 STATEFEE
$34.00 TDOCFEE
$0.00 TSUR
$46.00 Total

1191597

**A RESOLUTION GRANTING
COMMERCIAL SITE PLAN APPROVAL
AND A CONDITIONAL USE PERMIT
AND APPROVING THE ISSUANCE OF BUILDING PERMITS
FOR CRYSTAL BAY BUSINESS CENTER
FOR RYAN COMPANIES US, INC
FILE NO. 06-3208**

4322667

CITY of ORONO

RESOLUTION OF THE CITY COUNCIL

NO. 5505

**A RESOLUTION GRANTING
COMMERCIAL SITE PLAN APPROVAL
AND A CONDITIONAL USE PERMIT
AND APPROVING THE ISSUANCE OF BUILDING PERMITS
FOR CRYSTAL BAY BUSINESS CENTER
FOR RYAN COMPANIES US, INC
FILE NO. 06-3208**

WHEREAS, Ryan Companies US, Inc. (a Minnesota corporation), (hereinafter the "applicant") on May 17, 2006 filed a commercial site plan application with the City of Orono (hereinafter the "City") for property legally described as Lots 1, 2, 3 and 4 Block 1 Van Dale Addition, Hennepin County, Minnesota (hereinafter "the property"); and

WHEREAS, the applicant on May 17, 2006 filed a conditional use permit application with the City per City Code Section 78-826(A)(9) for a portion of the property to be known as Lot 1 Block 1 Crystal Bay Business Center to allow the building on this lot to have 50 to 60% burnished block and 40 to 50% rock face block (hereinafter "alternative materials"); and

WHEREAS, after due published and mailed notice in accordance with Minnesota Statutes 462.358 et. seq. and the City of Orono's Zoning and Subdivision Codes, the Orono Planning Commission held a public hearing on July 17, 2006, at which time all persons desiring to be heard concerning this application were given the opportunity to speak thereon; and

WHEREAS, the City Council has reviewed the recommendations of staff, Planning Commission, and City Engineer as well as the comments by the applicant, the applicant's representatives, and the public, and hereby makes the following findings in regard to these applications:

1. These applications were reviewed as Zoning File #06-3208.

2. The property is located in the I, Industrial Zoning District, which requires a minimum lot area of 40,000 square feet. The applicant's property is four lots, each of which is larger than 40,000 square feet.

CITY of ORONO

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NO. 5505

3. The Planning Commission reviewed these applications on July 17, 2006 and recommended approval of the commercial site plan review and conditional use permit.

4. The proposal complies with the intent and standards of the Industrial zoning district.

5. The proposed development and conditional use permit would not be detrimental to the health, safety and welfare of the community.

6. The proposed location of the building with the alternative materials is in accord with the objectives of the Zoning Regulations and the purposes of the Industrial zoning district; and

7. The building with the alternative materials would not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity.

CONCLUSIONS, ORDER AND CONDITIONS

NOW, THEREFORE, BE IT RESOLVED, that based on the findings noted above, the City Council of the City of Orono hereby approves the commercial site plan application and conditional use permit for alternative building materials and approves the City's issuance of building permits for the proposed buildings, subject to the following conditions:

1. Council approval is based on the project plans drawn by RLK, Inc., dated May 17, 2006 and revised August 4, 2006. Any changes to the project plans may require further Planning Commission and City Council review.

2. The filing of the plat of Crystal Bay Business Center shall occur prior to issuance of permits for any site improvements or building construction.

3. The applicant shall provide the City a set of project plans revised to reflect a 60 foot right of way for the new public street.

CITY of ORONO

RESOLUTION OF THE CITY COUNCIL

NO. 5505

4. Before the first new building is occupied the drainage from the existing parking lot onto property in the Orono Industrial Park subdivision shall be redirected to remain within the Applicant's property until it enters the drainage system.

5. The new shoulder and re-striping of Old Crystal Bay Road shall be completed before the first new building is occupied.

6. The conditional use permit for outdoor storage (#01-2612) shall be revised to relocate the outdoor storage prior to construction of the new street or issuance of a building permit for Lot 1 Block 1.

7. The applicant shall execute a Developer's Agreement for construction of the on-site improvements as set forth therein. This Developer's Agreement shall define site access required during construction. (This Developer's Agreement and the Developer's Agreement for the plat of Crystal Bay Business Center shall be combined into one agreement.)

8. No land alterations shall take place until erosion control is established and a building, demolition or land alteration permit has been issued. No improvements shall begin until the appropriate permit has been issued. A Letter of Credit must accompany the building permit application written to 125% of the City Engineer's estimated cost of the proposed on-site improvements for that lot and any required improvements on other lots within the subdivision.

9. Authorities granted by this resolution run with the property not with the applicant, but are permissive only and must be exercised by obtaining a building permit for construction of one of the new buildings within one year of filing of the final plat and permits for construction of the other two new buildings within five years of the issuance of the permit for the first building.

10. Violation of or non-compliance with any of the terms and conditions of this resolution shall constitute a violation of the zoning code, shall automatically terminate any authority granted herein, and shall be punishable as a misdemeanor.

CITY of ORONO

RESOLUTION OF THE CITY COUNCIL

NO. 5505

11. The undersigned applicant has read, understands and hereby agrees to the terms of this resolution and on behalf of the applicant, its successors and assigns, hereby agrees to the recording of this resolution in the chain of title of the property.

Adopted by the Orono City Council on the11th day of September, 2006.

ATTEST:

Linda S. Vee, City Clerk

Barbara A. Peterson, Mayor

Ryan Companies US, Inc
By: Mark Nordland
It's: Vice President

STATE OF MINNESOTA
COUNTY OF HENNEPIN

The foregoing instrument was acknowledged before me on this 9th day of October 2006 by Barbara A. Peterson, Mayor of the City of Orono, a Minnesota municipal corporation and said instrument was executed on behalf of the City.

RACHEL DODGE
NOTARY PUBLIC - MINNESOTA
My Commission Expires Jan. 31, 2010

Notary Public

CITY of ORONO

RESOLUTION OF THE CITY COUNCIL

NO. 5505

STATE OF MINNESOTA
COUNTY OF HENNEPIN

The foregoing instrument was acknowledged before me on this 9th day of October, 2006 by Linda S. Vee, City Clerk of the City of Orono, a Minnesota municipal corporation and said instrument was executed on behalf of the City.

RACHEL DODGE
NOTARY PUBLIC - MINNESOTA
My Commission Expires Jan. 31, 2010

Rachel Dodge
Notary Public

STATE OF MINNESOTA
COUNTY OF HENNEPIN

The foregoing instrument was acknowledged before me on this 6 day of October, 2006 by Mack A. Nordland, Vice President of Ryan Companies US, Inc, a Minnesota corporation, on behalf of Ryan Companies US, Inc.

DENISE M. LESKINEN
NOTARY PUBLIC - MINNESOTA
My Commission Expires Jan. 31, 2010

Notary Public

RESOLUTION # 5505

STATE OF MINNESOTA)
)
COUNTY OF HENNEPIN)
)
CITY OF ORONO)

I, Linda S. Vee, City Clerk of the City of Orono, Hennepin County, Minnesota, do hereby certify that I have compared the foregoing copy of a resolution of the City Council of the City of Orono with the original record of such resolution in the Minutes of the proceedings of said City Council at a meeting of said City Council held on September 11, 2006, and that the same is a true and correct copy of said resolution duly adopted by said City Council at said meeting.

In Witness Whereof, I have hereunto set my hand and seal this 25th day of September, 2006.

(SEAL)

Linda S. Vee

Linda S. Vee, City Clerk

Doc No 4457476 12/27/2007 04:30 PM
Certified filed and or recorded on above date:
Office of the Registrar of Titles
Hennepin County, Minnesota
Michael H. Cunniff, Registrar of Titles

TransID 364296

New cert

Cert
1216826

Deputy 26
Fees
$1.50 AF
$10.50 STATEFEE
$34.00 TDOCFEE
$0.00 TSUR
$46.00 Total

(reserved for recording information)

DEVELOPMENT AGREEMENT
CRYSTAL BAY BUSINESS CENTER

DEVELOPMENT AGREEMENT ("Agreement") dated December 5, 2007, by and between the **CITY OF ORONO**, a Minnesota municipal corporation ("City"), and **RYAN COMPANIES US, INC.**, a Minnesota Corporation (the "Developer").

DEFINITIONS

"Building Permit Approval" means City review and approval of plans for the construction of Improvements for individual Lots.

"Commercial Site Plan Approval" means the September 11, 2006 City review and approval of proposed Improvements for each individual Lot within the Plat.

"Development" means the construction, remodeling, or replacement of up to 4 structures, each on separate lots within the Plat.

"Development Stage Approval" means review and approval of plans and this Agreement by the City prior to construction of the Improvements.

"Highway 12" means the new expressway on the South side of the Plat.

"Improvements" means the Private Improvements and the Public Improvements.

"Lot" means a lot defined within the Plat.

"Plans" means the series of plans and specifications set forth in Section 8 of this Agreement.

"Plat" means the final Plat for ***CRYSTAL BAY BUSINESS CENTER,*** an industrial center located at 2725 and 2765 Wayzata Boulevard and 430 and 450 Old Crystal Bay Road North, said Plat approved of even date with this Agreement. The Plat contains approximately 17.5 acres and is legally described as Lots 1 and 2, Block 1, and Lots 1, 2, and 3, Block 2, all within Crystal Bay Business Center, Hennepin County, State of Minnesota, as shown on the attached Exhibit "A".

"Private Improvements" means remodeling, construction of buildings, infrastructure, landscaping, etc. within individual Lots.

"Public Improvements" means construction of infrastructure, landscaping, etc. within public rights of way.

"Wayzata Boulevard" means the existing highway on the North side of the Plat.

1. REQUEST FOR PLAT APPROVAL. On September 11, 2006, the City Council approved a preliminary plat for ***CRYSTAL BAY BUSINESS CENTER.*** Said preliminary plat approval was extended by the City Coucil on September 10, 2007. On September 11, 2006, the City Council granted Commercial Site Plan Approval including a Conditional Use Permit for alternative building material for the building proposed on Lot 1, Block 1, and a variance to allow for a narrower street right of way than required by City standards. The right of way for the new

street is to be 60 feet wide whereas the subdivision regulations require a 70 foot wide right of way.

2. CONDITIONS OF PLAT APPROVAL. The City approved the Plat in part on the condition the Developer enter into this Agreement, furnish the security required by it, and record the Plat with the County Recorder and Registrar of Titles within 180 days of this Agreement.

3. RIGHT TO PROCEED. Within the Plat, the Developer may not grade or otherwise disturb the earth, remove trees, construct sewer lines, water lines, streets, utilities, Public or Private Improvements, or any buildings until all the following conditions have been satisfied: 1) this Agreement has been fully executed by both parties and filed with the City Clerk, 2) the necessary security as provided in this Agreement has been received by the City, and 3) the Plat and this Agreement have been submitted to the Hennepin County Recorder's Office and Office of the Registrar of Titles.

4. DEVELOPMENT. The Development is to be constructed on a schedule as dictated by the issuance of building permits. Each Lot may be improved individually. New buildings are to be constructed on Lot 1, Block 1; Lot 1, Block 2; and Lot 2, Block 2. The existing building on Lot 3, Block 2, is to be renovated and the parking area reconstructed. The City may refuse to grant building permits for any structure if the Developer has breached this Agreement and the breach has not been remedied. Developer shall submit a complete application for a building permit for construction of one of the buildings within one year of filing of the Plat or the Commercial Site Plan Approval for all of the Lots shall lapse. If the Commercial Site Plan Approval lapses, Developer shall be required to re-submit an application to the City for Commercial Site Plan review and approval under then existing City standards and

the City may use the Letter of Credit to complete the Public Improvements required under this Agreement at Developer's expense. If a building permit is submitted as required above, the Commercial Site Plan Approval shall not lapse for any of the other Lots, except as provided in Section 5 herein.

5. CHANGES IN OFFICIAL CONTROLS. For five (5) years from the date of this Agreement, no amendments to the City's Comprehensive Plan or official controls shall apply to or affect the use, development density, lot size, lot layout or dedications of the approved Plat or each Commercial Site Plan unless required by state or federal law or agreed to in writing by the City and the Developer or its assigns. Thereafter, notwithstanding anything in this Agreement to the contrary, to the full extent permitted by state law, the City may require compliance with any amendments to the City's Comprehensive Plan, official controls, platting or dedication requirements enacted after the date of this Agreement.

6. CONDITION FOR SUBSEQUENT APPROVALS. The entire Development has received Commercial Site Plan Approval. Therefore, additional City review prior to construction of future buildings or renovation of the existing building on Lot 3, Block 2, will be limited to Building Permit Approval by City Staff. All structures shall be built consistent with the Commercial Site Plan Approval.

7. IMPROVEMENTS.

A. <u>PUBLIC IMPROVEMENTS</u>: The Developer shall install and pay for the following Public Improvements:

1. Streets:
   a. Orono Industrial Boulevard
   b. Work in Old Crystal Bay Road

2. Sewer and Water systems to serve the property

3. Storm Sewer System to serve the property

4. Ditch Upgrade and Improvements along Highway 12

5. Public Trail along Wayzata Boulevard (Paid for by Developer as part of the park dedication)

The Public Improvements shall be installed in accordance with the City Ordinances, City standard specifications for utilities and street construction, and MNDOT specifications. The Developer shall submit plans and specifications which have been prepared by a competent registered professional engineer or other appropriate professional to the City for approval by the City Engineer. The City may, at the City's discretion and at the Developer's expense, have one or more City inspectors and a soil engineer inspect the work for Public Improvements. The Developer, its contractors and subcontractors, shall follow all reasonable instructions received from the City's inspectors. The Developer shall provide for on-site project management for the Public Improvements. The Developer is responsible for design changes and contract administration between the Developer and the Developer's contractor. The Developer shall schedule a pre-construction meeting at a mutually agreeable time with the City and all parties concerned, including the City staff, to review the program for the construction work.

B. **PRIVATE IMPROVEMENTS**: The Developer shall install and pay for the following Private Improvements within the Plat as follows:

1. Sanitary Sewer Service

2. Water Service

3. Setting of Iron Monuments

4. Surveying and Staking

5. Relocation of Wayzata Boulevard Access and reconstruction of the paved areas on Lot 3, Block 2

The Private Improvements shall be installed in accordance with the City Ordinances; City standard specifications for utilities and street construction, and MNDOT specifications. The Developer shall submit plans and specifications which have been prepared by a competent registered professional engineer or other appropriate professional to the City for approval by the City Engineer. The Private Improvements with respect to each Lot shall be installed in conjunction with the construction or remodeling of a building or buildings within each Lot.

8. DEVELOPMENT PLANS. The Plat shall be developed in accordance with the conditions set forth in the Resolution approving the Plat and the following plans, all dated as of October 26, 2007 ("Plans") which are incorporated herein by reference. With the exception of Plans C3.0 and C5.0, the Plans may be finalized, subject to approval by the City Engineer, after the date of the Agreement, but before issuance of an individual building permit for any Lot. The Plans shall not be attached to this Agreement. If the Plans vary from the written terms of this Agreement, the written terms shall control. The Plans are:

PLANS

C1.0 Title Sheet
C2.0 ALTA/ACSM Land Title Survey (As Prepared by Westwood Professional Services)
C3.0 Final Plat
C4.0 Existing Conditions and Removals Plan
C5.0 Master Site Plan
C6.0 Site Plan
C7.0 Grading and Drainage Plan
C8.0 Stormwater Pollution Prevention Plan (SWPPP)
C8.1 SWPPP Notes and Details
C9.0 Storm Sewer Plan
C10.0 Utility Plan
C11.0 Landscape Plan
C12.0 Landscape Details

C13.0 Lighting Plan
C14.0 Orono Industrial Blvd Plan and Profile
C15.0-C15.1 Civil Details

9. DESIGN STANDARDS.

A. The Developer received Conditional Use Permit approval for a portion of the property to be known as Lot 1, Block 1, Crystal Bay Business Center to allow the building on this lot to have 50% to 60% burnished block and 40% to 50% rock face block as alternative materials.

B. The Developer received variance approval on September 11, 2006, for a narrower street right of way than required by City standards. The right of way for the new street is to be 60 feet wide whereas the subdivision regulations would require a 70 foot wide right of way. The street shall be named "Orono Industrial Boulevard." Work to be performed on Orono Industrial Boulevard, Old Crystal Bay Road, and the ditch upgrade and improvements along Highway 12 shall be completed before a shell Certificate of Occupancy is issued for Lot 1, Block 1, or Lot 1, Block 2. Work to be performed on Old Crystal Bay Road and the ditch upgrade and improvements along Highway 12 shall be completed before a shell Certificate of Occupancy is issued for Lot 2, Block 2.

10. PERMITS. The Developer shall obtain or require its contractors and subcontractors to obtain any necessary permits, which may include:

- Hennepin County for County Road Access and Work in County Rights-of-Way
- MnDot for State Highway Access
- Minnesota Department of Health for Watermains
- NPDES Permit for Stormwater Connections
- MPCA for Sanitary Sewer and Hazardous Material Removal and Disposal
- DNR for Dewatering
- City of Orono for Building Permits
- Minnehaha Creek Watershed District

Developer shall obtain all necessary permits relating to the Public Improvements with the assistance and cooperation of the City.

11. **DEWATERING.** Due to the variable nature of groundwater levels and stormwater flows, it will be the Developer's and the Developer's contractors and subcontractors responsibility to satisfy themselves with regard to the elevation of groundwater in the area and the level of effort needed to perform dewatering and storm flow routing operations. All dewatering shall be in accordance with all applicable county, state, and federal rules and regulations.

12. **LICENSE.** The Developer hereby grants the City, its agents, employees, officers and contractors a license to enter upon the areas of the Development Property reasonably necessary to perform all work and inspections deemed appropriate by the City in conjunction with Plat development and the installation of Public Improvements by the Developer. The City shall hold the Developer (and its successors and assigns) harmless from any cause of action or claims as a result of the negligence or willful misconduct of the City, its agents, employees, officers and contractors on entering the platted property and its performance of all of its work and inspections.

13. **EROSION CONTROL.** Prior to initiating site grading, the Storm Water Pollution Prevention Plan, Plan C8.1, shall be implemented by the Developer and inspected and approved by the City or Minnehaha Creek Watershed District ("MCWD"). The City or MCWD may impose additional erosion control requirements according to their standards.

14. **GRADING PLAN.** The Plat shall be graded in accordance with the approved Final Grading and Drainage Plan, Plan C7.0.

15. OWNERSHIP OF IMPROVEMENTS. Upon completion of the work and construction required by this Agreement and formal City acceptance, the Public Improvements lying within public easements or right of way shall become City property without further notice or action.

16. SUMMARY OF SECURITY REQUIREMENTS. To guarantee compliance with the terms of this Agreement, payment of the costs of all Public and Private Improvements, and construction of all Public Improvements, the Developer shall furnish the City with one (1) Letter of Credit, in the form attached hereto, from a bank ("security") totaling **$488,727.11**. The security amounts are to be calculated as follows:

1. Public Improvements* Due before Plat release

a. Lot 1, Block 1	$ 71,137.50
b. Lot 1, Block 2	$ 29,877.50
c. Lot 2, Block 2	$ 49,087.50
d. Lot 3, Block 2	$ 14,242.50
e. Orono Industrial Boulevard	$267,667.50
f. Old Crystal Bay Road	$ 12,964.61
g. Ditch Upgrade and Improvements along Highway 12	$ 43,750.00

*Public Improvements include items such as paving/grading/landscaping within public rights-of-way, and improvements to sanitary sewer, watermain and storm sewer within public rights-of-way.

In addition, the Developer shall deliver to the City separate letters of credit in the same form as provided above with respect to the following improvements, at the times specified below:

2. Private Improvements Lot 1, Block 1,
Due before Building Permit release* $438,720.00 #

3. Private Improvements Lot 1, Block 2,
   Due before Building Permit release* $335,066.88 #

4. Private Improvements Lot 2, Block 2,
   Due before Building Permit release* $266,206.56 #

5. Private Improvements Lot 3, Block 2,
   Due before Building Permit release* $476,093.44 #

* Release will be permitted on a Lot by Lot basis.

Amounts will be recalculated and adjusted at the time of Building Permit Approval based upon then existing anticipated costs.

This breakdown is for historical reference; it is not a restriction on the use of the security. The bank shall be subject to the reasonable approval of the City Administrator. The security must be in the form as provided for in the example Letter of Credit attached hereto and incorporated by reference. The City may draw down the security, with notice, for any violation of the terms of this Agreement, subject to the cure periods provided in this Agreement. If the required Public or Private Improvements are not completed and the City receives a notice of non-renewal of the letter of credit from the issuer thereof, the City may also draw it down and hold the funds as a cash escrow to secure compliance with the requirements by the Developer. If the security is drawn down, the proceeds shall be used to cure the default. Upon receipt of proof satisfactory to the City that work has been completed and financial obligations to the City have been satisfied, with City approval, which shall not be unreasonably withheld, conditioned or delayed, the security may be reduced from time to time. For Public Improvements, ten percent (10%) of the amounts certified by the Developer shall be retained as security until all Public Improvements have been completed, all necessary utility easements have been provided, all financial obligations to the City satisfied, the required "as constructed" Plans have been received

by the City, a warranty bond is provided, and the Public Improvements are accepted by the City Council. The City standard specifications for utilities construction outline procedures for security reductions as provided in Orono City Code Section 82-214. The warranty bond shall have a duration of twenty-four (24) months.

17. STORM WATER AND DRAINAGE TRUNK FEE. The Development is subject to a Storm Water and Drainage Trunk Fee in the amount of **$128,100.00**. The fee is based on the gross area of the final Plat less any area credit for pond area, and is calculated as follows:

$7,320.00 per acre x 17.5 acres = **$128,100.00** The total fee for the Development of **$128,100.00** shall be paid by the Developer in cash upon the execution of this Agreement. In no event shall any additional fee for Storm Water and Drainage Trunk be payable by Developer or assessed against the Development Property as a result of the construction of the Public Improvements as defined herein. The Development Property shall not be subject to a special assessment in connection with the initial installation of the street labeled "Orono Industrial Boulevard" on the land to the east of the Development Property.

18. PARK DEDICATION FEE. Developer shall pay a Park Dedication Fee for Lot 1, Block 1, based upon 8% of the market value of the property calculated as follows:

$750,000.00 x 8% = $60,000.00

The Developer shall also pay a Park Dedication Fee for Lot 2, Block 2 calculated as follows:

3.01 acres x $13,875.00/acre = $41,764.00

Payment shall be due to the City at the time of execution of this Agreement as its Park Dedication Fee for Lot 1, Block 1, and Lot 2, Block 2. No Park Dedication Fees are due for Lot 1 or Lot 3, Block 2, as those lots have previously been developed and appropriate fees paid.

19. SUMMARY OF FEES AND CASH REQUIREMENTS. The following is a summary of the fees and cash requirements under this Agreement which must be furnished to the City at the time indicated:

FEE or CHARGE	**Date Payable**
Storm Water and Drainage Trunk Fee	Before Plat release
Park Dedication	Before Plat release
SAC and WAC	With Building Permit
MCES charges	With Building Permit
Escrow for City Expenses/Engineering/Legal	Before Plat release
Total Cash Requirements before Plat release	**$229,864.00**

20. SPECIAL PROVISIONS. The following special provisions shall apply to the development of the platted property and the Public Improvements:

A. Before the first new building is occupied, the drainage from the existing parking lot onto property in the Orono Industrial Park subdivision shall be redirected to remain within the Plat until it enters the public drainage system.

B. The conditional use permit for outdoor storage (#01-2612) shall be revised to relocate the outdoor storage prior to construction of Orono Industrial Boulevard or issuance of a building permit for Lot 1, Block 1.

C. Construction traffic access and egress for grading, public utility construction, and street construction is restricted to access the subdivision via Old Crystal Bay Road or Wayzata Boulevard

D. Construction hours are 7 AM to 10 PM Monday through Saturday.

E. The Developer will remove the portion of the existing building that is on Lot 1, Block 2, before August 31, 2010.

F. Access shall be as follows:

1. No curb cut will be provided on Orono Industrial Boulevard for the loading dock for the existing building on Lot 3, Block 2.

2. Lot 1, Block 1, will have access off Orono Industrial Boulevard.

3. Lot 1, Block 2, will have access off Orono Industrial Boulevard and Old Crystal Bay Road. The Old Crystal Bay Road access will be a joint driveway with Lot 2 Block 2.

4. Lot 2, Block 2, will have access off Old Crystal Bay Road. This access will be a joint driveway with Lot 1, Block 2.

5. Lots 1 and 2, Block 2, will have shared access and cross easements to allow the properties use of the Wayzata Boulevard access on Lot 3, Block 2. Lot 2, Block 2 will have an easement to use Orono Industrial Boulevard.

6. Lot 3, Block 2, will have access off Wayzata Boulevard and Orono Industrial Boulevard.

7. Developer shall relocate the existing Wayzata Boulevard access to be as close to the east property line as feasible before Lot 3, Block 2, is sold or before September 11, 2011, whichever occurs first.

G. The Developer and the owner of the property at 2687 Wayzata Boulevard may enter into an agreement for a joint access to Wayzata Boulevard, either through a joint driveway or through easements to a driveway entirely on one of the properties. The Developer may allow the property at 2687 Wayzata Boulevard access Old Crystal Bay Road or Orono Industrial Boulevard.

H. An encroachment agreement shall be required to allow use of the right of way of Orono Industrial Boulevard for outdoor storage until the street is constructed.

I. Developer shall grant the City an easement for a trail adjacent to Wayzata Boulevard in a location agreed upon between the parties. Developer shall supply the City with a cost estimate for the trail and shall install, at Developer's cost, an eight (8) foot wide bituminous trail within the easement built to City specifications. The trail shall be installed at a mutually agreeable time. Upon completion of the trail and the City's receipt of the trail easement documentation, the Developer shall be entitled to reimbursement in the amount of the trail construction costs as agreed upon between the parties prior to construction of the trail.

J. Within one hundred twenty (120) days after the completion of the Public Improvements and before the remaining security is released, the Developer shall provide the City with permanent utility easements for any Public Improvement not within the platted easements. The permanent utiltity easements shall be in form acceptable to the City.

21. MISCELLANEOUS.

A. The Developer shall indemnify and hold the City and its officers, employees, and agents harmless from claims made by it and third parties for damages sustained or costs incurred resulting from Plat approval and development, except for any costs or damages resulting from the negligence or willful. misconduct of the City, its officers, employees and agents. The City shall indemnify and hold the Developer and its officers, employees, and agents harmless from claims made by it and third parties for damages sustained or costs incurred resulting from Plat approval and development, except for any costs or damages resulting from the negligence or willful misconduct of the Developer, its officers, employees and agents.

B. The Developer shall reimburse the City for costs incurred by the City in the enforcement of this Agreement against the Developer, including reasonable engineering and reasonable attorneys' fees.

C. The Developer shall pay in full all bills submitted to it by the City for obligations incurred under this Agreement within thirty (30) days after receipt. If the bills are not paid on time, the City may halt Plat development and construction on the platted property until the bills are paid in full. Bills not paid within thirty (30) days shall accrue interest at the rate of twelve percent (12%) per year.

D. In addition to the charges referred to herein, other charges may be imposed such as, but not limited to, sewer availability charges ("SAC"), City water connection charges, City sewer connection charges, and building permit fees.

E. The Developer represents to the City that the Plat complies with all city, county, metropolitan, state, and federal laws and regulations, including but not limited to: subdivision ordinances, zoning ordinances, and environmental regulations.

F. Breach of the terms of this Agreement by the Developer after notice and reasonable opportunity to cure shall be grounds for denial of building permits and certificates of occupancy.

G. If any portion, section, subsection, sentence, clause, paragraph, or phrase of this Agreement is for any reason held invalid, such decision shall not affect the validity of the remaining portion of this Agreement.

H. The action or inaction of the City shall not constitute a waiver or amendment to the provisions of this Agreement. To be binding, amendments or waivers shall be in writing, signed by the parties and approved by written resolution of the City Council. The City's failure to promptly take legal action to enforce this Agreement shall not be a waiver or release.

I. This Agreement shall run with the land and shall be recorded against the title to the property provided, however, that all monetary obligations of the Developer hereunder shall be and remain the responsibility of the Developer unless expressly assumed in writing by any successor or assignee of the Developer. The Developer covenants with the City, its successors and assigns, that the Developer upon recording of the Plat is well seized in fee title of the property being final platted and/or has obtained consents to this Agreement, in the form attached hereto, from all parties who have an interest in the property; that there are no unrecorded interests in the property being final platted; and that the Developer will indemnify and hold the City harmless for any breach of the foregoing covenants. Upon request by Developer and the receipt of appropriate documentation, the City staff shall provide Developer with partial releases from this Agreement, Certificates of Completion, and Estoppel Certificates on a lot by lot basis.

J. Each right, power or remedy herein conferred upon the City is cumulative and in addition to every other right, power or remedy, express or implied, now or hereafter arising, available to the City, at law or in equity, or under any other agreement, except as specifically limited in this Agreement, and each and every right, power and remedy herein set forth or otherwise so existing may be exercised from time to time as often and in such order as may be deemed expedient by the City and shall not be a waiver of the right to exercise at any time thereafter any other right, power or remedy.

K. The Developer may not assign this Agreement without the written permission of the City Council. The Developer's obligation hereunder shall continue in full force and effect even if the Developer sells one or more lots, the entire plat, or any part of it, subject to Certificates of Completion for individual Lots within the Plat.

L. Within ninety (90) days after the completion of the Public Improvements or Private Improvements and before the remaining security is released, the Developer shall supply the City with a complete set of reproducible "as constructed" plans, an electronic file of the "as constructed" plans in an auto CAD.DWG file or a .DXF file, and two complete sets of blue line "as constructed" plans, all prepared in accordance with City standards. The terms of this paragraph shall apply to the Plans C9.0, C10.0 and C14.0 described in paragraph 8 of this Agreement.

M. In accordance with Minnesota Statutes 505.02, the final placement of iron monuments for all lot corners must be completed before the applicable security is released. The Developer's surveyor shall also submit a written notice to the City certifying that the monuments have been installed.

22. NOTICES. Required notices to the Developer shall be in writing, and shall be either hand delivered to the Developer, its employees or agents, or mailed to the Developer by certified mail at the following address: Ryan Companies US, Inc., Attention: Mark Nordland, 50 South Tenth Street, Suite 300, Minneapolis, Minnesota 55403-2012. Notices to the City shall be in writing and shall be either hand delivered to the City Administrator at Orono City Hall, 2750 Kelly Parkway, Orono, Minnesota 55356, or mailed to the City by Certified mail in care of the City Administrator at the following address: PO Box 66, Crystal Bay, Minnesota 55323.

CITY OF ORONO

(SEAL)

BY: James M. White
Mayor

AND Linda S. Vee
City Clerk

132281 v11

DEVELOPER:
RYAN COMPANIES US, INC.

BY: _____
Its

STATE OF MINNESOTA)
(ss.
COUNTY OF HENNEPIN)

The foregoing instrument was acknowledged before me this 21st day of December, 2007, by James M. White and by Linda S. Vee, the Mayor and City Clerk of the City of Orono, a Minnesota municipal corporation, on behalf of the corporation and pursuant to the authority granted by its City Council.

RACHEL DODGE
NOTARY PUBLIC - MINNESOTA
My Commission Expires Jan. 31, 2010

_____
NOTARY PUBLIC

STATE OF MINNESOTA)
(ss.
COUNTY OF HENNEPIN)

The foregoing instrument was acknowledged before me this 5 day of December, 2007, by Mark Nardland the VP of Ryan Companies US, Inc., a Minnesota corporation, on its behalf.

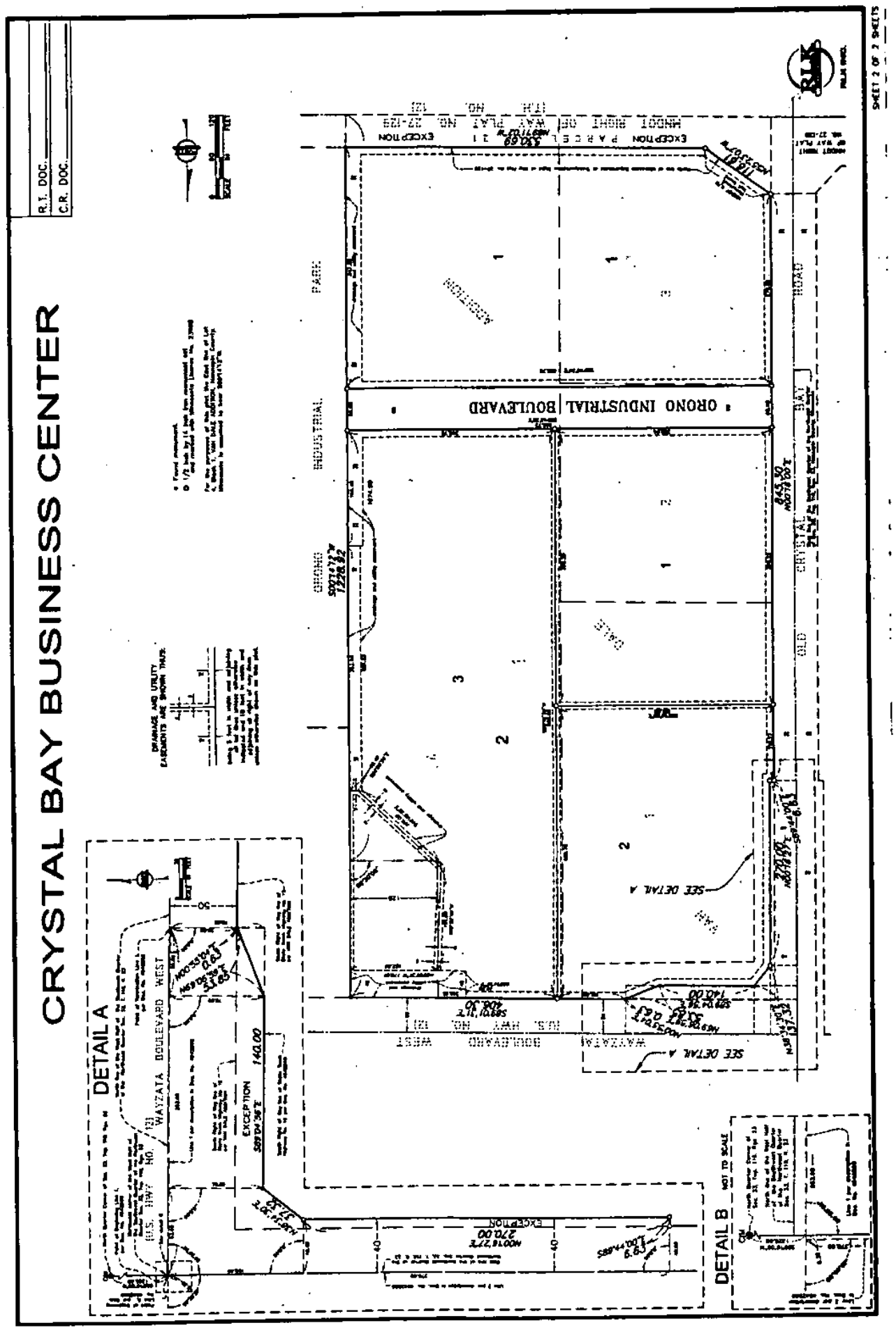
JUDY A. HERMANSON
Notary Public-Minnesota
My Commission Expires Jan 31, 2010

_____
NOTARY PUBLIC

DRAFTED BY:
CAMPBELL, KNUTSON
Professional Association
317 Eagandale Office Center
1380 Corporate Center Curve
Eagan, Minnesota 55121
Telephone: (651) 452-5000 (SMM)

132281 v11

EXHIBIT "A"


CRYSTAL BAY BUSINESS CENTER
R.I. DOC.
C.R. DOC.
ORONO INDUSTRIAL BOULEVARD
DETAIL A
DETAIL B
NOT TO SCALE
WAYZATA BOULEVARD WEST
EXCEPTION
140.00
SEE DETAIL A
SHEET 2 OF 2 SHEETS

IRREVOCABLE LETTER OF CREDIT

No.: XXXXX
Date: _____, 2007

TO: City of Orono (Mailing Address)
P.O. Box 66
Crystal Bay, Minnesota 55323

City of Orono (Delivery Address)
2750 Kelley Parkway
Long Lake, Minnesota 55356

To Whom It May Concern:

We hereby issue, for the account of Ryan Companies U.S., Inc. and in your favor, our Irrevocable Letter of Credit in the amount of $488,727.11 ("Credit"), available to you by your draft drawn on sight on the undersigned bank.

The draft must:

a) Bear the clause, "Drawn under Letter of Credit No. XXXXXXX, dated _____, of _____";

b) Be signed by the Mayor or City Administrator of the City of Orono;

c) Be presented for payment at _____ ("Bank"), _____, at or before 4:00 p.m. on _____(the date one year after the date hereof), or successive dates thereto as provided herein;

d) Be accompanied by a statement signed by the City of Orono certifying that a default has occurred pursuant to the terms of the Crystal Bay Business Center Development Agreement.

This Credit shall automatically renew for successive one-year terms unless, at least forty-five (45) days prior to the next annual expiry date (which shall be _____ of each year), the Bank delivers written notice to the Orono City Administrator that it intends to not renew this Credit. Written notice is effective if sent by certified mail, postage prepaid, and deposited in the U.S. Mail, at least forty-five (45) days prior to the next annual expiry date addressed as follows: Orono City Planner, P.O. Box 66, Crystal Bay, MN 55323, and is actually received by the City Administrator at least thirty (30) days prior to the expiry date.

This Credit sets forth in full our understanding which shall not in any way be modified, amended, amplified, or limited by reference to any document, instrument, or agreement, whether or not referred to herein.

This Credit is not assignable. More than one draw may be made under this Credit provided that the sum of all draws does not exceed the amount set forth above. Furthermore, the principal amount of this Credit may from time to time be reduced to such amounts as may be approved in writing by the City of Orono pursuant to the written recommendation of its representatives.

This Credit shall be governed by the most recent revision of the Uniform Customs and Practice for Documentary Credits, International Chamber of Commerce Publication No. 500, 1993 revision.

We hereby agree that a draft drawn under and in compliance with this Credit shall be duly honored upon presentation.

Very truly yours,

_____

By: _____

Name: _____

Its: _____

By: _____

Name: _____

Its: _____

Doc No **A9732423**

Certified, filed and/or recorded on
12/30/11 4:09 PM
Office of the County Recorder
Hennepin County, Minnesota
Martin McCormick, Acting County Recorder
Mark V. Chapin, County Auditor and Treasurer

Deputy 55 Pkg ID 760809

Doc Name: Amendment

Document Recording Fee	$46.00
Document Total	$46.00

This cover sheet is now a permanent part of the recorded document.

Doc No **T4914548**

Certified, filed and/or recorded on
12/30/11 4:09 PM
Office of the Registrar of Titles
Hennepin County, Minnesota
Martin McCormick, Acting Registrar of Titles
Mark V. Chapin, County Auditor and Treasurer

Deputy 55 Pkg ID 760803

Doc Name: Amendment

Document Recording Fee	$46.00
Document Total	$46.00

Existing Certs	**New Certs**
1216826	

REGISTRAR OF TITLES
L'ETOILE DU NORD

STATE OF MINNESOTA, COUNTY OF HENNEPIN
Certified to be a true and correct copy of the
original on file and of record in my office

DEC 30 2011
MARTIN MCCORMICK, ACTING
COUNTY RECORDER/REGISTRAR OF TITLES

By _____ Deputy

This cover sheet is now a permanent part of the recorded document.

(reserved for recording information)

SECOND AMENDMENT TO DEVELOPMENT AGREEMENT

CRYSTAL BAY BUSINESS CENTER

AGREEMENT ("Agreement") dated September 26, 2011, by and between the **CITY OF ORONO**, a Minnesota municipal corporation ("City"), and **RYAN COMPANIES US, INC.**, a Minnesota Corporation (the "Developer").

1. **DEVELOPMENT AGREEMENT.** The City and the Developer entered into a Development Agreement for *CRYSTAL BAY BUSINESS CENTER* dated December 5, 2007, recorded December 27, 2007, with the Office of the Registrar of Titles for Hennepin County, Minnesota as Document Nos. 9079458 and 4457476 ("Development Agreement").

2. **REQUESTED AMENDMENT.** The Developer has requested an amendment to the Development Agreement to extend the date for removal of the existing metal building that is on Lot 1, Block 2. The date for removal under the First Amendment to the Development Agreement is December 31, 2016.

159882

51599.

Guaranty Title, Inc.
Box 163

3. **CITY APPROVAL.** The Orono City Council has granted approval for such Second Amendment after meeting with the Applicant at a regularly scheduled meeting on September 12, 2011.

4. **AMENDMENT.** Subparagraph 20E of the Development Agreement is amended to read:

> E. The Developer will remove the portion of the existing building that is on Lot 1, Block 2 promptly after Orono Industrial Boulevard is built, but no later than August 31, 2020. In addition, in the event the building becomes vacant or unoccupied for a period of twenty-four (24) consecutive months, the Developer shall remove the building by July 1st of the following year.

IN WITNESS WHEREOF, the Second Amendment to Development Agreement was executed by the parties the day and year first above written.

CITY OF ORONO

BY: Lili Tod McMillan
Lili Tod McMillan, Mayor

(SEAL)

AND Linda S. Vee
Linda S. Vee, City Clerk

STATE OF MINNESOTA)
(ss.
COUNTY OF HENNEPIN)

The foregoing instrument was acknowledged before me this 26 day of Sept., 2011, by **Lili Tod McMillan** and by **Linda S. Vee**, the Mayor and City Clerk of the City of Orono, a Minnesota municipal corporation, on behalf of the corporation and pursuant to the authority granted by its City Council.

MONICA A. FADNESS
NOTARY PUBLIC - MINNESOTA
My Commission Expires Jan. 31, 2012

Monica Fadness
NOTARY PUBLIC

DEVELOPER:
RYAN COMPANIES US, INC.

BY: Casey Hankinson
Its VP

STATE OF MINNESOTA)
(ss.
COUNTY OF HENNEPIN)

The foregoing instrument was acknowledged before me this 28 day of Sept., 2011, by Casey Hankinson the Vice President of Ryan Companies US, Inc., a Minnesota corporation, on its behalf.

MONICA A. FADNESS
NOTARY PUBLIC - MINNESOTA
My Commission Expires Jan. 31, 2012

Monica Fadness
NOTARY PUBLIC

DRAFTED BY:
CAMPBELL, KNUTSON
Professional Association
317 Eagandale Office Center
1380 Corporate Center Curve
Eagan, Minnesota 55121
Telephone: (651) 452-5000
(SMM/srn)

Doc No **A10073102**

Certified, filed and/or recorded on
Apr 24, 2014 12:00 PM
Office of the County Recorder
Hennepin County, Minnesota
Martin McMormick, County Recorder
Mark Chapin, County Auditor and Treasurer

Deputy 13 Pkg ID 1104060D

Doc Name: Amendment

Document Recording Fee	$46.00
Document Total	$46.00

This cover sheet is now a permanent part of the recorded document.

Doc No **T05161145**

Certified, filed and/or recorded on
Mar 28, 2014 12:00 PM
Office of the Registrar of Titles
Hennepin County, Minnesota
Martin McCormick, Registrar of Titles
Mark V. Chapin, County Auditor and Treasurer

Deputy 13 Pkg ID 1095969M

Doc Name: Amendment

Document Recording Fee	$46.00
Multiple Certificates Affected Fee	$40.00
Document Totai	$86.00

Existing Certs	**New Certs**
1348653	
1348700	
1351279	

This cover sheet is now a permanent part of the recorded document.

1348153
1348700
1351279

(reserved for recording information)

AMENDMENT
TO
DEVELOPMENT AGREEMENT

CRYSTAL BAY BUSINESS CENTER

AGREEMENT ("Agreement") dated March 6, 2014, by and between the **CITY OF ORONO**, a Minnesota municipal corporation ("City"), and **Pine Corner Properties, LLC,** a Minnesota Limited Liability Company (the "Developer").

1. **DEVELOPMENT AGREEMENT.** The City and Ryan Companies US, INc., a Minnesota corporation (predecessor to Developer) entered into a Development Agreement for *CRYSTAL BAY BUSINESS CENTER* dated December 5, 2007, recorded December 27, 2007, with the Office of the Registrar of Titles for Hennepin County, Minnesota as Document No. 4457476 and with the Office of the Hennepin County Recorder as Document No. 9079458; as amended by a Second Amendment to Development Agreement dated September 26, 2011, recorded December 30, 2011, with the Office of the Registrar of Titles for Hennepin County, Minnesota as Document No. T4914548 and with the Office of the Hennepin County Recorder as Document No. T9732423 (as amended, "Development Agreement").

167790

CTFS as per file.

2. **REQUESTED AMENDMENT.** The Developer has requested an amendment to the Development Agreement to eliminate the requirement to remove the existing metal building that is on Lot 1, Block 2.

3. **CITY APPROVAL.** The Orono City Council has granted approval for such Amendment after meeting with the Applicant at a regularly scheduled meeting on November 26, 2012.

4. **AMENDMENT.** Subparagraph 20E of the Development Agreement is hereby amended to read:

> E. The existing metal building that is located on Lot 1, Block 2 may remain on the site and be remodeled/renovated consistent with all applicable local and state regulations.

IN WITNESS WHEREOF, the Amendment to Development Agreement was executed by the parties the day and year first above written.

CITY OF ORONO

By: Lili Tod McMillan
Lili Tod McMillan, Mayor

(SEAL)

AND Rachel Dodge
Rachel Dodge, City Clerk

STATE OF MINNESOTA)
(ss.
COUNTY OF HENNEPIN)

The foregoing instrument was acknowledged before me this 13 day of January, 2014, by **Lili Tod McMillan** and by **Rachel Dodge**, the Mayor and City Clerk of the City of Orono, a Minnesota municipal corporation, on behalf of the corporation and pursuant to the authority granted by its City Council.

MONICA A. FADNESS
NOTARY PUBLIC - MINNESOTA
My Commission Expires Jan. 31, 2017

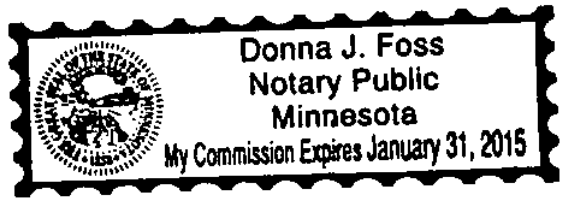
Monica A. Fadness
Notary Public

DEVELOPER:
Pine Corner Properties, LLC

By: Andrea Tysdal
Andrea Tysdal, Its President

STATE OF MINNESOTA)
(ss.
COUNTY OF HENNEPIN)

The foregoing instrument was acknowledged before me this 6th day of March, 2014, by Andrea Tysdal the President of Pine Corner Properties, a Minnesota LLC, on its behalf.



Donna J. Foss
Notary Public

DRAFTED BY:
CAMPBELL, KNUTSON
Professional Association
317 Eagandale Office Center
1380 Corporate Center Curve
Eagan, Minnesota 55121
Telephone: (651) 452-5000
(SMM/jmo)

Doc No **T05201445**

Certified, filed and/or recorded on
Sep 22, 2014 3:04 PM
Office of the Registrar of Titles
Hennepin County, Minnesota
Martin McCormick, Registrar of Titles
Mark Chapin, County Auditor and Treasurer

Deputy 84 Pkg ID 1155125E

Doc Name: Amendment

Document Recording Fee	$46.00
Multiple Certificates Affected Fee	$40.00
Document Total	$86.00

Existing Certs	**New Certs**
1348653	
1348700	
1351279	

This cover sheet is now a permanent part of the recorded document.

(Reserved for recording)

FOURTH AMENDMENT
TO
DEVELOPMENT AGREEMENT

CRYSTAL BAY BUSINESS CENTER
(INCLUDING PROPERTY WITHIN CRYSTAL BAY BUSINESS CENTER 2ND ADDITION)

THIS FOURTH AMENDMENT TO DEVELOPMENT AGREEMENT ("Amendment") dated September 9, 2014, is by and between the **CITY OF ORONO**, a Minnesota municipal corporation ("City"), **RYAN COMPANIES US, INC.**, a Minnesota corporation ("Developer") and **PINE CORNER PROPERTIES, LLC** a Minnesota limited liability company ("Pine Corner") and **ORONO MINI STORAGE, LLC,** a Minnesota limited liability company ("Orono Mini Storage").

RECITALS

A. The City and Developer entered into a Development Agreement for platting and development of *Crystal Bay Business Center* dated December 5, 2007, filed December 27, 2007, with the Office of the Registrar of Titles for Hennepin County, Minnesota as Document No. 4457476 and recorded December 27, 2007 with the Office of the County Recorder for Hennepin County, Minnesota as Document No. 9079458, as amended by a Second Amendment to Development Agreement dated September 26, 2011, filed December 30, 2011, with the Office of the Registrar of Titles for Hennepin County, Minnesota as Document No. T4914548 and recorded December 30, 2011 with the Office of the County Recorder for Hennepin County, Minnesota as Document No. A9732423, and as amended by an Amendment to Development Agreement dated March 6, 2014, filed March 28, 2014 with the Office of the Registrar of Titles for Hennepin County, Minnesota as Document No. T05161145 and recorded April 24, 2014 with the Office of the County Recorder for Hennepin County, Minnesota, as Document No. A10073102 (collectively, as amended, "Development Agreement");

B. A First Amendment to Development Agreement was never fully executed or recorded;

C. Lots 1 and 2, Block 1, Crystal Bay Business Center, Hennepin County, Minnesota were subsequently replatted as Lots 1 and 2, Block 1, Crystal Bay Business Center 2nd Addition, Hennepin County, Minnesota;

D. On December 22, 2011, Developer conveyed to Pine Corner, Lot 2, Block 1, Crystal Bay Business Center 2nd Addition, Hennepin County, Minnesota, according to the recorded plat thereof, pursuant to a Limited Warranty Deed recorded December 30, 2011 with the Office of the Registrar of Titles for Hennepin County, Minnesota, as Document No. T4914554;

E. On May 30, 2012, Developer conveyed to Pine Corner, Lot 1, Block 1, Crystal Bay Business Center 2nd Addition, Hennepin County, Minnesota, according to the recorded plat thereof, pursuant to a Limited Warranty Deed recorded June 5, 2012 with the Office of the Registrar of Titles for Hennepin County, Minnesota, as Document No. T4960953 and recorded June 5, 2012 with the Office of the County Recorder for Hennepin County, Minnesota, as Document No. A9797647;

F. On March 29, 2012, Developer conveyed to Orono Mini Storage a portion of the property within the development legally described as Lot 3, Block 2, Crystal Bay Business Center, according to the recorded plat thereof, Hennepin County, Minnesota, pursuant to a Limited Warranty Deed recorded April 2, 2012 with the Office of the Registrar of Titles for Hennepin County, Minnesota as Document No. T4941005;

G. The Developer, Pine Corner and Orono Mini Storage have requested that the City undertake the construction, installation and maintenance of a public trail proposed under the terms of the Development Agreement and the City is willing to assume the obligation. Pine Corner and Orono Mini Storage shall provide to the City a 10 foot trail easement pursuant to the terms of this Contract and the approved Easements;

H. Pine Corner has agreed to share in certain costs of the construction of Orono Industrial Boulevard abutting Lot 1, Block 1 Crystal Bay Business Center 2nd Addition, Lot 1, Block Crystal Bay Business Center and Lot 3, Block 2 Crystal Bay Business Center, and to provide a portion of the security therefor required by the City.

NOW, THEREFORE, in consideration of the covenants and undertakings contained herein and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

1. AMENDMENT OF PARAGRAPH 7A OF THE DEVELOPMENT AGREEMENT. Paragraph 7A of the Development Agreement is hereby amended to provide that Developer and Pine Corner shall be responsible for installation and payment of all costs for Orono Industrial Boulevard based on the following pro-rations: (i) Developer at 75% and (ii) Pine Corner at 25%. Orono Mini Storage shall not be responsible for costs associated with the

initial installation and construction of Orono Industrial Boulevard.

2. AMENDMENT OF PARAGRAPH 16 OF THE DEVELOPMENT AGREEMENT. Paragraph 16 of the Development Agreement is deleted in its entirety and restated to read as follows:

16. SUMMARY OF SECURITY REQUIREMENTS. To guarantee compliance with the terms of this Development Agreement, payment of the costs of all Public Improvements and construction of all remaining Public Improvements, the Developer and Pine Corner shall each furnish the City with a Letter of Credit, in substantially the form attached hereto, from a bank ("security"). The Letter of Credit required for each entity shall be based on updated costs of Public Improvements from the original Development Agreement with contingency amounts and the appropriate pro rata shares for the cost of Orono Industrial Boulevard pursuant to Paragraph 1 as follows:

Public Improvements	**Developer**	**Pine Corner**
Lot 1, Block 1	$ 73,137.50	
Lot 1, Bock 2		$ 40,870.00
Orono Industrial Boulevard (75% Developer and 25% Pine Corner)	$247,051.88	$ 82,350.63
TOTAL COST	$320,189.38	$123,220.63
SECURITY AMOUNT (x125%)	**$400,346.73**	**$154,025.79**

The construction of Orono Industrial Boulevard shall be constructed in a manner consistent with applicable law.

The Letters of Credit for Developer and Pine Corner currently held by the City shall be replaced with new Letters of Credit in the amounts provided this Paragraph.

The breakdown provided above is for historical reference; it is not a restriction on the use of the security. The bank and the form of security shall be subject to the approval of the City Administrator. In the event Developer or Pine Corner default under their respective obligations under the Development Agreement, as hereby amended, the City may draw down the security, after notice, for any violation of the terms of the Development Agreement, subject to the cure periods provided in this Development Agreement. If the required Public Improvements are not completed at least thirty (30) days prior to the expiration of the security, or the City receives a notice of non-renewal of a letter of credit from the issuer thereof, the City may also draw it down and hold the funds as a cash escrow to secure compliance by the Developer or Pine Corner. With City approval, which shall not be unreasonably withheld, conditioned or delayed, the security may be reduced from time to time as financial obligations are paid, but in no case shall the security be reduced to a point less than 10% of the original amount until (1) all improvements

have been completed, (2) all financial obligations to the City satisfied, (3) the required "record" plans have been received by the City, and (4) a warranty security is provided, an (5) the public improvements are accepted by the City. The warranty bond shall have a duration of twenty-four (24) months.

3. AMENDMENT OF PARAGRAPH 20(I) OF THE DEVELOPMENT AGREEMENT. Paragraph 20(I) of the Development Agreement is deleted in its entirety and restated to read as follows:

I. Contemporaneously with this Amendment, Pine Corner and Orono Mini Storage shall execute the Permanent Easement Agreements attached hereto as Exhibits A and B granting the City a 10 foot wide public trail easement along Wayzata Boulevard. The City, at its sole cost and expense, will construct, install, and maintain a bituminous trail within the easements located on the Pine Corner and Orono Mini Storage properties, built to City specifications at a time determined by the City. The City shall indemnify and hold Pine Corner and Orono Mini Storage hamrless from any and all liability of whatever nature, arising from the maintenance and use of such trail, excluding willful or negligent actions by Pine Corner or Orono Mini Storage, their officers, employees, agents, invitees and assigns.

4. REPRESENTATIONS OF DEVELOPER. Developer hereby represents and warrants that (a) the Development Agreement is in full force and effect, (b) there are no known defaults by the Developer or the City under the Development Agreement, (c) Developer has performed all of its obligations, has provided all letters of credit, cash deposits, surety bonds and other security required by the Development Agreement, and has paid all sums due under the Development Agreement which are required to be performed or paid as of the date hereof, and (d) Developer has obtained all consents and approvals of the City under the Development Agreement, required prior to the date hereof.

5. INCORPORATION OF RECITALS. The above Recitals are hereby incorporated as a material part of this Amendment with the same force and effect as if restated in full in this Paragraph.

6. RATIFICATION. Except as provided herein, all terms and provisions of the Development Agreement, as amended, shall remain in full force and effect.

7. COUNTERPARTS. This Amendment may be executed in one or more counterparts, each of which shall be deemed to be an original and together which shall constitute on and the same Amendment.

[Remainder of Page Intentionally Left Blank.]
[Signature Pages Follow.]

IN WITNESS WHEREOF, this Fourth Amendment to Development Agreement was executed by the parties the day and year first above written.

CITY:
CITY OF ORONO

By: _____
Lili Tod McMillan, Mayor

And _____
Rachel Dodge, City Clerk

STATE OF MINNESOTA)
)ss.
COUNTY OF HENNEPIN)

The foregoing instrument was acknowledged before me this 9th day of September, 2014, by **Lili Tod McMillan** and by **Rachel Dodge,** the Mayor and City Clerk of the **City of Orono,** a Minnesota municipal corporation, on behalf of the corporation and pursuant to the authority granted by its City Council.

_____
Notary Public

MONICA A. FADNESS
NOTARY PUBLIC - MINNESOTA
My Commission Expires Jan. 31, 2017

DEVELOPER:
RYAN COMPANIES US, INC.

By: _____
Name: Casey Hankinson
Title: VP

STATE OF MINNESOTA)
) ss.
COUNTY OF HENNEPIN)

The foregoing instrument was acknowledged before me this 18 day of July, 2014, by Casey Hankinson, the VP of **Ryan Companies US, Inc.**, a Minnesota corporation, on behalf of the corporation.

_____
Notary Public

JUDY A. HERMANSON
Notary Public-Minnesota
My Commission Expires Jan 31, 2015

PINE CORNER:
PINE CORNER PROPERTIES, LLC

By: Andrea Tysdal
Its President

STATE OF MINNESOTA)
)ss.
COUNTY OF HENNEPIN)

The foregoing instrument was acknowledged before me this 30th day of July, 2014, by Andrea J. Tysdal, the Guarantor / President of **Pine Corner Properties, LLC**, a Minnesota limited liability company, on its behalf.

Donna J. Foss
Notary Public

Donna J. Foss
Notary Public
Minnesota
My Commission Expires January 31, 2015

ORONO MINI STORAGE LLC

By: _____
Michael J. Seeland, Its Manager

STATE OF MINNESOTA)
) ss.
COUNTY OF HENNEPIN)

The foregoing instrument was acknowledged before me this 30th day of July, 2014, by **Michael J. Seeland**, the Manager of **Orono Mini Storage LLC**, a Minnesota limited liability company, on behalf of the company.

ROBERTA A. LOHER
Notary Public-Minnesota
My Commission Expires Jan 31, 2015

_____
Notary Public

DRAFTED BY:
Campbell Knutson
Professional Association
317 Eagandale Office Center
1380 Corporate Center Curve
Eagan, Minnesota 55121
Telephone: (651) 452-5000
[SMM/AMP]

EXHIBIT A
TO FOURTH AMENDMENT

(reserved for recording information)

GRANT OF PERMANENT EASEMENT FOR PUBLIC TRAIL PURPOSES

PINE CORNER PROPERTIES, LLC, a Minnesota limited liability company, hereinafter referred to as "Grantor", in consideration of One Dollar ($1.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, does hereby grant unto the **CITY OF ORONO,** a municipal corporation organized under the laws of the State of Minnesota, the Grantee, hereinafter referred to as the "City", its successors and assigns, forever, a permanent easement for public trail purposes over, across, on, under, and through land situated within the County of Hennepin, State of Minnesota, as described on the attached Exhibit "A" and depicted on the attached Exhibit "B".

INCLUDING the rights of the City, its contractors, agents, servants, and assigns, to enter upon the easement premises at all reasonable times to construct, reconstruct, inspect, repair, and maintain said public trail system over, across, on, under, and through the easement premises, together with the right to grade, level, fill, drain, excavate and pave the easement premises, and the

further right to remove trees, bushes, undergrowth, and other obstructions interfering with the location, construction, and maintenance of said public trail systems. In addition, the City agrees to the following:

1. The City shall defend, indemnify and hold harmless Grantor, its directors, officer, employees and agents from and against any and all claims, demands, judgment, lawsuits, costs and expenses arising from or growing out of the entry upon, construction, use or occupancy of the property subject to the Easement, excluding intentional or negligent acts by Grantor, its officers, employees, agents invitees and assigns; and

2. The City will be responsible for construction, replacement, maintenance and upkeep of the public trail it places in or upon the easement premises. The City will install landscaping within the easement premises consistent with the approved plans and specifications for the public trail.

The above named Grantor, its successors and assigns, does covenant with the City, its successors and assigns, that it is well seized in fee title of the above described easement premises; that it has the sole right to grant and convey the easement to the City; that there are no unrecorded interests in the easement premises; and that it will indemnify and hold the City harmless for any breach of the foregoing covenants.

IN TESTIMONY WHEREOF, the Grantor hereto has signed this easement this _____ day of _____, 2014

GRANTOR:
PINE CORNER PROPERTIES, LLC

By:_____

_____

Its _____

STATE OF MINNESOTA)
(ss.
COUNTY OF _____)

The foregoing instrument was acknowledged before me this _____ day of _____, 2014, by _____ the _____ of **Pine Corner Properties, LLC,** a Minnesota limited liability company, on behalf of the company, the Grantor.

_____
Notary Public

GRANTEE:
CITY OF ORONO

By: _____
Lili Tod McMillan, Mayor

And _____
Rachel Dodge, City Clerk

STATE OF MINNESOTA)
)ss.
COUNTY OF HENNEPIN)

The foregoing instrument was acknowledged before me this ____ day of _____, 20____, by **Lili Tod McMillan** and by **Rachel Dodge,** the Mayor and City Clerk of the **City of Orono**, a Minnesota municipal corporation, on behalf of the corporation and pursuant to the authority granted by its City Council.

_____
Notary Public

THIS INSTRUMENT WAS DRAFTED BY:
CAMPBELL KNUTSON
Professional Association
317 Eagandale Office Center
1380 Corporate Center Curve
Eagan, Minnesota 55121
Telephone: (651) 452-5000
SMM/jmo

EXHIBIT "A"
to
GRANT OF PERMANENT EASEMENT

A permanent easement for public trail purposes over, under, on and across the northerly ten (10') feet of the following described property:

Lot 2, Block 1, Crystal Bay Business Center 2nd Addition, except that part embraced within Lot 4, Block 1, Van Dale Addition, Hennepin County, Minnesota.
[***Abstract Property***]

Lot 2, Block 1, Crystal Bay Business Center 2nd Addition, embraced within Lot 4, Block 1, Van Dale Addition, Hennepin County, Minnesota.
[***Torrens Property***]

EXHIBIT "B"
to
GRANT OF PERMANENT EASEMENT

ATTACH EASEMENT SKETCH HERE

MORTGAGE HOLDER
CONSENT TO EASEMENT

BREMER BANK, N.A., a national banking association, which holds two mortgages on all or part of the property more particularly described in the foregoing Grant of Permanent Easement for Public Trail Purposes, which first mortgage was dated December 30, 2011 and recorded December 30, 2011 as Document No. A9732430 with the office of the County Recorder for Hennepin County, Minnesota, and as Document No. T4914555 with the office of the Registrar of Titles for Hennepin County, Minnesota, and which second mortgage was dated December 30, 2011 and recorded December 30, 2011 as Document No. A9732431 with the office of the County Recorder for Hennepin County, Minnesota, and as Document No. T4914556 with the office of the Registrar of Titles for Hennepin County, Minnesota, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, does hereby join in, consents, and is subject to the above referenced Grant of Permanent Easement.

Bremer Bank, N.A.

By: _____
Chris Bohl, Its Senior Vice President

STATE OF MINNESOTA)
) ss.
COUNTY OF _____)

The foregoing instrument was acknowledged before me this ____ day of _____, 20___ by **Chris Bohl,** the Senior Vice-President of **Bremer Bank, N.A.,** a national banking association, on its behalf.

_____
Notary Public

DRAFTED BY:
CAMPBELL KNUTSON
Professional Association
317 Eagandale Office Center
1380 Corporate Center Curve
Eagan, Minnesota 55121
Telephone: (651) 452-5000
SMM/jmo

MORTGAGE HOLDER
CONSENT TO EASEMENT

UNITED STATES SMALL BUSINESS ADMINISTRATION, an Agency created by an Act of Congress (Small Business Act, as amended) which holds a mortgage on all or part of the property more particularly described in the foregoing Grant of Permanent Easement for Public Trail Purposes, which mortgage was originally in favor of SPEDCO dated September 5, 2012 and recorded October 3, 2012 as Document No. A9853279 with the office of the County Recorder for Hennepin County, Minnesota, and recorded October 24, 2012 as Document No. T5010745 with the office of the Registrar of Titles for Hennepin County, Minnesota. Said mortgage was assigned to the United States Small Business Administration pursuant to an Assignment dated September 5, 2012 and recorded October 3, 2012 as Document No. A9853280 with the office of the County Recorder for Hennepin County, Minnesota, and recorded October 24, 2012 as Document No. T5010747 with the office of the Registrar of Titles for Hennepin County, Minnesota. For good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, United States Small Business Administration does hereby join in, consents, and is subject to the above referenced Grant of Permanent Easement.

United States Small Business Administration

By: _____

_____
Its

STATE OF _____)
) ss.
COUNTY OF _____)

The foregoing instrument was acknowledged before me this _____ day of _____, 20___ by _____ the _____ of **United States Small Business Administration,** an Agency created by an Act of Congress (Small Business Act, as amended), on its behalf.

_____
Notary Public

DRAFTED BY:
CAMPBELL KNUTSON
Professional Association
317 Eagandale Office Center
1380 Corporate Center Curve
Eagan, Minnesota 55121
Telephone: (651) 452-5000
SMM/jmo

EXHIBIT B
TO FOURTH AMENDMENT

(reserved for recording information)

GRANT OF PERMANENT EASEMENT FOR PUBLIC TRAIL PURPOSES

ORONO MINI STORAGE LLC, a Minnesota limited liability company, hereinafter referred to as "Grantor", in consideration of One Dollar ($1.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, does hereby grant unto the **CITY OF ORONO,** a municipal corporation organized under the laws of the State of Minnesota, the Grantee, hereinafter referred to as the "City", its successors and assigns, forever, a permanent easement for public trail purposes over, across, on, under, and through land situated within the County of Hennepin, State of Minnesota, as described on the attached Exhibit "A" and depicted on the attached Exhibit "B".

INCLUDING the rights of the City, its contractors, agents, servants, and assigns, to enter upon the easement premises at all reasonable times to construct, reconstruct, inspect, repair, and maintain said public trail system over, across, on, under, and through the easement premises, together with the right to grade, level, fill, drain, excavate and pave the easement premises, and the further right to remove trees, bushes, undergrowth, and other obstructions interfering with the

location, construction, and maintenance of said public trail systems. In addition, the City agrees to the following:

1. The City shall defend, indemnify and hold harmless Grantor, its directors, officer, employees and agents from and against any and all claims, demands, judgment, lawsuits, costs and expenses arising from or growing out of the entry upon, construction, use or occupancy of the property subject to the Easement, excluding intentional or negligent acts by Grantor, its officers, employees, agents invitees and assigns; and

2. The City will be responsible for construction, replacement, maintenance and upkeep of the public trail it places in or upon the easement premises. The City will install landscaping within the easement premises consistent with the approved plans and specifications for the public trail.

The above named Grantor, its successors and assigns, does covenant with the City, its successors and assigns, that it is well seized in fee title of the above described easement premises; that it has the sole right to grant and convey the easement to the City; that there are no unrecorded interests in the easement premises; and that it will indemnify and hold the City harmless for any breach of the foregoing covenants.

IN TESTIMONY WHEREOF, the Grantor hereto has signed this easement this _____ day of _____, 2014

GRANTOR:
ORONO MINI STORAGE LLC

By: _____
Michael J. Seeland, Its Manager

STATE OF MINNESOTA)
(ss.
COUNTY OF _____)

The foregoing instrument was acknowledged before me this _____ day of _____, 2014, by **Michael J. Seeland,** the Manager of **Orono Mini Storage LLC,** a Minnesota limited liability company, on behalf of the company, the Grantor.

_____
Notary Public

GRANTEE:
CITY OF ORONO

By: _____
Lili Tod McMillan, Mayor

And _____
Rachel Dodge, City Clerk

STATE OF MINNESOTA)
)ss.
COUNTY OF HENNEPIN)

The foregoing instrument was acknowledged before me this ____ day of _____, 20____, by **Lili Tod McMillan** and by **Rachel Dodge,** the Mayor and City Clerk of the **City of Orono**, a Minnesota municipal corporation, on behalf of the corporation and pursuant to the authority granted by its City Council.

_____
Notary Public

DRAFTED BY:
CAMPBELL KNUTSON, *P.A.*
Professional Association
317 Eagandale Office Center
1380 Corporate Center Curve
Eagan, Minnesota 55121
Telephone: (651) 452-5000

EXHIBIT "A"
to
GRANT OF PERMANENT EASEMENT

A permanent easement for public trail purposes over, under, on and across the northerly ten (10') feet of the following described property:

Lot 3, Block 2, Crystal Bay Business Center, Hennepin County, Minnesota, described as that part of the East 128 feet thereof which lies Northerly and Easterly of the following described line: Beginning at the Southeast corner of the West Half of the Southwest Quarter of the Northeast Quarter of Section 33, Township 118, Range 23; thence North along the East line thereof 1074.9 feet, which is the point of beginning of the line to be described; thence deflecting to the left 89 degrees 20 minutes to an intersection with the West line of the East 128 feet of said West Half of the Southwest Quarter of the Northeast Quarter; thence North along said West line to the North line of said West Half of the Southwest Quarter of the Northeast Quarter and said line there terminating.
[***Abstract Property***]

Lot 3, Block 2, except that part of the East 128 feet thereof which lies Northerly and Easterly of the following described line: Beginning at the Southeast corner of the West Half of the Southwest Quarter of the Northeast Quarter of Section 33, Township 118, Range 23; thence North along the East line thereof 1074.9 feet, which is the point of beginning of the line to be described; thence deflecting to the left 89 degrees 20 minutes to an intersection with the West line of the East 128 feet of said West Half of the Southwest Quarter of the Northeast Quarter; thence North along said West line to the North line of said West Half of the Southwest Quarter of the Northeast Quarter and said line there terminating, all in Crystal Bay Business Center, Hennepin County, Minnesota.
[***Torrens Property***]

EXHIBIT "B"
to
GRANT OF PERMANENT EASEMENT

ATTACH EASEMENT SKETCH HERE

MORTGAGE HOLDER
CONSENT TO EASEMENT

BMO HARRIS BANK, N.A., a national banking association, which holds a mortgage on all or part of the property more particularly described in the foregoing Grant of Permanent Easement for Public Trail Purposes, which mortgage was dated August 7, 2012 and recorded August 9, 2012 as Document No. A9824858 with the office of the County Recorder for Hennepin County, Minnesota, and as Document No. T4981902 with the office of the Registrar of Titles for Hennepin County, Minnesota, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, does hereby join in, consents, and is subject to the above referenced Grant of Permanent Easement.

BMO Harris Bank, N.A.

By: _____

_____

Its _____

STATE OF _____)
) ss.
COUNTY OF _____)

The foregoing instrument was acknowledged before me this ____ day of _____, 20___ by _____ the _____ of **BMO Harris Bank, N.A.**, a national banking association, on its behalf.

_____
Notary Public

DRAFTED BY:
CAMPBELL KNUTSON
Professional Association
317 Eagandale Office Center
1380 Corporate Center Curve
Eagan, Minnesota 55121
Telephone: (651) 452-5000
SMM/jmo

MORTGAGE HOLDER CONSENT TO
FOURTH AMENDMENT TO DEVELOPMENT AGREEMENT

BMO HARRIS BANK, N.A., a national banking association, which holds a mortgage on all or part of the property more particularly described in the foregoing Fourth Amendment to Development Agreement, which mortgage was dated August 7, 2012 and recorded August 9, 2012 as Document No. A9824858 with the office of the County Recorder for Hennepin County, Minnesota, and as Document No. T4981902 with the office of the Registrar of Titles for Hennepin County, Minnesota, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, does hereby join in, consents, and is subject to the above referenced Fourth Amendment to Development Agreement.

BMO Harris Bank, N.A.

By: _____

_____

Its _____

STATE OF _____)
) ss.
COUNTY OF _____)

The foregoing instrument was acknowledged before me this ____ day of _____, 20___ by _____ the _____ of **BMO Harris Bank, N.A.**, a national banking association, on its behalf.

_____
Notary Public

DRAFTED BY:
CAMPBELL KNUTSON
Professional Association
317 Eagandale Office Center
1380 Corporate Center Curve
Eagan, Minnesota 55121
Telephone: (651) 452-5000
SMM/jmo

MORTGAGE HOLDER CONSENT TO
FOURTH AMENDMENT TO DEVELOPMENT AGREEMENT

BREMER BANK, N.A., a national banking association, which holds two mortgages on all or part of the property more particularly described in the foregoing Fourth Amendment to Development Agreement, which first mortgage was dated December 30, 2011 and recorded December 30, 2011 as Document No. A9732430 with the office of the County Recorder for Hennepin County, Minnesota, and as Document No. T4914555 with the office of the Registrar of Titles for Hennepin County, Minnesota, and which second mortgage was dated December 30, 2011 and recorded December 30, 2011 as Document No. A9732431 with the office of the County Recorder for Hennepin County, Minnesota, and as Document No. T4914556 with the office of the Registrar of Titles for Hennepin County, Minnesota, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, does hereby join in, consents, and is subject to the above referenced Fourth Amendment to Development Agreement.

Bremer Bank, N.A.

By: _____
Chris Bohl, Its Senior Vice President

STATE OF MINNESOTA)
) ss.
COUNTY OF Hennepin)

The foregoing instrument was acknowledged before me this 15th day of August, 20 14 by **Chris Bohl,** the Senior Vice-President of **Bremer Bank, N.A.,** a national banking association, on its behalf.

_____
Notary Public

MOLLY M. BRUST
NOTARY PUBLIC - MINNESOTA
My Commission Expires Jan. 31, 2016

DRAFTED BY:
CAMPBELL KNUTSON
Professional Association
317 Eagandale Office Center
1380 Corporate Center Curve
Eagan, Minnesota 55121
Telephone: (651) 452-5000
SMM/jmo

MORTGAGE HOLDER CONSENT TO FOURTH AMENDMENT TO DEVELOPMENT AGREEMENT

UNITED STATES SMALL BUSINESS ADMINISTRATION, an Agency created by an Act of Congress (Small Business Act, as amended) which holds a mortgage on all or part of the property more particularly described in the foregoing Fourth Amendment to Development Agreement, which mortgage was originally in favor of SPEDCO dated September 5, 2012 and recorded October 3, 2012 as Document No. A9853279 with the office of the County Recorder for Hennepin County, Minnesota, and recorded October 24, 2012 as Document No. T5010745 with the office of the Registrar of Titles for Hennepin County, Minnesota. Said mortgage was assigned to the United States Small Business Administration pursuant to an Assignment dated September 5, 2012 and recorded October 3, 2012 as Document No. A9853280 with the office of the County Recorder for Hennepin County, Minnesota, and recorded October 24, 2012 as Document No. T5010747 with the office of the Registrar of Titles for Hennepin County, Minnesota. For good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, United States Small Business Administration does hereby join in, consents, and is subject to the above referenced Fourth Amendment to Development Agreement.

United States Small Business Administration

By: _____
Raymond A. Kulina
Its Surgeon, Ln. Spec.

MLO APPROVED

STATE OF _____)
) ss.
COUNTY OF _____)

See attached certificate

The foregoing instrument was acknowledged before me this _____ day of _____, 20___ by Raymond A. Kulina the _____ of **United States Small Business Administration,** an Agency created by an Act of Congress (Small Business Act, as amended), on its behalf.

_____
Notary Public

DRAFTED BY:
CAMPBELL KNUTSON
Professional Association
317 Eagandale Office Center
1380 Corporate Center Curve
Eagan, Minnesota 55121
Telephone: (651) 452-5000
SMM/jmo

State of California)
)
County of Fresno)

On AUG 2 0 2014 before me, SANDRA WINTERS, a Notary Public, personally appeared Raymond A. Kulina who proved to me on the basis of satisfactory evidence to be the person(s) whose name (s) is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(~~ies~~), and that by his/~~her/their~~ signature(~~s~~) on the instrument, the person(~~s~~), or the entity upon behalf of which the person(~~s~~) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Sandra Winters

SANDRA WINTERS
Commission # 1930169
Notary Public - California
Fresno County
My Comm. Expires Apr 22, 2015

MORTGAGE HOLDER CONSENT TO FOURTH AMENDMENT TO DEVELOPMENT AGREEMENT

LAKE COMMUNITY BANK, a Minnesota Bank/Insurance corporation, which holds a mortgage on all or part of the property more particularly described in the foregoing Fourth Amendment to Development Agreement, which mortgage was dated May 30, 2012 and recorded June 5, 2012 as Document No. T4960954 with the office of the Registrar of Titles for Hennepin County, Minnesota, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, does hereby join in, consents, and is subject to the above referenced Fourth Amendment to Development Agreement.

LAKE COMMUNITY BANK

By: _____

Its Sr. V.P.

STATE OF Minnesota)
) ss.
COUNTY OF Henn)

The foregoing instrument was acknowledged before me this 27th day of August, 2014 by Gerald F. Taffe the Sr. Vice President of **Lake Community Bank**, a Minnesota Bank/Insurance corporation, on its behalf.

Wendy L Byers
Notary Public

WENDY LOU BYERS
Notary Public
Minnesota
My Commission Expires January 31, 2019

DRAFTED BY:
CAMPBELL KNUTSON
Professional Association
317 Eagandale Office Center
1380 Corporate Center Curve
Eagan, Minnesota 55121
Telephone: (651) 452-5000
SMM/jmo

Doc No **A10562736**

Certified, filed and/or recorded on
Jun 13, 2018 12:58 PM

Office of the County Recorder
Hennepin County, Minnesota
Martin McCormick, County Recorder
Mark Chapin, County Auditor and Treasurer

Deputy 136 Pkg ID 1699480E

Document Recording Fee	$46.00
Document Total	$46.00

This cover sheet is now a permanent part of the recorded document.

Doc No **T05536679**

Certified, filed and/or recorded on
Jun 8, 2018 1:42 PM

Office of the Registrar of Titles
Hennepin County, Minnesota
Martin McCormick, Registrar of Titles
Mark Chapin, County Auditor and Treasurer

Deputy 137 Pkg ID 1697755E

Document Recording Fee	$46.00
Document Total	$46.00

Existing Certs

1431449

This cover sheet is now a permanent part of the recorded document.

ASSIGNMENT AND ASSUMPTION OF DEVELOPMENT AGREEMENT

THIS ASSIGNMENT AND ASSUMPTION OF DEVELOPMENT AGREEMENT (this "Assignment") is entered into this 9th day of September, 2016, by Ryan Companies US, Inc., as assignor ("Assignor") and Crystal Cliff, LLC as assignee ("Assignee").

RECITALS

WHEREAS, Assignor is a party to that certain Development Agreement, for platting and development of *Crystal Bay Business Center* dated December 5, 2007, filed December 27, 2007, with the Office of the Registrar of Titles for Hennepin County, Minnesota as Document No. 4457476 and recorded December 27, 2007 with the Office of the County Recorder for Hennepin County, Minnesota as Document No. 9079458, as amended by a Second Amendment to Development Agreement dated September 26, 2011, filed December 30, 2011, with the Office of the Registrar of Titles for Hennepin County, Minnesota as Document No. T4914548 and recorded December 30, 2011 with the Office of the County Recorder for Hennepin County, Minnesota as Document No. A9732423, and as amended by an Amendment to Development Agreement dated March 6, 2014, filed March 28, 2014 with the Office of the Registrar of Titles for Hennepin County, Minnesota as Document No. T05161145 and recorded April 24, 2014 with the Office of the County Recorder for Hennepin County, Minnesota, as Document No. A10073102 (collectively, as amended, "Development Agreement");

WHEREAS, pursuant to the Development Agreement, Assignor agreed to construct certain improvements on property located in the City of Orono, County of Hennepin, State of Minnesota (as more particularly described in the Development Agreement, the "Project Area"),

WHEREAS, Assignor now wishes to assign to Assignee, and Assignee wishes to assume from Assignor, all of Assignor's rights and obligations under the Development Agreement.

AGREEMENT

NOW, THEREFORE, in consideration of the mutual covenants and conditions set forth herein, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto agree as follows:

1. Assignment and Assumption. Assignor hereby assigns to Assignee, and Assignee hereby assumes from Assignor, all rights and obligations of the Developer, as such term is defined and used in the Development Agreement, including, without limitation, the obligation to post security for the benefit of the City of Orono.

2. Representations; Indemnification. Assignor represents that there is currently no default under the Development Agreement by any party thereto, and agrees to indemnify and hold harmless Assignee from any claims or causes of action arising prior to the date hereof or out of work done by or at the direction of Assignor prior to the date hereof. Assignee likewise agrees to indemnify and hold Assignor harmless from any claims or causes of action arising under the Development Agreement on and after the date hereof, except for any claims or causes of action arising out of work done by or at the direction of Assignor prior to the date hereof.

3. Counterparts. This instrument may be executed in any number of counterparts, which, when taken together, constitute a complete and original instrument.

IN WITNESS WHEREOF, the parties hereto have caused this Assignment to be executed as of the day and year first above written.

RYAN COMPANIES US, INC.

By: Timothy M. Gray
Its: Vice President

STATE OF MINNESOTA)
) ss
COUNTY OF HENNEPIN)

This instrument was executed before me this 9 day of September, 2016, by Timothy M. Gray, Vice President of Ryan Companies US, Inc., a Minnesota corporation, on behalf of the corporation/

Notary Public

JUDY A. HERMANSON
Notary Public-Minnesota
My Commission Expires Jan 31, 2020

CRYSTAL CLIFF, LLC, a Minnesota Limited Liability company

By: Clifford L. Otten
Its: President

STATE OF MINNESOTA)
) ss
COUNTY OF Hennepin)

This instrument was executed before me this 6th day of September, 2016, by Clifford L. Otten, the President of Crystal Cliff, LLC, a Minnesota limited liability company, on behalf of the company

CHRISTOPHER J. PIERSON
NOTARY PUBLIC - MINNESOTA
My Commission Expires
January 31, 2020

Notary Public

THIS INSTRUMENT WAS DRAFTED BY
AND UPON RECORDING SHALL BE RETURNED TO:

Ryan Companies US, Inc. (AEW)
50 South Tenth Street
Suite 300
Minneapolis, MN 55403

Doc No **T05539998**

Certified, filed and/or recorded on
Jun 21, 2018 9:05 AM

Office of the Registrar of Titles
Hennepin County, Minnesota
Martin McCormick, Registrar of Titles
Mark Chapin, County Auditor and Treasurer

Deputy 136 Pkg ID 1702672E

Document Recording Fee	$46.00
Document Total	$46.00

Existing Certs

1431449

This cover sheet is now a permanent part of the recorded document.

ASSUMPTION AND INDEMNIFICATION

THIS ASSUMPTION AND INDEMNIFICATION (this **"Assumption")** is entered into this 31st day of May, 2018, by Crystal Cliff, LLC, **("Crystal Cliff')** and Old Crystal Bay LLC **("Crystal Bay").**

RECITALS

WHEREAS, Crystal Cliff is a party (by operation of that certain Assignment And Assumption Of Development Agreement dated September 9, 2016 and recorded June 8, 2018 in the Office of the Registrar of Titles as Document No. T05536679 and filed June 13, 2018 in the Office of the County Recorder as Document No. A10562736) to that certain Development Agreement, for platting and development of *Crystal Bay Business Center* dated December 5, 2007, filed December 27, 2007, with the Office of the Registrar of Titles for Hennepin County, Minnesota as Document No. 4457476 and recorded December 27, 2007 with the Office of the County Recorder for Hennepin County, Minnesota as Document No. 9079458, as amended by a Second Amendment to Development Agreement dated September 26, 2011, filed December 30, 2011, with the Office of the Registrar of Titles for Hennepin County, Minnesota as Document No. T4914548 and recorded December 30, 2011 with the Office of the County Recorder for Hennepin County, Minnesota as Document No. A9732423, and as amended by an Amendment to Development Agreement dated March 6, 2014, filed March 28, 2014 with the Office of the Registrar of Titles for Hennepin County, Minnesota as Document No. T05161145 and recorded April 24, 2014 with the Office of the County Recorder for Hennepin County, Minnesota, as Document No. A10073102 (collectively, as amended, **"Development Agreement");**

WHEREAS, pursuant to the Development Agreement, Crystal Cliff agreed to construct certain improvements on property located in the City of Orono, County of Hennepin, State of Minnesota (as more particularly described in the Development Agreement, the **"Project Area"),**

WHEREAS, Crystal Cliff and Crystal Bay now desire that Crystal Bay complete such improvements and assume the obligations of "Developer" under the Development Agreement and indemnify Crystal Cliff for any failure of Crystal Bay to complete the same, but not have Crystal Cliff be released by the City of Orono from Developer's obligations under the Development Agreement, including the obligation to post performance security in the form of a bank letter of credit.

AGREEMENT

NOW, THEREFORE, in consideration of the mutual covenants and conditions set forth herein, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto agree as follows:

1. Assumption. Crystal Cliff hereby consents to Crystal Bay performing the obligations of Developer under the Development Agreement, and Crystal Bay hereby assumes all such obligations, *except*, without limitation, the obligation to post security in the form of a bank letter of credit for $400,347.00 for the benefit of the City of Orono, which obligation shall, as between Crystal Cliff and Crystal Bay, remain the obligation of Crystal Cliff per the terms of the Contract For Deed between them of even date herewith, but any additional security requirements shall be the responsibility of Crystal Bay at its sole cost and expense..

2. Representations. Crystal Cliff represents that there is currently no default under the Development Agreement by any party thereto.

3. Indemnification. Crystal Bay shall indemnify, hold harmless and defend Crystal Cliff from and against any and all harm, damages, injuries, or losses, or claims therefor, suffered by or threatened against Crystal Cliff and resulting from or arising out of Crystal Bay's failure to perform any term or condition of the Development Agreement Crystal Bay is required hereby to perform.

4. Counterparts. This instrument may be executed in any number of counterparts, which, when taken together, constitute a complete and original instrument.

IN WITNESS WHEREOF, the parties hereto have caused this Assignment to be executed as of the day and year first above written.

CRYSTAL CLIFF, LLC

By: Clifford L. Otten

Its: President

STATE OF MINNESOTA)
) ss
COUNTY OF HENNEPIN)

This instrument was executed before me this 31st day of May, 2018, by Clifford L. Otten, President and Chief Manager of Crystal Cliff, LLC, a Minnesota limited liability company, on behalf of the limited liability company.

CHRISTOPHER J. PIERSON
NOTARY PUBLIC - MINNESOTA
My Commission Expires
January 31, 2020

Notary Public

OLD CRYSTAL BAY LLC

By: _____

Its: Sole Member

STATE OF MINNESOTA)
) ss
COUNTY OF Hennepin)

This instrument was executed before me this 31st day of May, 2018, by Jake Barkley, the Sole Member of Old Crystal Bay LLC, a Minnesota limited liability company, on behalf of the limited liability company.

CHRISTOPHER J. PIERSON
NOTARY PUBLIC - MINNESOTA
My Commission Expires
January 31, 2020

_____
Notary Public

THIS INSTRUMENT WAS DRAFTED BY
AND UPON RECORDING SHALL BE RETURNED TO:

Sanford, Pierson, Thone & Strean, PLC (CJP)
1905 East Wayzata Boulevard
Suite 220
Wayzata, MN 55391



Doc No 9086547 01/17/2008 08:28 AM
Certified filed and or recorded on above date:
Office of the County Recorder
Hennepin County, Minnesota
Michael H. Cunniff, County Recorder
TransID 368526

Deputy 9
Fees
$35.50 DOC
$10.50 SUR
$46.00 Total

TRANSFER ENTERED
HENNEPIN COUNTY TAXPAYER SERVICES

JAN 16 2008

HENNEPIN COUNTY MN
BY _____ DEPUTY

ENCROACHMENT AGREEMENT

AGREEMENT ("Agreement") made this 5th day of December, 2007, by and between the **CITY OF ORONO**, a Minnesota municipal corporation ("City"), and **RYAN COMPANIES US, INC.**, a Minnesota Corporation ("Developer").

RECITALS

1. **Background**. Certain real property, Orono Industrial Boulevard within the plat of Crystal Bay Business Center (said plat recorded as document #9079456), within the City of Orono, County of Hennepin, State of Minnesota, has been dedicated to the City of Orono (the "Subject Property"). Developer seeks permission from the City to encroach upon the Subject Property for outdoor storage until the street is constructed.

2. **Encroachment Authorization**. The City hereby grants the Developer permission for the encroachment of outdoor storage upon the Subject Property until the street is constructed, and subject to the conditions set forth in this Agreement.

3. **No Waiver**. Nothing in this Agreement shall be deemed an abandonment, vacation or waiver of the City's interests in the right-of-way.

4. **Maintenance and Repair of Right-of-Way**. The Developer shall be solely responsible for all costs relating to the maintenance and repair of the Orono Industrial Boulevard right-of-way, including any damage caused in whole or in part by the Developer's use, maintenance, and repair of the right-of-way of Orono Industrial Boulevard. This maintenance agreement is an obligation of the Developer and shall be binding upon the executors, administrators, successors and assigns of the Developer. The Developer's obligations under this Section 4 shall terminate on the date the City accepts the improvements to Orono Industrial Boulevard made by the Developer pursuant to that certain Development Agreement Crystal Bay Business Center of even date herewith between the Developer and the City.

5. **Hold Harmless and Indemnity.** In consideration of being allowed to encroach on the Subject Property, the Developer, its successors and assigns, hereby agrees to defend, indemnify and hold the City harmless from all costs and expenses, claims and liability, including reasonable attorney fees, relating to or arising out of the grant to Developer of permission to encroach into the City's right-of-way. Developer further agrees to indemnify and hold the City harmless from any damage to the Subject Property caused in whole or in part by the use of the Subject Property.

6. **No Warranty; Termination.** The City does not warrant title or guarantee the continuing right of Developer to encroach upon the City's right-of-way for outdoor storage. The City may, at its sole discretion, terminate this Agreement at any time by giving the Developer one hundred twenty (120) days advance written notice. Following notice, the Developer shall remove its outdoor storage at its sole expense. If the Developer fails to remove the outdoor storage from the Orono Industrial Boulevard right-of-way as provided in this paragraph, then the City may remove the outdoor storage and charge the cost to the Developer.

CITY OF ORONO

By: James M. White
James M. White, Mayor

And: Ronald J. Moorse
Ronald J. Moorse, City Administrator

DEVELOPER

RYAN COMPANIES US, INC.

BY: _____
Mark Nordlund
Its VP

STATE OF MINNESOTA)
(ss.
COUNTY OF HENNEPIN)

The foregoing instrument was acknowledged before me this 21st day of December, 2007, by James White and Ronald Moore, the Mayor and City Administrator, respectively, of the City of Orono, a Minnesota municipal corporation, on behalf of the corporation.

Rachel Dodge
NOTARY PUBLIC

RACHEL DODGE
NOTARY PUBLIC - MINNESOTA
My Commission Expires Jan. 31, 2010

STATE OF MINNESOTA)
(ss.
COUNTY OF Hennepin)

The foregoing instrument was acknowledged before me this 5 day of December, 2007, by Mark Nordland, the VP of Ryan Companies US, Inc., a Minnesota corporation, on behalf of the corporation.

NOTARY PUBLIC

JUDY A. HERMANSON
Notary Public-Minnesota
My Commission Expires Jan 31, 2010

THIS INSTRUMENT DRAFTED BY:

CAMPBELL KNUTSON,
Professional Association
317 Eagandale Office Center
1380 Corporate Center Curve
Eagan, Minnesota 55121
Telephone: (651) 452-5000

09224

CRYSTAL BAY BUSINESS CENTER

R.T. DOC. 4457474
C.R. DOC. 9079456

KNOW ALL MEN BY THESE PRESENTS: Ryan Companies US, Inc., a Minnesota Corporation, fee owner of the following described property situated in the County of Hennepin, State of Minnesota, to wit:

Lot 1, Block 1, Van Dale Addition, according to the recorded plat thereof, and situate in Hennepin County, Minnesota, EXCEPT that part of Tract A described below:

Tract A. That part of Lot 1, Block 1, Van Dale Addition, according to the plat thereof on file and of record in the office of the County Recorder in and for Hennepin County, Minnesota, Section 33, Township 118 North, Range 23 West, which lies northerly of a line run parallel with and distant 70 feet southerly of Line 1 described below:

Line 1. Beginning at a point on the north and south quarter line of said Section 33, distant 1326.88 feet south of the north quarter corner thereof; thence run easterly at an angle of 89 degrees 20 minutes 56 seconds from said north and south quarter line (measured from south to east) for 253.6 feet and there terminating;
Except that part of the described property lying south of a line beginning 50 feet south of the above mentioned termination point. Thence running southwesterly to a point distant 70 feet south of Line 1 and 50 feet west of the termination point,
together with that part of Tract A hereinbefore described adjoining and southerly of the above described strip, which lies westerly of a line run parallel with and distant 40 feet easterly of Line 2 described below:

Line 2. From the point of beginning of Line 1 described above, run westerly on the westerly extension of said Line 1 for 0.32 feet to the point of beginning Line 2 to be described; thence deflect to the left at an angle of 90 degrees 38 minutes 37 seconds for 370 feet and there terminating;
together with that part of Tract A hereinbefore described lying southerly of the first above described strip and easterly of the last above described strip, which lies northwesterly of the following described line: From a point on Line 1 described above, distant 63.6 feet easterly of its point of beginning, run southerly at right angles to said Line 1 for 70 feet to the point of beginning of the line to be described; thence run southwesterly to a point distant 40 feet easterly (measured at right angles) of a point on Line 2 described above, distant 100 feet southerly of its point of beginning and there terminating.

AND

Lot 2, Block 1, Van Dale Addition, according to the recorded plat thereof; and situate in Hennepin County, Minnesota.

AND

Lot 3, Block 1, Van Dale Addition, according to the recorded plat thereof, and situate in Hennepin County, Minnesota, EXCEPT that part designated as Parcel 21 on Minnesota Department of Transportation Right Of Way Plat No. 27–129.

AND

Lot 4, Block 1, Van Dale Addition, according to the recorded plat thereof; and situate in Hennepin County, Minnesota, EXCEPT that part designated as Parcel 21 on Minnesota Department of Transportation Right Of Way Plat No. 27–129.

The registered portion of the premises is described as follows:
That part of Lot 4, Block 1, Van Dale Addition embraced within the West Half of the Southwest Quarter of the Northeast Quarter, Section 33, Township 118, Range 23 described as beginning at the Southeast corner of said West Half of the Southwest Quarter of the Northeast Quarter; thence North along the East line thereof 1074.9 feet; thence deflecting to the left 89 degrees 20 minutes to an intersection with the West line of the East 128 feet of said West Half of the Southwest Quarter of the Northeast Quarter; thence North along said West line to the North line of said West Half of the Southwest Quarter of the Northeast Quarter; thence West along said North line to the East line of the West 346.5 feet of the Southwest Quarter of the Northeast Quarter of said Section 33; thence South along said last mentioned East line to the South line of said Southwest Quarter of the Northeast Quarter; thence East along said South line to the point of beginning, EXCEPT that part thereof designated as Parcel 21 on Minnesota Department of Transportation Right Of Way Plat No. 27–129 per Document No. 7984137.

Has caused the same to be surveyed and platted as CRYSTAL BAY BUSINESS CENTER and does hereby donate and dedicate to the public for public use forever the public way and drainage and utility easements as shown on this plat.

In witness whereof said Ryan Companies US, Inc., a Minnesota Corporation, has caused these presents to be signed by its proper officer this 14 day of December, 20 07

Signed: Ryan Companies US, Inc. By: _____ its _____

STATE OF Minnesota
COUNTY OF Hennepin
The foregoing instrument was acknowledged before me this 14th day of December, 20 07 by _____ its _____, of Ryan Companies US, Inc., a Minnesota Corporation, on behalf of the corporation.

JUDY A HERMANSION
Notary Public-Minnesota
My Commission Expires Jan 31, 2010

Notary Public, Hennepin County, Minnesota
My Commission expires _____

I hereby certify that this plat of CRYSTAL BAY BUSINESS CENTER is a correct representation of the boundary survey; that all mathematical data and labels are correctly designated on the plat; that all monuments depicted on the plat have been or will be correctly set within one year as indicated on the plat; that all water boundaries and wet lands as of the date of the surveyor's certification are shown and labeled on the plat; that all public ways are shown and labeled on the plat. I further certify that this plat 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.

Kurt M. Kisch, Licensed Land Surveyor
Minnesota License No. 23968

STATE OF MINNESOTA
COUNTY OF HENNEPIN
The foregoing surveyor's certificate was acknowledged before me this 13 day of December, 2007 by Kurt M. Kisch, a Licensed Land Surveyor.

Notary Public, Hennepin County, Minnesota
My Commission Expires 1/31/2010

CYNTHIA J. MORICAL
NOTARY PUBLIC-MINNESOTA
My Commission Expires Jan. 31, 2010

ORONO, MINNESOTA

This plat of CRYSTAL BAY BUSINESS CENTER was approved and accepted by the City Council of Orono, Minnesota at a regular meeting thereof, held this 26th day of November 2007.
If applicable, the written comments and recommendations of the Commissioner of Transportation and the County Highway Engineer have been received by the City or the prescribed 30 day period has elapsed without receipt of such comments and recommendations, as provided by Minnesota Statutes, Section 505.03, Subd.2.

CITY OF ORONO, MINNESOTA

By: James M. White Mayor By: Linda S Vee Clerk

TAXPAYER SERVICES DEPARTMENT, Hennepin County, Minnesota
I hereby certify that taxes payable in 2007 and prior years have been paid for land described on this plat. Dated this 27TH day of December, 2007.

Jill L. Alverson, Hennepin County Auditor By: David J. Peterson Deputy

SURVEY DIVISION, Hennepin County, Minnesota
Pursuant to Minnesota Statute Sec. 383B.565 (1969), this plat has been approved this 27TH day of DECEMBER, 2007.

William P. Brown, Hennepin County Surveyor By: Phillip A. Nelson

REGISTRAR OF TITLES, Hennepin County, Minnesota
I hereby certify that the within plat of CRYSTAL BAY BUSINESS CENTER was filed for record in this office, this 27th day of December, 2007, at 4:30 o'clock p.m.

Michael H. Cunniff, Registrar of Titles By: RmKuhl Deputy

COUNTY RECORDER, Hennepin County, Minnesota
I hereby certify that the within plat of CRYSTAL BAY BUSINESS CENTER was filed for record in this office, this 27th day of December, 2007, at 4:30 o'clock p.m.

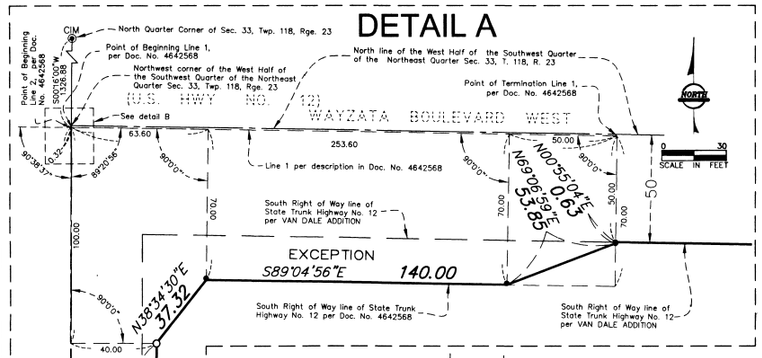
Michael H. Cunniff, County Recorder By: RmKuhl Deputy

RLK INCORPORATED
RLK INC.

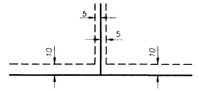
CRYSTAL BAY BUSINESS CENTER

R.T. DOC. 4457474
C.R. DOC. 9079456

DETAIL A



DRAINAGE AND UTILITY EASEMENTS ARE SHOWN THUS:

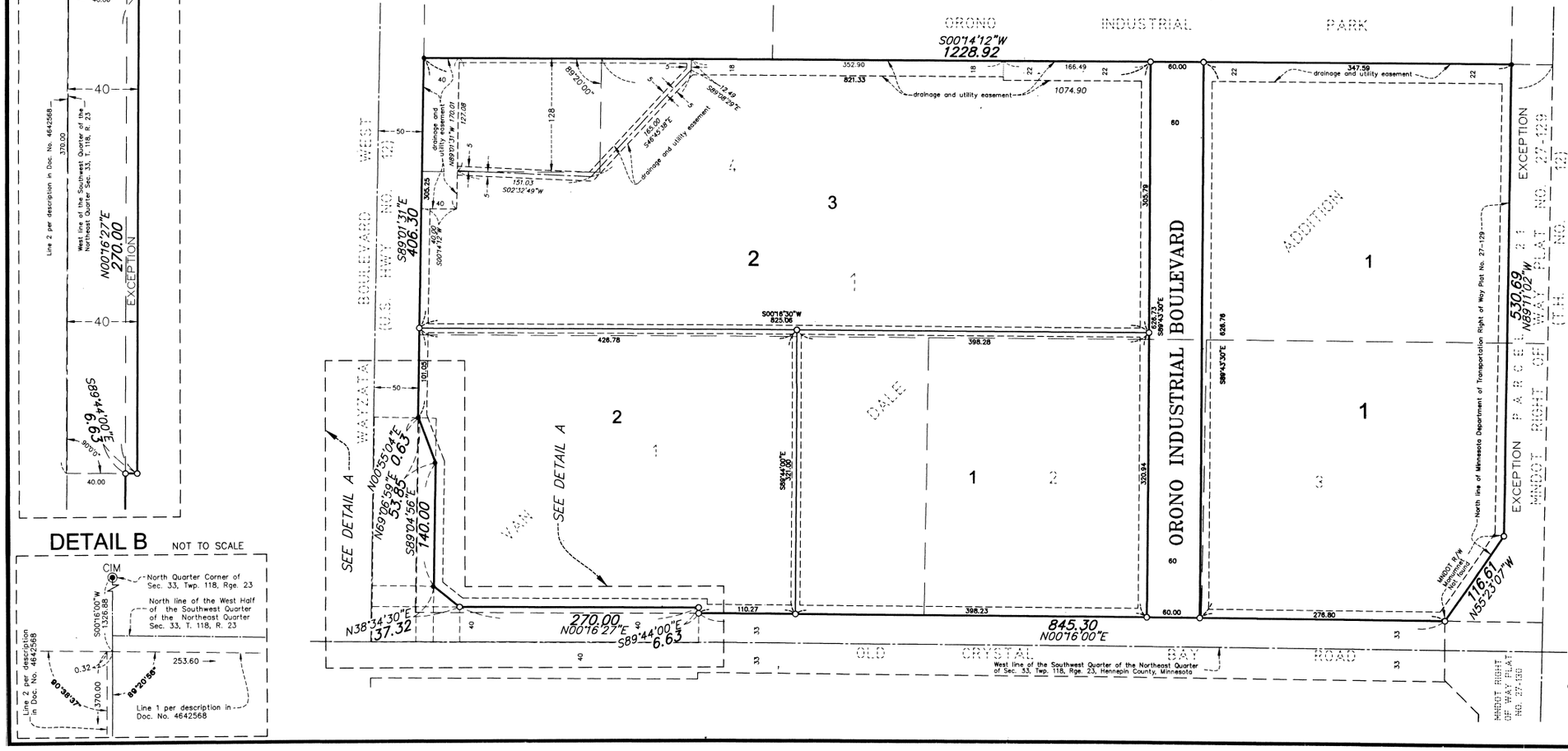


being 5 feet in width and adjoining all lot lines unless otherwise indicated and 10 feet in width and adjoining all right of way lines unless otherwise shown on this plat.

- Found monument.
- ○ 1/2 inch by 14 inch iron monument set and marked with Minnesota License No. 23968.

For the purposes of this plat the East line of Lot 4, Block 1, VAN DALE ADDITION, Hennepin County, Minnesota is assumed to bear S00°14'12"W.

NORTH
0 60 120
SCALE IN FEET



DETAIL B NOT TO SCALE

RLK INCORPORATED
RLK INC.

AGENDA ITEM

Date: June 9, 2025 **Item:** 11

Title: LA25-000007, 4745 North Shore Drive, After-the-Fact Conditional Use Permit Amendment - Resolution 7589

Presenter: Melanie Curtis, Planner

Section: Consent Agenda

1. **Purpose:**
   The purpose of this application is to consider new retaining walls within the bluff and lake setback installed without City approval. An after-the-fact amendment to the CUP is required.

2. **MN§15.99 Application Deadline:**
   The application was received on January 30, 2025 and considered to be complete on February 14th; the original 60-day review timeline was extended and will now expire on June 14, 2025.

3. **Background:**
   The Council reviewed this request on **April 28th** and **May 12th** and tabled the application to allow the applicant to provide updated engineering and a revised landscape plan with native plantings.

   Review the minutes from the previous meetings: **April 28** (**video**) / **May 12** (**video**).

4. **Analysis:**
   The applicant provided an updated landscape plan, narrative, and photos attached as **Exhibit B**. Staff reviewed the revised landscape plan. The majority of the plants proposed are not native and do not appear to provide the desired screening of the walls. The following comments were shared with the applicant:
   1. The "Kentucky Bluegrass" (KBG) shown on the path down the slope and along the base of the lower walls is not native to Minnesota. It requires frequent fertilization, mowing, and watering, does not meet the City's goals for screening, and does not support or stabilize the hillside. Staff would suggest using a taller, native fescue with interspersed native prairie grasses as an alternative to KBG due to their deep root systems, lower maintenance/mowing demand, screening potential, and durability.
   2. Neither KBG nor a fescue alone will provide the required screening of the lower walls, which range from 3 feet to 5 feet tall. Your plan should be updated to include taller plants/shrubs/prairie grasses that will provide adequate coverage in front of each of these walls. Where it is not possible to screen the walls from the front, staff suggests incorporating a native vining species that could hang down and provide screening from above.
   3. Although not native to Minnesota, the inclusion of Hosta plants along the stairs may be acceptable when paired with other appropriate native plants, such as the proposed wood lily, which is native to MN. The plan shows a large area to be planted with a no-mow fescue mix - along the stairs and on top of the lower walls. Consider incorporating native plantings with height and root systems to meet our goal of screening and stabilization.

5. **Staff Recommendation:**
The updated engineering including all of the walls and an updated project justification was provided for Council's review at the May 12th meeting **(Exhibit D).**

Upon review, Council directed the applicant to revise the landscape plan to reflect native species to screen the new walls from the lake and provide the necessary stabilization for the bluff. The applicant provided a revised landscape plan. Staff annotated the landscape plan to meet the condition for additional vegetation be added in front of the lowest walls to screen them from the lake.

Staff recommends the Council consider a motion to adopt the draft resolution approving the after-the-fact CUP amendment including the revised landscape plan as annotated by staff.

COUNCIL ACTION REQUESTED
Council should consider a motion to adopt Resolution No. 7589 (**Exhibit A**) as drafted.

Exhibits
A. Draft Resol 7589 with Exhibits
B. Revised landscape plan and Narrative
C. Engineer responses
D. Engineered Plans 04162025

CITY OF ORONO

RESOLUTION OF THE CITY COUNCIL

NO. **7589**

A RESOLUTION APPROVING AN AFTER-THE-FACT CONDITIONAL USE PERMIT AMENDMENT ACCORDING TO MUNICIPAL ZONING CODE SECTIONS 78-916 & 78-1279

FILE NO. LA25-000007
(PREVIOUS FILE LA24-000018 & RESOL. NO. 7486)

WHEREAS, in July 2024, the City Council adopted Resolution No. 7486 approving a conditional use permit ("CUP") to install retaining walls within the bluff and lake yard of the property addressed **4745 North Shore Drive** and legally described as:

> *That part of Lots 1, 2, and 3, Block 6, Bergquist & Wicklund's Park, Hennepin County, Minnesota, lying southerly of the southerly right-of-way line of County Road No. 19.*
>
> *Also*
>
> *That part of Lake Street as dedicated in the plat of Bergquist & Wicklund's Park, Hennepin County, Minnesota, which lies between the southwesterly extensions of the northwesterly line of Lot 3, and the southeasterly line of Lot 1, Block 6, said plat* (vacated per document number A10004418) (hereinafter the "Property");

WHEREAS, during an inspection of the nearly completed project, the City's building inspector observed additional constructed walls that were not included in the scope of the approved plan; and

WHEREAS, on January 30, 2025, the property owner, Matthew Michael Jasper (hereinafter the "Applicant"), applied for an after-the-fact amendment to the CUP granted via Resolution No. 7486 to the Property under Orono Municipal Zoning Code Sections 78-916 and 78-1279 to permit the additional retaining walls constructed along the shoreline and supporting new lake access stairs; and

WHEREAS, on March 17, 2025, after published and mailed notice in accordance with Minnesota Statutes and the City Code, the Planning Commission held a public hearing, at which time all persons desiring to be heard concerning this application were allowed to speak thereon; and

WHEREAS, on March 17, 2025, the Planning Commission voted 5 to 0 in favor of a motion to recommend approval of the application as applied directing the applicant to provide

documentation from a licensed professional engineer regarding the necessity of all of the constructed walls; and to provide an updated landscape plan to screen all of the walls from the lake; and

WHEREAS, on April 28, 2025, the City Council reviewed the Applicant's request and the recommendations of the Planning Commission and City staff. Council voted 3 in favor and 1 opposed on a motion to table the application until the identified information was submitted; and

WHEREAS, on May 2, 2025, after receiving direction from the Planning Commission and the City Council, the Applicant provided updated information from the professional engineer regarding the justification for the additional walls; and

WHEREAS, on May 12, 2025, after reviewing the submitted information, the City Council directed the Applicant to provide an updated landscape plan utilizing native plants to stabilize the slope and screen the walls from the lake; and

WHEREAS, on June 4, 2025, the Applicant provided an updated landscape plan; and

WHEREAS, on June 9, 2025, the City Council reviewed the engineered plans and revised landscape plan; and

NOW, THEREFORE, BE IT RESOLVED that the City Council of Orono, Minnesota hereby approves the request for a CUP amendment supporting retaining walls within the lakeyard bluff, upslope from the rip rap and the walls supporting the proposed stone lake access stairs within the bluff and 75-foot setback from the lake as amended and described above based on one or more of the following findings of fact concerning the Property:

FINDINGS OF FACT:

A1. The analysis contained within staff memos and the exhibits attached to the aforesaid memos, all minutes from the above-mentioned meetings, and all other materials distributed at these meetings are hereby incorporated by reference.

A2. The Property is in the LR-1B, One Family Lakeshore Residential Zoning District.

A3. The lakeside slope on the Property is defined as a Bluff.

A4. The Property is within Tier 1, and hardcover is limited to 25% according to the Stormwater Quality Overlay District. The Applicant proposes 14.1% total site hardcover.

A5. The Applicant applied an amendment to the Conditional Use Permit (Resolution No. 7486) to allow construction of additional stone retaining walls to support the lake access stair and the lower slope within the bluff and the 75-foot lake setback.

A6. Orono's 2020-2040 Comprehensive Plan provides guidance for development near the lakeshore. It states that lake shorelines will be protected from alteration. Shoreland areas, including bluffs, have a significant impact on lake water quality, and natural vegetation in shoreland areas will be preserved to limit surface runoff and soil erosion. Clearcutting will be prohibited. Excavation, filling, and other grade changes at or near the shoreline for the sole purpose of accommodating development will be discouraged.

The Comp Plan further states that the retention of natural vegetation will limit the impact of urbanization as visible from the lake. Minimum green belts will be provided with prohibitions against clear-cutting or excessive thinning of vegetation. Natural vegetation will be preserved on slopes, and retaining walls will be discouraged except when absolutely necessary to prevent erosion; in such cases, they will be screened with natural vegetation.

A7. In considering this application for CUP amendment, the Council has considered the advice and recommendation of the Planning Commission and the effect of the proposed project upon the health, safety and welfare of the community, existing and anticipated traffic conditions, light and air, danger of fire, risk to the public safety, and the effect on values of property in the surrounding area.

CONDITIONAL USE PERMIT ANALYSIS:

The City Council may approve a CUP for the construction of retaining walls as long as the walls are:

B1. Designed to correct an established erosion problem; *the applicant's landscape design was developed to directly address an ongoing erosion problem that had been affecting the stability of the shoreline and bluff line. The erosion was caused by surface water runoff, natural wave action, incorrectly installed riprap, and ice heaves, which had begun to undermine the soil and vegetation near the water's edge and bluff line. To correct this, the design included erosion control measures such as deep-rooted native plants, erosion control fabric, and slope stabilization techniques with the staircase and boulder retaining walls. These improvements were intended to stop further erosion, help restore the health of the shoreline and preserve the roots of trees that are exposed.* ***This criterion has been met;*** and

B2. Suitable given the demonstrated need; *A global stability analysis by Ronald W. Vickery, PE was provided. He further notes that it was necessary to correct the shoreline with a*

3:1 slope with large rip rap toe boulders. Boulders were also necessary to support the stairway to the lake shore to help in stabilizing the bluff and protect as many trees as possible. The results of the global stability analysis indicated an overall global stability factor of safety of 1.378, which is over the industry standard factor of safety of 1.3. Without the retaining walls, this factor of safety would be less than 1.3. Therefore, the engineer indicates that the retaining walls and the stair system will greatly aid in the stabilization of the slope. ***This criterion has been met****;* and

B3. Designed by a registered engineer or landscape architect, depending on the project scope; *the Applicant has provided a revised retaining wall design from a registered engineer which matches the submitted plans.* ***This criterion has been met****;* and

B4. Designed to be the minimum size necessary to control the erosion problem. *The engineer's revised plan was to be as minimal and natural-looking as possible. It includes only what is necessary to stabilize the shoreline and bluff line to prevent further erosion. Plants were chosen to hold soil in place and for their ability to blend into the natural surroundings. Less than 4' tall boulder walls were used in areas where plants would not have been enough to prevent further erosion and preserve the natural view and character of the lakeshore.* ***This criterion has been met.***

Based on the application and the evidence submitted, the Council finds that the proposed use at the proposed location is or will be:

B5. Consistent with the community management plan; the *applicant has provided a landscape plan which, when matured, should offer sufficient screening of the lake access stairs and walls.* ***This criterion is met.***

B6. Compliant with the zoning code, including any conditions imposed on specific uses as required by article V, division 3 of the City Code; *retaining walls within the lakeyard are permitted where they are deemed necessary to protect the integrity of the slope. The Applicant and the Applicant's engineer have provided information showing that the installation of all of the walls is the most effective and minimal necessary to achieve the desired stability. The landscape plan should be designed to maximize the screening of the improvements and should prioritize native species.*

B7. Adequately served by police, fire, roads, and stormwater management; *the Property meets this standard.*

B8. Provided with an adequate water supply and sewage disposal system; *the Property meets this standard.*

B9. Not expected to generate excessive demand for public services at public cost; *the retaining wall project should not generate an excessive demand for public services at a public cost.*

B10. Compatible with the surrounding area as the area is used both presently and as it is planned to be used in the future; *the stone staircase and stone retaining walls will be screened from the lake by the nature of their layout and the proposed vegetation, preserving the existing character of the Property.* ***This criterion is met.***

B11. Consistent with the character of the surrounding area, unless a change of character is called for in the community management plan; *the set-in-grade stone staircase and supporting stone retaining walls will be screened from the lake by the nature of their layout, and the proposed vegetation will preserve the character of the surrounding area.* ***This criterion is met.***

B12. Compatible with the character of buildings and site improvements in the surrounding area, unless a change of character is called for in the community management plan; *the proposed landscape plan should screen the stair system and associated retaining walls from view from the lake. Due to deferred maintenance, the current natural appearance of the Property could be minimally altered by the proposed stone stair and retaining wall improvements.* ***This criterion is met.***

B13. Not expected to substantially impair the use and enjoyment of the property in the area or have a materially adverse impact on the property values in the area when compared to the impairment or impact of generally permitted uses; *the lakeshore bluff improvements should not impact the neighboring property values or the enjoyment of the neighboring property owners.*

B14. Provided with screening and buffering adequate to mitigate undesirable views and activities likely to disturb surrounding uses, *the applicant has provided a landscape plan for the slope. The plan should utilize native plantings and provide natural screening and buffering of the stone stairs and retaining wall improvements when viewed from the lake.* ***This criterion is met.***

B15. Not create a nuisance that generates smoke, noise, glare, vibration, odors, fumes, dust, electrical interference, general unsightliness, or other means; *the proposed walls should not create a nuisance situation.*

B16. Not cause excessive non-residential traffic on residential streets, parking needs that cause a demonstrable inconvenience to adjoining properties, traffic congestion, or unsafe access; *this application contemplates after-the-fact approvals. The improvements have been previously installed, and there should be no further construction activity or traffic.*

B17. Designed to take into account the natural, scenic, and historic features of the area and to minimize environmental impact; *the proposed native landscaping to screen the stairway and supporting walls should be compatible with the character of the improvements within the surrounding area.* ***This criterion is met.***

B18. All exterior lighting shall be so directed so as not to cast glare toward or onto the public right-of-way or neighboring residential uses or districts; *the lake yard improvements should not result in any lighting or glare being cast off the Property toward the public street, the neighbors, or the lake;* and

B19. Not detrimental to the public health, public safety, or general welfare. *This is true of the project.*

CONCLUSIONS, ORDER AND CONDITIONS:

Based upon one or more of the above findings, the Orono City Council hereby grants after-the-fact approval for a CUP amendment according to Orono Municipal Zoning Code Sections 78-916 and 78-1279 to allow retaining walls upslope from the rip rap and walls supporting a stone lake access stair within the bluff and 75-foot setback from the lake as constructed; subject to the following conditions:

C1. Council approval is based on the entire record and the above Findings.

C2. The approved project shall conform to the Vickery engineered design dated 06/17/2024 and revised 04/16/2025, and revised landscape plans (herein collectively the "Plans") submitted by the Applicant and annotated by City staff to include screening of all walls as much as feasible, attached to this Resolution as **Exhibits A & B**.

C3. Any amendments to the Plans that are not in conformity with City codes may require further Planning Commission and City Council review.

C4. Authorities granted by this resolution run with the Property, not with the Applicant, and are conditioned on the Applicant establishing vegetative screening improvements and stabilization within the project area according to the annotated landscape plan (Exhibit

B). Due to the after-the-fact nature of this CUP amendment, the site must be fully vegetated and a final inspection must be scheduled and passed before August 1, 2025, or the CUP will expire on that date.

a. If there are unforeseen circumstances preventing completion by the August 1st deadline, the Applicant must submit an extension request in writing with an explanation to the Community Development Director for consideration at least two (2) weeks before the August 1st deadline (by July 18, 2025).

C5. The Applicant agrees to comply with all permitting requirements of all applicable jurisdictions, including but not limited to Hennepin County, MCWD, and LMCD. Copies of all required permits must be provided to the City with the submittal materials for the administrative building permit for the stairs and walls.

C6. The CUP shall remain in effect as long as the conditions imposed by the City Council are observed, but nothing in this section shall prevent the city from enacting or amending official controls to change the status of conditional uses.

C7. The undersigned Applicant is the owner of the Property and agrees to the conditions herein.

C8. Violation of or non-compliance with any of the terms and conditions of this resolution may result in the termination of any authority granted herein.

ADOPTED by the Orono City Council on this 9th day of June, 2025.

ATTEST:

Christine Lusian, City Clerk

CITY OF ORONO:

Bob Tunheim, Mayor

CITY OF ORONO

RESOLUTION OF THE CITY COUNCIL

NO. **7589**

PROPERTY OWNER:

_____
Matthew Michael Jasper, Property Owner

STATE OF MINNESOTA

COUNTY OF HENNEPIN

This instrument was acknowledged before me this _____ day of _____, 2025 by Matthew Michael Jasper, a single person.

_____
Notary Public

PROPOSED BOULDER RETAINING WALLS
4745 NORTH SHORE DRIVE
ORONO, MINNESOTA

GENERAL NOTES

1. In preparation of wall design, soil strength parameters were determined in the field by a VEC review of the on-site soils. It is the responsibility of the owner or owner's representative to verify the soil strength parameters are representative of the soils available for wall construction. If the soil strength parameters are found to be inconsistent with those assumed, this design is no longer valid and it is the responsibility of the owner or owner's representative to notify VEC so the retaining wall system can be redesigned. Failure to notify VEC may result in failure of the retaining wall.
2. Design Soil Parameters:
   a. Retained soil: Imported/on-site clayey sand soils phi = 30 degrees gamma = 125 pcf.
   b. Foundation soil: Imported/on-site clayey sand soils phi = 30 degrees gamma = 125 pcf.
3. Any excavation performed below the foundation grade of the wall should have proper 1:1 lateral oversizing. Excavation oversizing should be measured from the front to the back of the lowest boulder.
4. This set of boulder retaining wall plans are based on the site survey, prepared by Acre Land Surveying, dated 11/12/2024. If other plans are produced that contain different information than that referenced, this plan may need to be revised and/or the wall may need to be redesigned.
5. Location of the boulder retaining walls in relation to property lines, utility easements, watershed easements, or any other type of easements are the responsibility of the owner. VEC assumes no liability for the location of the boulder retaining walls, or if construction of the proposed boulder retaining walls encroach any property lines or easements.
6. It is imperative that the site surveying of the boulder retaining walls be based on the plans referenced above and not profile plans prepared by VEC. Surveying of the boulder retaining walls must take into account the design batter indicated on the enclosed plans and details. Failure to take into account wall batter for the boulder retaining wall surveying will produce incorrect locations of all top of wall and shall be corrected at no cost to VEC.
7. Wall geometry, locations, slopes and surcharge loads for the boulder retaining walls were assumed from the project plans referenced above. If conditions vary greatly in the field from those shown on this plan, VEC must be notified prior to construction of the boulder retaining walls to review the design and/or plans. Modifications to the design and/or plans may be required after the review, and may take up to ten business days to complete.
8. Please refer to any project specifications for additional information. If there are discrepancies between any information on these plans and information in the project specifications, the more restrictive information takes precedence.

Resol. No. 7589
Exhibit A
LA25-000007

SHEET INDEX

SHEET NO.	SHEET DESCRIPTION
W1	TITLE PAGE AND GENERAL NOTES
W2	WALL CONSTRUCTION NOTES
W3	WALL LOCATION SKETCH
W4 - W9	WALL ELEVATION VIEWS
W10	SECTIONS AND DETAILS

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PROPOSED BOULDER RETAINING WALLS
4745 NORTH SHORE DRIVE
ORONO, MINNESOTA
TITLE PAGE AND GENERAL NOTES

Rev:	Date:	Description:
3	6/17/2024	PLANS REVISED BASED ON NEW SURVEY, DATE 6/17/2024
4	3/10/2025	ADDED WALLS 7 & 8
5	4/16/2025	ADDED WALL 9

Scale: NONE

0 1
Verify Line Above Measures 1-Inch. If It Doesn't, Adjust Scale Accordingly

VEC Project No:	VEC 24-055
Drawn By:	VEC
Reviewed By:	RWV
Date:	4/15/2024

Sheet: W1 Of: 10 Client: MR. MATT JASPER

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

Ronald W. Vickery, PE
Date: 4/15/2024 Reg. No.: 24065

WALL CONSTRUCTION NOTES

DESCRIPTION

This work consists of constructing boulder wall structures at the locations indicated on the Site Survey, prepared by Acre Land Surveying, dated 11/12/2024. Boulder walls are formed of interlocking, dry-stacked rocks without reinforcing steel, mortar, or concrete.

CONSTRUCTION REQUIREMENTS

Boulders: Boulders shall consist of natural stone with varying heights and nominal depths ranging from 12 to 60 inches (front to back).

General: The following definitions apply to boulder wall construction:

(a) Base Rock: The base rock is the lowermost rock in the boulder wall, and bears directly on the soil subgrade.
(b) Facing Rock: The facing rocks comprise the bulk of the boulder wall and are stacked above the base rock.
(c) Cap Rock: The cap rock is the uppermost rock in the boulder wall section and "caps" the boulder wall.

Boulder Wall Construction:

(a) Boulder Wall Foundation Excavation: Excavate a foundation trench at least 12 inches below the grade at the bottom of the wall, running the full length of the proposed boulder wall, or to the depth shown on the plans. Excavate the foundation to a minimum width equal to the specified base rock width plus 12 inches to include the aggregate behind the boulder wall. Exercise care during excavation of the back cut. Stability of temporary cut slopes is the responsibility of the Contractor.

(b) Boulder Placement: Place the first course of rock (base rock) on firm, unyielding soil with full contact between the rock and the subgrade. Excavate any loose, soft or otherwise unsuitable material present at foundation grade and replace with suitable foundation fill. Compact the foundation fill as needed. As the boulder wall is constructed, place the rocks so that there are no continuous joints in either the vertical or lateral direction. Stockpile a sufficient number of rocks to provide a good selection for placement. To obtain a better fit, place rocks which do not match the spaces offered by the previous course in a different location. Avoid placing rocks which have shapes that create voids with a linear dimension greater than 8 inches. Except in isolated cases, place each rock so that it bears on at least two rocks below it. Locate at least one bearing point a distance no greater than 6 inches from the average face of the boulder wall. The allowable tolerance for base rock widths is 3 inches; however, do not place two or more consecutive base rocks with a width less than specified on the plans. Slope the top surface of each rock towards the back of the boulder wall at an inclination of at least 5 percent. The minimum boulder wall thickness is based on minimum base rock width, as specified on the plans, and allowable face batter. The required minimum face batter is 10 degrees. Securely place facing rocks so that the rocks are unable to be moved with a pry bar after the boulder wall is complete.

(c) Voids: Where voids with a minimum dimension of 6 inches or greater exist in the face of the boulder wall, chink the voids with smaller rock.

(1) If there is no rock contact within the boulder wall thickness, chink the void with a smaller piece of rock.
(2) Chinking rocks should not provide primary structural support for the overlying rock.
(3) Chinking rocks should not be able to be moved or removed by hand after boulder wall is complete. Reset loose chinking rocks until securely placed or grouted in place. Do not allow grout to be readily visible from the face of the boulder wall.

(d) Boulder Wall Aggregate: Install aggregate, consisting of 3/4" to 1 1/2" clear crushed aggregate (no pea gravel), between the boulder wall and the back cut face being supported. The aggregate layer shall be to the dimensions shown on the plans, with a minimum depth of 12 inches. Place aggregate concurrent with boulder wall so that at no time is either more than 12 inches higher than the other. Separate the aggregate from the back of the boulders by a non-woven geotextile (Mirafi 140N or approved equal). Overlap the non-woven geotextile at least 18 inches at all seams. The top of the aggregate should also be "capped" with the geotextile, as shown on the cross-sections.

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PROPOSED BOULDER RETAINING WALLS
4745 NORTH SHORE DRIVE
ORONO, MINNESOTA
WALL CONSTRUCTION NOTES

Rev:	Date:	Description:
3	6/17/2024	PLANS REVISED BASED ON NEW SURVEY, DATE 6/17/2024
4	3/10/2025	ADDED WALLS 7 & 8
5	4/16/2025	ADDED WALL 9

Scale: NONE

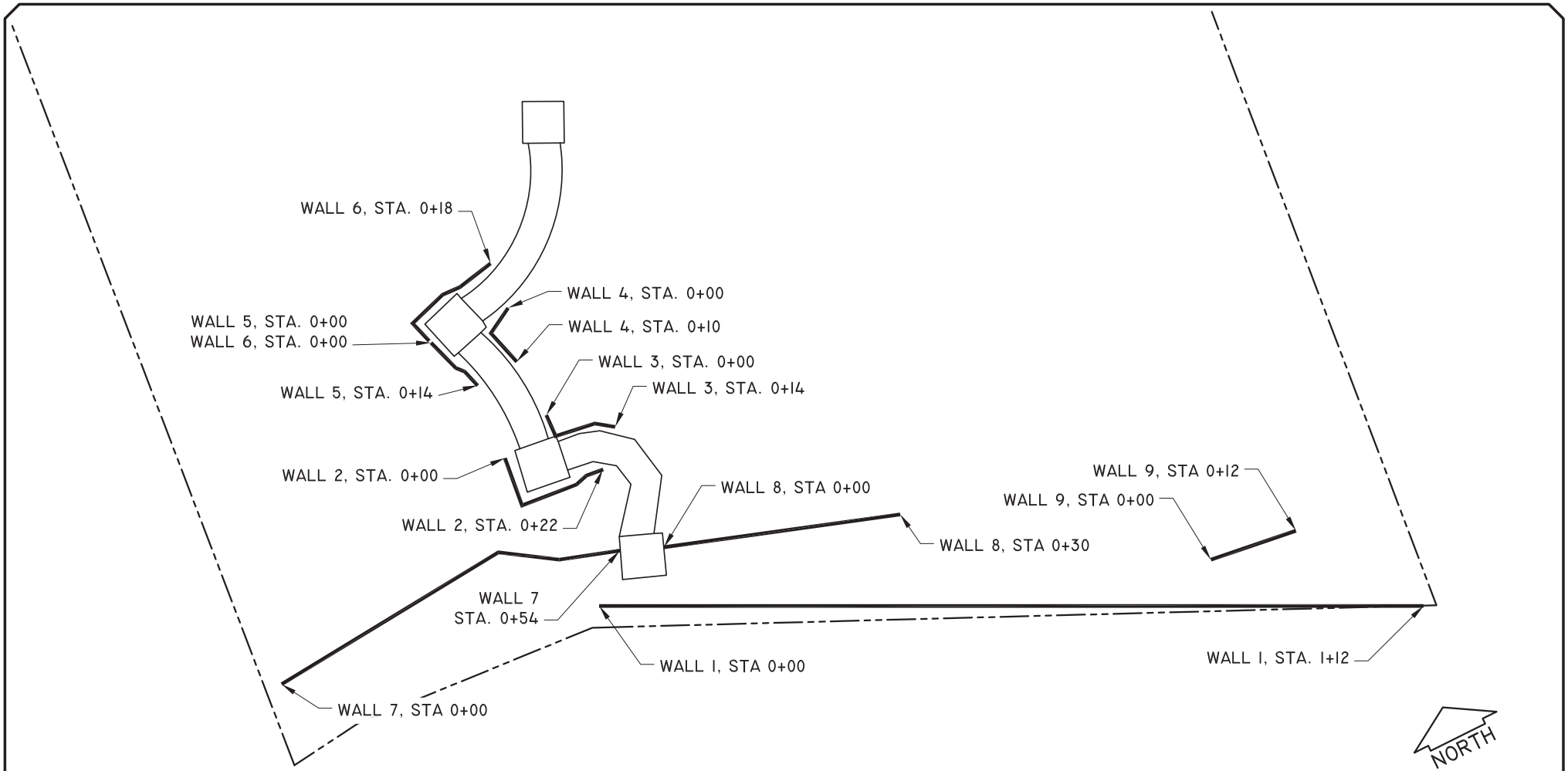
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Verify Line Above Measures 1-Inch. If It Doesn't, Adjust Scale Accordingly

VEC Project No:	VEC 24-055
Drawn By:	VEC
Reviewed By:	RWV
Date:	4/15/2024

Sheet: W2 Of: 10 Client: MR. MATT JASPER

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

Ronald W. Vickery, PE
Date: 4/15/2024 Reg. No.: 24065



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PROPOSED BOULDER RETAINING WALLS
4745 NORTH SHORE DRIVE
ORONO, MINNESOTA

WALL LOCATION SKETCH

Rev:	Date:	Description:
3	6/17/2024	PLANS REVISED BASED ON NEW SURVEY, DATE 6/17/2024
4	3/10/2025	ADDED WALLS 7 & 8
5	4/16/2025	ADDED WALL 9

Scale: NONE

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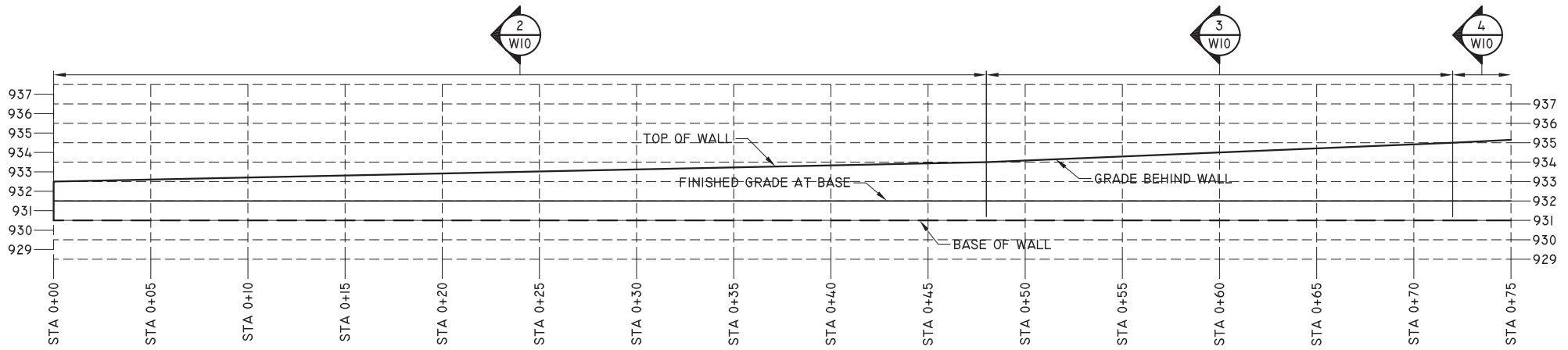
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VEC Project No: VEC 24-055
Drawn By: VEC
Reviewed By: RWV
Date: 4/15/2024

Sheet: W3 Of: 10 Client: MR. MATT JASPER

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Ronald W. Vickery, PE
Date: 4/15/2024 Reg. No.: 24065



1 / W4 BOULDER WALL - ELEVATION VIEW
WALL 1 (MAXIMUM BEARING PRESSURE = 1,500 PSF)
(SCALE: 1"=5'-0")

LEGEND

X / WX - INDICATES CROSS-SECTION TO BE USED (SEE SHEET W10)

NOTES

1) GRADES SHOWN ARE APPROXIMATE, AND MAY VARY IN THE FIELD AT THE TIME OF CONSTRUCTION. MINOR ADJUSTMENT OF THE TOP AND BOTTOM OF WALL ELEVATIONS IS PERMISSIBLE, PROVIDING THE CROSS-SECTIONS INDICATED ARE FOLLOWED. SEE SHEET W10 FOR CROSS-SECTION INFORMATION.

2) MINIMUM EMBEDMENT IS SHOWN ON THE CROSS-SECTIONS. EXTRA EMBEDMENT IS ALLOWED IF NEEDED TO ACCOMMODATE BOULDER SIZES.

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PROPOSED BOULDER RETAINING WALLS
4745 NORTH SHORE DRIVE
ORONO, MINNESOTA
WEST WALL ELEVATION VIEW

Rev:	Date:	Description:
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5	4/16/2025	ADDED WALL 9

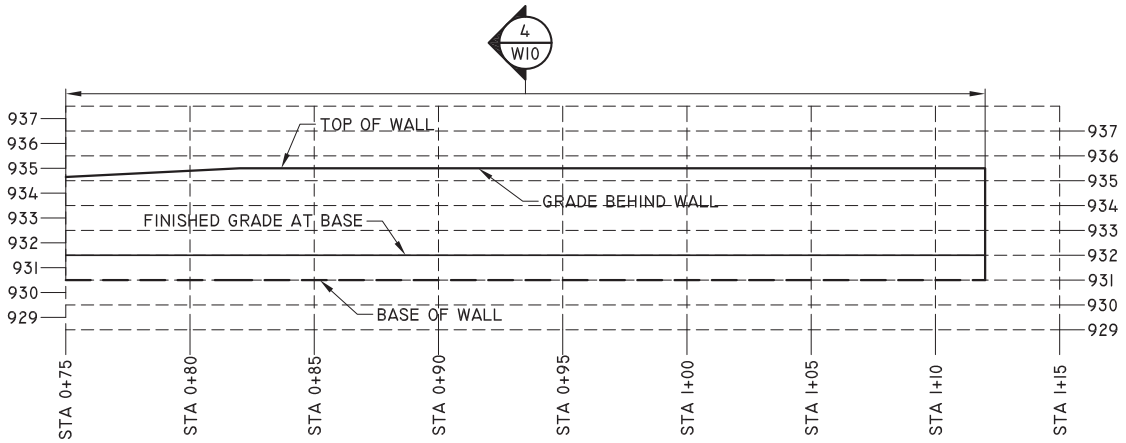
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VEC Project No:	VEC 24-055
Drawn By:	VEC
Reviewed By:	RWV
Date:	4/15/2024

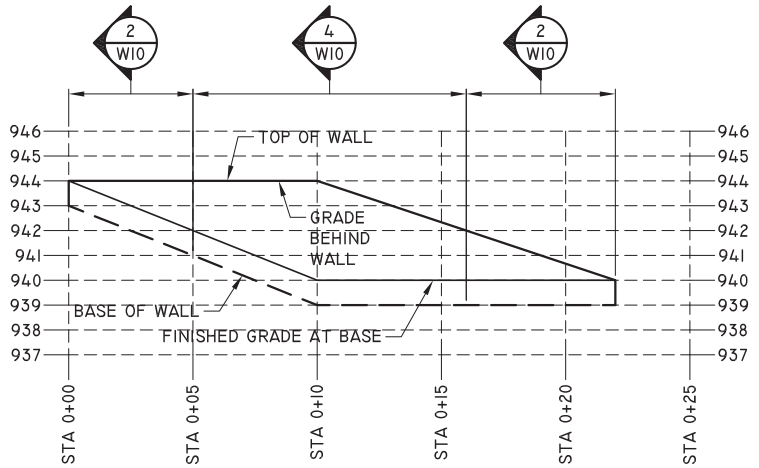
Sheet: W4 Of: 10 Client: MR. MATT JASPER

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

RONALD W. VICKERY, PE
Date: 4/15/2024 Reg. No.: 24065



1 / W5 BOULDER WALL - ELEVATION VIEW
WALL 1 (CONTINUED)
(SCALE: 1"=5'-0")



2 / W5 BOULDER WALL - ELEVATION VIEW
WALL 2 (MAXIMUM BEARING PRESSURE = 1,500 PSF)
(SCALE: 1"=5'-0")

LEGEND

X / WX - INDICATES CROSS-SECTION TO BE USED (SEE SHEET W10)

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PROPOSED BOULDER RETAINING WALLS
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ORONO, MINNESOTA
EAST WALL ELEVATION VIEW

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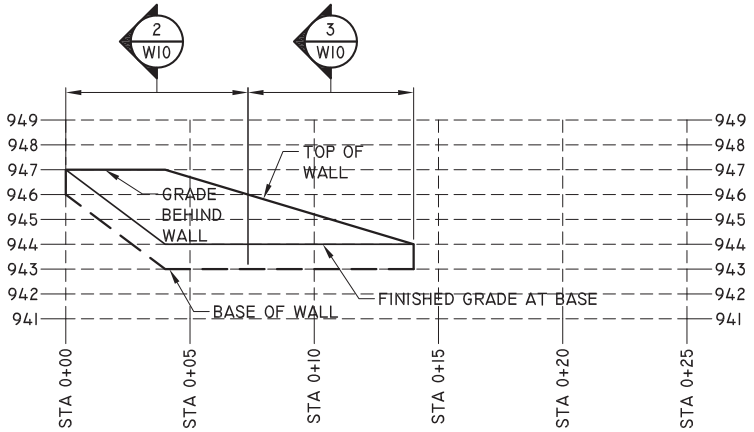
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Date:	4/15/2024

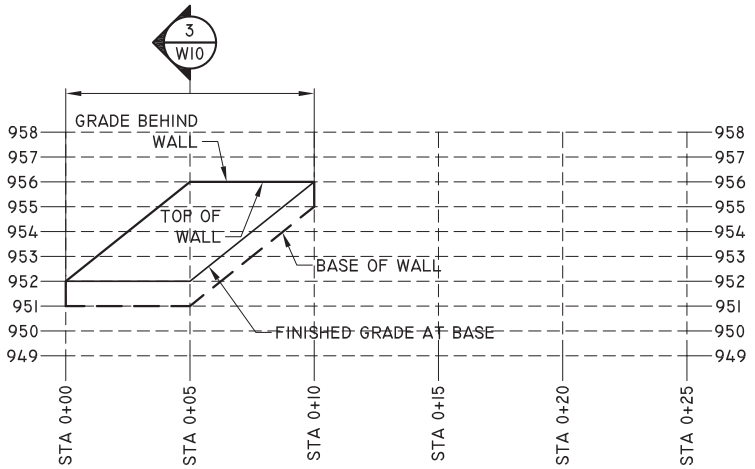
Sheet: W5 Of: 10 Client: MR. MATT JASPER

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RONALD W. VICKERY, PE
Date: 4/15/2024 Reg. No.: 24065



1 / W6 BOULDER WALL - ELEVATION VIEW
WALL 3 (MAXIMUM BEARING PRESSURE = 1,500 PSF)
(SCALE: 1"=5'-0")



2 / W6 BOULDER WALL - ELEVATION VIEW
WALL 4 (MAXIMUM BEARING PRESSURE = 1,500 PSF)
(SCALE: 1"=5'-0")

LEGEND

X / WX - INDICATES CROSS-SECTION TO BE USED (SEE SHEET W10)

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PROPOSED BOULDER RETAINING WALLS
4745 NORTH SHORE DRIVE
ORONO, MINNESOTA
EAST WALL ELEVATION VIEW (CONTINUED)

Rev:	Date:	Description:
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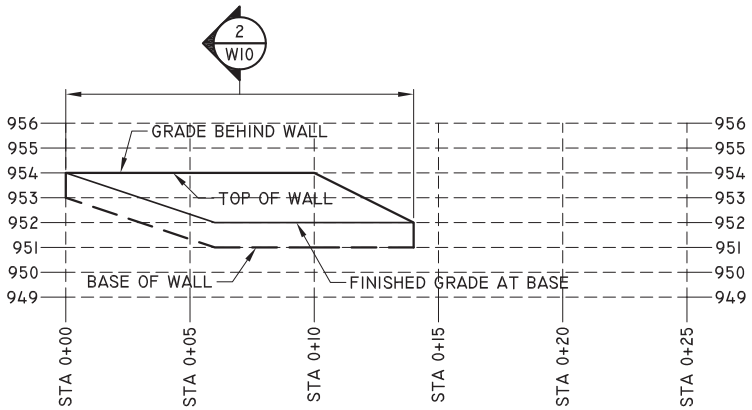
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VEC Project No:	VEC 24-055
Drawn By:	VEC
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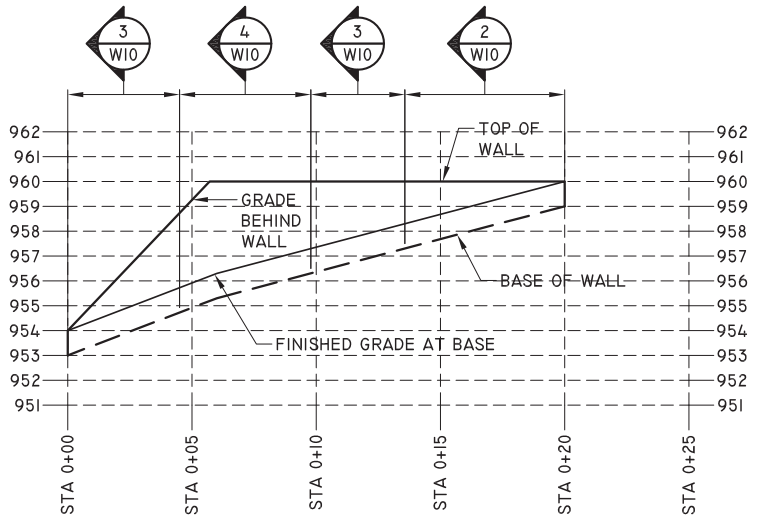
Sheet: W6 Of: 10 Client: MR. MATT JASPER

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

Ronald W. Vickery, PE
Date: 4/15/2024 Reg. No.: 24065



1 / W7 BOULDER WALL - ELEVATION VIEW
WALL 5 (MAXIMUM BEARING PRESSURE = 1,500 PSF)
(SCALE: 1"=5'-0")



2 / W7 BOULDER WALL - ELEVATION VIEW
WALL 6 (MAXIMUM BEARING PRESSURE = 1,500 PSF)
(SCALE: 1"=5'-0")

LEGEND

X / WX - INDICATES CROSS-SECTION TO BE USED (SEE SHEET W10)

NOTES

1) GRADES SHOWN ARE APPROXIMATE, AND MAY VARY IN THE FIELD AT THE TIME OF CONSTRUCTION. MINOR ADJUSTMENT OF THE TOP AND BOTTOM OF WALL ELEVATIONS IS PERMISSIBLE, PROVIDING THE CROSS-SECTIONS INDICATED ARE FOLLOWED. SEE SHEET W10 FOR CROSS-SECTION INFORMATION.

2) MINIMUM EMBEDMENT IS SHOWN ON THE CROSS-SECTIONS. EXTRA EMBEDMENT IS ALLOWED IF NEEDED TO ACCOMMODATE BOULDER SIZES.

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PROPOSED BOULDER RETAINING WALLS
4745 NORTH SHORE DRIVE
ORONO, MINNESOTA
EAST WALL ELEVATION VIEW (CONTINUED)

Rev:	Date:	Description:
3	6/17/2024	PLANS REVISED BASED ON NEW SURVEY, DATE 6/17/2024
4	3/10/2025	ADDED WALLS 7 & 8
5	4/16/2025	ADDED WALL 9

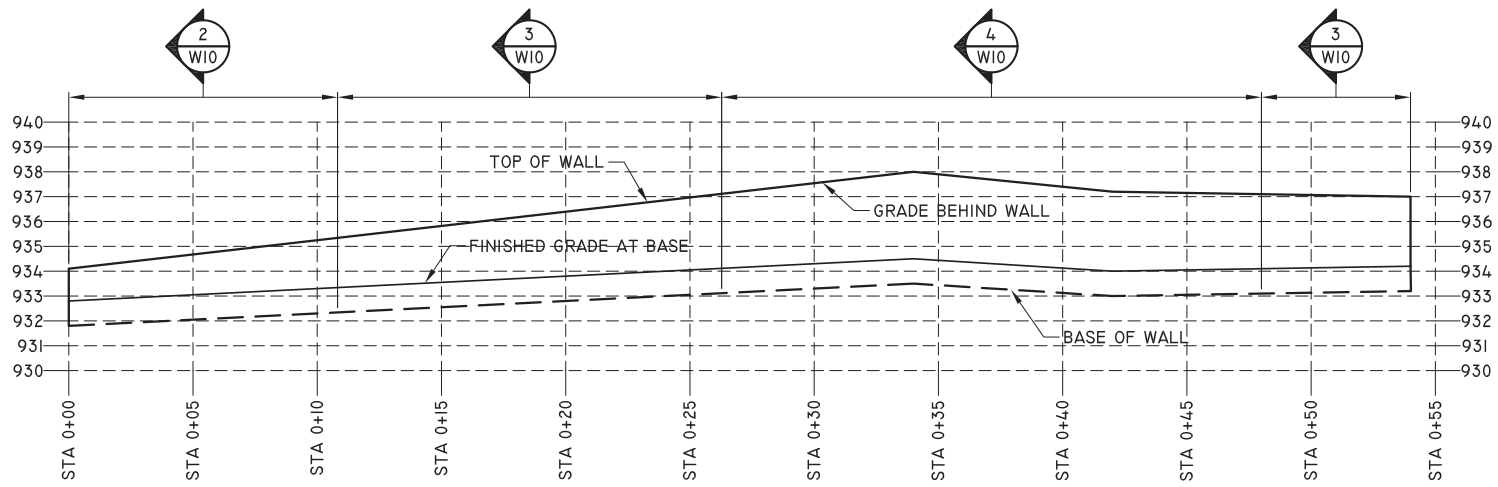
Scale: 5 2.5 0 5 10
SCALE: 1" = 5'

VEC Project No:	VEC 24-055
Drawn By:	VEC
Reviewed By:	RWV
Date:	4/15/2024

Sheet: W7 Of: 10 Client: MR. MATT JASPER

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

Ronald W. Vickery, PE
Date: 4/15/2024 Reg. No.: 24065



1 / W8 BOULDER WALL - ELEVATION VIEW
WALL 7 (MAXIMUM BEARING PRESSURE = 1,500 PSF)
(SCALE: 1"=5'-0")

LEGEND

X / WX - INDICATES CROSS-SECTION TO BE USED (SEE SHEET W10)

NOTES

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PROPOSED BOULDER RETAINING WALLS
4745 NORTH SHORE DRIVE
ORONO, MINNESOTA
EAST WALL ELEVATION VIEW (CONTINUED)

Rev:	Date:	Description:
3	6/17/2024	PLANS REVISED BASED ON NEW SURVEY, DATE 6/17/2024
4	3/10/2025	ADDED WALLS 7 & 8
5	4/16/2025	ADDED WALL 9

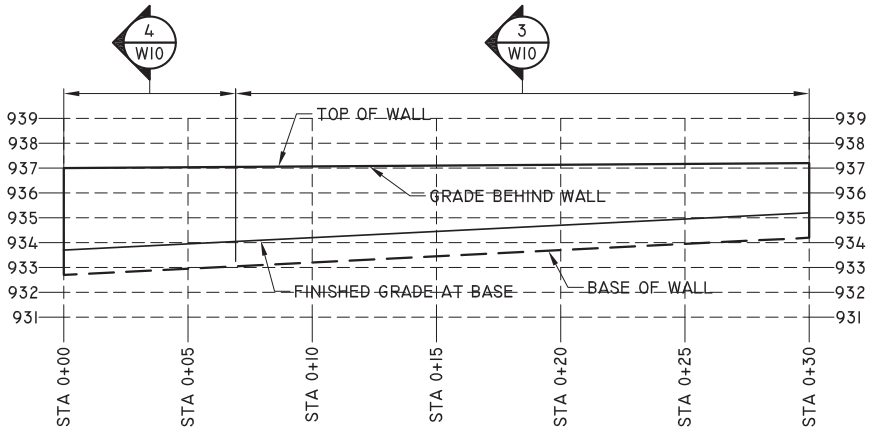
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SCALE: 1" = 5'

VEC Project No:	VEC 24-055
Drawn By:	VEC
Reviewed By:	RWV
Date:	4/15/2024

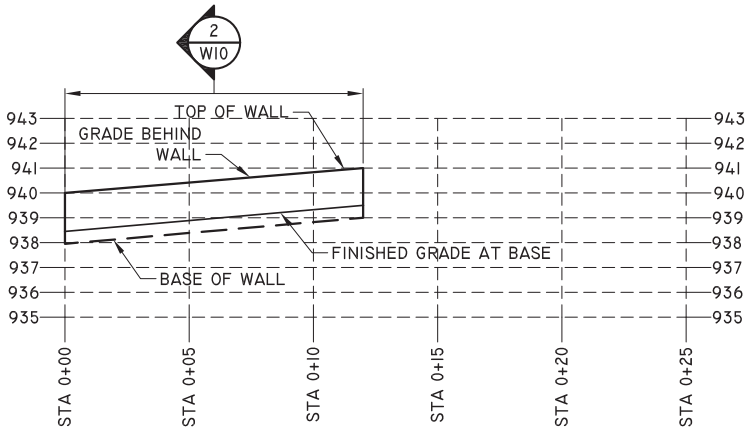
Sheet: W8 Of: 10 Client: MR. MATT JASPER

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Ronald W. Vickery, PE
Date: 4/15/2024 Reg. No.: 24065



1 / W9 BOULDER WALL - ELEVATION VIEW
WALL 8 (MAXIMUM BEARING PRESSURE = 1,500 PSF)
(SCALE: 1"=5'-0")



2 / W9 BOULDER WALL - ELEVATION VIEW
WALL 9 (MAXIMUM BEARING PRESSURE = 500 PSF)
(SCALE: 1"=5'-0")

LEGEND

X / WX - INDICATES CROSS-SECTION TO BE USED (SEE SHEET W10)

NOTES

1) GRADES SHOWN ARE APPROXIMATE, AND MAY VARY IN THE FIELD AT THE TIME OF CONSTRUCTION. MINOR ADJUSTMENT OF THE TOP AND BOTTOM OF WALL ELEVATIONS IS PERMISSIBLE, PROVIDING THE CROSS-SECTIONS INDICATED ARE FOLLOWED. SEE SHEET W10 FOR CROSS-SECTION INFORMATION.

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PROPOSED BOULDER RETAINING WALLS
4745 NORTH SHORE DRIVE
ORONO, MINNESOTA
EAST WALL ELEVATION VIEW (CONTINUED)

Rev:	Date:	Description:
3	6/17/2024	PLANS REVISED BASED ON NEW SURVEY, DATE 6/17/2024
4	3/10/2025	ADDED WALLS 7 & 8
5	4/16/2025	ADDED WALL 9

Scale: 5 2.5 0 5 10
SCALE: 1" = 5'

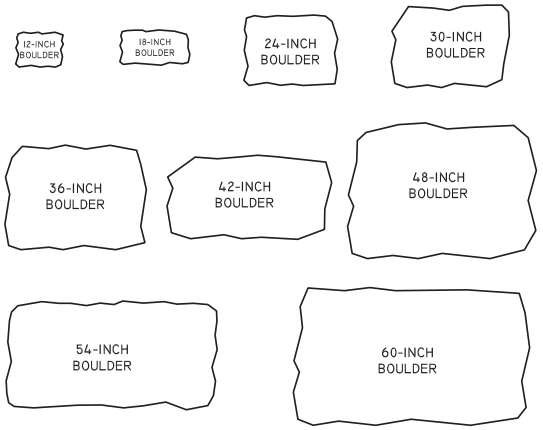
VEC Project No:	VEC 24-055
Drawn By:	VEC
Reviewed By:	RWV
Date:	4/15/2024

Sheet: W9 Of: 10 Client: MR. MATT JASPER

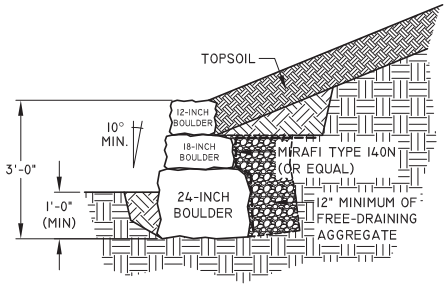
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Ronald W. Vickery, PE
Date: 4/15/2024 Reg. No.: 24065

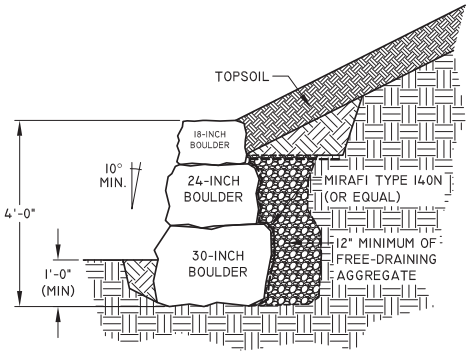
NOTE: ALL BOULDER SHAPES SHOWN ARE FOR DETAILING PURPOSES ONLY. ACTUAL BOULDER SHAPES MAY VARY GREATLY IN THE FIELD. BOULDER SIZES SHOWN ARE MINIMUM DEPTH OF THE BOULDER, AND THE DEPTHS SHOWN IN THE CROSS-SECTIONS SHOULD BE CONSIDERED MINIMUM DEPTHS INTO THE SLOPE (PERPENDICULAR TO THE WALL FACE). BOULDER HEIGHTS MAY VARY.



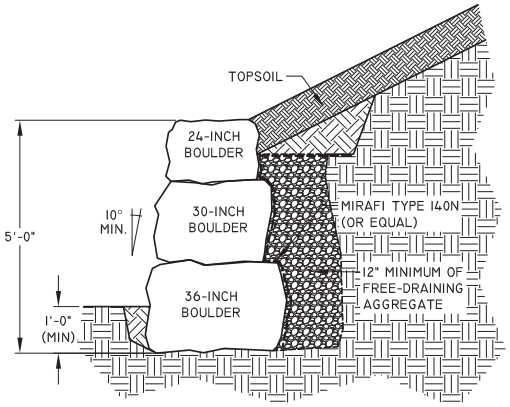
1 / W10 PROPOSED BOULDER WALLS
BOULDER DESIGNATIONS
(NOT TO SCALE)



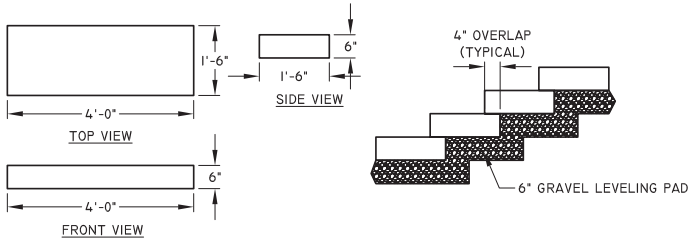
2 / W10 PROPOSED BOULDER WALLS
UP TO 3-FOOT WALL SECTION
(SCALE 3/8"=1'-0")



3 / W10 PROPOSED BOULDER WALLS
UP TO 4-FOOT WALL SECTION
(SCALE 3/8"=1'-0")



4 / W10 PROPOSED BOULDER WALLS
UP TO 5-FOOT WALL SECTION
(SCALE 3/8"=1'-0")



5 / W10 PROPOSED BOULDER WALLS
BOULDER STEP INSTALLATION
(SCALE 3/8"=1'-0")

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PROPOSED BOULDER RETAINING WALLS
4745 NORTH SHORE DRIVE
ORONO, MINNESOTA
SECTIONS AND DETAILS

REV:	DATE:	DESCRIPTION:
3	6/17/2024	PLANS REVISED BASED ON NEW SURVEY, DATE 6/17/2024
4	3/10/2025	ADDED WALLS 7 & 8
5	4/16/2025	ADDED WALL 9

SCALE: AS SHOWN

0 1
VERIFY LINE ABOVE MEASURES 1-INCH. IF IT DOESN'T, ADJUST SCALE ACCORDINGLY

VEC PROJECT NO:	VEC 24-055
DRAWN BY:	VEC
REVIEWED BY:	RWV
DATE:	4/15/2024

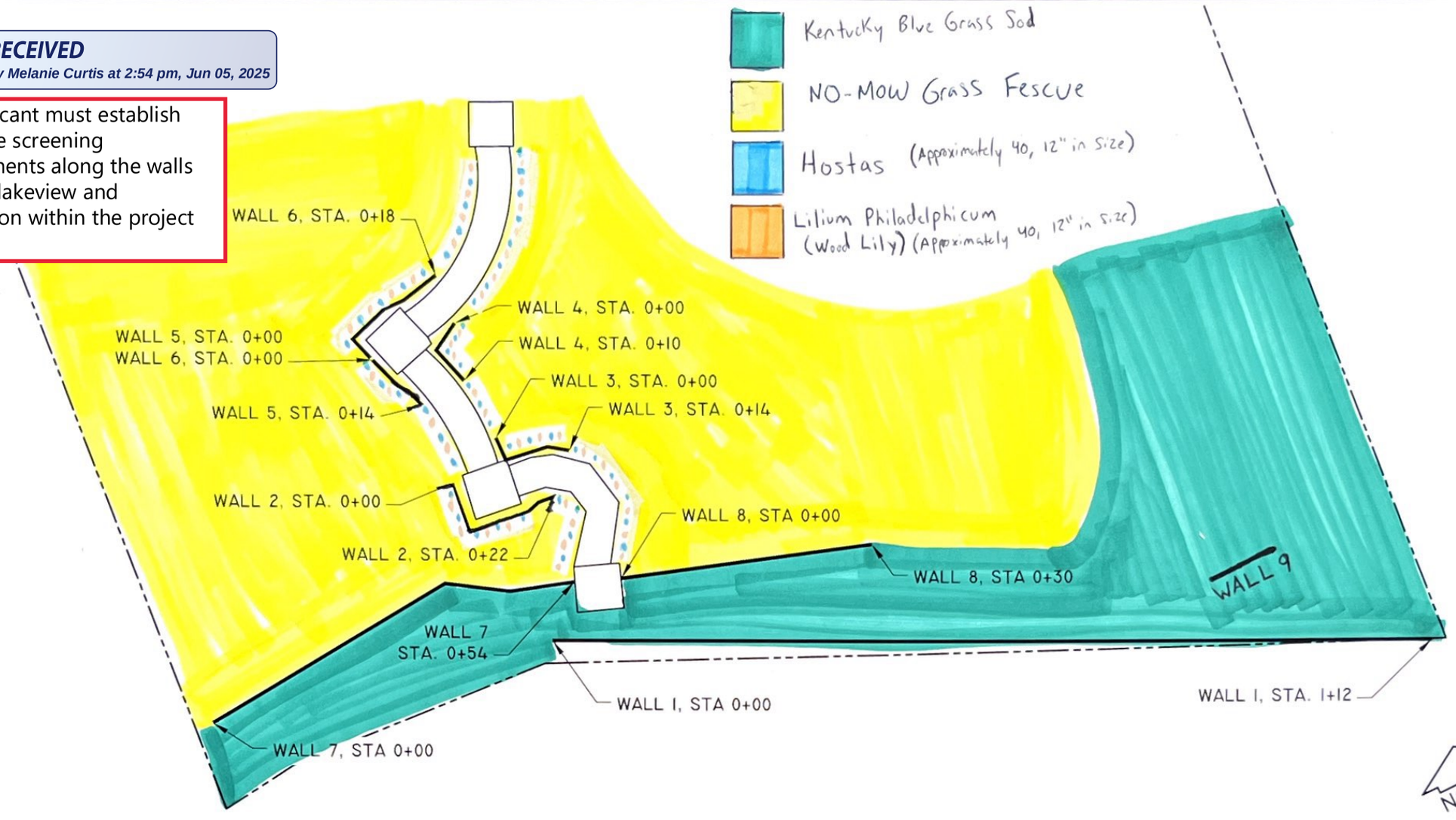
SHEET: W10 OF: 10 CLIENT: MR. MATT JASPER

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RONALD W. VICKERY, PE
DATE: 4/15/2024 REG. NO.: 24065

RECEIVED
By Melanie Curtis at 2:54 pm, Jun 05, 2025

The Applicant must establish vegetative screening improvements along the walls from the lakeview and stabilization within the project area



Resolution No. 7589
Exhibit B
LA25-000007

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PROPOSED BOULDER RETAINING WALLS
4745 NORTH SHORE DRIVE
ORONO, MINNESOTA
WALL LOCATION SKETCH

Rev	Date:	Description:
2	6/14/2024	REVISED LOCATION SKETCH TO NEW CONFIGURATION
3	6/17/2024	PLANS REVISED BASED ON NEW SURVEY, DATE 6/17/2024
4	3/10/2025	ADDED WALLS 7 & 8

Scale: NONE

0 1
Verify Line Above Measures 1-Inch. If It Doesn't, Adjust Scale Accordingly

VEC Project No:	VEC 24-055
Drawn By:	VEC
Reviewed By:	RWV
Date:	4/15/2024

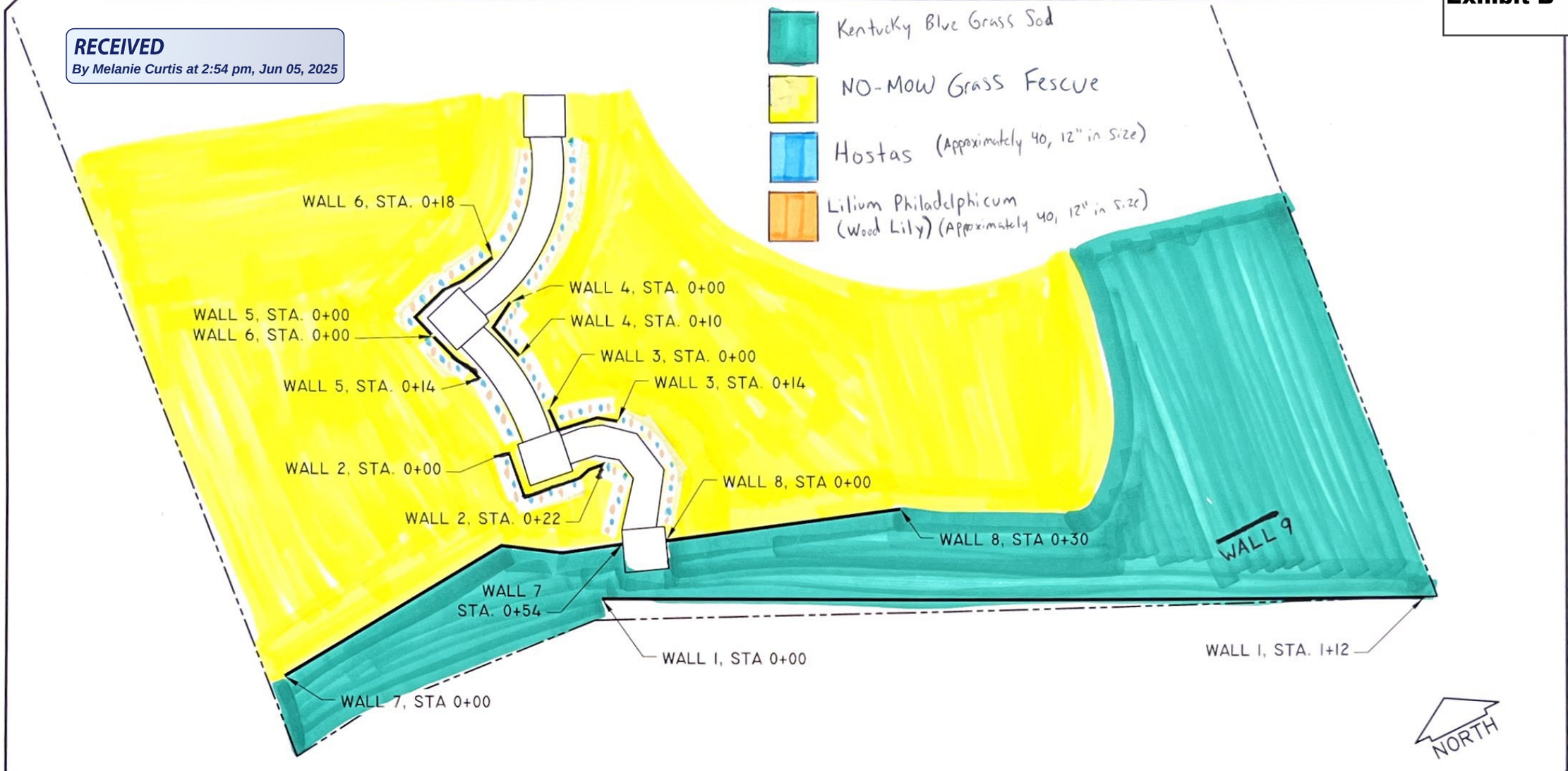
Sheet: W3 Of: 10
Client: MR. MATT JASPER

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Ronald W. Vickery, PE
Date: 4/15/2024 Reg. No.: 24065

Council Exhibit B

RECEIVED
By Melanie Curtis at 2:54 pm, Jun 05, 2025



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PROPOSED BOULDER RETAINING WALLS
4745 NORTH SHORE DRIVE
ORONO, MINNESOTA
WALL LOCATION SKETCH

Rev	Date:	Description:
2	6/14/2024	REVISED LOCATION SKETCH TO NEW CONFIGURATION
3	6/17/2024	PLANS REVISED BASED ON NEW SURVEY, DATE 6/17/2024
4	3/10/2025	ADDED WALLS 7 & 8

Scale: NONE

0 1
Verify Line Above Measures 1-Inch. If It Doesn't, Adjust Scale Accordingly

VEC Project No: VEC 24-055
Drawn By: VEC
Reviewed By: RWV
Date: 4/15/2024

Sheet: W3 Of: 10
Client: MR. MATT JASPER

I hereby certify that this plan, specifications, or report was prepared by me or under my direct supervision and that I am a duly licensed Professional Engineer under the laws of the State of Minnesota.

Ronald W. Vickery, PE
Date: 4/15/2024 Reg. No.: 24065

From: Jasper, Matthew M CSM USARMY NG MNARNG (USA)
To: Melanie Curtis
Cc: Laura Oakden; Matt Jasper
Subject: RE: 4745 Northshore Drive
Date: Thursday, June 5, 2025 2:11:23 PM
Attachments: 2025-06-05 13-44.pdf

Melanie,

The area where I am putting the Kentucky Blue Grass is a flat enough area that it is not of concern with the slope stabilization. I do not want to do any kind of wild grass or fescue in this area because it does not generally fit in with the surrounding properties nor does it meet the intent of what I would like to do with my property. In the attachments, “photo 2” is a picture of my backyard from the lake showing how well the retaining walls and stairway fit into the hillside. “Photo 3” is the properties directly to the East of me, both of which have significant retaining walls and one of them is completely covered in boulders from top to bottom. “Photo 4” is a property directly to the West of me where retaining walls are visible along with a nicely manicured yard where they are able to enjoy their property just like what I intend to do with mine.

The area you are indicating circled in blue along the stairs is not anywhere close to 5 feet tall as you can see in “photo 2”, I do not believe there is a need for me to screen these any further than what the fescue grass, lilies and hosta’s will achieve.

I did add the no-mow fescue to the entirety of the hillside as requested (see updated plan). The reason I did not initially have that on my plan is due to me cleaning up the leaves and underbrush on the hillside it allowed lilies and various other plants to grow in much thicker (as seen in photo 1) and I didn’t think it was necessary at this point to have new plants fight with ones that are naturally growing on their own very well.

I did not specify the fescue mixture for the no-mow grass on the updated plan. I reached out to Public Works and they said they were unable to tell me what fescue was that they use. I was under the assumption that the one I was proposing was the same one they used around the water basin area to the East of my property. From the research I have done, these no-mow mixtures have multiple fescues in them and none of them are 100% native. I would be happy to use the mixture that the staff or city council members recommend so it blends in with the work you guys did on the water basin.

I ask that this email and attachments are viewed by the members of the council as well during the Monday meeting. I plan to be in attendance, just let me know what time you would like me there and if this generally meets the intent of the staff.

Thanks again, Melanie!

Matthew M. Jasper
Command Sergeant Major
MNARNG RRB
1025 Broadway Street NE
Minneapolis, MN 55413
763-477-2307






219



Responses from the Applicant's Engineer

Council Exhibit C

From: Ronald W. Vickery, P.E.
To: Melanie Curtis; Jasper, Matthew M CSM USARMY NG MNARNG (USA)
Cc: Adam Edwards; Laura Oakden
Subject: RE: 4745 Northshore Drive - Council Action for LA25-000007
Date: Friday, May 2, 2025 2:20:11 PM

Melanie – here's the answers to your questions:

1. My landscape design was developed to directly address an ongoing erosion problem that had been affecting the stability of the shoreline and bluff line. The erosion was caused by surface water runoff, natural wave action, incorrectly installed riprap, and ice heaves which had begun to undermine the soil and vegetation near the water's edge and bluff line. To correct this, the design included erosion control measures such as deep-rooted native plants, erosion control fabric, and slope stabilization techniques with the staircase and boulder retaining walls. These improvements were intended to stop further erosion, help restore the health of the shoreline and preserve the roots of trees that are exposed.
2. When I began working with the property owner and the contractors, Matt's main goal for this project was to correct the shoreline with a 3:1 slope with large rip rap toe boulders, construct a safe stairway to the lake shore that would also help in stabilizing the bluff side, and protect as many trees as possible. Given the condition of the bluff line, it was evident that it had not been previously addressed properly. The results of my global stability analysis indicated an overall global stability factor of safety of 1.378, which is in excess of the industry standard factor of safety of 1.3. Please note, without the retaining walls, this factor of safety would be less than 1.3. Therefore, the retaining walls and the stair system will greatly aid in the stabilization of the slope.
3. I am a registered professional engineer in the state of Minnesota (among others), and have been designing retaining walls for 27 years. I've been running my own company, Vickery Engineering & Consulting, LLC, since 2007.
4. The landscaping was carefully planned to be as minimal and natural-looking as possible. It includes only what is necessary to stabilize the shoreline and bluff line to prevent further erosion. Native plants were chosen not only for their effectiveness in holding soil in place but also for their ability to blend into the natural surroundings. Less than 4' tall boulder walls were used in areas where native plants would not have been enough to prevent further erosion. With Matt's goal to preserve as many trees as he could on the hill side, small boulder walls was the only way properly accomplish that. No unnecessary structures were made to the landscape, and every effort was taken to preserve the natural view and character of the lakeshore.

I hope this helps. Please let me know if you have questions or need anything else.

Thanks,
Ronald W. Vickery, PE
Vickery Engineering & Consulting, LLC
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Grandy, MN 55029
Phone: 952-465-8272
www.vickeryeng.com
~Engineering Solutions for an Unstable World~

Council Exhibit D

PROPOSED BOULDER RETAINING WALLS
4745 NORTH SHORE DRIVE
ORONO, MINNESOTA

GENERAL NOTES

1. In preparation of wall design, soil strength parameters were determined in the field by a VEC review of the on-site soils. It is the responsibility of the owner or owner's representative to verify the soil strength parameters are representative of the soils available for wall construction. If the soil strength parameters are found to be inconsistent with those assumed, this design is no longer valid and it is the responsibility of the owner or owner's representative to notify VEC so the retaining wall system can be redesigned. Failure to notify VEC may result in failure of the retaining wall.
2. Design Soil Parameters:
   a. Retained soil: Imported/on-site clayey sand soils phi = 30 degrees gamma = 125 pcf.
   b. Foundation soil: Imported/on-site clayey sand soils phi = 30 degrees gamma = 125 pcf.
3. Any excavation performed below the foundation grade of the wall should have proper 1:1 lateral oversizing. Excavation oversizing should be measured from the front to the back of the lowest boulder.
4. This set of boulder retaining wall plans are based on the site survey, prepared by Acre Land Surveying, dated 11/12/2024. If other plans are produced that contain different information than that referenced, this plan may need to be revised and/or the wall may need to be redesigned.
5. Location of the boulder retaining walls in relation to property lines, utility easements, watershed easements, or any other type of easements are the responsibility of the owner. VEC assumes no liability for the location of the boulder retaining walls, or if construction of the proposed boulder retaining walls encroach any property lines or easements.
6. It is imperative that the site surveying of the boulder retaining walls be based on the plans referenced above and not profile plans prepared by VEC. Surveying of the boulder retaining walls must take into account the design batter indicated on the enclosed plans and details. Failure to take into account wall batter for the boulder retaining wall surveying will produce incorrect locations of all top of wall and shall be corrected at no cost to VEC.
7. Wall geometry, locations, slopes and surcharge loads for the boulder retaining walls were assumed from the project plans referenced above. If conditions vary greatly in the field from those shown on this plan, VEC must be notified prior to construction of the boulder retaining walls to review the design and/or plans. Modifications to the design and/or plans may be required after the review, and may take up to ten business days to complete.
8. Please refer to any project specifications for additional information. If there are discrepancies between any information on these plans and information in the project specifications, the more restrictive information takes precedence.

SHEET INDEX

SHEET NO.	SHEET DESCRIPTION
W1	TITLE PAGE AND GENERAL NOTES
W2	WALL CONSTRUCTION NOTES
W3	WALL LOCATION SKETCH
W4 - W9	WALL ELEVATION VIEWS
W10	SECTIONS AND DETAILS

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PROPOSED BOULDER RETAINING WALLS
4745 NORTH SHORE DRIVE
ORONO, MINNESOTA
TITLE PAGE AND GENERAL NOTES

Rev:	Date:	Description:
3	6/17/2024	PLANS REVISED BASED ON NEW SURVEY, DATE 6/17/2024
4	3/10/2025	ADDED WALLS 7 & 8
5	4/16/2025	ADDED WALL 9

Scale: NONE

0 1
Verify Line Above Measures 1-Inch. If It Doesn't, Adjust Scale Accordingly

VEC Project No: VEC 24-055
Drawn By: VEC
Reviewed By: RWV
Date: 4/15/2024

Sheet: W1 Of: 10 Client: MR. MATT JASPER

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

Ronald W. Vickery, PE
Date: 4/15/2024 Reg. No.: 24065

WALL CONSTRUCTION NOTES

DESCRIPTION

This work consists of constructing boulder wall structures at the locations indicated on the Site Survey, prepared by Acre Land Surveying, dated 11/12/2024. Boulder walls are formed of interlocking, dry-stacked rocks without reinforcing steel, mortar, or concrete.

CONSTRUCTION REQUIREMENTS

Boulders: Boulders shall consist of natural stone with varying heights and nominal depths ranging from 12 to 60 inches (front to back).

General: The following definitions apply to boulder wall construction:

(a) Base Rock: The base rock is the lowermost rock in the boulder wall, and bears directly on the soil subgrade.
(b) Facing Rock: The facing rocks comprise the bulk of the boulder wall and are stacked above the base rock.
(c) Cap Rock: The cap rock is the uppermost rock in the boulder wall section and "caps" the boulder wall.

Boulder Wall Construction:

(a) Boulder Wall Foundation Excavation: Excavate a foundation trench at least 12 inches below the grade at the bottom of the wall, running the full length of the proposed boulder wall, or to the depth shown on the plans. Excavate the foundation to a minimum width equal to the specified base rock width plus 12 inches to include the aggregate behind the boulder wall. Exercise care during excavation of the back cut. Stability of temporary cut slopes is the responsibility of the Contractor.

(b) Boulder Placement: Place the first course of rock (base rock) on firm, unyielding soil with full contact between the rock and the subgrade. Excavate any loose, soft or otherwise unsuitable material present at foundation grade and replace with suitable foundation fill. Compact the foundation fill as needed. As the boulder wall is constructed, place the rocks so that there are no continuous joints in either the vertical or lateral direction. Stockpile a sufficient number of rocks to provide a good selection for placement. To obtain a better fit, place rocks which do not match the spaces offered by the previous course in a different location. Avoid placing rocks which have shapes that create voids with a linear dimension greater than 8 inches. Except in isolated cases, place each rock so that it bears on at least two rocks below it. Locate at least one bearing point a distance no greater than 6 inches from the average face of the boulder wall. The allowable tolerance for base rock widths is 3 inches; however, do not place two or more consecutive base rocks with a width less than specified on the plans. Slope the top surface of each rock towards the back of the boulder wall at an inclination of at least 5 percent. The minimum boulder wall thickness is based on minimum base rock width, as specified on the plans, and allowable face batter. The required minimum face batter is 10 degrees. Securely place facing rocks so that the rocks are unable to be moved with a pry bar after the boulder wall is complete.

(c) Voids: Where voids with a minimum dimension of 6 inches or greater exist in the face of the boulder wall, chink the voids with smaller rock.

(1) If there is no rock contact within the boulder wall thickness, chink the void with a smaller piece of rock.
(2) Chinking rocks should not provide primary structural support for the overlying rock.
(3) Chinking rocks should not be able to be moved or removed by hand after boulder wall is complete. Reset loose chinking rocks until securely placed or grouted in place. Do not allow grout to be readily visible from the face of the boulder wall.

(d) Boulder Wall Aggregate: Install aggregate, consisting of 3/4" to 1 1/2" clear crushed aggregate (no pea gravel), between the boulder wall and the back cut face being supported. The aggregate layer shall be to the dimensions shown on the plans, with a minimum depth of 12 inches. Place aggregate concurrent with boulder wall so that at no time is either more than 12 inches higher than the other. Separate the aggregate from the back of the boulders by a non-woven geotextile (Mirafi 140N or approved equal). Overlap the non-woven geotextile at least 18 inches at all seams. The top of the aggregate should also be "capped" with the geotextile, as shown on the cross-sections.

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PROPOSED BOULDER RETAINING WALLS
4745 NORTH SHORE DRIVE
ORONO, MINNESOTA
WALL CONSTRUCTION NOTES

Rev:	Date:	Description:
3	6/17/2024	PLANS REVISED BASED ON NEW SURVEY, DATE 6/17/2024
4	3/10/2025	ADDED WALLS 7 & 8
5	4/16/2025	ADDED WALL 9

Scale: NONE

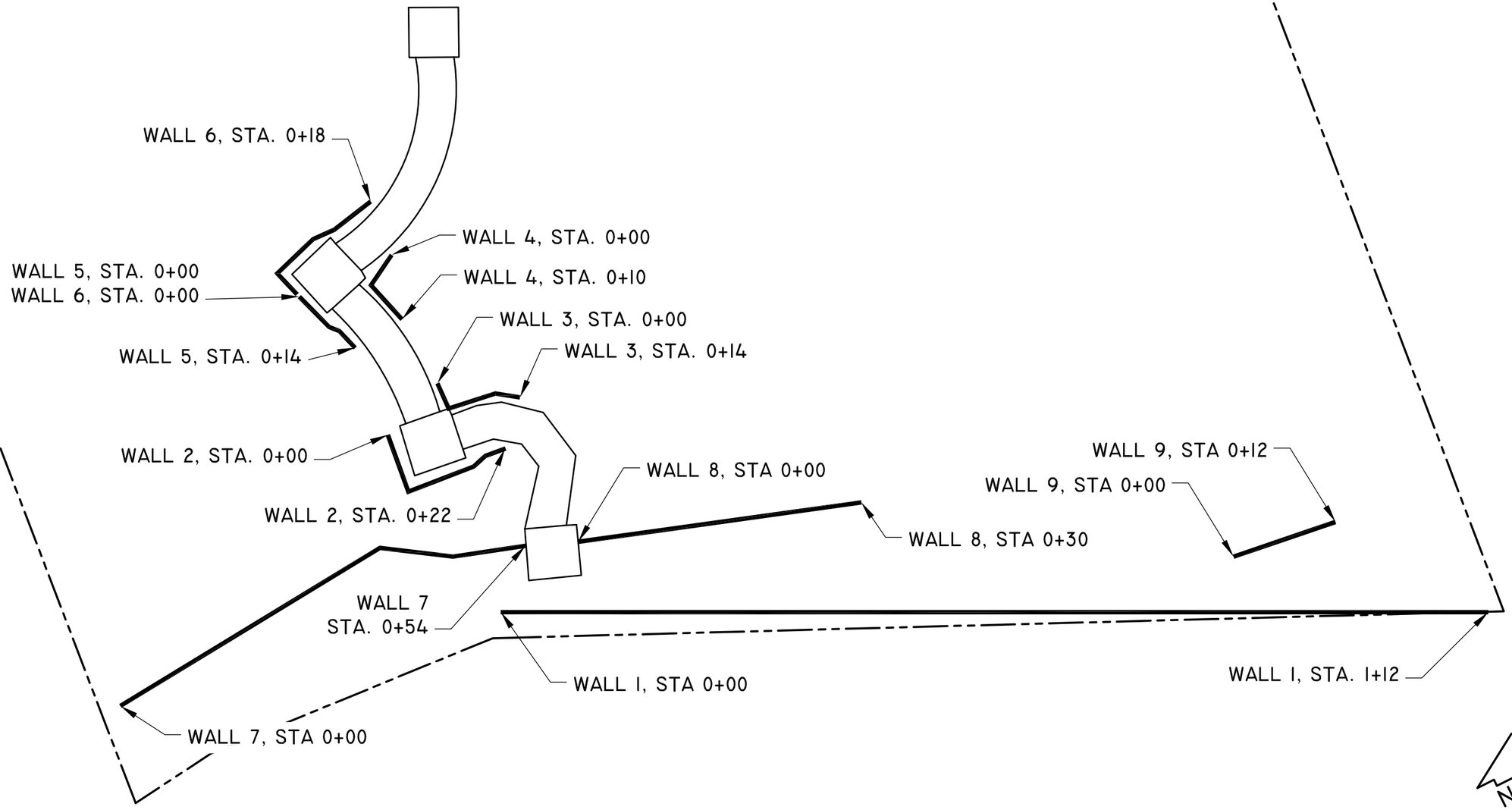
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Verify Line Above Measures 1-Inch. If It Doesn't, Adjust Scale Accordingly

VEC Project No: VEC 24-055
Drawn By: VEC
Reviewed By: RWV
Date: 4/15/2024

Sheet: W2 Of: 10 Client: MR. MATT JASPER

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

Ronald W. Vickery, PE
Date: 4/15/2024 Reg. No.: 24065



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PROPOSED BOULDER RETAINING WALLS
4745 NORTH SHORE DRIVE
ORONO, MINNESOTA
WALL LOCATION SKETCH

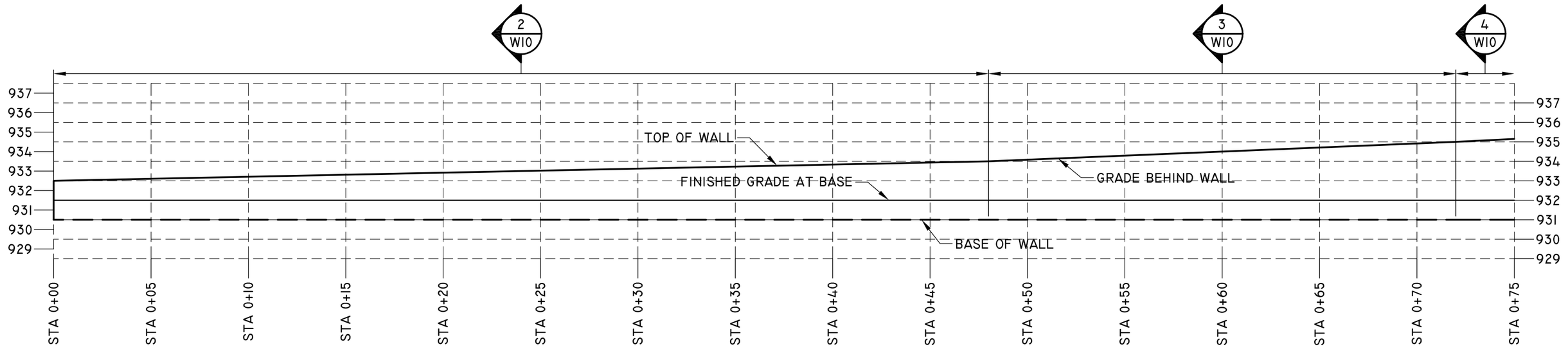
Rev:	Date:	Description:
3	6/17/2024	PLANS REVISED BASED ON NEW SURVEY, DATE 6/17/2024
4	3/10/2025	ADDED WALLS 7 & 8
5	4/16/2025	ADDED WALL 9

Scale:	NONE
	0 1 — Verify Line Above Measures 1-Inch. If It Doesn't, Adjust Scale Accordingly
VEC Project No:	VEC 24-055
Drawn By:	VEC
Reviewed By:	RWV
Date:	4/15/2024

Sheet: W3 Of: 10 Client: MR. MATT JASPER

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

Ronald W. Vickery, PE
Date: 4/15/2024 Reg. No.: 24065



1 / W4 BOULDER WALL - ELEVATION VIEW
WALL 1 (MAXIMUM BEARING PRESSURE = 1,500 PSF)
(SCALE: 1"=5'-0")

LEGEND

X / WX - INDICATES CROSS-SECTION TO BE USED (SEE SHEET W10)

NOTES

1) GRADES SHOWN ARE APPROXIMATE, AND MAY VARY IN THE FIELD AT THE TIME OF CONSTRUCTION. MINOR ADJUSTMENT OF THE TOP AND BOTTOM OF WALL ELEVATIONS IS PERMISSIBLE, PROVIDING THE CROSS-SECTIONS INDICATED ARE FOLLOWED. SEE SHEET W10 FOR CROSS-SECTION INFORMATION.

2) MINIMUM EMBEDMENT IS SHOWN ON THE CROSS-SECTIONS. EXTRA EMBEDMENT IS ALLOWED IF NEEDED TO ACCOMMODATE BOULDER SIZES.

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PROPOSED BOULDER RETAINING WALLS
4745 NORTH SHORE DRIVE
ORONO, MINNESOTA
WEST WALL ELEVATION VIEW

Rev:	Date:	Description:
3	6/17/2024	PLANS REVISED BASED ON NEW SURVEY, DATE 6/17/2024
4	3/10/2025	ADDED WALLS 7 & 8
5	4/16/2025	ADDED WALL 9

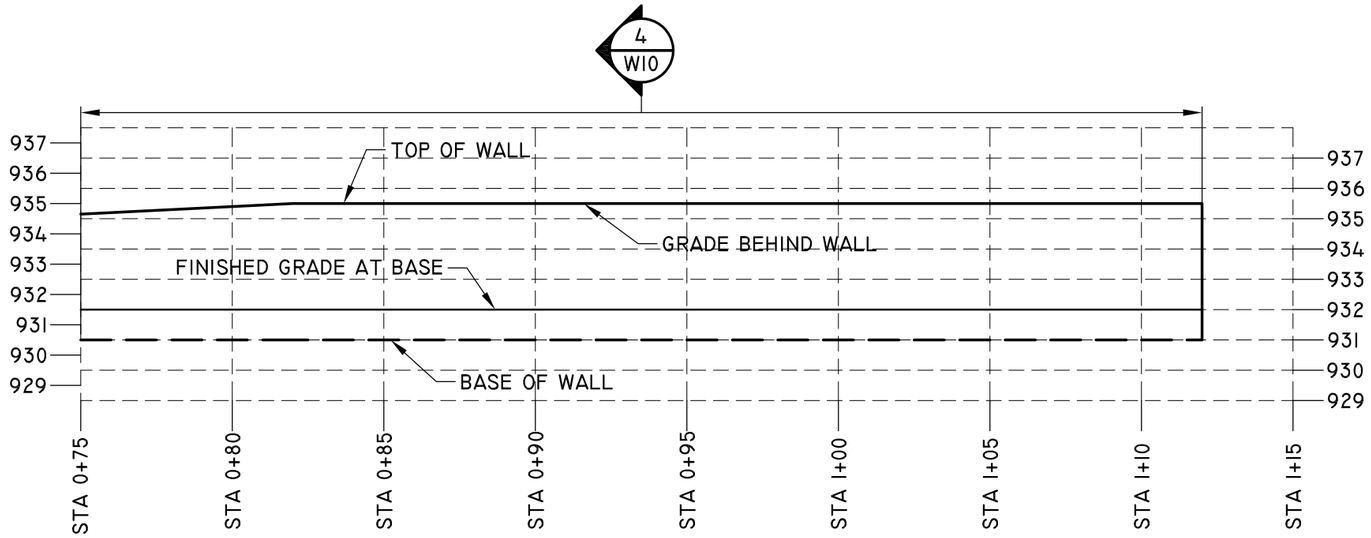
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VEC Project No:	VEC 24-055
Drawn By:	VEC
Reviewed By:	RWV
Date:	4/15/2024

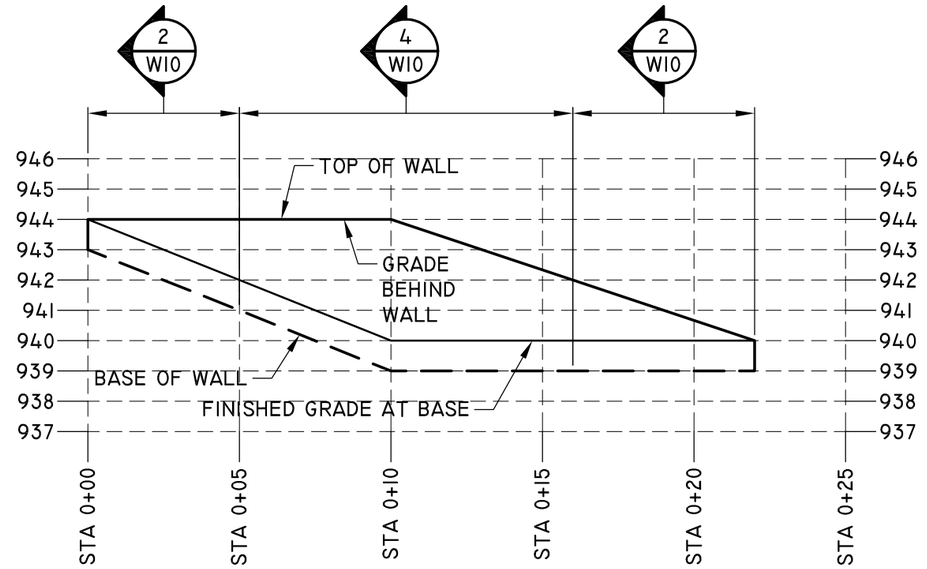
Sheet: W4 Of: 10 Client: MR. MATT JASPER

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Date: 4/15/2024 Reg. No.: 24065



1 / W5 BOULDER WALL - ELEVATION VIEW
WALL 1 (CONTINUED)
(SCALE: 1"=5'-0")



2 / W5 BOULDER WALL - ELEVATION VIEW
WALL 2 (MAXIMUM BEARING PRESSURE = 1,500 PSF)
(SCALE: 1"=5'-0")

LEGEND

X / WX - INDICATES CROSS-SECTION TO BE USED (SEE SHEET W10)

NOTES

1) GRADES SHOWN ARE APPROXIMATE, AND MAY VARY IN THE FIELD AT THE TIME OF CONSTRUCTION. MINOR ADJUSTMENT OF THE TOP AND BOTTOM OF WALL ELEVATIONS IS PERMISSIBLE, PROVIDING THE CROSS-SECTIONS INDICATED ARE FOLLOWED. SEE SHEET W10 FOR CROSS-SECTION INFORMATION.

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PROPOSED BOULDER RETAINING WALLS
4745 NORTH SHORE DRIVE
ORONO, MINNESOTA
EAST WALL ELEVATION VIEW

Rev:	Date:	Description:
3	6/17/2024	PLANS REVISED BASED ON NEW SURVEY, DATE 6/17/2024
4	3/10/2025	ADDED WALLS 7 & 8
5	4/16/2025	ADDED WALL 9

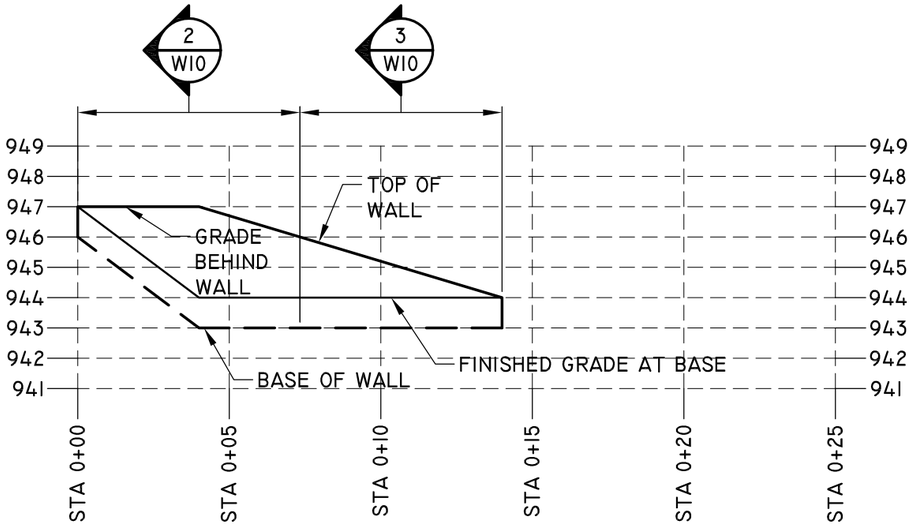
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VEC Project No:	VEC 24-055
Drawn By:	VEC
Reviewed By:	RWV
Date:	4/15/2024

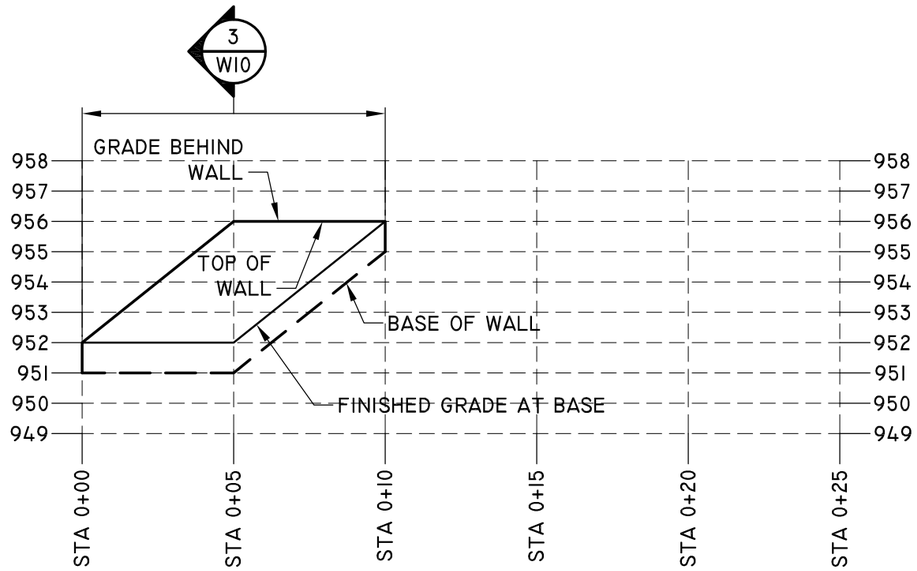
Sheet: W5 Of: 10 Client: MR. MATT JASPER

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Date: 4/15/2024 Reg. No.: 24065



1 / W6 BOULDER WALL - ELEVATION VIEW
WALL 3 (MAXIMUM BEARING PRESSURE = 1,500 PSF)
(SCALE: 1"=5'-0")



2 / W6 BOULDER WALL - ELEVATION VIEW
WALL 4 (MAXIMUM BEARING PRESSURE = 1,500 PSF)
(SCALE: 1"=5'-0")

LEGEND

X / WX - INDICATES CROSS-SECTION TO BE USED (SEE SHEET W10)

NOTES

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2) MINIMUM EMBEDMENT IS SHOWN ON THE CROSS-SECTIONS. EXTRA EMBEDMENT IS ALLOWED IF NEEDED TO ACCOMMODATE BOULDER SIZES.

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PROPOSED BOULDER RETAINING WALLS
4745 NORTH SHORE DRIVE
ORONO, MINNESOTA
EAST WALL ELEVATION VIEW (CONTINUED)

Rev:	Date:	Description:
3	6/17/2024	PLANS REVISED BASED ON NEW SURVEY, DATE 6/17/2024
4	3/10/2025	ADDED WALLS 7 & 8
5	4/16/2025	ADDED WALL 9

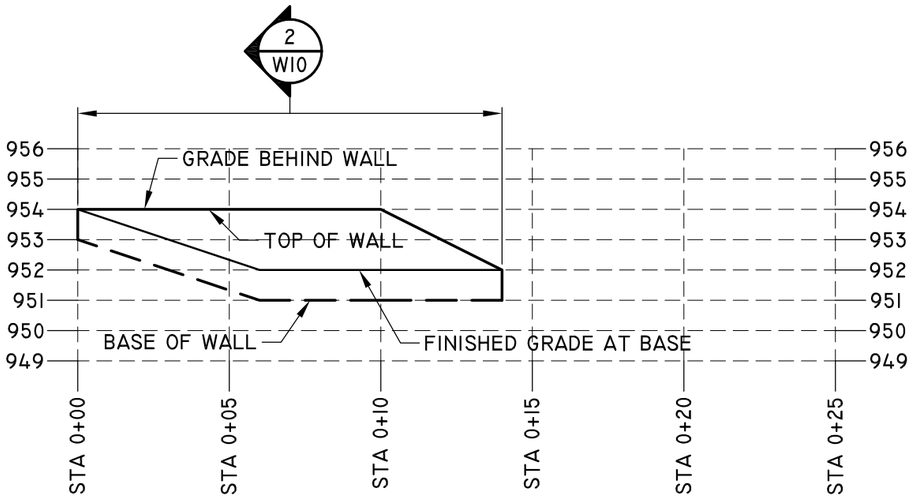
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VEC Project No:	VEC 24-055
Drawn By:	VEC
Reviewed By:	RWV
Date:	4/15/2024

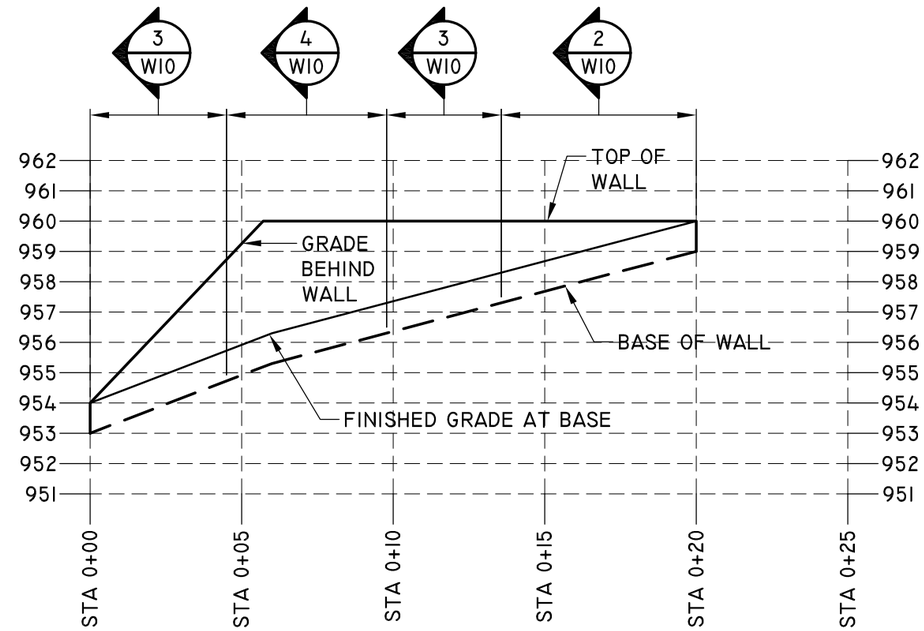
Sheet: W6 Of: 10 Client: MR. MATT JASPER

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Date: 4/15/2024 Reg. No.: 24065



1 / W7 BOULDER WALL - ELEVATION VIEW
WALL 5 (MAXIMUM BEARING PRESSURE = 1,500 PSF)
(SCALE: 1"=5'-0")



2 / W7 BOULDER WALL - ELEVATION VIEW
WALL 6 (MAXIMUM BEARING PRESSURE = 1,500 PSF)
(SCALE: 1"=5'-0")

LEGEND

X / WX - INDICATES CROSS-SECTION TO BE USED (SEE SHEET W10)

NOTES

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2) MINIMUM EMBEDMENT IS SHOWN ON THE CROSS-SECTIONS. EXTRA EMBEDMENT IS ALLOWED IF NEEDED TO ACCOMMODATE BOULDER SIZES.

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PROPOSED BOULDER RETAINING WALLS
4745 NORTH SHORE DRIVE
ORONO, MINNESOTA
EAST WALL ELEVATION VIEW (CONTINUED)

Rev:	Date:	Description:
3	6/17/2024	PLANS REVISED BASED ON NEW SURVEY, DATE 6/17/2024
4	3/10/2025	ADDED WALLS 7 & 8
5	4/16/2025	ADDED WALL 9

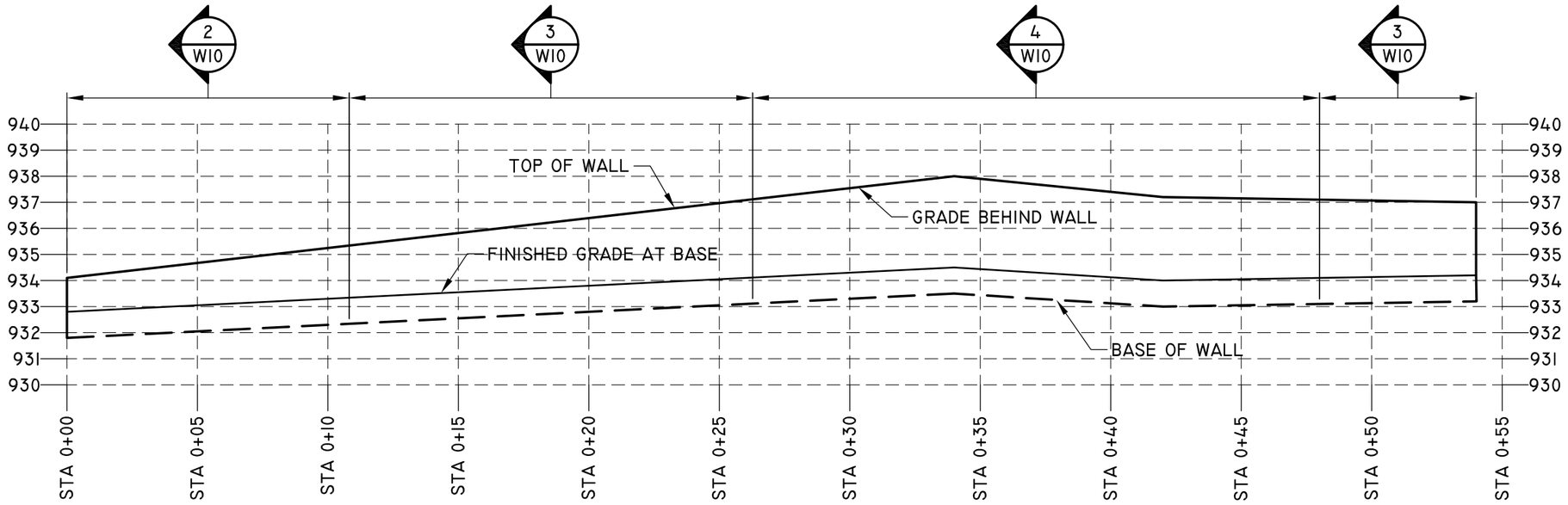
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SCALE: 1" = 5'

VEC Project No:	VEC 24-055
Drawn By:	VEC
Reviewed By:	RWV
Date:	4/15/2024

Sheet: W7 Of: 10 Client: MR. MATT JASPER

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Date: 4/15/2024 Reg. No.: 24065



1 / W8 BOULDER WALL - ELEVATION VIEW
WALL 7 (MAXIMUM BEARING PRESSURE = 1,500 PSF)
(SCALE: 1"=5'-0")

LEGEND

X / WX - INDICATES CROSS-SECTION TO BE USED (SEE SHEET W10)

NOTES

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PROPOSED BOULDER RETAINING WALLS
4745 NORTH SHORE DRIVE
ORONO, MINNESOTA
EAST WALL ELEVATION VIEW (CONTINUED)

Rev:	Date:	Description:
3	6/17/2024	PLANS REVISED BASED ON NEW SURVEY, DATE 6/17/2024
4	3/10/2025	ADDED WALLS 7 & 8
5	4/16/2025	ADDED WALL 9

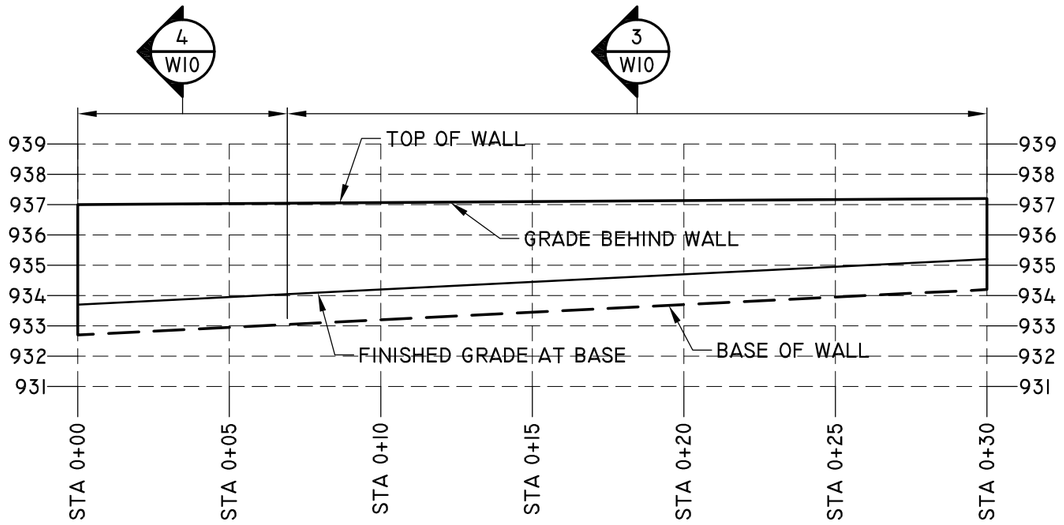
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VEC Project No:	VEC 24-055
Drawn By:	VEC
Reviewed By:	RWV
Date:	4/15/2024

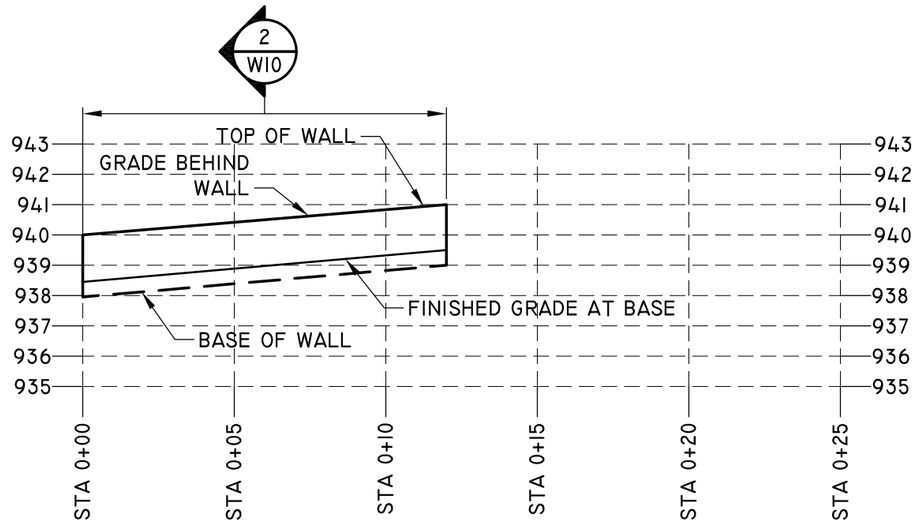
Sheet: W8 Of: 10 Client: MR. MATT JASPER

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Date: 4/15/2024 Reg. No.: 24065



1 / W9 BOULDER WALL - ELEVATION VIEW
WALL 8 (MAXIMUM BEARING PRESSURE = 1,500 PSF)
(SCALE: 1"=5'-0")



2 / W9 BOULDER WALL - ELEVATION VIEW
WALL 9 (MAXIMUM BEARING PRESSURE = 500 PSF)
(SCALE: 1"=5'-0")

LEGEND

X / WX - INDICATES CROSS-SECTION TO BE USED (SEE SHEET W10)

NOTES

1) GRADES SHOWN ARE APPROXIMATE, AND MAY VARY IN THE FIELD AT THE TIME OF CONSTRUCTION. MINOR ADJUSTMENT OF THE TOP AND BOTTOM OF WALL ELEVATIONS IS PERMISSIBLE, PROVIDING THE CROSS-SECTIONS INDICATED ARE FOLLOWED. SEE SHEET W10 FOR CROSS-SECTION INFORMATION.

2) MINIMUM EMBEDMENT IS SHOWN ON THE CROSS-SECTIONS. EXTRA EMBEDMENT IS ALLOWED IF NEEDED TO ACCOMMODATE BOULDER SIZES.

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PROPOSED BOULDER RETAINING WALLS
4745 NORTH SHORE DRIVE
ORONO, MINNESOTA
EAST WALL ELEVATION VIEW (CONTINUED)

Rev:	Date:	Description:
3	6/17/2024	PLANS REVISED BASED ON NEW SURVEY, DATE 6/17/2024
4	3/10/2025	ADDED WALLS 7 & 8
5	4/16/2025	ADDED WALL 9

Scale: 5 2.5 0 5 10
SCALE: 1" = 5'

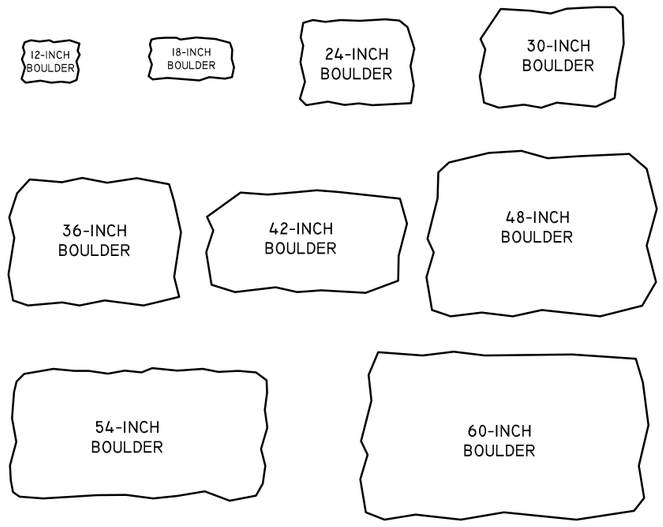
VEC Project No:	VEC 24-055
Drawn By:	VEC
Reviewed By:	RWV
Date:	4/15/2024

Sheet: W9 Of: 10 Client: MR. MATT JASPER

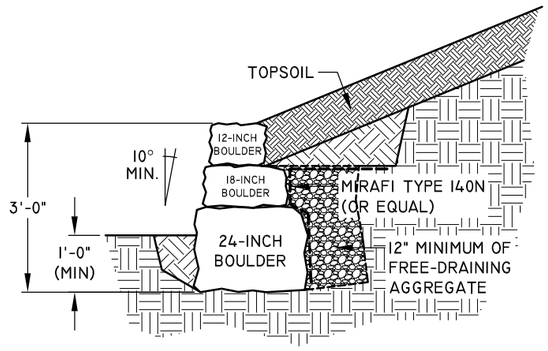
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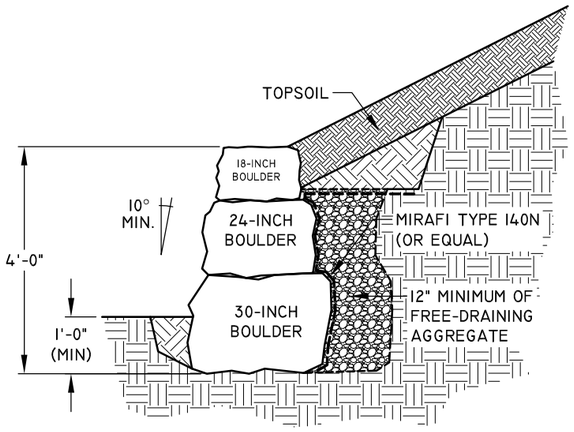
NOTE: ALL BOULDER SHAPES SHOWN ARE FOR DETAILING PURPOSES ONLY. ACTUAL BOULDER SHAPES MAY VARY GREATLY IN THE FIELD. BOULDER SIZES SHOWN ARE MINIMUM DEPTH OF THE BOULDER, AND THE DEPTHS SHOWN IN THE CROSS-SECTIONS SHOULD BE CONSIDERED MINIMUM DEPTHS INTO THE SLOPE (PERPENDICULAR TO THE WALL FACE). BOULDER HEIGHTS MAY VARY.



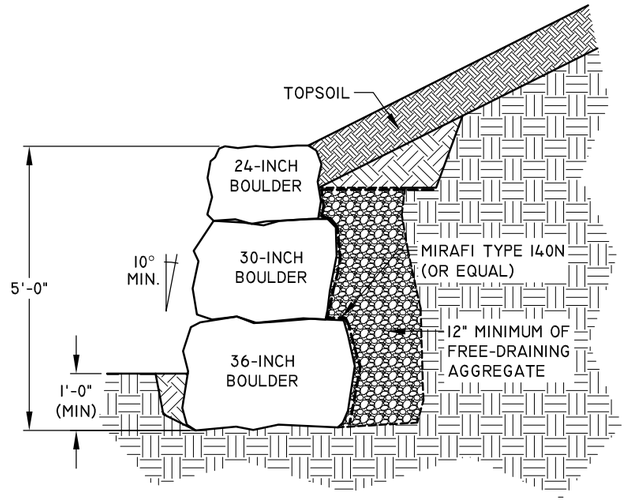
1 / W10 PROPOSED BOULDER WALLS
BOULDER DESIGNATIONS
(NOT TO SCALE)



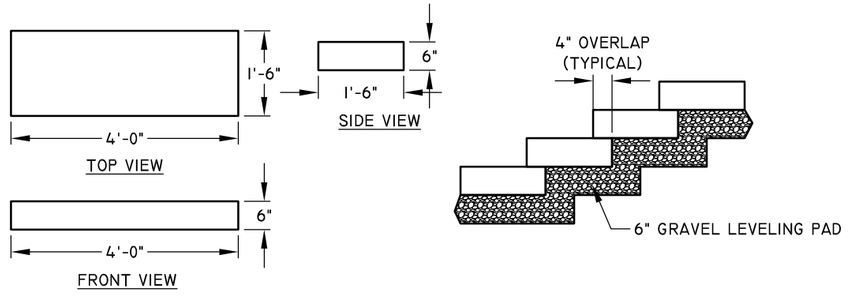
2 / W10 PROPOSED BOULDER WALLS
UP TO 3-FOOT WALL SECTION
(SCALE 3/8"=1'-0")



3 / W10 PROPOSED BOULDER WALLS
UP TO 4-FOOT WALL SECTION
(SCALE 3/8"=1'-0")



4 / W10 PROPOSED BOULDER WALLS
UP TO 5-FOOT WALL SECTION
(SCALE 3/8"=1'-0")



5 / W10 PROPOSED BOULDER WALLS
BOULDER STEP INSTALLATION
(SCALE 3/8"=1'-0")

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PROPOSED BOULDER RETAINING WALLS
4745 NORTH SHORE DRIVE
ORONO, MINNESOTA
SECTIONS AND DETAILS

REV:	DATE:	DESCRIPTION:
3	6/17/2024	PLANS REVISED BASED ON NEW SURVEY, DATE 6/17/2024
4	3/10/2025	ADDED WALLS 7 & 8
5	4/16/2025	ADDED WALL 9

SCALE: AS SHOWN

0 1
VERIFY LINE ABOVE MEASURES 1-INCH. IF IT DOESN'T, ADJUST SCALE ACCORDINGLY

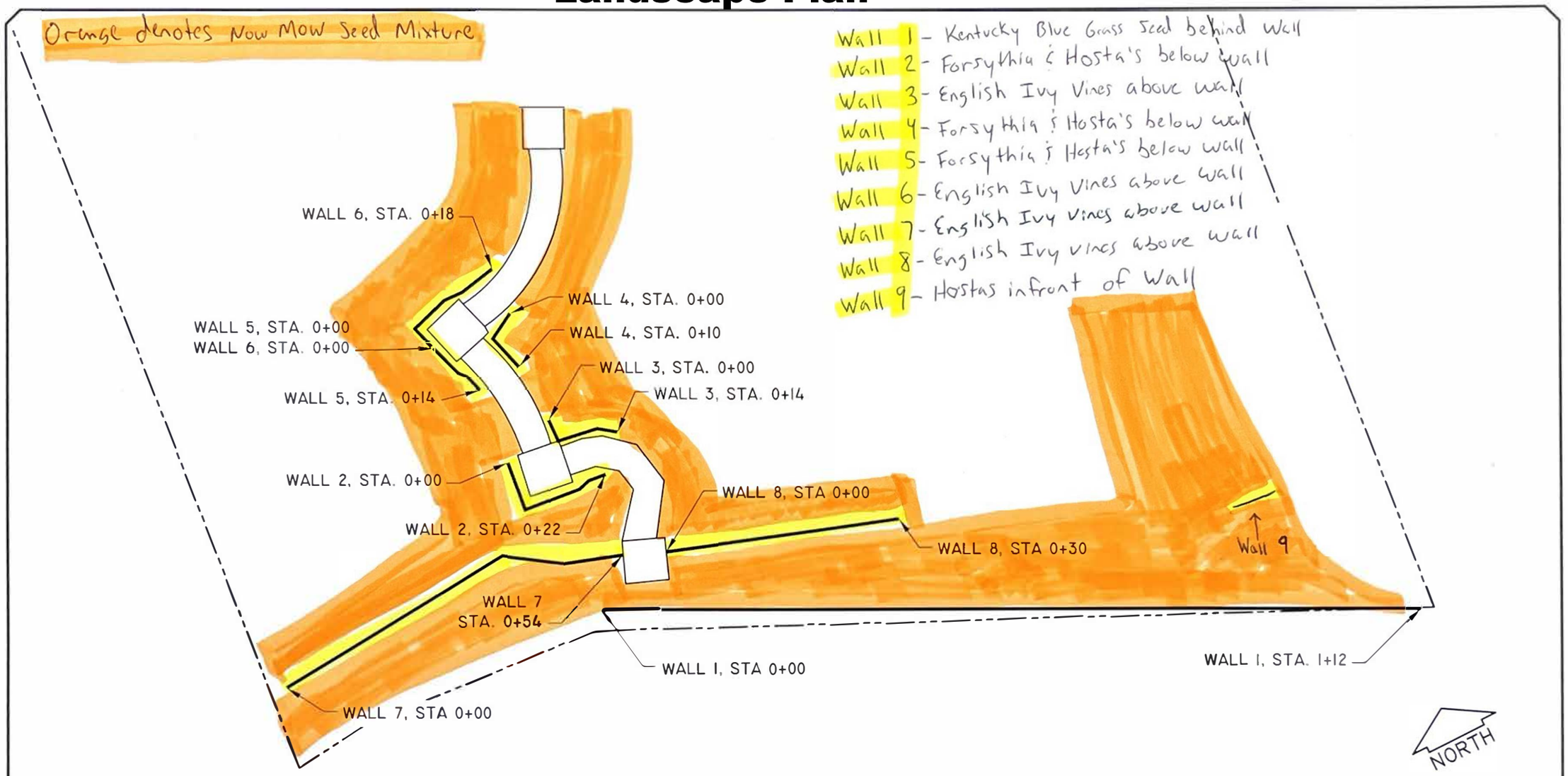
VEC PROJECT NO: VEC 24-055
DRAWN BY: VEC
REVIEWED BY: RWV
DATE: 4/15/2024

SHEET: W10 OF: 10 CLIENT: MR. MATT JASPER

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RONALD W. VICKERY, PE
DATE: 4/15/2024 REG. NO.: 24065

Landscape Plan



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PROPOSED BOULDER RETAINING WALLS
4745 NORTH SHORE DRIVE
ORONO, MINNESOTA
WALL LOCATION SKETCH

Rev	Date:	Description:
2	6/14/2024	REVISED LOCATION SKETCH TO NEW CONFIGURATION
3	6/17/2024	PLANS REVISED BASED ON NEW SURVEY, DATE 6/17/2024
4	3/10/2025	ADDED WALLS 7 & 8

Scale: NONE

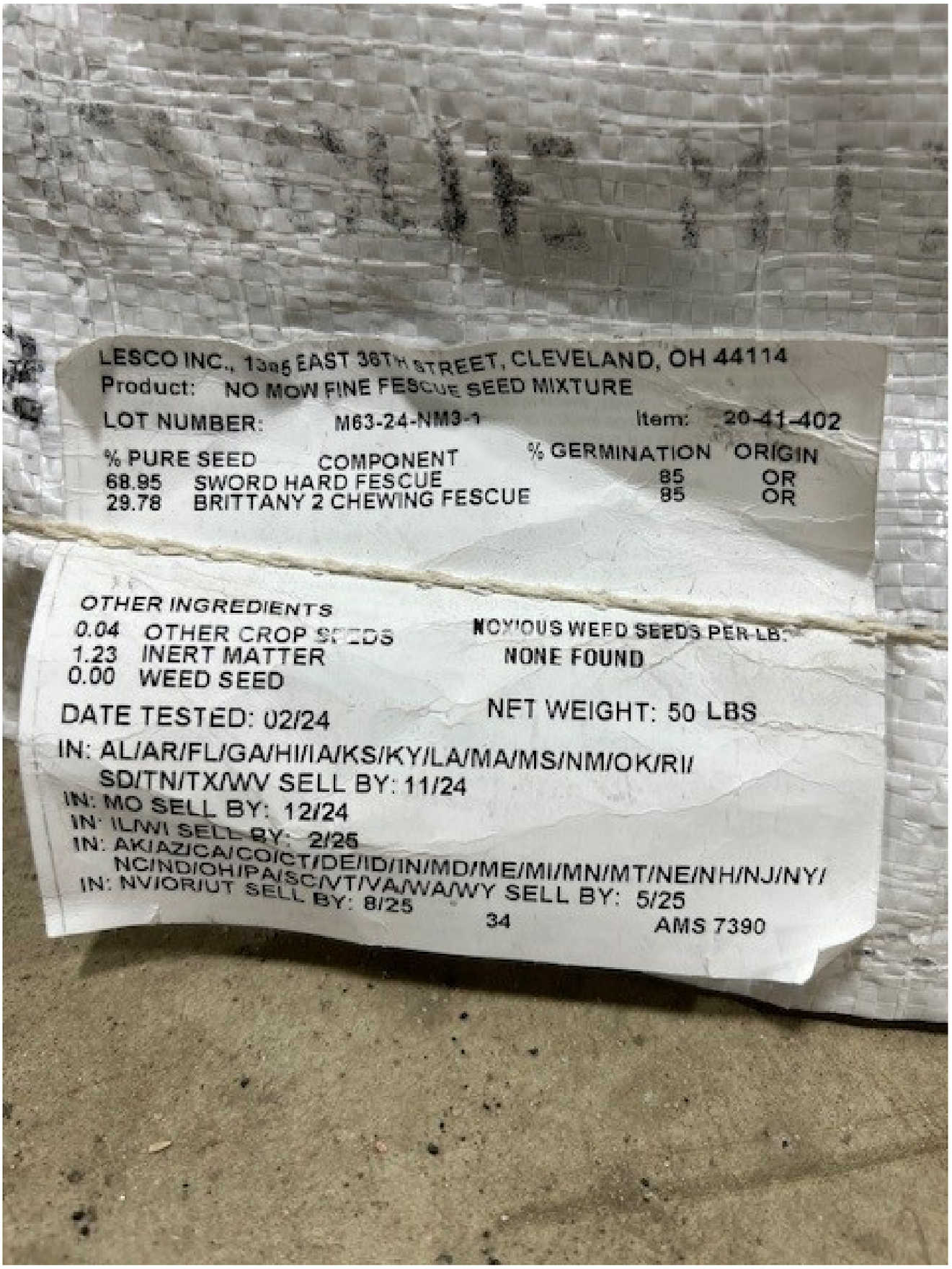
0 1
VERIFY LINE ABOVE MEASURES 1-INCH. IF IT DOESN'T, ADJUST SCALE ACCORDINGLY

VEC Project No.: VEC 24-055
Drawn By: VEC
Reviewed By: RWV
Date: 4/15/2024

Sheet: W3 Of: 10
Client: MR. MATT JASPER

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

RONALD W. VICKERY, PE
Date: 4/15/2024 Reg. No.: 24065


LESCO INC., 1300 EAST 36TH STREET, CLEVELAND, OH 44114
Product: NO MOW FINE FESCUE SEED MIXTURE
LOT NUMBER: M63-24-NM3-1
Item: 20-41-402
% PURE SEED COMPONENT % GERMINATION ORIGIN
68.95 SWORD HARD FESCUE 85 OR
29.78 BRITTANY 2 CHEWING FESCUE 85 OR
OTHER INGREDIENTS
0.04 OTHER CROP SEEDS
1.23 INERT MATTER
0.00 WEED SEED
NOXIOUS WEED SEEDS PER LB:
NONE FOUND
DATE TESTED: 02/24
NET WEIGHT: 50 LBS
IN: AL/AR/FL/GA/HI/IA/KS/KY/LA/MA/MS/NM/OK/RI/
SD/TN/TX/WV SELL BY: 11/24
IN: MO SELL BY: 12/24
IN: IL/WI SELL BY: 2/25
IN: AK/AZ/CA/CO/CT/DE/ID/IN/MD/ME/MI/MN/MT/NE/NH/NJ/NY/
NC/ND/OH/PA/SC/VT/VA/WA/WY SELL BY: 5/25
IN: NV/OR/UT SELL BY: 8/25
34
AMS 7390

AGENDA ITEM

Date: June 9, 2025 **Item:** 12

Title: Stubbs Bay Lake Improvement District Public Hearing

Presenter: Maggie Jin, Finance Director

Section: Public Hearing

1. **Purpose:**
   The purpose of this item is to hold a public hearing for the establishment of a lake improvement district for Stubbs Bay, and to consider the establishment of the Stubbs Bay Lake Improvement District.

2. **Background:**
   At the April 14, 2025, Council meeting, Lake Minnetonka Association Director Eric Evenson and Stubbs Bay resident and bay captain Karena Casey gave an informational presentation requesting the set-up of a lake improvement district on Stubbs Bay. The lake improvement district would allow a steady stream of funds to be collected to allow for improvements to the lake in Stubbs Bay. The set-up of the district would allow funding to be collected by tax levy, by utility bills or by bills sent via the lake improvement district itself. The preferred method would be by tax levy.

   At the May 12, 2025, Council meeting, the City Council set a public hearing on the establishment of the Stubbs Bay Lake Improvement District for June 9, 2025. Notices of the hearing was published in the newspaper on May 24 and May 31, each property owner affected have been sent a notification of this public hearing, and LMCD, MCWD, DNR, and other state agencies have been notified.

   In order to set up a lake improvement district, a petition has to be signed by the majority of the affected property owners in the district. Karena Casey, who is the bay captain, has put in tremendous efforts to get the required amount of petition signatures. The petitions has been received for the establishment of the Stubbs Bay Lake Improvement District. The state law concerning lake improvement districts requires the City Council to hold a public hearing within 30 days of the certification of a petition for the establishment of a Lake Improvement District which is signed by a majority of the property owners in the district.

   The petition for the Stubbs Bay Lake Improvement District has been signed by 48 property owners out of a total of 68 property owners. The petition received to date have been verified by staff and has enough signatures. Per Minnesota State Statute 103B.521, it is required that a majority (51%) of property owners within the proposed lake improvement district sign the petition; to date, over 70% have signed.

   As required by state law, the Minnesota Department of Natural Resources (DNR) has reviewed the request to establish the Stubbs Bay Lake Improvement District and has approved the proposed boundaries identified in the resolution and has certified that the information provided meets the requirements of lake improvement district statutes and rules.

   If the City Council establishes a lake improvement district, the district does not become effective

until 30 days after the resolution is published. State law provides that if the City Council establishes a lake improvement district and if a petition is received from at least 26 percent of the property owners within the lake improvement district, that the establishment of the district would be stayed until a referendum is held allowing all affected property owners to vote on the establishment of the lake improvement district. The referendum must be held in the following July or August. If the District is established by the City Council, at any time in the future a petition signed by at least a majority of the property owners will require the City Council to hold a public hearing to consider the termination of the District.

The next process is for Council to make a motion to hold a public hearing for the establishment of the lake improvement district. After the public hearing occurs, the Council can approve or deny the establishment of the Stubbs Bay Lake Improvement District.

In order to certify the levy for tax year 2026, the district must be established by July 1st.

3. **Cost:**
The initial cost of setting up the lake improvement district involves staff time to meet with the district organizers to assist with proper procedures, putting council packet items together, reviewing petitions and other administrative tasks. The ongoing cost of the lake improvement district is minimal with staff time to certify the assessment roll to the levy and adding yearly information on the City website.

The cost of treating Stubbs Bay will be paid through a levy by the property owners. The funding will not begin until taxes payable in 2026.

4. **Staff Recommendation:**
Staff recommends that City Council hold the public hearing and determine if the Stubbs Bay Lake Improvement District should be established. The petitioners have met the requirements necessary for the establishment of a LID.

COUNCIL ACTION REQUESTED

1. Motion to accept the Certified Petition for the establishment of the Stubbs Bay Lake Improvement District.
2. Motion to approve the resolution establishing the Stubbs Bay Lake Improvement District.
3. Motion to appoint the Initial Board of Directors for the Stubbs Bay Lake Improvement District.

OR

1. Motion to deny the establishment of the Stubbs Bay Lake Improvement District.

Exhibits

A. Resolution 7594
B. DNR Lake Vegetation Management Plan
C. Carman Bay LID Letter of Support and Example of CBLID Report
D. North Arm Bay Captains Letter of Support
E. LMA Letter of Support
F. Petition Certification
G. Email from Orono LMCD rep -Rich Anderson
H. DNR Stubbs Bay LID Advisory Report Final
I. Stubbs Bay Watershed Map
J. Emails and Letters in opposition to the Stubbs Bay Lid
K. Emails and Letters in Support of LID

L. SBLID proposed Board of Directors
K. LMCD Letters about Stubbs Bay Lake Improvement District

CITY OF ORONO

RESOLUTION OF THE CITY COUNCIL

NO. **7594**

A RESOLUTION APPROVING THE ESTABLISHMENT OF THE STUBBS BAY LAKE IMPROVEMENT DISTRICT

WHEREAS, the Orono City Council may agree the establishment of a lake improvement district under Minnesota statute section 103B.515; and

WHEREAS, the Orono City Council must adopt a resolution to establish a lake improvement district; and

WHEREAS, the resolution must:

(1) Specify the boundaries of the district, which shall be encouraged to be as consistent as practical with natural hydrologic boundaries;
(2) Prescribe the water and related land resource management programs to be undertaken in the district;
(3) State how the programs will be financed;
(4) Designate the agency that will be responsible for supervising the programs; and
(5) Specify the number, qualifications, terms of office, and method of election, removal, and filling of vacancies of the Board of Directors, including a method for property owners not present at the annual meeting to participate in the election of the district board.

NOW, THEREFORE, BE IT RESOLVED that city council of Orono, Minnesota hereby intends to establish a Stubbs Bay Lake Improvement District (SBLID) and that:

(1) The boundaries of the SBLID shall be as shown on the Exhibit C map (attached). This boundary is consistent with the natural hydrologic boundaries of the bay and includes all properties that have lake rights to Stubbs Bay, Lake Minnetonka.
(2) The water and related land resource management programs to be undertaken in the SBLID to include prevention and management of aquatic invasive species per the Proposal, (attached) which outlines the water and related land resource management program to be undertaken.
(3) The prevention and management program will be financed by a levy on the property owners in the district plus grants and gifts. The actual levy and its distribution will be approved by the Stubbs Bay Lake Improvement District Board of Directors at their annual meeting which will be in July or August of each year and all property owners will be notified of the meeting. The estimated cost to treat Stubbs Bay is estimated to be $20,000 to $30,000 per year plus lake monitoring, administrative costs and spot treatments in any non-treatment years. Exhibit B (attached) shows the proposed budget for the SBLID for 2026.
(4) The City of Orono shall oversee the operation of the SBLID.

CITY OF ORONO

RESOLUTION OF THE CITY COUNCIL

NO. **7594**

(5) The Board of Directors of the Stubbs Bay Lake Improvement District shall consist of 7 members serving 2-year terms except for the initial 7 members which shall include 4 members for 3-year terms and 3 members with 2-year terms. The initial members shall be appointed by the City Council with subsequent members elected at the annual meeting of the SBLID. The initial and all subsequent Board of Directors must include persons owning property within the district, and a majority of the directors must be residents of the district. All Stubbs Bay affected property owners at the annual meeting shall be allowed to vote. Property owners who cannot attend may submit their vote by mail which must be received by the City of Orono before the start of the Annual Meeting. Vacancies on the Board of Directors shall be filled by a vote of the remaining Board members.

NOW THEREFORE, BE IT FURTHER RESOLVED by the City Council of the City of Orono that the Mayor is authorized to send a copy of this resolution to the Department of Natural Resources Commissioner, the Minnehaha Creek Watershed District Board of Managers, the Lake Minnetonka Conservation District Board, the Secretary of State, and the Minnesota Pollution Control Agency.

NOW THEREFORE, BE IT FURTHER RESOLVED by the City Council of the City of Orono that this resolution shall be effective 30 days after it is published in the official newspaper of the City of Orono.

Adopted by the City Council of Orono, Minnesota at a regular meeting held on June 9, 2025.

ATTEST: **CITY OF ORONO**

_____ _____

Christine Lusian, City Clerk Bob Tunheim, Mayor

Stubbs Bay Lake Improvement District Proposal

The following information has been submitted to the Minnesota Department of Natural Resources (DNR) on April 28, 2025, for their consideration as the citizens of the Stubbs Bay Lake Improvement District, with the cooperation of the City of Orono, to move forward to establish the proposed Stubbs Bay Lake Improvement District (SBLID) in accordance with Minnesota Rules 6115.0970.

- **A written statement of lake problems and objectives:**
  Eurasian watermilfoil (EWM) and curlyleaf pondweed (CLP), both, non-native, invasive plants, have been problematic in Stubbs Bay for several decades. These two plants can reduce the diversity and abundance of native plants and therefore diminish the health of the bay. As well, these plants interfere with boating, swimming, recreation, and enjoyment in the bay. CLP can also adversely affect water quality. Other invasive species, e.g. flowering rush and starry stonewort, are found in nearby waterbodies and pose a risk of being introduced into Stubbs Bay. It is the intent of the SBLID to treat any invasive plant or animal that adversely effects the recreation, water quality, and ecological health of Stubbs Bay.

  Stubbs Bay residents, in coordination with the Lake Minnetonka Association (LMA), PLM Lake Management, and the Minnesota Department of Natural Resources (DNR) have developed a Lake Vegetation Management Plan (LVMP) (Exhibit A).

  In 2024, about 15-percent of the littoral area in Stubbs Bay was treated to control of Eurasian watermilfoil/curlyleaf pondweed. In 2025, the Stubbs Bay LVMP was approved and allow for the springtime treatment for CLP and a whole bay treatment for CLP/EWM to be done a fall 2025/spring 2026.

  Bay-wide treatments have proven to be effective in controlling Eurasian watermilfoil and curlyleaf pondweed in nearby bays and have plant surveys that show the diversity and abundance of native plants have improved in these bays without compromising water quality or aquatic life.

  The SBLID will design its LID to be consistent with the Carman Bay and St. Albans Bay LIDs. The Stubbs Bay treatments will build off the foundation established by the Lake Minnetonka Milfoil Project which was conceived in 2006 and refined over almost two decades of successful treatments on bays in Lake Minnetonka. The Lake Minnetonka Milfoil Project was done in a partnership with the US Army Corps of Engineers and the DNR to assess new technologies and approaches for large-scale selective herbicide treatments to control and combat EWM.

  The majority of the costs for the Stubbs Bay treatments have been and continue to be voluntarily borne by the bay residents. In 2024, Stubbs Bay received an invasive species management grant from the LMCD. A Lake Improvement District (LID) has been proposed to more equitably, efficiently and reliably fund and administer this program.

  Other aquatic invasive species (AIS), those now in the bay as well as those which may be introduced in the future, pose threats to the bay's health and recreation and are therefore a concern. Zebra mussels are found in the bay and while research to control them shows promise, there are no known controls available yet. Once a proven treatment for zebra mussels is identified, the LID will consider programs to control zebra mussels. If other invasive plants, animals, or pathogens are found in Stubbs Bay, the SBLID will determine the best course of action to address them on a case-by-case basis.

  After EWM and CLP are under control, the LID will consider programs and collaborations that further improve water quality.

The Minnehaha Creek Watershed District classifies Stubbs Bay water quality as "poor." The bay is impaired for excess nutrients due to phosphorus loading. This impairment results in nuisance algae blooms that limit the recreational use of this water body.

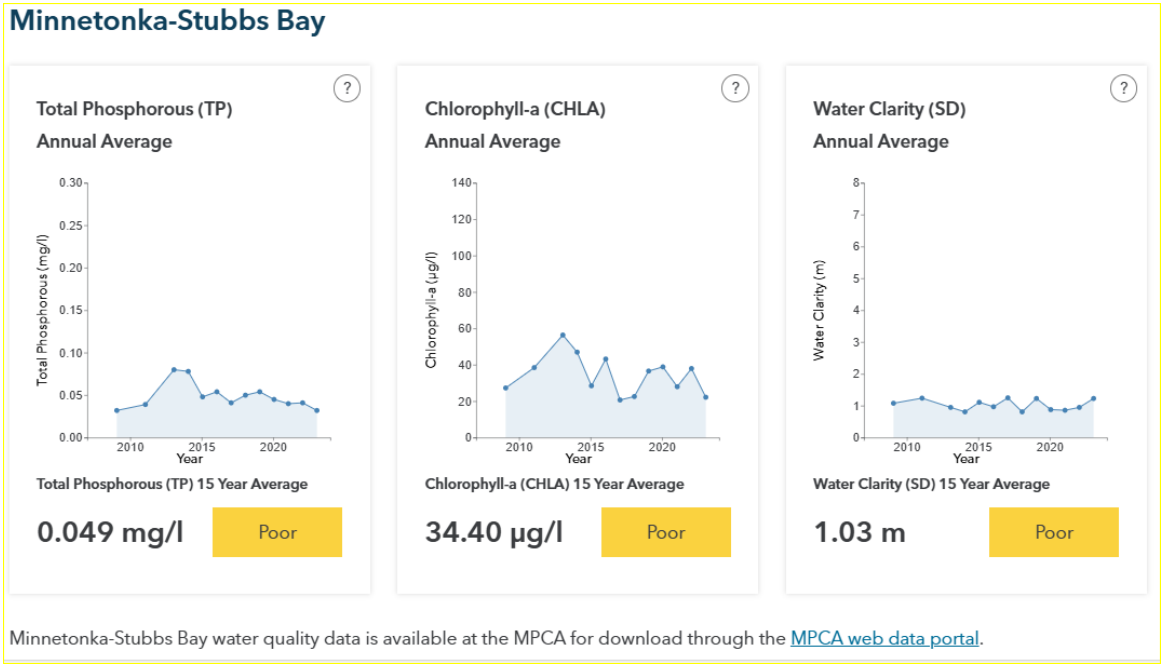


Figure 1. Stubbs Bay Water Quality (MCWD)

External phosphorous loading into Stubbs Bay has been reduced by protection of upland wetlands, storm water management regulations, conversion of land in the Stubbs Bay watershed from agricultural to residential and by projects done by the City of Orono and the Minnehaha Creek Watershed District in the early 2000's. While more phosphorous loading models may be needed, it is believed the primary reason for the high phosphorous levels in the bay is internal loading.

The SBLID will consider the development of water quality studies/plans or the implementation of water quality improvement projects (e.g. phosphorous sequestration) as part of a comprehensive approach to bay management. Such projects would likely require grant funding and/or a financial partnership with a governmental organization such as the MCWD or the LMCD.

In accordance with Minnesota statutes, section 103B.571, for all projects proposed by the SBLID with a cost in excess of $5,000; a published notice and written notice shall be mailed at least ten days in advance to SBLID property owners and required local and state entities.

Problems:

1. Eurasian watermilfoil, curlyleaf pondweed, and other AIS diminish the health of and interfere with recreation in Stubbs Bay.
2. Other AIS, including flowering rush, starry stonewort, and spiny water flea, may become established in Stubbs Bay are likely to have adverse impacts to the health and enjoyment of the bay.
3. Water quality in the Stubbs Bay is impaired for excess nutrients due to phosphorus loading. This impairment results in nuisance algae blooms that impact the ecological health and limit the recreational use of this water body.

Objectives:

1. Eurasian watermilfoil, curlyleaf pondweed, and flowering rush will be controlled as specified in the proposed LVMP.
2. Native plants and water quality will be maintained or improved as specified in the proposed LVMP.
3. Monitor and assess impacts of additional AIS and consider feasible controls when needed and appropriate.
4. Water quality improvements will be considered as part of a comprehensive approach to bay management. Such undertakings may require grant funding or financial support or a partnership with organizations such as the Minnehaha Creek Watershed District or the LMCD.

- **The proposed type or types of water and land related resource management projects to be undertaken by the proposed district. This shall include a detailed statement of intended studies, management programs, remedial actions and construction projects.**

  The initial and primary management project of the LID will be to continue the Eurasian watermilfoil and curlyleaf pondweed control programs under a LVMP, including the required treatments, monitoring, and assessments. The LID will cooperate with the LMA on efforts to monitor for starry stonewort and will consider programs and/or collaborations with local or state agencies to control other AIS based on viability of success and need in Stubbs Bay. There are no land-management projects are planned.

  Once EWM and CLP is under control, the SBLID will consider treatments to improve the clarity of Stubbs Bay. While internal loading is believed to be the primary source of phosphorous in the lake, additional studies may be needed to better quality the amount of external vs. internal loading. Most likely, water quality studies and programs would require grant funds and/or technical and financial participation from other sources. Details provided in Exhibit A.

- **A statement of the means by which the programs will be financed:**

  See Exhibit B. SBLID sample budget and estimated assessment Homeowners with deeded or direct access to Stubbs Bay will be assessed and amount set annually by the Board of Directors.

- **A map showing the boundaries of the proposed LID:**

  See Exhibit C. .Stubbs Bay Lake Improvement District Map. The boundaries of the LID are intended to include all properties with direct and deeded access to the bay. As information becomes available, the SBLID map will be updated to include up-to-date information on properties with direct or deeded access to the bay, including: land transfers, lot splits or combustions, new or updated deeded easements, missed parcels, etc.

- **The number of directors proposed for the district.**

  Five (5). See Exhibit D for candidates who are interested in being involved in managing the LID.

- **Timeline**
  A timeline to meet city obligations for establishment of the Stubbs Bay LID is included as Exhibit E. This timeline will allow the LID to meet assessment deadlines needed to fund 2026 LID activities.

- **Any information indicating the degree of local interest and commitment to future management:**

  Over the past several months, the Stubbs Bay LID organizers have campaigned to educate and garner support from property owners on the Bay regarding the proposed LID. Education efforts include notifying all of the residents in the proposed LID via mail and by e-mail (for those willing to share their e-mail addresses).

  A web site has been established (www.stubbsbay.org) and a Stubbs Bay public information meeting was held on April 14, 2025 before the Orono City Council. Several follow up e-mails have been sent and many one-on-one conversations held. The organizers have also met and communicated with city staff on the process and deadlines needed to establish a LID.

  Homeowners on Stubbs Bay have already made a sizeable investment to control EWM and CLP in the bay. Over $30,000 has been raised through voluntary contributions for a bay wide treatment in 2025. To protect this initial investment, Stubbs Bay LID organizers have explained to homeowners that additional spot treatments and monitoring will be needed and how a LID will provide an equitable and sustainable way to provide for on-going AIS control in Stubbs Bay. The Stubbs Bay Lake Vegetation Management Plan authorizes a 5-7-year variance from time of signing to perform herbicide treatments greater than 15% of the littoral area with herbicides to control EWM/HWM/CLP.

- **Stubbs Bay Lake Improvement District Petition:**

  To date, almost 66% of the homeowners in the proposed LID have signed the petition for a Stubbs Bay LID. Over the next few months organizers will seek additional signatures. It is important to note, several properties on Stubbs Bay are owned by individuals whose properties are managed by LLCs, attorneys, or management companies that restrict the ability to connect with the property owner. See Exhibit F.

- **Copies of local ordinances that regulate the use of the lake or any public access:**

  The Stubbs Bay LID will operate in compliance with all local ordinances (including those of the City of Orono, LMCD, and MCWD) that govern the use of Stubbs Bay and public accesses. Links to applicable local regulations are listed in Exhibit G, Local Ordinances.

  There are currently no local ordinances that would limit, control, or otherwise regulate any anticipated AIS or water quality improvement programs that may be undertaken by the Stubbs Bay LID. Should local ordinances or Stubbs Bay LID programs change, all the LID will seek all required authorizations and will operate in compliance with local and state requirements.

  All of the properties in the Stubbs Bay LID are located in part of the City of Orono zoned either LR-1A or LR-1B. The LR-1A one-family lakeshore residential district is intended to provide a district which will allow a combination of low-density residential development and limited agricultural activity. The LR-1B one-family lakeshore residential district is intended to provide a district which will allow a combination of medium-density residential developments and limited agricultural activity.

  All properties in LR-1A and 1B are subject to the City of Orono Code Title VI, Chapter 78, Zoning Regulations (which includes: Lakeshore Residential Districts, Floodplain Management, and Shoreland Management). The properties in the Stubbs Bay LID are also subject to City of Orono Code, Chapter 94, Waterways (which includes: docks, marinas, and related lake structures).

- **The identification of any lands and waters which may be adversely affected by the implementation of District purposes, and a preliminary assessment of these adverse effects:**

  No adverse effects to lands and waters are anticipated.

  The identified problems and stated objectives in the LID proposal aim to control the adverse effects of AIS in Stubbs Bay. Treatments of Eurasian watermilfoil and curlyleaf pondweed are done with herbicides registered by the United States Environmental Protection Agency and Minnesota Department of Agriculture and have been permitted by the Minnesota Department of Natural Resources. The products and methods used have occurred within a strict regulatory milieu, which is designed to minimize likely adverse effects and unintended consequences. Therefore, rather than causing or increasing adverse effects, the proposed LID will more likely control and decrease adverse effects. Other bays on Lake Minnetonka with similar treatment program have seem long-term improvements in the diversity and density of native pant communities.

  Treatments will only be done by experienced professionals licensed by the Minnesota and certified with the MnDNR. Plant surveys will be conducted by independent aquatic plant specialists. While not prohibited in Minnesota, no product using glyphosates will be used.

  Should the LID employ other products or methods to control Eurasian watermilfoil and curlyleaf pondweed or other AIS, of for water quality improvements, it will occur with the same regulatory oversight. Therefore, adverse effects to land or water are not anticipated. As the LID considers or proposes modifying the current Eurasian watermilfoil and curlyleaf pondweed control program or any control programs for other AIS, detailed assessments of possible adverse effects to lands and waters will be provided as required or appropriate.

- **A statement outlining the adequacy and ownership of public accesses, including public lands and beaches**:

  The City of Orono owns a lot off Bayside Road (CR 84 - see map) and rents out four boat slips to Orono residents. It also operates a municipal dock at the end of Stubbs Bay Road. There are also fire lanes owned by the City of Orono that may be used for public access located at the end of Eastlake Street and Westlake Street. However, the nature of the accesses would be limit them to walk on uses.

  Stubbs Bay is a popular destination for anglers, wake sport enthusiasts, and boaters from across the he entire metropolitan area. While boaters may come from any of the public accesses on the lake, they most likely come from the North Arm or Maxwell Bay locations.



Figure 2, City property and docks located on Stubbs Bay

- **An estimate of the total equalized valuation of the property within the district:**

  $196,895,500 (2025)

- **Any other information demonstrating accordance with the criteria and standards for establishment as laid out in 6115.0960**

  The regulation of activities on Lake Minnetonka below the OHW is controlled by the Lake Minnetonka Conservation District and the Minnehaha Creek Watershed District

  See Exhibit H, Letters of Support (more letters will be added as they arrive)

  Lake Minnetonka Association Letter of Support
  Lake Minnetonka Conservation District Letter of Support
  MCWD Letter of Support
  Carmans Bay LID Letter of Support
  North Arm Bay Letter of Support

Exhibit A, Stubbs Bay Lake Vegetation Management plan

Included as an attachment to this e-mail and below.

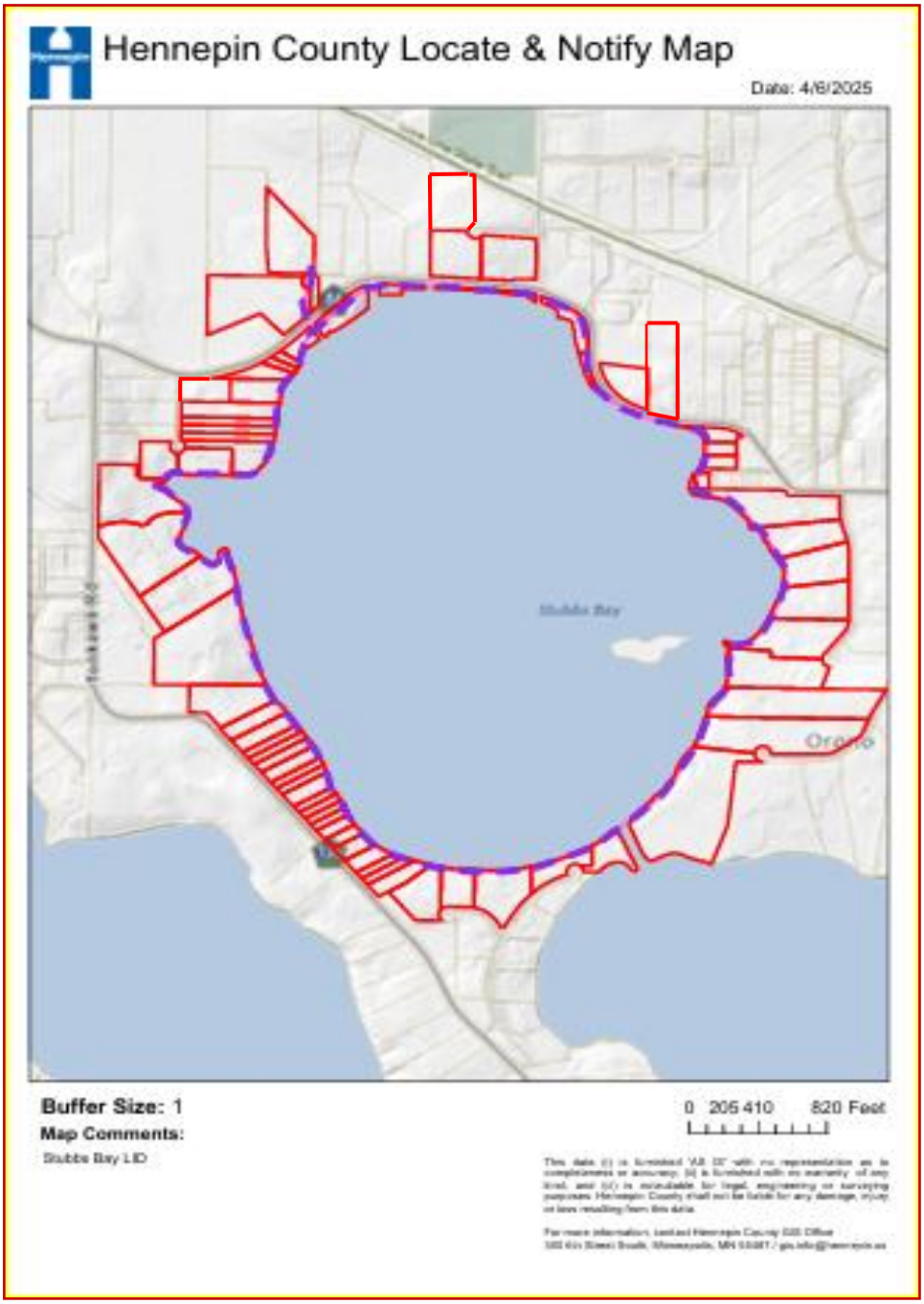
file:///C:/Users/ric/AppData/Local/Microsoft/Windows/INetCache/Content.Outlook/9XP5FARM/Stubbs%20Bay_Minnetonka_%20LVMP%202025_FINAL.pdf

Exhibit B, SBLID sample budget and estimated assessment.

Proposed 2026 Stubbs Bay LID Budget

Revenues		
2026 Property Tax Resolution #XXXX		11,872
Grants/donations		0
	Total Revenue	11,872
Expenditures		
Delineation Survey - Curlyleaf Pondweed		0
Delineation Survey - Eurasian Watermilfoil		0
Aquatic Plant Survey (Point Intercept Survey)		(3,000)
Treatment – Whole Bay (2 bumps)* **1st treatment in late fall 2025 (paid in 2025 2 bumps in 2026 paid by LID)*		(10,000)
Lake Minnetonka Association – Program support		0
Board and Annual Meeting space		(50)
District PO Box Rental		(72)
Administrative Expenses - (printing, postage, public notice ad)		(250)
Accounting Services		0
Insurance		(900)
	Total Expenditures	(14,272)
Revenue Over / (Under) Expenditures		(6,000)
Estimate Cash Balance December 31, 2025		6,000
Cash Balance December 31, 2026		0

Exhibit C, Stubbs Bay Lake Improvement District Map*



**The boundaries SBLID map is intended to include all properties with direct and deeded access to the bay. As information becomes available, the SBLID map will be updated to include up-to-date information on properties with direct or deeded access to the bay, including: land transfers, lot splits or combustions, new or updated deeded easements, missed parcels, etc.*

Exhibit D, Stubbs Bay LID Members Interested in an Appointment to the LID Board

Proposed Board of Directors for SBLID

Lee Harren leeharren@gmail.com 175 Bayside Rd

Karena Casey karenacasey@mchsi.com, 255 Bayside Rd

Plus 3 from this list of candidates:

Ray Bernal rybernal@frontier.com 3775 Bayside Rd

John Erickson johnrosserickson@aol.com, 865 Partenwood Rd

Asim Gul sasimgul@gmail.com, 855 Partenwood Lane

Mark Johnson markjohnson_ms@msn.com, 555 Oxford Road

Bruce Lea brlea1@outlook.com, 740 Tonkawa Rd

Jennifer Leikikh jleikikh@comcast.net, 495 Oxford Rd

Barb McCreight barti432@aol.com, 692 Tonkawa Rd

Matthew Walter mwalter@hrii.com, 746 Tonkawa Rd

Bob Ryan bobryan@ryanautomall.com, 3625 Eileen Street

Marcel Smits marcel_smits@me.com, 3345 Fox Street

Ted Spooner Tspooner@aol.com, 700 Tonkawa Rd

John Thiesse johnthiesse@gmail.com, 3855 Bayside Rd

Brent Teele teele12@yahoo.com, 356 West Lake Steet

Exhibit E, LID Timeline from the City of Orono to form the Stubbs Bay LID

April 14th Council Meeting – Present information about Stubbs Bay LID and request for input from council

May 5th – Send City initial majority petitions to verify and certify

May 12th Council Meeting – City formally accepts (or rejects) signatures on petition, petition and proposal in order to move forward with a public hearing notices

May 13th at 10 am – Send Public Hearing notice to the newspaper for May 17th edition

May 20th at 10 am – Send Public Hearing notice to the newspaper for May 24th edition

June 2nd – Send City items to include in the June 9th Council meeting

June 9th Council Meeting– tentative date for Public Hearing (must fall within 30 days of complete petition/proposal) and Council to accept the certified petition and approve resolution establishing the LID (June 23rd backup date). Must also have approval by DNR at this time.

July 1st – Deadline for City to send information to County to establish LID in order to certify to 2026 property tax roll. See MN State Statute 275.067.

Exhibit F, Stubbs Bay Lake Improvement District Petition.

Direct Link: www.stubbsbay.org

Stubbs Bay Lake Improvement District Petition

PETITION FOR THE ESTABLISHMENT OF A LAKE IMPROVEMENT DISTRICT

To the City of Orono:

The undersigned property owners are requesting the City of Orono establish the "Stubbs Bay Lake Improvement District" (SBLID) as proposed below.

The SBLID is needed to provide an equitable and stable ongoing funding for Stubbs Bay residents to improve water quality and manage existing aquatic invasive species (AIS), such as Eurasian watermilfoil and curly leaf pondweed in Stubbs Bay, and be positioned to deal with future AIS threats. Voluntary small-scale treatments in past years have been successful but bay-wide management now needed to control Eurasian watermilfoil, curly leaf pondweed and improve water quality in Stubbs Bay.

Absent these treatments, Eurasian watermilfoil and other invasive plants will dominate Stubbs Bay to the detriment of property values, recreational water activities, water quality, lake health, and appearance.

The benefits to the property owners, as well as outside users of Stubbs Bay from the proposed SBLID would be improved recreational uses of the Bay, a return to its natural appearance, and providing a healthy Bay for native aquatic species. As stated, the SBLID is needed to provide an equitable and stable source of funding to help continually manage towards a healthier Bay.

The proposed boundaries of the SBLID are properties with direct or deeded access to the Lake or its coves/channels beginning with the parcel located directly west of the Stubbs/Maxwell Bay Channel (PID 0511723430002, 865 Partenwood Rd, Orono) and all other parcels located in a clockwise direction around the bay ending with the parcel located directly east of the Stubbs Maxwell Bay Channel (PID 0511723430005, 3400 Fox St, Orono, MN 55356). All of these properties would benefit from the SBLID improvements.

The SBLID would have five (5) directors all of who own property on the lake or have deeded access and who would be elected at an annual meeting of the property owners. The initial directors would be appointed City of Orono (5 directors). It is requested that the City of Orono provide administrative support and oversight for the SBLID.

Exhibit G, Links to all applicable local ordinances governing Stubbs Bay use and public accesses

City of Orono Municipal Code:
https://library.municode.com/mn/orono/codes/code_of_ordinances?nodeId=ORMICO01

Lake Minnetonka Conservation District Code of Ordinances:
https://lmcd.org/resources/#code_of_ordinances

Minnehaha Creek Watershed District Regulaitons:
https://minnehahacreek.org/permits/regulations/

Exhibit H, Letters of Support for the Stubbs Bay LID*

***Additional letters of support will be added as they become available*.**

DEPARTMENT OF NATURAL RESOURCES

DNR Lake Vegetation Management Plan

The treatment protocols or management goals may change as new information becomes available and will be approved by the MnDNR. This variance does not preclude the requirements of applying for, and obtaining aquatic vegetation control permits (IAPM permits) as per Minnesota Rule chapter 6280. Refer to Lake Cooperator Data Summary for historic lake plant data, managament history and water quality data.

Stubbs Bay, Lake Minnetonka, Hennepin County (27-0133-12)	
Date Signed: 4/14/2025	**Expiration Date: 10/1/2030**
Management Targets(s):	Curly Leaf Pondweed (CLP), Hybrid and Eurasian Water Milfoil (EWM/HWM)
Variance Conditions:	*This Lake Vegetation Management Plan (LVMP) authorizes a **5 variance** from time of signing to perform herbicide treatments greater than 15% of the littoral area with herbicides to control EWM/HWM.*
Lake Description	*Location: Stubb's Bay, Lake Minnetonka* *Major Watershed: Mississippi River-TC view* *Total Acres: 196.79 acres* — *Average Secchi (m): 1 Meter* *Littoral Zone: 113 acres* — *Trophic State: Eutrophic* *Maximum Depth*: 30 ft — *Total Phosphorus: 48 PPB*
Problem Identification:	1. CLP Delineations 2024 = 2.5 mean density rating on a scale from 0 to 3. 2. EWM/HWM exists at 11% Frequency of Occurrence, August of 2024 (hereafter FOO)
Management Goals:	1. Reduce CLP Population to less than 1.5 mean density rating 2. Maintain EWM/HWM below 20% FOO annually (August PI Survey) 3. Increase native submersed species /point to > 1.5 FOO 4. Maintain number of native submersed species at 18 over 5 years
Proposed Actions:	1. Whole Bay- Fall / Fluridone treatment at 2-4 ppb to control CLP and EWM (2025) 2. Annual CLP Treatments using approved herbicides in excess of 15% of the littoral area if needed.

Stubbs Bay, Lake Minnetonka, Hennepin County (27-0133-12)	
Required Monitoring (see table below for survey timing)	1. Summer delineations (Post 2024) 2. Annual, late season point-intercept survey to track native plant community changes.
Justification, History & Public Participation Process	Justification • Currently CLP is the most abundant species in early summer, recently completed delineations reveal ~ 50% of the littoral area is dominated by CLP in early summer. CLP levels may be contributing to increased Phosphorus release in early summer. • Currently EWM/HWM is at 11% FOO, requiring minimal treatment, however CLP treatments may provide increased habitat potential as well as water clarity increases which additionally will expand potential EWM/HWM populations History • Stubbs bay has not had significant management (16.8 acres of CLP/EWM treatment in 2024) Public Participation • The program has been supported by the private homeowners, The Lake Minnetonka Association along with financial support from the grants.
Cooperator(s):	The Lake Minnetonka Association, Private lakeshore property owners, Minnesota Department of Natural Resources
Special Conditions	APM permits are restricted to a maximum of a 50 foot-wide along shore treatment area on years of full-bay treatments

REQUIRED ANNUAL MONITORING & REPORTING

Failure to complete all required monitoring and reporting may result in no variance or permit the following year. Data will be provided to DNR Invasive Species Specialist using their data reporting template.

Required Monitoring	Timing	Monitored/Submitted By
Pre-treatment Delineation or Point-Intercept	Spring (April-May)	LMA
Point-Intercept Survey(s)	Early and Late Summer (June- September)	LMA
Water Quality Monitoring *(Secchi, TP, Chl-a)*	Monthly (May-September)	TRPD,MCWD,MPCA
DNR Data Report	Annually	Lake Minnetonka Association

DNR Evaluation:

The DNR, in conjunction with other interested parties, will review the plant survey(s) and water quality results annually. If results are not meeting goals or producing negative results, then the approach to control may be revised at the discretion of the DNR. Notes to be filled out by the DNR annually are documented below.

YEAR	EWM % *FOO*	CLP Mean Density	#native/point	# native submersed species	Comments
2024	**11**	**2.5**	**1.5**	**18**	
2025					
2026					
2027					
2028					
2029					
2030					

DEPARTMENT OF NATURAL RESOURCES

SIGNATURES

This Lake Vegetation Management Plan is in effect for 7 years from date of Regional Fisheries approval. If the plan is not renewed, then permits will be issued according to the standards listed in MR6280.

DNR Approval:

Submitted By: April Londo

Title: Invasive Species Specialist

Date: 4/14/2025

Signature: April Londo

Neil Vanderbosch Digitally signed by Neil Vanderbosch
Date: 2025.04.15 10:28:49 -05'00'

Regional Fisheries Manager _____ Date

Megan Moore Digitally signed by Megan Moore
Date: 2025.04.15 11:54:48 -05'00'

Regional Ecological & Water Resources Manager _____ Date

I affirm that I am a representative of ***Stubbs Bay, Hennepin County*** and acknowledge participation in the development or implementation of this lake vegetation management plan.

_____ _____
Cooperator's Signature and Title Date

_____ _____
Cooperator's Signature and Title Date

Either party may terminate participation in this plan at any time, with or without cause, upon 30 days' written notice to the other party. If participation is terminated, permits will be issued according to standards listed MR6280.

No language following this page supersedes the conditions in permits described above.

Carman Bay Lake Improvement District
Post Office Box 124
Crystal Bay, Minnesota 55323

April 16, 2025

City of Orono
2750 Kelley Parkway
Orono, Minnesota 55356

Dear Mayor Tunheim & Council Members Alisa Benson, Claire Berrett, Steve Persian and Jacqueline Ricks,

Carman Bay Lake Improvement District supports the petition to establish Stubbs Bay Lake Improvement District. A Lake Improvement District, as governed by statute sections 103B.501 – 103B.581, is proven to transform citizen interest into a sustainable environmental stewardship and an evidence-based best practices method for managing aquatic invasive plant species for the benefit of the public, City of Orono and Stubbs Bay.

A Lake Improvement District offers a comprehensive plan of action where no other exists. The Minnehaha Creek Watershed District successfully manages large scale improvements such as the Six Mile Creek-Halsted Bay project but is not tasked with the control of aquatic invasive species. The Lake Minnetonka Conservation District manages Lake Minnetonka. However, the *LMCD's Comprehensive EWM and CLP Management Plan* only provides guidance for AIS management with a focus on education and prevention. The LMCD does not actively survey, treat or provide lake wide funding to control aquatic invasive species. The 2024 LMCD AIS Kick Start grant program was funded at fifty thousand dollars but currently has zero dollars in the 2025 budget.

Carman Bay Lake Improvement District was formed July 24, 2017. The attached *Carman Bay AIS Report* discusses the superior results of the bay wide management of native and invasive plant community. As noted in the report, the objective of the DNR Lake Management Vegetation Plan for CBLID is the control Curlyleaf pondweed and Eurasian watermilfoil to a littoral frequency of 20% or less occurrence and maintain a healthy native community as measured by an annual point-intercept survey.

Naturally, the civic engagement of Stubbs Bay Lake Improvement District will complement Orono's practice of fostering collaborative public management. A Lake Improvement District is in harmony with Orono's Lakeshore City principles to "protect and preserve Lake Minnetonka, and its water quality, and recreational assets that include 9 square miles of lakes with 38% of its housing on nearly 40 miles of Lake Minnetonka shoreline".

Sincerely,

Mark D. Kieper

Mark D. Kieper
Chairman
Carman Bay Lake Improvement District



Carman Bay

AIS REPORT

Patrick Selter, VP, PLM Lake & Land Management | December 17,2024

Overview of the AIS program in Carman Bay

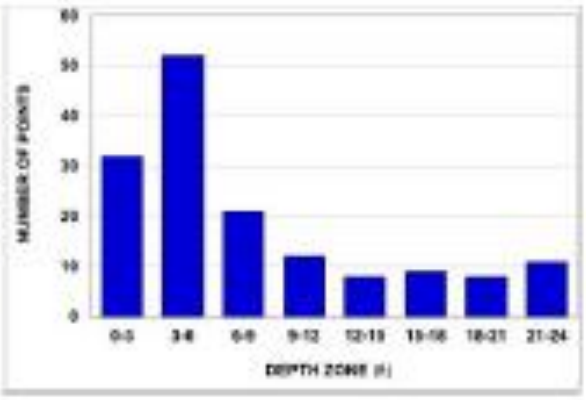
Carman Bay is located in the city of Orono, Minnesota on Lake Minnetonka. In 2007 initial studies indicated high levels of Eurasian Water Milfoil and Curly Leaf Pondweed, two Aquatic Invasive Species found in Minnesota. Under the guidance of the Lake Minnetonka Association, a Lake Vegetation Management Plan was created to address concerns of the overabundance of these two AIS, and the reduction of native species. In response to that plan, the Lake Minnetonka Association in cooperation with the Minnesota Department of Natural resources, The Lake Minnetonka Conservation District and riparian property owners began treatment of Eurasian Water Milfoil and Curly Leaf Pondweed. More recently the riparian owners formed a Lake Improvement District to ensure annual funding is available for the program. The following information is an overview of the treatment program and represents the historical footprint of these activities.

BEST MANAGEMENT PRACTICES USED IN CARMAN BAY

The lake vegetation management plan follows a system of best management practices which includes annual activities to ensure the health of the aquatic plant community, identify any potential non-target impacts, as well as measure success of the program. These activities include:

- Annual Delineations of both Eurasian Water Milfoil and Curly Leaf Pondweed
- Selective treatment in real time of each species using EPA approved herbicides
- Annual quantitative plant assessments of the whole bay

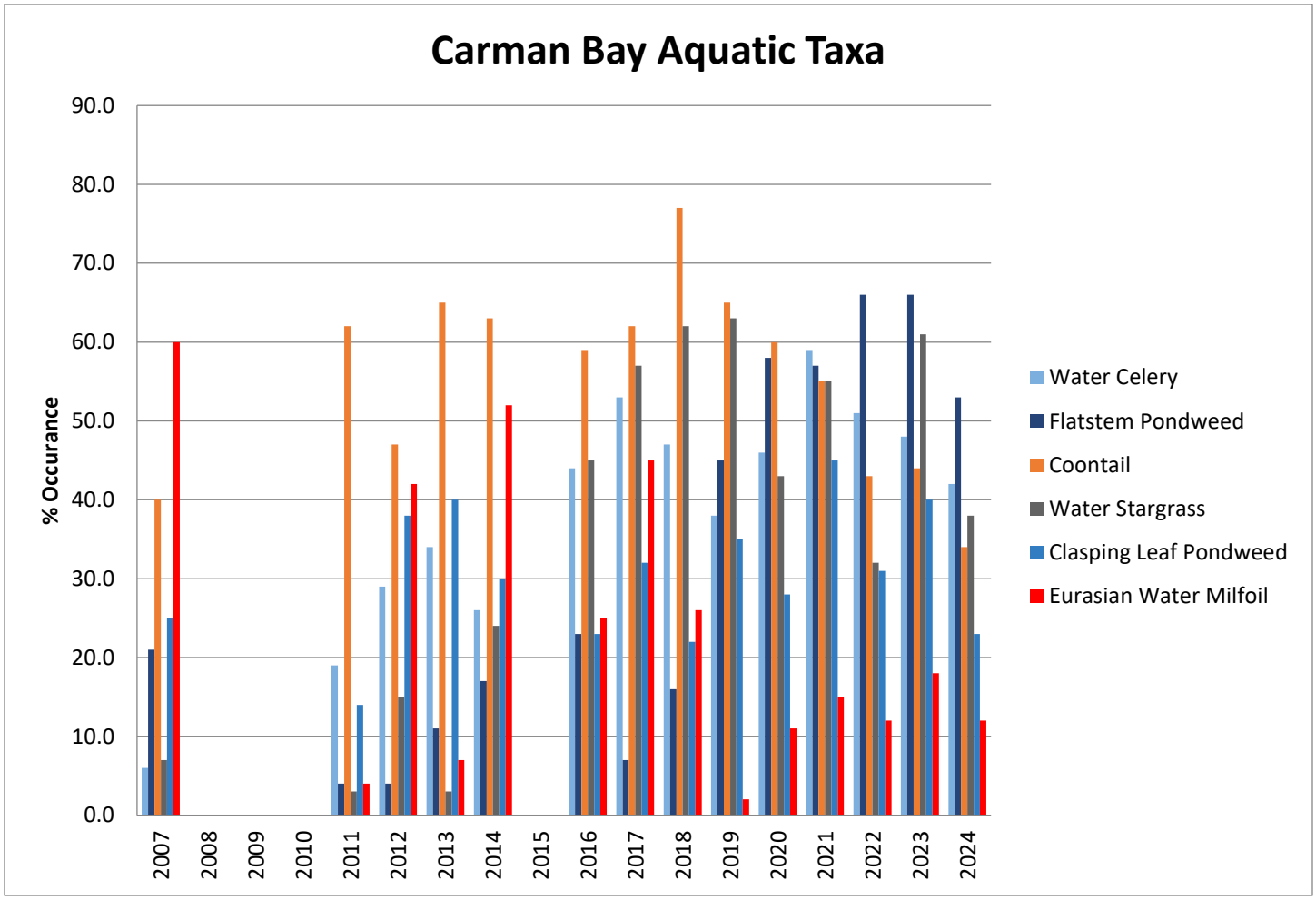


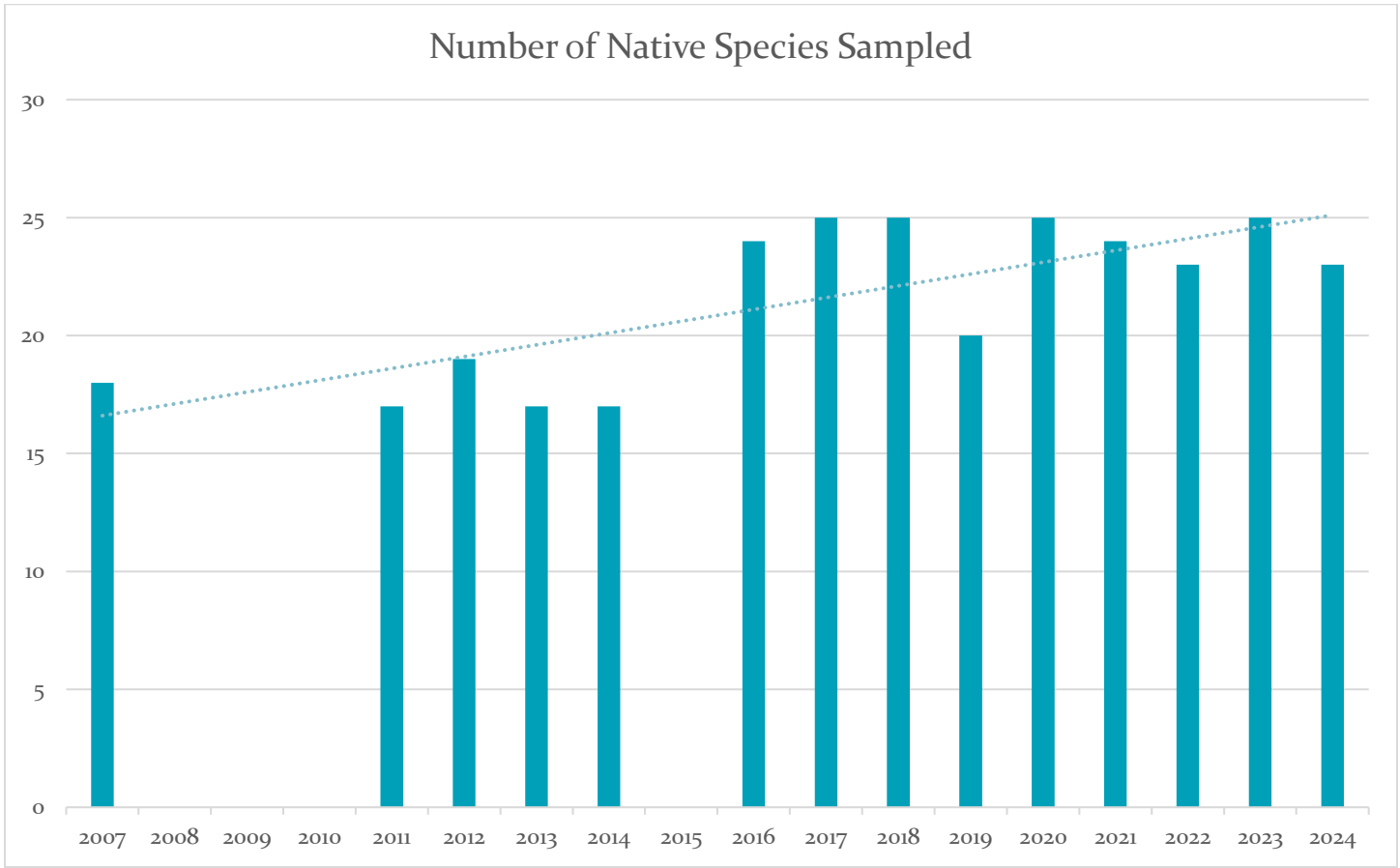


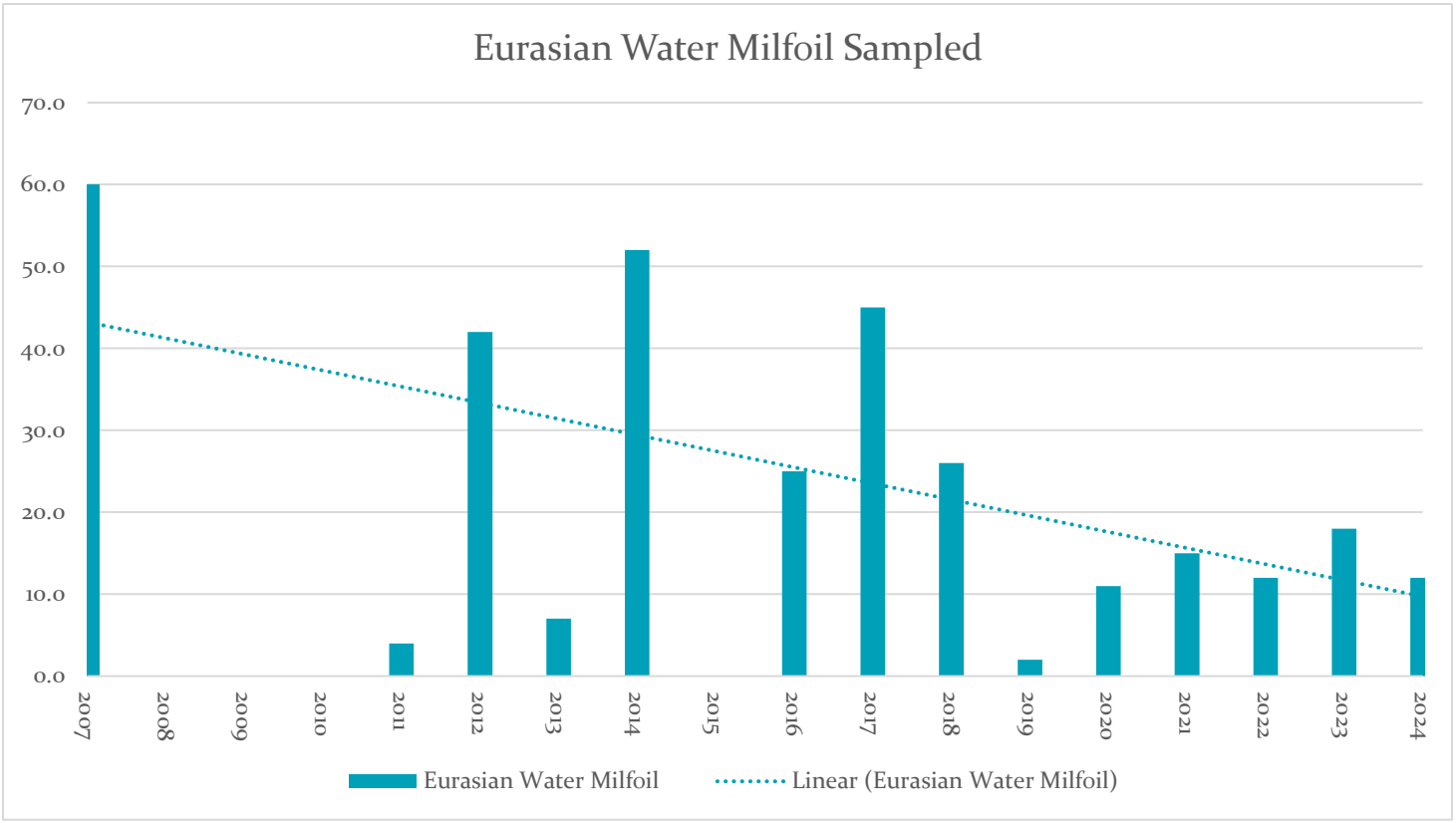
RESULTS

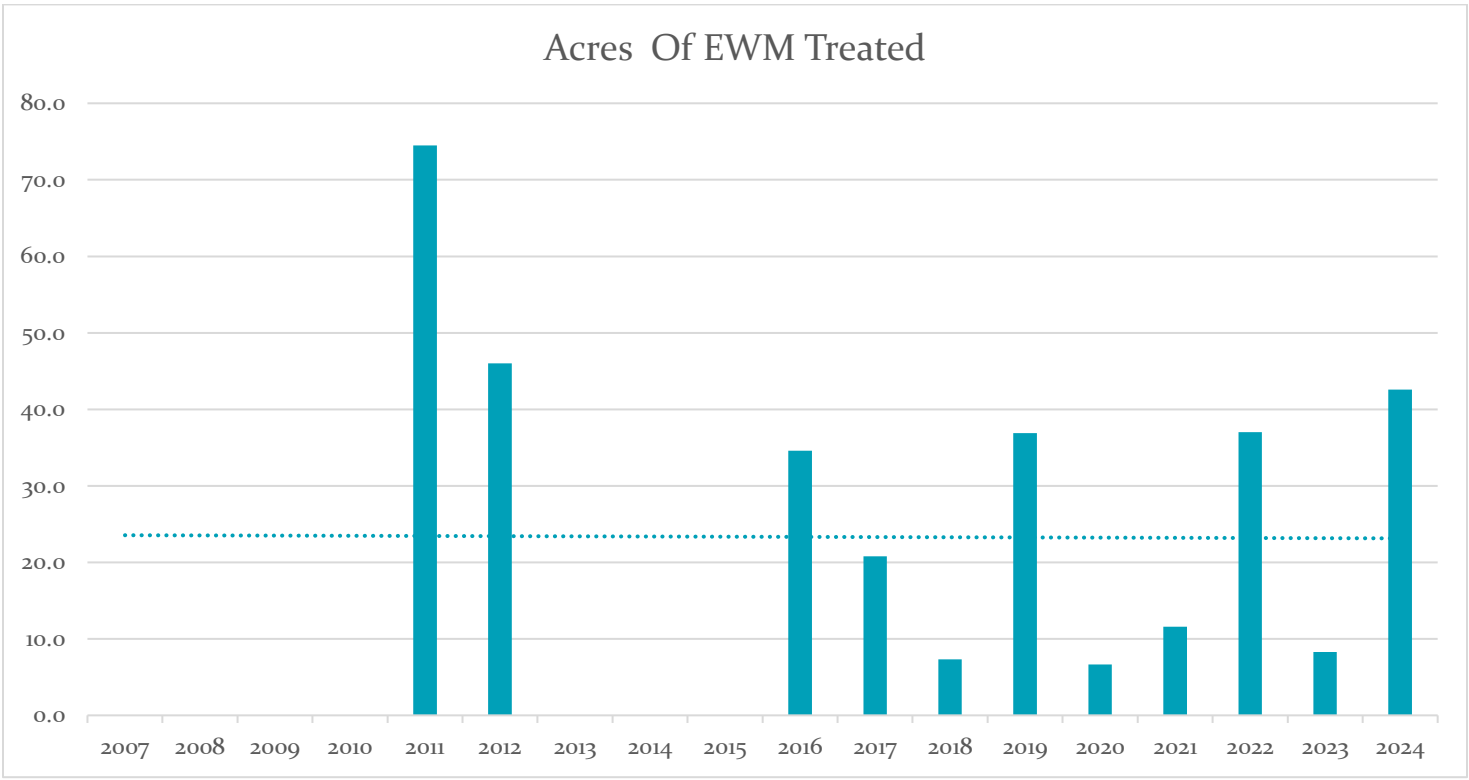
Frequency of Occurrence (%) for each year surveyed in Carman Bay

Species	9/1/2007	8/1/2011	8/1/2012	9/1/2013	8/1/2014	8/30/2016	9/6/2017	7/24/2018	8/7/2019	7/29/2020	8/11/2021	8/2/2022	8/10/2023	8/2/2024
Eurasian Water Milfoil	60.0	4.0	42.0	7.0	52.0	25.0	45.0	26.0	2.0	11.0	15.0	12.0	18.0	12.0
Curly Leaf Pondweed	4.0	0.0	1.0	0.0	0.0	4.0	6.0	5.0	0.0	4.0	0.0	2.0	0.0	1.0
Coontail	40.0	62.0	47.0	65.0	63.0	59.0	62.0	77.0	65.0	60.0	55.0	43.0	44.0	34.0
Chara	6.0	25.0	23.0	25.0	15.0	6.0	8.0	5.0	7.0	8.0	8.0	15.0	10.0	15.0
Large Leaf Pondweed	9.0	4.0	8.0	10.0	13.0	10.0	2.0	3.0	4.0	4.0	9.0	11.0	14.0	10.0
Water Stargrass	7.0	3.0	15.0	3.0	24.0	45.0	57.0	62.0	63.0	43.0	55.0	32.0	61.0	38.0
Bladderwort	2.0	3.0	1.0	3.0	2.0	1.0	0.0	1.0	2.0	1.0	2.0	0.0	0.0	1.0
Illinois Pondweed	4.0	13.0	22.0	26.0	13.0	5.0	2.0	2.0	0.0	4.0	0.0	0.0	2.0	7.0
Flatstem Pondweed	21.0	4.0	4.0	11.0	17.0	23.0	7.0	16.0	45.0	58.0	57.0	66.0	66.0	53.0
Whitestem Pondweed	2.0	0.0	3.0	6.0	6.0	10.0	11.0	11.0	0.0	12.0	8.0	2.0	6.0	9.0
Canadian Waterweed	5.0	4.0	15.0	2.0	7.0	8.0	13.0	18.0	8.0	4.0	6.0	8.0	12.0	10.0
Water Celery	6.0	19.0	29.0	34.0	26.0	44.0	53.0	47.0	38.0	46.0	59.0	51.0	48.0	42.0
Northern Water Milfoil	8.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	2.0	0.0	2.0	0.0
Water Marigold	4.0	4.0	8.0	5.0	9.0	7.0	3.0	2.0	0.0	0.0	0.0	0.0	1.0	0.0
Clasping Leaf Pondweed	25.0	14.0	38.0	40.0	30.0	23.0	32.0	22.0	35.0	28.0	45.0	31.0	40.0	23.0
Sago Pondweed	20.0	4.0	29.0	4.0	11.0	4.0	11.0	3.0	2.0	3.0	2.0	10.0	8.0	1.0
Slender Naid	0.0	0.0	0.0	0.0	0.0	11.0	14.0	0.0	7.0	8.0	13.0	11.0	6.0	4.0
Southern Naid	10.0	34.0	38.0	38.0	21.0	0.0	1.0	16.0	5.0	4.0	6.0	1.0	3.0	2.0
Stiff Pondweed	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	12.0	0.0	0.0	17.0	0.0	2.0
Leafy Pondweed	0.0	0.0	0.0	0.0	0.0	0.0	0.0	5.0	0.0	19.0	0.0	0.0	0.0	0.0
Variable leaf pondweed	0.0	0.0	0.0	0.0	0.0	9.0	4.0	3.0	14.0	4.0	9.0	18.0	14.0	3.0
Fries' Pondweed	0.0	0.0	0.0	0.0	0.0	0.0	2.0	2.0	8.0	4.0	3.0	5.0	2.0	0.0
Water Crowfoot	0.0	1.0	2.0	1.0	1.0	11.0	4.0	0.0	0.0	0.0	0.0	5.0	2.0	1.0
Small Pondweed	0.0	0.0	0.0	0.0	0.0	4.0	1.0	0.0	0.0	0.0	2.0	0.0	8.0	2.0
Long leaf Pondweed	0.0	0.0	0.0	0.0	0.0	3.0	4.0	9.0	0.0	3.0	4.0	3.0	4.0	0.0
Small Duckweed	0.0	0.0	0.0	0.0	0.0	1.0	4.0	11.0	8.0	9.0	5.0	2.0	1.0	0.0
Large Duckweed	0.0	0.0	0.0	0.0	0.0	0.0	0.0	1.0	2.0	4.0	5.0	0.0	0.0	0.0
Watermeal	0.0	0.0	0.0	0.0	0.0	0.0	4.0	3.0	0.0	4.0	5.0	3.0	1.0	0.0
White Waterlily	10.0	6.0	8.0	8.0	5.0	2.0	4.0	13.0	11.0	10.0	8.0	6.0	6.0	3.0
Spatterdock	0.0	1.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	1.0
Star Duckweed	0.0	0.0	1.0	0.0	0.0	5.0	4.0	6.0	7.0	7.0	8.0	5.0	0.0	3.0
Arrowhead	0.0	0.0	0.0	0.0	0.0	1.0	0.0	0.0	0.0	0.0	0.0	0.0	1.0	0.0


Carman Bay Aquatic Taxa
% Occurance
90.0
80.0
70.0
60.0
50.0
40.0
30.0
20.0
10.0
0.0
2007
2008
2009
2010
2011
2012
2013
2014
2015
2016
2017
2018
2019
2020
2021
2022
2023
2024
Water Celery
Flatstem Pondweed
Coontail
Water Stargrass
Clasping Leaf Pondweed
Eurasian Water Milfoil


Number of Native Species Sampled
30
25
20
15
10
5
0
2007
2008
2009
2010
2011
2012
2013
2014
2015
2016
2017
2018
2019
2020
2021
2022
2023
2024

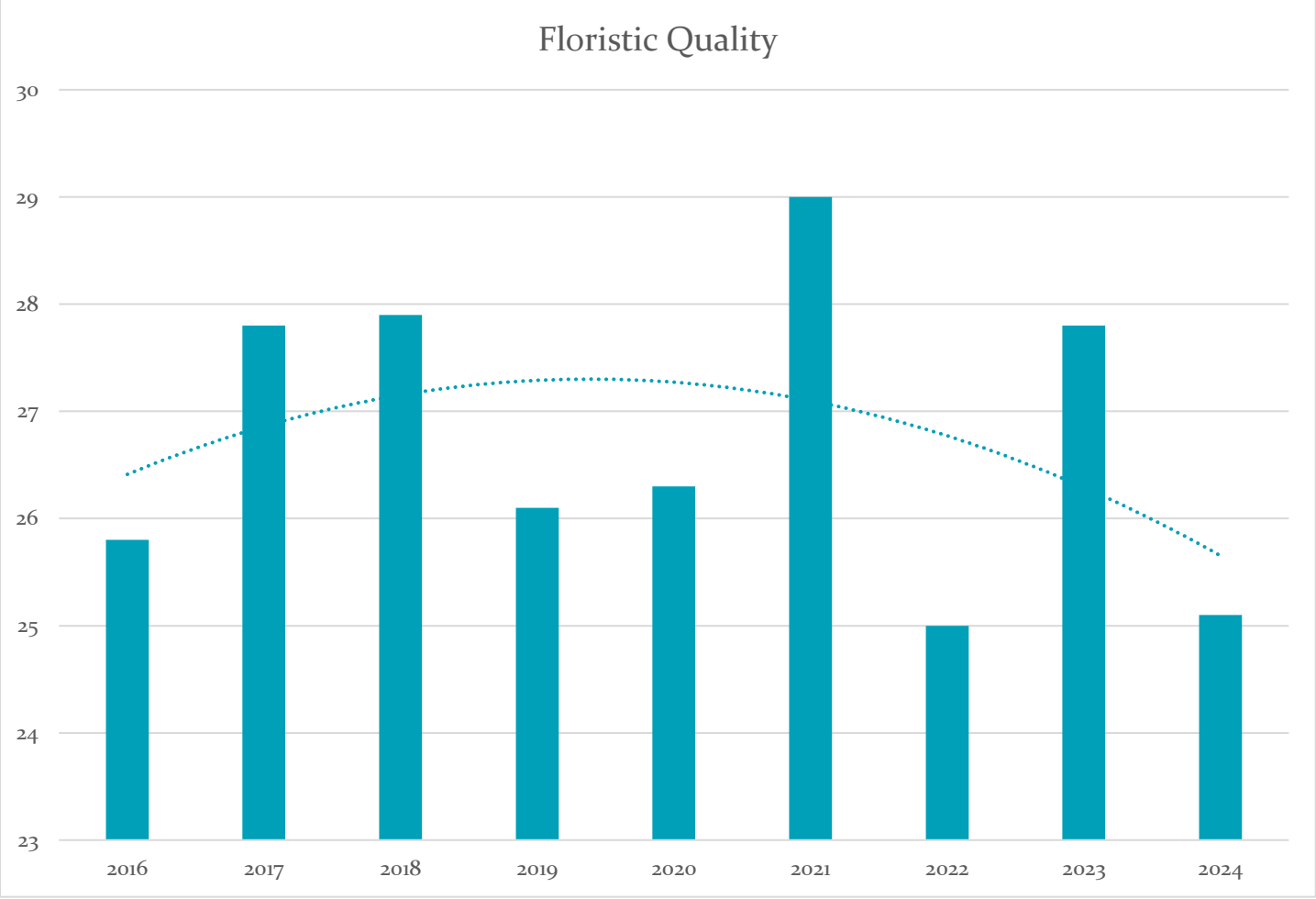

Eurasian Water Milfoil Sampled
70.0
60.0
50.0
40.0
30.0
20.0
10.0
0.0
2007
2008
2009
2010
2011
2012
2013
2014
2015
2016
2017
2018
2019
2020
2021
2022
2023
2024
Eurasian Water Milfoil
Linear (Eurasian Water Milfoil)


Acres Of EWM Treated
80.0
70.0
60.0
50.0
40.0
30.0
20.0
10.0
0.0
2007
2008
2009
2010
2011
2012
2013
2014
2015
2016
2017
2018
2019
2020
2021
2022
2023
2024

FLORISTIC QUALITY ASSESSMENT

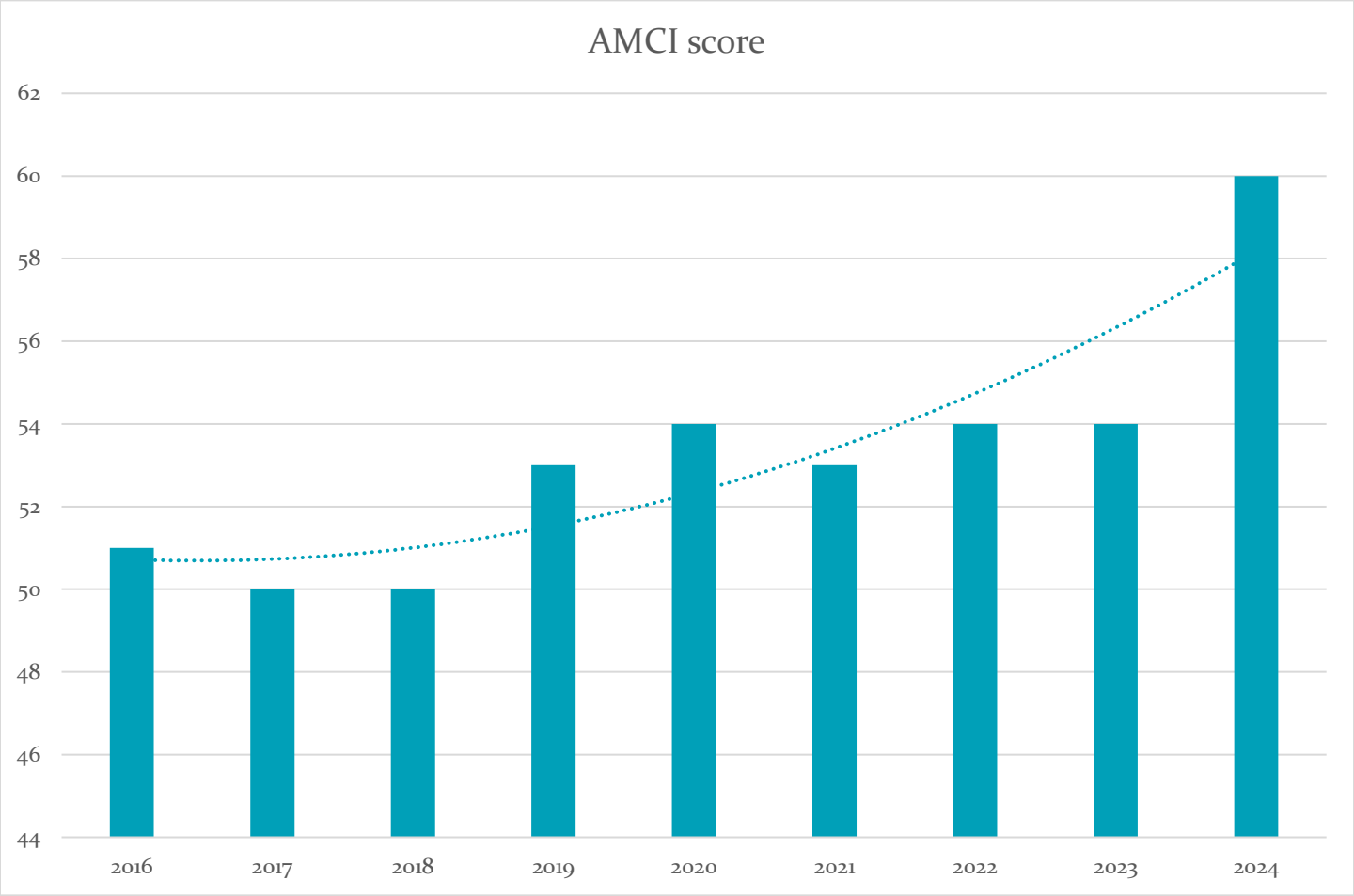
Floristic Quality Assessment (FQA) is a tool used by government agencies and conservation organizations to analyze the ecological value of an area based on its plant species composition. First introduced in the 1970s, it is based on the fact that some plants are not particular about where they grow (for instance, they might thrive in roadside ditches) while other species only grow in specialized habitats. In general, an increased presence of these specialized species means that an area is less ecologically degraded.

Generally, 1-19 indicates low vegetative quality; 20-35 indicates high vegetative quality and above 35 indicates "Natural Area" quality.



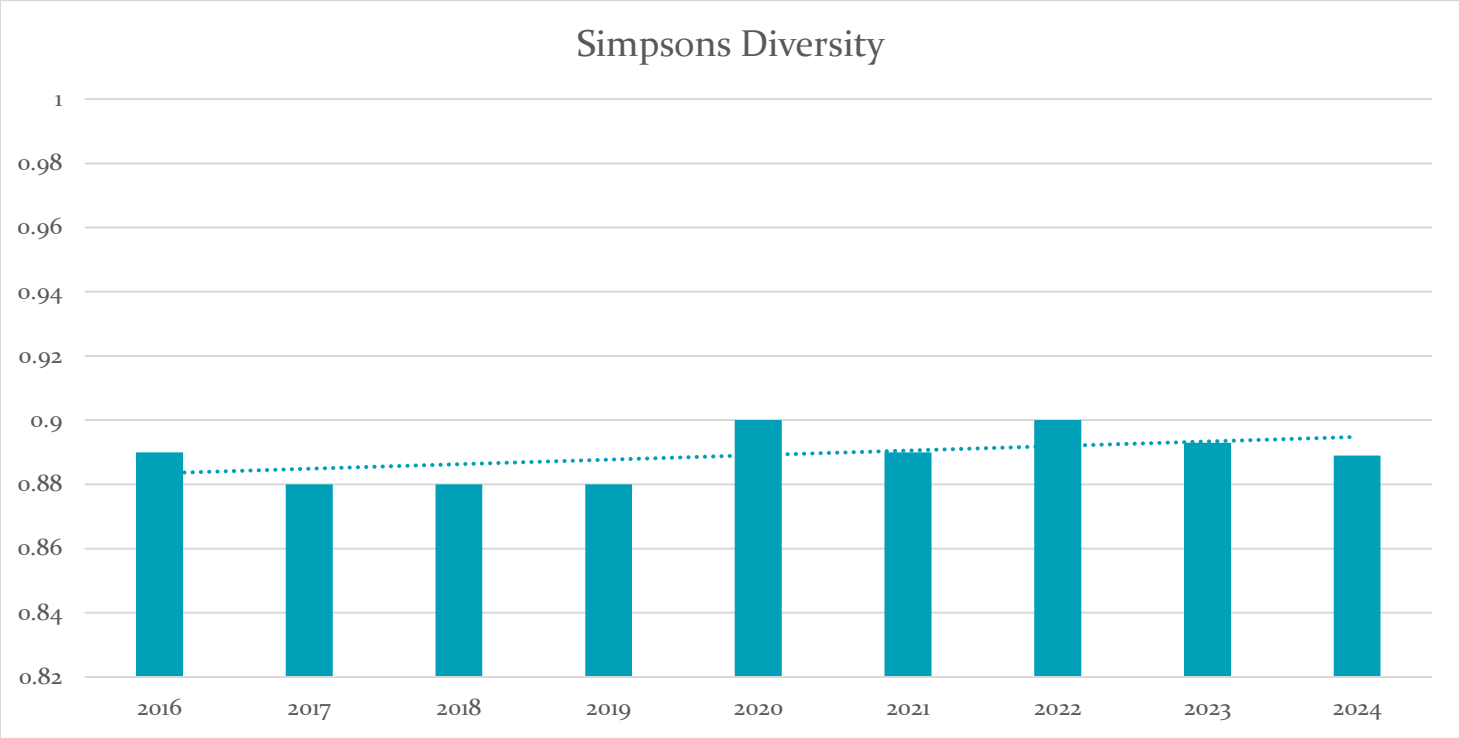
AQUATIC MACROPHYTE COMMUNITY INDEX (AMCI)

The Aquatic Macrophyte Community Index (AMCI) is a multipurpose tool developed to assess the biological quality of aquatic plant communities in lakes. It can be used to specifically analyze aquatic plant communities or as part of a multi-metric system to assess overall lake quality for regulatory, planning, management, educational, or research purposes. The components of the index are maximum depth of plant growth; percentage of the littoral zone vegetated; Simpson's diversity index; the relative frequencies of submersed, sensitive, and exotic species; and taxa number. The higher the score the better.



SIMPSON'S DIVERSITY INDEX (SDI)

Simpson's Diversity Index (SDI) is one approach to quantifying biodiversity. SDI takes both the number of species and the population size of each species into account. The resulting value is between 0 and 1, with 0 representing no diversity (all individuals in an area are the same species) and 1 representing maximum diversity.



DISCUSSION

Since its beginning, the Carman bay management efforts have shown superior results. Invasive species continue to be maintained at low rates and thru the various measurements, Native plants, diversity and overall bay plant health have remain unchanged or have improved. Several new species have been recorded throughout the various years and others have remained the same or have seasonal dips. The metrics used to measure the success of this program have solidified that Invasive species can be managed with little to no impacts to the bay and suggest a healthier plant community today than when the project began. Since 2019, invasive milfoil levels have been kept below the 20% frequency of occurrence. In 2024, the mean native plant occurrence per point fell to 2.7 from a typical 3.2 to 3.5 range. Although this is the first significant decrease, the overall metrics continue to point to a very healthy plant community promoting excellent habitat and providing a sound aquatic ecosystem.

April 24, 2025

Dear Mayor Tunheim and Councilors Benson, Berrett, Persian, and Ricks,

Thank you for your service to the Citizens of Orono.

This letter is to highlight two vital initiatives that help maintain the water quality of lakes in Orono:

1. Consistent, science-based and funded **Bay Wide Treatment (BWT) programs** for sustainable ecological health and enjoyment of our lakes.
2. **Lake Improvement Districts (LIDs)** that are essential for continued and equitable funding of BWTs.

What is a LID?

LIDs are mini-government districts that are formed by citizens to collaboratively address very specific lake quality issues in MN and provide equitable funding from lakeshore property owners. Please see this DNR website for more information.

The goals of LIDs are to preserve, protect, and enhance the use and enjoyment of a lake. There are hundreds of LIDs across Minnesota.

> https://www.dnr.state.mn.us/waters/watermgmt_section/shoreland/lake-improvement-districts.html
>
> *From the website:*
> **Lake Improvement Districts**
> Minnesota Statutes 103B.501 - 103B.581 allows local citizen initiatives to petition counties to create lake improvement districts (LID) in order to address specific concerns within a lake watershed that cannot be addressed under normal governmental actions. Citizens and local governments willing to undertake such initiatives benefit from greater local involvement in the management of their own lakes. The DNR provides oversight and assistance.

We believe it is necessary to understand **"Bay Wide Treatment" (BWT) Programs** to address **Aquatic Invasive Plant Species (AIS)** when considering whether LID formations should be supported by the City of Orono.

BWT Programs for AIS

- BWT programs have been around for decades on Lake Minnetonka, to address infestations of Eurasian Water Milfoil (EWM or "milfoil") and, subsequently, Curly Leaf Pondweed (CLP). These two AIS "lake weeds" are highly invasive, damage the eco-system, and they are non-native to Lake Minnetonka. EWM was first detected on the lake in 1987. More AIS types are undoubtedly coming to Lake Minnetonka (e.g., Starry Stonewart, Flowering Rush, , Spiny Water Flea, Zebra Mussels).
- AIS (aka “invasives”) are extremely problematic and can be treated professionally on a bay wide basis per DNR regulations, without compromising water quality and aquatic life.
    - AIS infestations choke out native plants and damage the fish populations that thrive in native vegetation. They spread rapidly from and to other lakes by floating through channels, and being transported by boats and trailers.
    - If AIS weren't so damaging, we wouldn't need BWT programs… or LIDs.
- "Native" plants can also be problematic. Certain native plants and invasives can be treated (DIY by the homeowner or professionally) at the individual property level.
    - Natives cannot be treated bay wide. Some plants are protected and cannot be treated at all. Native plants are vital to a lake’s health.
    - Unfortunately – or fortunately, depending on how you look at things, we have an (over) abundance of native plants.
    - Shorter winters with less ice coverage and warmer temps make native and AIS plants increasingly more prolific.
- AIS can render a bay or lake unusable for recreation because of how thick they get if allowed to propagate without mitigation.
    - This was the case 35 years ago on many bays of L. Mtka before herbicide treatments were scientifically proven and became more effective at treating AIS. Eventually, nearly all bays were infested with EWM.
    - Sailing, kayaking, boating and water-skiing through EWM and CLP are virtually impossible once they take over a bay or lake's shallower areas (<20' deep – the littoral zone of a lake). Swimming can be dangerous.
    - Other treatments including cutting, pulling, and weed-rolling have been tried but these treatments are more costly and sometimes more ineffective. Harvesting (cutting) treatments actually **spread** the EWM more quickly throughout the lake making AIS infestations worse.
    - We can remember not being able to leave our docks on North Arm Bay with our boats because propellors became so tangled. Steering was impossible. Engines could overheat when water intakes became clogged and props became wrapped with weeds.
    - I (Cindy) also remember sailboat racing 32 years ago on Lower Lake and having to be mindful of avoiding the weed patches due to potential boat entrapment. We

couldn't get out of the weeds if the boat went into an EWM area because the keel was tangled. We would have to be towed out by a power boat!
    - Kayaking and canoeing through EWM and CLP are nearly impossible.
    - Nearly all bays on L. Mtka have - or have had - similar situations before starting on BWTs.
    - The Lake Minnetonka Association (LMA) assists in BWT management of bays enrolled in their "Bay Treatment Programs."
    - Milfoil presents concerns and risks to swimmers because they can be tangled in the weeds and panic. Weed infestations may have played a part in several drownings.

BWT Coverage and Consistency

- "BWTs" are administered for a specific area (bay or lake) by professional companies with certified applicators, per DNR regulations that limit the timing, type of herbicides, and amounts of herbicides that can be applied.
- If the AIS are particularly pervasive, it takes years (and $$$) to address the infestations because of the regulated limits of herbicides that are allowed per year. CLP is especially insidious as it produces "turions" (or seeds) that can survive for years in the lake bed, making it very stubborn to mitigate. However, once infestations can be knocked back, continued treatments are only for isolated spots as indicated on results of annual surveys.
    - **This is why it's important to be consistent with a BWT programs for ongoing lake health.**

DIY Homeowner Treatments

- DIY Homeowner treatment is allowed with permitting and treatment regulations. Many homeowners do not pull permits for their treatments or follow regulations. Treatments include herbicides, pulling by hand, cutting, and weed rollers.
- DIY Homeowners cannot treat using the same herbicides as licensed companies – which can be ineffective for AIS.
- DIY Homeowners often use more herbicide than necessary (e.g., "nuking" the lake), compounding the amount of herbicides in the lake.
- Professional and licensed companies can also treat individual property areas with or without BWT Programs.

What if we don't have BWTs on Lake Minnetonka?

- Bays are taken over by AIS infestations rendering the lake unusable.
- Once BWTs begin, it takes years to get control of the infestations.

- Without BWT programs, homeowners ramp up their personal treatments dumping more chemicals into the lake, without bay wide effectiveness.
- Treating at the homeowner level can be locally effective in the short-term. However, it is **ineffective long-term** because the weeds drift around (especially when cut!), return and infestations never go away. They keep coming back year after year with a vengeance and areas on the bay that are not treated, grow bigger and thicker. The cycle of AIS infestations continues. Plus, cut weeds drift to neighbors which is not very neighborly – and they propagate next door.
- Lake Minnetonka is especially exposed to AIS infestations because it is so heavily used. Boats/trailers transporting AIS from other lakes, enter the lake. Also, the 13 named "bays" are interconnected by channels where weeds float from bay to bay along with boat transfer.

BWT Benefits Summary

Regulated BWT programs are better than doing nothing collectively for lake health.

- Science-based, regulated and applied by licensed professionals at proper times of the year.
- Environmentally sound – preserves and promotes native habitat.
- Effective when applied correctly and consistently as needed for hotspots over time.
- Safe – minimizes BWTs year-to-year, targeting AIS and not harming native plants
- Cost effective vs. other types of treatments including individual property owner efforts.
- More effective at controlling infestations as some treatments are worse for weed propagation.
- Home-owner treatments only are ineffective bay wide.
- Minimizes individual property owner treatments that are unmanaged and applied with limited skill and knowledge.
- Reduces overall chemical usage long term.
- Recreational use and enjoyment of the lake improved for both property owners and day-users.
- Preserves property values.
- AIS infestations can be knocked back to almost nothing with annual treatments and staying with a program. This reduces spread, chemicals needed, and ongoing treatment costs.

Additional Info on BWTs

- The herbicides and treatments are continually evolving, and the U of MN has conducted scientific studies on their effectiveness. The DNR monitors these treatments and effectiveness.

- BWTs are performed on many lakes throughout the state.
- "Point-intercept" surveys (PIS) are required to be performed annually by third parties. Maps are drawn (as you saw in the presentation by Karena Casey) to compare with past maps and show effectiveness. Also, locations for future treatments are identified. Eventually, only spot treatments are needed with continued BWTs.
- Lake Minnetonka is the most heavily populated and used lake in the state and Midwest. We should all be concerned about the lake's health.
- No organizations are addressing AIS on L. Mtka except citizens who step up, organize to fundraise and form LIDs.
    - The LMCD, MCWD, and DNR are unwilling and unable to treat the AIS.
- When the invasives are knocked back, the native plants fill in, giving the impression that the BWTs aren't working. This confuses homeowners and they often ask, "Why should I give to the BWT program when the weeds are so bad anyway?"
    - Our answer is: "Because it's a lot worse with AIS infestations if we **don't** do BWT programs. You **can** treat at your own home if you are so inclined. But please support the BWT program so you can boat, swim, fish, and preserve your property values and the entire bay's health."
    - If homeowners spend money on their individual treatments, they are less inclined to donate to BWT fundraising efforts.

North Arm Bay BWT – A Success Story

We have participated in a LMA BWT program on North Arm Bay for about 10 years.

Because of this ongoing program, our average annual costs have decreased over time, our treatments have required less chemicals, and there are fewer treatment locations.

- The BWT costs have been between $0 and $15,000 per year now. The costs were as high as $42,000 at the beginning of our treatment program. These costs include required third-party PIS ($3,000 per year) to determine effectiveness and the next year's treatment plans.
- The initial (and expensive) effort knocked out EWM for about 5 years and has required only spot treatments since.
- CLP is less pervasive now but it has taken several years to treatments to accomplish this.
- The treatment amount varies from year to year based on weather, propagation and AIS transported to North Arm from other bays.
- We have been diligent about annual fundraising with homeowners, and about 30% contribute, with a few generous people giving several $ thousand per year because they know how important BWTs are to the bay's health.

Why are LIDs important?

- LIDs are a way to make BWTs more effective and sustainable, and they help spread the cost out to all property owners. All property owners benefit from BWTs.
- Without a LID, fundraising for the BWT becomes a drain on volunteers. If there are no volunteers, there are no BWTs… and the AIS take over quickly.
- LIDS ensure continuity of BWTs. When AIS take over (and they will without BWTs), the long and expensive process starts again, along with unregulated homeowner treatment, and more chemicals in the lake. Once restarted, BWTs must play catchup for years to get the lake healthy again. This is costly and involves more herbicides than continued treatment.
- Ongoing management of L. Mtka's water health is critical.
    - New invasives will come along and we are already anticipating these.
    - Being pro-active for lake health management is preferrable to being re-active.

Conclusion

We hope you all can see why continued BWTs are essential for our lakes' health, recreational use and preserving property values.

LIDS provide reliable funding and governance mechanisms that ensure environmentally sound, effective and professionally managed BWTs continue. They also help mitigate ineffective and "nuking" treatments by individual homeowners.

We hope that the City of Orono strongly supports citizen-led LID efforts for our precious lakes in Orono.

We also hope that more bays on L. Mtka will establish BWTs and LIDs to minimize weeds transported from bay to bay. Perhaps if Orono leads the way on this, more cities and bays will follow. This would help everyone (not just property owners) who enjoy L. Mtka.

The LID formation process requires citizen efforts. However, the ongoing effort to manage a LID is more manageable once established, according to Carman Bay representatives who started their LID in 2017.

Patrick Selter said he will gladly meet with people seeking more information about treatment processes. He is an expert on lake health throughout MN, and owns PLM Lake and Management

Corp (https://plmcorp.net/). This is the company that the LMA primarily hires. We have been pleased with their services for North Arm Bay.

Thank you for your consideration. Please let us know if you would like additional meetings to learn more.

We would appreciate an acknowledgment from at least one of you on this letter.

Sincerely,

Cindy McDonnell and Toni Murphy McGlynn,

LMA Co-Captains for North Arm Bay

LAKE MINNETONKA ASSOCIATION

May 2, 2025

City of Orono Mayor and Council
2750 Kelley Parkway
Orono, Minnesota 55356

Dear Mayor Tunheim & Council Members Alisa Benson, Claire Berrett, Steve Persian, and Jacqueline Ricks:

The Lake Minnetonka Association District strongly supports the petition to establish the Stubbs Bay Lake Improvement District.

In 1990, the Governor of Minnesota signed the Lake Improvement District (LID) legislation into law giving citizens the ability to address specific concerns within a waterbody that cannot be addressed under normal governmental actions. Citizens willing to undertake such an initiative benefit from greater local involvement in the management of their own lakes. While the effort and resources needed to protect a waterbody is borne by the members of a LID, the entire public benefits.

Due to decades of misuse and neglect, Stubbs Bay has become very polluted and infested with non-native plants that threaten the health of the bay and have become a nuisance to anyone recreating on the bay. The signatories of the Stubbs Bay LID petition recognize their stewardship role in protecting the health of the bay and creating a sustainable approach to assure the bay is well managed for years to come.

The Stubbs Bay LID follows the lead of the Carmans Bay LID and the St. Albans Bay LID in providing lake property owners with the ability to implement programs, under the guidance of the MnDNR and others, to control AIS and improve water quality.

Unless the City of Orono or another governmental body is willing to take on the role of managing Stubbs Bay, there are no likely or practicable alternatives to the Stubbs Bay LID. LIDs have proved to work well on other bays in Lake Minnetonka and in lakes throughout Minnesota. LIDs give a much needed voice and role to property owners in protecting their lakes.

The Lake Minnetonka Association encourages the City of Orono to support efforts to establish a LID and help lakeshore property owners to protect Stubbs Bay.

Best regards,

Tom Frahm

Tom Frahm, President, Lake Minnetonka Association Board of Directors

To: Mayor and Council

From: Maggie Jin, Finance Director

Subject: Stubbs Bay Lake Improvement District SBLID Petition

Date: May 21, 2025

This memo is to document that staff have received petition from 48 of the 68 property owners that have are on Stubbs Bay or have deeded access to Stubbs Bay that would be affected by the establishment of the lake improvement district on Stubbs Bay. Each petition have been examined and found that they are from the affected property owners on Stubbs Bay in the City of Orono



Maggie Jin
Finance Director
City of Orono

From: Anderson, Rich
To: Adam Edwards; Bob Tunheim; Rich Anderson
Cc: Alisa Benson; Jon Schwingler; Steve Persian; Jacqueline Ricks
Subject: RE: Stubbs Bay LID Discussion
Date: Wednesday, June 4, 2025 7:46:56 AM
Attachments: image001.png
image002.png

Good morning, Adam and Mr. Mayor:
It's a beautiful day in the Neighborhood today....
I am befuddled by a letter addressed to Eric Evenson and copied to Adam at the city regarding a letter of support that was reconsidered and withdrawn from a previous stance of the LMCD.
In my opinion, it missed the mark and goes against the "Lake Minnetonka Vegetation and Aquatic Invasive Species Plan," approved in June 2020....
Notice below that we clearly decided to promote LIDS, i.e., the group trying to form a LID in Stubbs Bay, with help from the LMA....
Please consider this as we go forward with the discussion at the Public Forum next Monday night....
In my work with Crystal Bay formation of trying to get a LID, even though established legislation says "a majority" of petitioners (51%), I was never comfortable with that percentage of involvement....
Not enough of the masses to make it fair, my thought was to get to 75% or so to bring it up to the council.... Never got there, so I never went forward for Crystal Bay....
Sounds like this group is in the middle to high 70's....
It is refreshing to see the overwhelming support of the residents on that bay to clean it up....
From the 2020 report:
LMCD synopsis, form LIDS:
Page 30

Recommendation:

Results from 2019 aquatic plant focused meander survey efforts conducted on Lake Minnetonka found EWM and native plant growth is mostly light to moderate over much of the nearshore areas that are not involved with bay-wide management areas. In most cases, EWM was intermixed with native species. It is important to note aquatic vegetation density may vary significantly from year to year based on weather and other factors.

With the advent of herbicides like ProcellaCOR that are selective for EWM, the impact to non-target species can be minimized by using herbicides as the primary control technique rather than mechanical harvesting, which is a non-selective control technique, thereby meeting the LMCD goal of increasing native aquatic plants. Furthermore, wide, expansive areas, like the EWM beds in Crystal Bay, are most cost-effectively managed with herbicides, thereby meeting the LMCD goal of leveraging available funds.

It is recommended that the LMCD work with the LMA, Lake Improvement Districts (e.g., North Arm Bay and Libbs Lake Association), and the MNDNR to identify the areas of the lake in which herbicide treatments are most likely to be effective and the type of herbicide that is best suited for the targeted area. The areas subject to control via herbicides are subject to change annually due to inter-annual changes in aquatic plant growth. Blue Water Science has prepared Table 1, which summarizes the corresponding characteristics for commonly used herbicides. The LMCD will also work with the MNDNR and the LMA, and other stakeholders to evaluate which herbicide to use and when bay-wide techniques should be

incorporated versus spot treatments on a bay-by-bay basis. In several cases, the University of Minnesota and MNDNR has found lake-wide increases in EWM frequency despite localized reductions in the portions of the lake in which a spot treatment occurred. These types of observations are difficult for stakeholders to understand and can be a very serious point of contention. To avoid confusion, the LMCD will work with all vested stakeholders to clearly identify the scope of the proposed treatment and clearly define the intended outcome. Post-treatment surveys will be conducted to evaluate progress towards goals from which future recommendations will be derived.

Page 43.

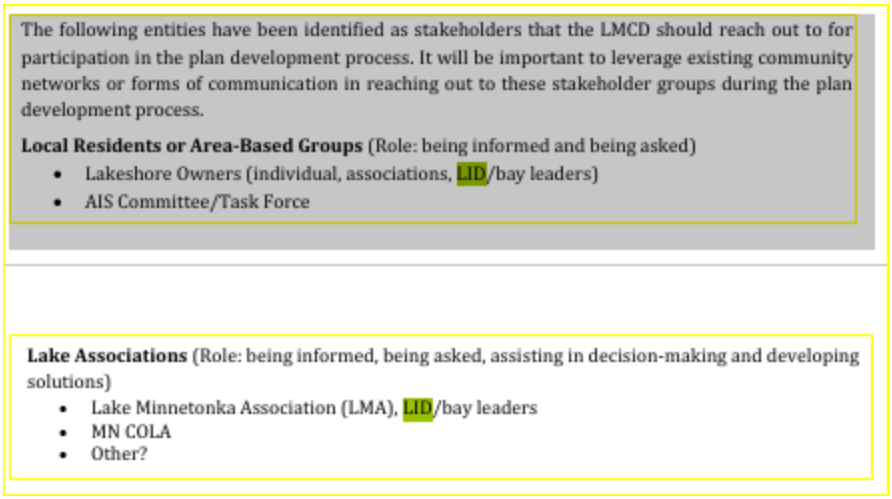
Table 4-1. Lists what the LMCD believes are roles for various organizations on the lake, it lists LIDs as entities which can implement mechanical and chemical control of AIS and DNR permitting. (see also page 37.)

Page 37.

4. Leadership and Coordination:

4.1. Entities Involved in AIS Management AIS is a complex problem that requires participation and involvement from an equally complex mix of entities and stakeholders. The US Forest Service, US Fish and Wildlife Service, US Army Corps of Engineers, National Park Service, MNDNR, county and tribal resource managers, local watershed districts, soil and water conservation districts, lake improvement districts, lake associations, local outdoor recreation organizations, chambers of commerce, non-profits, lake businesses and engaged citizens all play a role in AIS management. In the case of Lake Minnetonka, the mix of partners and stakeholders includes local entities throughout the state who are working to prevent the spread of AIS from one waterbody to another. In order to efficiently manage AIS in Lake Minnetonka, these entities must collaborate and determine the most effective means for achieving the objectives laid out in this plan. During the development of the plan, it is important to point out the fluctuation in funding for AIS activities expressed by agencies and entities, and the change in strategic focus due to policy changes or agency needs.

Page 144-146. Recommendations for a Community Engagement Plan for the LMCD's AIS plan



The following entities have been identified as stakeholders that the LMCD should reach out to for participation in the plan development process. It will be important to leverage existing community networks or forms of communication in reaching out to these stakeholder groups during the plan development process.

Local Residents or Area-Based Groups (Role: being informed and being asked)

- Lakeshore Owners (individual, associations, LID/bay leaders)
- AIS Committee/Task Force

Lake Associations (Role: being informed, being asked, assisting in decision-making and developing solutions)

- Lake Minnetonka Association (LMA), LID/bay leaders
- MN COLA
- Other?

Table 1. Range of Options for Stakeholder Engagement and Participation

Role of Participants		Level of Engagement	Stakeholder Groups
Being Informed		Consulting	Local Residents, Public, Area-Based Groups, Business Community, Community Groups, Generations, Visitors
Being Asked			
Assisting in decision-making		Engagement	
Developing Solutions		Partnership	MNDNR, cities, SWCDs, MCWD, TRPD, U of M, Hennepin County, Carver County, Coalition of Lake Associations (COLA), MAWD, Minnesota Lakes and River Advocates (Jeff Forester), Lake Improvement Districts/Bay Groups

MINNESOTA DEPARTMENT OF NATURAL RESOURCES
CENTRAL OFFICE
500 LAFAYETTE ROAD, BOX 25
SAINT PAUL, MN 55155
651-296-6157
888-646-6367

May 30, 2025

Orono City Council
Orono City Hall
2750 Kelley Parkway
Orono, MN 55356

Re: DNR Advisory Report on the Formation of the Stubbs Bay Improvement District in The City of Orono, Hennepin County

Dear City Councilors:

I am writing to inform you that the Minnesota Department of Natural Resources (DNR) has reviewed the petition submitted to create the Stubbs Bay Improvement District and prepared this Advisory Report in accordance with Minnesota Rules, part 6115.0970, subp. 5. We conclude that:

- we approve of the proposed boundary for the Stubbs Bay LID for the purposes of:
    - managing existing Aquatic Invasive Species (AIS) and preventing the introduction and establishment of new ones
    - maintaining the health of the native plant community
    - monitoring water quality
    - identifying potential sources of phosphorus inputs to the bay, developing a phosphorus budget, and devising and undertaking phosphorus reduction projects

Goals of the Proposed Lake Improvement District

The primary goals of the proposed Lake Improvement District for Stubbs Bay are to manage existing and possible future AIS in the lake. Secondary goals of the LID include monitoring for new AIS introductions, maintaining the health of the native plant community, monitoring water quality, and undertaking programs and collaborations to improve water quality.

Background Information on Stubbs Bay

1. Stubbs Bay (DOW Lake ID Number 27013312) is an enclosed bay off Lake Minnetonka (DOW Lake Number 27013300). It is cut off from the main lake by a very narrow channel into Maxwell Bay (DOW Lake Number 27013311) at the southern end. This in turn flows into Crystal Bay and then the Lower Lake[1].
2. This LID would include all parcels having direct or deeded access to Stubbs Bay.
3. Lake Minnetonka, and Stubbs Bay, is classified as General Development (GD). In Orono, GD lakes have structure setbacks of 75 feet above the Ordinary High Water Level (OWHL). The City also regulates the removal of vegetation in the Shore Impact Zone (SIZ), including submittal of a revegetation plan and erosion control measures if necessary.

4. Stubbs Bay is approximately 200 acres in size, with nearly 60% considered to be littoral (15 feet deep or less per M.R. part 6280.0100, sub 9). Generally, the littoral zone is the part of a lake where rooted aquatic plants can grow, though the maximum depth at which plants can grow depends on water clarity and so varies from lake to lake and even from year to year within the same lake. Stubbs Bay's maximum depth is 30 feet.
5. The bay's immediate catchment has an area of approximately 1924 acres[2], yielding a lake:catchment ratio of approximately 10:1. The total upstream watershed for the bay is approximately 10,896 acres[3].
6. Agriculture, consisting of approximately 80% pasture and 20% cultivated crops, covers approximately 21% of the land area in the catchment basin, with natural vegetation (forest, wetlands, shrub/scrub, and grasslands) covering a third (34%)[4].
7. Curlyleaf pondweed (*Potamogeton crispu*s, CLP) and Eurasian watermilfoil *(Myriophyllum spicatum,* EWM) have both been present in the lake for many years. The lake association has been treating them with herbicides.
8. The Minnehaha Creek Watershed District (MCWD) classifies Stubbs Bay's water quality as poor due to excessive phosphorus levels, and the Minnesota Pollution Control Agency (MPCA) lists the bay as impaired due to excessive nutrients. The impairment results in nuisance algae growth that limits recreational use of the bay. The bay is also listed as impaired for aquatic consumption due to mercury in fish tissue[5.]
9. Aerial photos show a large semi-ditched wetland complex that enters the northwestern portion of the lake. Ditched wetlands can lead to more phosphorus loading, especially in urban areas where nutrients are flowing into the wetland via stormwater, and the ditching process itself can release high-phosphorus pore water from the wetland sediments[6].
10. The overall trophic status for the bay is 60, which is high mesotrophic-low eutrophic.
11. Flowering rush (*Butomus umbellatus*) and starry stonewort (*Nitellopsis obtusa*) are found in nearby waterbodies and could be introduced into the bay.
12. Zebra mussels (*Dreissena polymorpha*) were discovered in the bay in 2010.
13. The proposed method of the LID formation is by citizen petition.

1. MN DNR Lakefinder (https://www.dnr.state.mn.us/lakefind/index.html)
2. USGS StreamStats (StreamStats | U.S. Geological Survey)
3. MNDNR - Division of Ecological and Water Resources - Watershed Delineation Project
4. 2016 Land Cover Dataset, U.S. Geological Survey
5. MPCA Website, Lakes and streams water quality dashboard
6. Dennis Wasley, MPCA, Personal Communication

Issue Analysis

Phosphorus Reduction

Stubbs Bay has elevated phosphorus concentrations, leading to algae blooms and impairment of aquatic recreation. In previous years, external phosphorus loading to the bay has been reduced through the following actions:

- Protection of upland wetlands;
- Enforcement of stormwater management regulations;
- Reduction of agricultural land in the upstream watershed; and
- Projects carried out by the City of Orono and the Minnehaha Creek Watershed District in the early 2000s (e.g., Stubbs Bay Ravine Stabilization (https://www.legacy.mn.gov/projects/stubbs-bay-ravine-stabilization)).

Because these projects have reduced the external phosphorus loading to the lake, it has been suggested that the elevated phosphorus concentrations are at least partly due to internal loading. However, it appears that this conclusion has not been verified by phosphorus budget models. About 21% of the catchment basin remains in agricultural use, 10% is in developed-open space use, and an additional 24% is in developed low-high density use; together, these represent a bit over half of the land use types in the catchment, which could contribute to runoff and external loading of nutrients. The semi-ditched wetland complex is a particularly likely source of external phosphorus loading, and should be investigated, in collaboration with the MPCA or MCWD.

The LID proposal does not include any specific program or project to reduce phosphorus concentrations in the bay, nor does it include a firm commitment to study this problem and identify a feasible course of action to mitigate phosphorus concentrations. The LID's first concern is to reduce AIS abundance in the bay, and this is appropriate: the seasonal dynamics of CLP, which grows early in the year and dies back in late summer or fall, releasing nutrients back into the water column as the plants decay, could have a significant impact on the water quality patterns in the bay, which would be a factor in determining any feasible phosphorus mitigation strategy.

According to the MPCA Lakes and Streams Water Quality Dashboard, the Minnehaha Creek Watershed District (MCWD) has been monitoring phosphorus concentrations on a monthly basis since 2007. A sampling frequency of at least monthly is necessary to identify possible sources or causes of phosphorus loading to the bay, and therefore DNR strongly recommends that the LID collaborate with the MCWD to maintain or enhance this water quality monitoring program to determine seasonal patterns in phosphorus concentration, possible remaining external sources of phosphorus loading (e.g., stormwater runoff, discharge from the semi-ditched wetland complex), and possible impacts from CLP reduction. DNR also recommends conducting a sediment sampling program to assess the extent to which internal loading is driving the phosphorus concentrations in the bay. This data would be necessary to develop a phosphorus loading model for the bay and determine appropriate mitigation approaches (e.g., alum treatment if internal loading is determined to be a problem, or nonpoint or stormwater capture and mitigation projects if external loading remains a problem).

If the continued water quality monitoring program identifies continued external sources of phosphorus, then the LID would need to collaborate with the MCWD, Lake Minnetonka Conservation District (LMCD), or the MPCA to implement projects to reduce these loads, since the areas on the landscape where such projects would need to be implemented would likely be outside the proposed LID boundaries.

Aquatic Invasive Species Management

Stubbs Bay currently has two aquatic invasive plants: curlyleaf pondweed (CLP) and Eurasian watermilfoil (EWM). The lake association, in cooperation with the Lake Minnetonka Association (LMA), has been managing these with herbicide treatments, and the LID would assume these treatment programs. The LID also proposes a monitoring program to detect the introduction of any new aquatic invasive species, and to devise and implement a program to manage zebra mussels should such a program become feasible.

Any plant AIS management should be accompanied by regular lake vegetation surveys, and with the guidance of DNR's Aquatic Invasive Species Program and Aquatic Plant Management Program. A Lake Vegetation Management Plan (LVMP) has been developed for Stubbs Bay, and any vegetation projects or programs undertaken by the LID must follow this plan as well. The LID should contact the local Aquatic Invasive Species specialist April Londo (April.Londo@state.mn.us) for further guidance on aquatic plant management in general and AIS management in particular, and the local AIS prevention specialist Rafael Contreras-Rangel (Rafael.Contreras-Rangel@state.mn.us) for further guidance on preventing AIS. The DNR also suggests that the LID contact Habitattitude (https://www.habitattitude.net) for further information on the proper handling of unwanted aquarium pets and to conduct workshops for LID residents on the proper surrender of unwanted pets and disposal of aquarium water and plant trimmings.

Impact of Climate Change

Climate change could impact the environmental health of Stubbs Bay in several ways. These include shifts in the viable living zones of species; increased precipitation and increased intensity of precipitation events; and expected increase in water temperatures. Shifting living zones for species may result in additional AIS being introduced into the bay. Water temperatures have already risen approximately 3-4 degrees Fahrenheit since 1970, and are expected to increase further; this will result in longer growing seasons and accelerated and more abundant growth of both plants and algae. Finally, increased precipitation and increased intensity of precipitation events would increase the amount of storm-event runoff reaching the bay, resulting in increased sediment and nutrient inputs.

Maintaining the Health of the Native Plant Community

The proposal mentions this as one of its possible projects and programs but does not offer any specifics on how to implement it. As the LID's efforts to reduce AIS abundance in the bay yield positive results, more of the littoral zone would become available for growth of native plants. These areas could become colonized naturally, or the LID could pursue planting efforts. DNR encourages the LID to consult with the DNR's Aquatic Plant Management staff for further guidance on any active measures the LID should take to further this goal. Continued regular aquatic vegetation management surveys will provide the data necessary to guide these decisions.

Recommendations/Conclusions

Natural shoreland restoration

The proposal does not include projects designed to restore natural vegetation along the shoreline, but this would be an appropriate project for the LID to pursue and it would help reduce phosphorus originating from shoreline runoff. Phosphorus adhering to sediment running off from riparian properties is a common source of phosphorus contamination in lakes, and replacement of turfgrass at the water's edge with a buffer composed of native grasses,

shrubs, and trees would both intercept runoff from the lot and enhance wildlife habitat. The LID could host workshops and provide educational materials for property owners on the ecology of natural shorelines and could initiate pilot projects on the shorelines of willing property owners to demonstrate the concept and benefits.

Factors and conditions that improve shoreline buffer effectiveness include:
- Width of buffer (as width increases effectiveness increases; buffers > 50 feet preferred)
- Slope to water (slopes less than 3:1 increase effectiveness)
- Soil type (sandier soils encourage infiltration)
- Type and amount of land-disturbing activities and impervious surfaces near the buffer
- Use of pesticides and fertilizers
- Presence of pet wastes
- Trees and shrubs with extensive roots within the buffer (a healthy, naturally vegetated buffer is preferred)
- Presence of organic matter within the buffer
- Runoff velocity (lawns have higher runoff rates and volume)

DNR strongly encourages the LID to include natural shoreland restoration and installation of buffers as a component of its phosphorus reduction strategy. DNR also strongly encourages the LID to consider working with BWSR's Lawns to Legumes program, which encourages native plantings for pollinator habitat, and Blue Thumb, which promotes native plantings to improve water quality. Both organizations host workshops, provide advice on plantings, and have grant programs.

Proposed LID Boundaries

The boundaries of the proposed LID include properties with direct or deeded access to the bay. MR Part 6115.0920 subpart 5 requires that the boundaries include all lands and waters within the direct drainage basin of the lake (shown on the attached map). However, this rule also allows the County Board or City Council to create a boundary less than the entire drainage basin with written Commissioner approval if the boundary selected includes a sufficient amount of the lake's watershed to develop and implement feasible solutions to the problems the LID intends to address. Restriction of the district's boundary to these properties is sufficient to address the in-lake activities for which the LID is being proposed. Therefore, in accordance with these rules, the DNR approves the proposed boundaries identified in the resolution.

Advisory Comments & Recommendations

Thank you for consideration of these comments. Please contact Kathy Metzker, DNR Land Use Hydrologist at 651-259-5694, if you have any questions. If approved, please provide the name and address of the primary contact of the Board of Directors for the LID and remind the LID of its obligation to provide DNR notice of annual meetings and copies of annual reports per MS § 103B.571.

Sincerely,
DIVISION OF ECOLOGICAL AND WATER RESOURCES

Randall Doneen

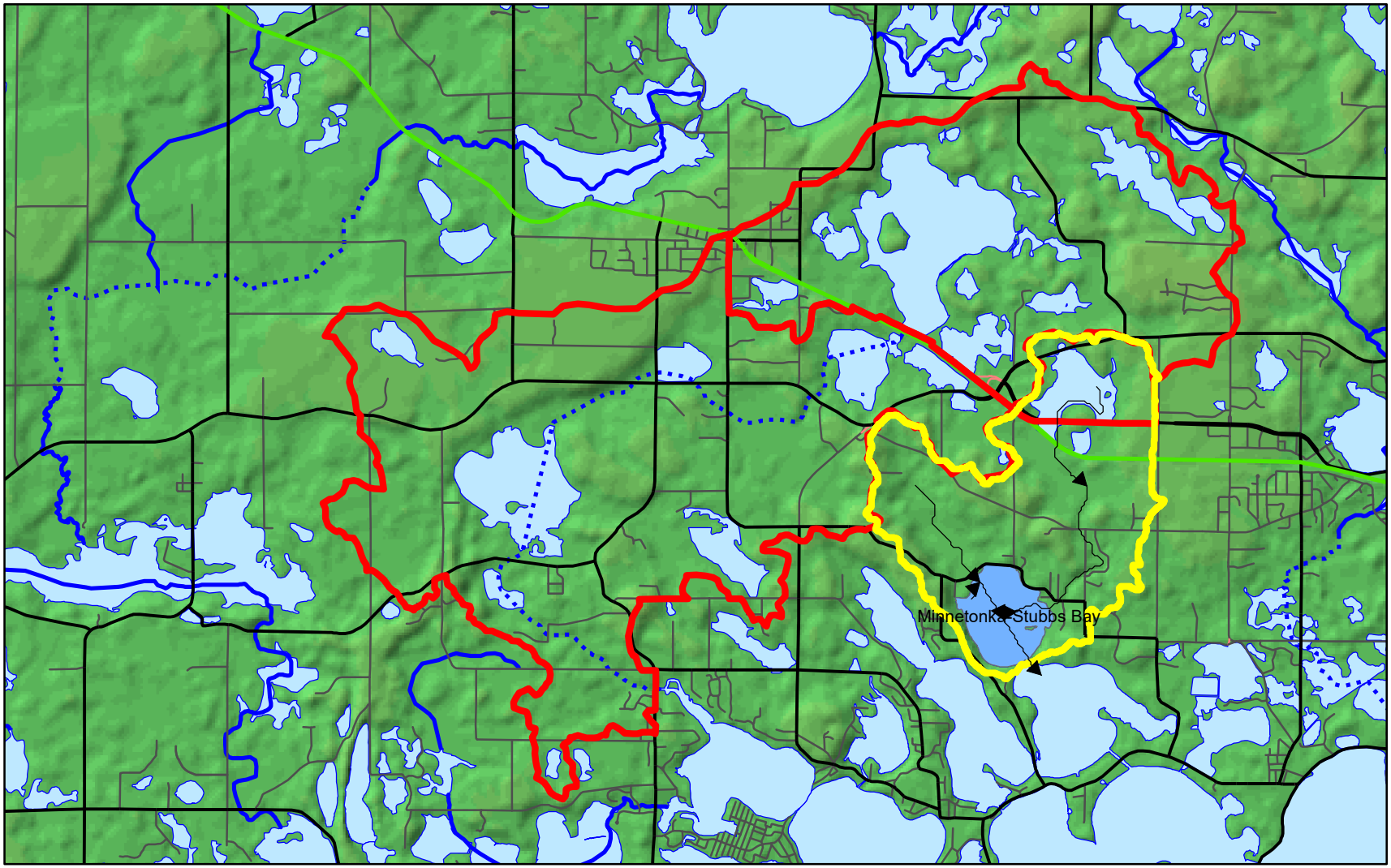
Digitally signed by Randall Doneen
Date: 2025.05.30 08:28:31 -05'00'

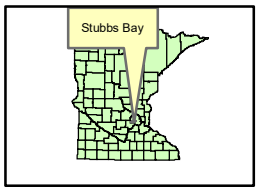
Randall Doneen
Manager, Conservation Assistance and Regulations (CAR) Section

Attachment

c: Emily Javens, DNR Land Use Programs Supervisor
Dan Petrik, Land Use Specialist
Maggie Jin, Finance Director, City of Orono
Lee Engel, MPCA-Lake protection and restoration
April Londo, DNR Aquatic Invasive Species Specialist
Rafael Contreras-Rangel, AIS Prevention Planner
Dennis Wasley, MPCA In-lake treatment questions

Watershed- Stubbs Bay, Lake Minnetonka





The watershed data presented here are part of the National Watershed Boundary Dataset (WBD). A Hydrologic Unit (HU) is the smallest division in the neste hierarchical watershed classification system of the WBD.

Electronic data for use in a GIS (Geographic Information S can be downloaded from the DNR Data Deli:

http://deli.dnr.state.mn.us/

N

7,000 Feet

- Stubbs Bay Direct Catchment
- Stubbs Bay Upstream Watershed
- Catchment Flow Network (synthetic)

Watershed	Area	
	Acres	Sq Miles
Stubbs Bay	200	0.31
Direct Catchment Watershed	1924	3
Upstream Watershed Minnehaha Creek	10896	17

From: Bob Tunheim
To: Adam Edwards
Subject: Fwd: June 9th Council Meeting - Input
Date: Monday, June 2, 2025 12:01:47 PM
Importance: High

---------- Forwarded message ----------
From: swerikson40@gmail.com
Date: May 30, 2025 3:51 PM
Subject: June 9th Council Meeting - Input
To: Bob Tunheim <btunheim@oronomn.gov>
Cc:

Bob,

We would like to place a 'NO' vote in the June 9th Council meeting concerning the proposal to create a (LID) Lake Improvement District for Stubb's Bay.
We live on Forest Lake Bay and don't wish to have a precedent set.

Sanford and Margaret Erikson
4455 Forest Lake Landing
Mound, Mn 55364

From: Bob Tunheim
To: Adam Edwards
Subject: Fwd: LID on Forest lake Bay
Date: Monday, June 2, 2025 11:55:40 AM
Importance: High

---------- Forwarded message ----------
From: Kathy Perkins <kathyperkins8@gmail.com>
Date: May 31, 2025 9:50 AM
Subject: LID on Forest lake Bay
To: Bob Tunheim <btunheim@oronomn.gov>,Steve Persian <spersian@oronomn.gov>,Jacqueline Ricks <jricks@oronomn.gov>,Alisa Benson <abenson@oronomn.gov>
Cc:

Council members of Orono, I can't attend the public hearing June 9 so this is to inform you that I do NOT want a LID on Forest Lake Bay. I do not want the chemicals, the liability or the government interference of a LID. We have lived at this address since 1968 and I see no reason to start interfering with a public body of water. Thank you,

John and Kathy Perkins
1265 Elmwood Ave, Orono, MN 55364

From: Bob Tunheim
To: Adam Edwards
Subject: Fwd: Opposed to LID and weed treatment
Date: Monday, June 2, 2025 11:54:34 AM
Importance: High

---------- Forwarded message ----------
From: T Mtn Bikes <tgoody427@gmail.com>
Date: Jun 1, 2025 12:52 PM
Subject: Opposed to LID and weed treatment
To: Bob Tunheim <btunheim@oronomn.gov>,Steve Persian <spersian@oronomn.gov>,Jacqueline Ricks <jricks@oronomn.gov>,Alisa Benson <abenson@oronomn.gov>,Jon Schwingler <jschwingler@oronomn.gov>
Cc:

To all,
As a lakeshore owner on Stubbs bay I am opposed to forming a LID and the application of herbicides to the lake.

I have found studies showing the 9 year ineffectiveness of the treatments to the lake, harm to fish reproduction, and the evidence of the herbicide in shallow wells within days.

Best Regards,
Tom Goodyear
763-301-4335

From: Bob Tunheim
To: Adam Edwards
Subject: Fwd: Re: Opposition to LID in Forest Lake Bay
Date: Monday, June 2, 2025 11:52:04 AM
Importance: High

---------- Forwarded message ----------
From: Jeff Craig <jeffreydcraig@hotmail.com>
Date: Jun 1, 2025 10:29 PM
Subject: Re: Opposition to LID in Forest Lake Bay
To: Jon Schwingler <jschwingler@oronomn.gov>,Alisa Benson <abenson@oronomn.gov>,Jacqueline Ricks <jricks@oronomn.gov>,Steve Persian <spersian@oronomn.gov>,Bob Tunheim <btunheim@oronomn.gov>
Cc: Mary Larson <ml706@hotmail.com>

Our apologies, quick correction- we meant to state that not only are we opposed to the Forest Lake LID, we are also opposed to the forming of an LID in all the bays in Orono for the reasons as described in the below letter.

Mary & Jeff Craig

> On Jun 1, 2025, at 5:38 PM, Mary Larson <ml706@hotmail.com> wrote:
>
> Hello,
>
> We are opposed to the creation of a Lake Improvement District (LID). We see an LID as not beneficial to lakeshore homeowners in any way. In fact, we see the creation of this as setting a horrible precedent with potential costs & liability forced upon us, with very little education & information disseminated to all who this would affect by a small group of people who put this idea in action.
>
> Please take time to look at this issue thoroughly & thoughtfully. As Forest Lake Bay lakeshore owners, we are invested in caring for the lake. An LID is not the right way to go about protecting the lake. We also don't appreciate the duplicate taxation this would create.
>
> We appreciate your time & attention on this important matter.
>
> Best,
>
> Mary & Jeff Craig
> 1205 Elmwood Avenue
> Orono, MN 55364
>
>
>

From: Bob Tunheim
To: Adam Edwards
Subject: Fwd: Re: Stubb"s Bay
Date: Monday, June 2, 2025 11:52:41 AM
Importance: High

---------- Forwarded message ----------
From: "Sandiford, Stanley" <ssandiford01@hamline.edu>
Date: Jun 1, 2025 1:53 PM
Subject: Re: Stubb's Bay
To: Bob Tunheim <btunheim@oronomn.gov>,spersian@oronomn.gove,Jon Schwingler <jschwingler@oronomn.gov>
Cc:

Dear City Leaders,

As I understand it, there will be a public hearing on June 9, 2025 at 6:00 pm., regarding the creation of a Lake Improvement District ("LID") for Stubb's Bay. Unfortunately, I may not be able to attend the hearing. Based on discussion with neighbors, it appears that there may be some question about whether a LID, and individual Stubb's Bay residents, becomes legally liable for the actions of the LID. Unless and until it is determined that Stubb's Bay residents will have no legal liability or financial responsibility for such a LID, I oppose the creation of a LID for Stubb's Bay. Further, I would defer to the DNR regarding treatments in Stubb's Bay and the broader bodies of Lake Minnetonka regarding the management of weeds including any responsibility for the addition of certain herbicides or chemicals to address the weeds or water quality.

Regards,
Stan Sandiford
722 Tonkawa Road

From: Bob Tunheim
To: Adam Edwards
Subject: Fwd: Statement Opposing the creation of LIDS on Lake Minnetonka
Date: Monday, June 2, 2025 11:53:04 AM
Importance: High

---------- Forwarded message ----------
From: Ed Rockwell <eddierockwell@gmail.com>
Date: Jun 1, 2025 5:46 PM
Subject: Statement Opposing the creation of LIDS on Lake Minnetonka
To: Bob Tunheim <btunheim@oronomn.gov>,Alisa Benson <abenson@oronomn.gov>,Jacqueline Ricks <jricks@oronomn.gov>,Steve Persian <spersian@oronomn.gov>,Jon Schwingler <jschwingler@oronomn.gov>,Ed Rockwell <eddierockwell@gmail.com>
Cc:

City of Oronon Council Members,

Please include this statement in the packet for the June 9th City Council Meeting

My name is Ed Rockwell and I live at 4888 Edgewater Drive, Mound MN on Harrisons Bay. I have lived here for 24 years and have lived on lakes for 53 of my 57 years.

I have several concerns about bays like Stubbs Bay and Harrisons Bay plans to form a government-backed Lake Improvement District, or LID. It may sound like a helpful idea, but it creates a structure similar to an HOA — and in many ways, it's worse.

If formed, a LID would have the power to tax lakeshore homes, deeded access properties, and businesses (if existing on the bay) — whether they agree with the LID's actions or not. It also shifts legal responsibility and liability away from the DNR and State of Minnesota, and instead puts that liability on the Lakeshore owners, the City of Mound or Orono (depending on bay), and the lakeshore owners being taxed! Whether they agree or not but will be liable for their actions.

This liability shift is spelled out in the official Minnesota DNR rules on Lake Improvement Districts. Once a LID is formed, the DNR is no longer responsible and liable for the actions of the LID

Here is the verbiage from State Statute:
The lake improvement district shall assume all legal risks and liabilities, including those for damages or any injury to persons or property, arising from the construction, operation, maintenance, alteration, or abandonment of its programs, plans, or actions.

In the event of termination of the district, or failure of the district to meet its obligations, these responsibilities and liabilities shall fall upon the unit or units of government which established the lake improvement district.

Limited state liabilities. The establishment of a lake improvement district shall not impose any liability upon the state of Minnesota, its officers, employees, agents, or consultants, for any damage or injury to any persons or property resulting from the activities of the lake improvement district.

That’s a huge shift in responsibility, and one that deserves a lot more City and community input than it’s currently getting. The City should NEVER take on this type of responsibility! But if you vote this in, The City will take on that liability!

And then there’s the tax itself. Once the LID is approved, the board has the power to raise taxes with very insufficient notification or resident participation. What I mean is Carman’s Bay LID had a meeting and only had 10 lakeshore owners attend the meeting and vote out of 112 people for voting in a tax increase (link in your packet)

Harrisons Bay and Carmans Bay (all of Lake Minnetonka) is public water — owned by the State of Minnesota. And yet this LID puts the cost, liability, and long-term impact squarely on The City and the residents who own lakeshore in the bay. While it’s a public resource that anybody can use and enjoy.

Now we are being told that we will be taxed (like a HOA) to fund the LID projects because it’s (and I quote) “Too hard to fundraise”. I vowed that I would NEVER EVER live in a neighborhood that has anything like an HOA and I will continue to fight this (and others in Orono) along with over 100 signatures that we have received from people in Harrison's Bay to stop this LID forming. We’ve received more than enough signatures to pass a Referendum against the LID from forming on Harrisons Bay. And I believe that there are enough to have a Referendum for Stubbs bay as well. If these are approved, that process will start immediately.

Now let's talk about the chemicals they are using and why they choose the chemicals instead of manual removal of the weeds they don’t like in front of their homes. The people trying to form these LIDS have indicated that it's easier to use chemicals and they say is more cost effective than manual removal. This is at the expense of harming the natural ecosystem of the lake so they don’t have to look at the weeds. But the DNR recommends that manual or mechanical removal is preferred AND using chemicals should be used as a last resort. But these people trying to form LIDS are getting their recommendations from the companies that are selling them the herbicides and the companies that they pay to perform the surveys. The companies that our taxes will be going to. The companies that benefit.

Killing the weeds with herbicide chemicals causes the weed cell structure to decompose rapidly releasing concentrations of nitrogen, carbon and phosphorus into the lake. Contributing to the green color and possibly more algae blooms which we are currently seeing in Harrison's Bay from the treatment using Diquat from May 1 2025 (see photos).

This potentially harms water quality more than if weeds were left alone or manually removed. (link in your packet)
Herbicides like Diquat aren’t selective. It kills the native plants like coontail. Which they should not be removing!

- Diquat is highly persistent and can last in the lake from application up to 160 days in the lake sediments due to it’s low bioavailability. This means that it stays in the lake that long!! This means that families and their pets that swim are exposed, birds and animals that eat the weeds are exposed. Boaters from other bays that are not notified about treatments will be harmed
- What are the Effects on birds that eat the weeds? Diquat ranges from slightly to moderately toxic to birds that feed on the weeds and fish

Perch and possibility Walleye suffer significant respiratory stress during treatment and maybe for the 160 days. The weeds are where the fish hang out!

Also, The European Union has banned the use of Diquat but we're just going to put it in our lake year after year after year!

ProcellaCOR is another chemical they use. It's a PFAS or a "Forever Chemical" and has been flagged by the MN Department of Agriculture Search this document for Florpyrauxifen-benzyl which is its chemical name. It' 100% is a forever chemical (PFAS).
https://www.lrl.mn.gov/docs/2025/mandated/250302.pdf

- Calls for a pause on ProcellaCOR's use have emerged due to concerns over its safety. (See handout about other lakes opposing)
- This is a new synthetic hormone herbicide! Do we need it in our lake?
- Studies show ProcellaCOR harms native aquatic vegetation such as coontail and water lillys - not just invasive species.
- There is also a potential for weed populations to develop resistance to ProcellaCOR, especially if used repeatedly in the same area which they are doing

So, long-term health and environmental effects remain largely unknown and I think it's extremely unsafe to allow these chemicals to be used in our beloved lake **while we are the caretakers for our time of its existence.**

What's very important to understand is:
If the Harrisons Bay and Stubbs bay LIDS are formed and are successful at removing the weeds, the fish will move on. This is ALREADY being reported by the fishermen that have been fishing here for years. There are already fewer fish! Once the fish move on, do you think there will be less food for the animals? This possibly means that the beautiful loons that we see and hear out in the bay, the amazing Eagles that have come back could decide to go to lakes that have more weeds and more fish which is their natural food. What I'm explaining to you is the butterfly effect! The butterfly effect shows that small changes in the eco system can have **disproportionately large and unpredictable consequences!**

Also, out of the 11,800 lakes in Minnesota, there are ONLY 54 Lake Improvement Districts that have formed. This is an unpopular program and I'll let you just think about why.

Orono in the past has mentioned that they would like to see at least 70% approval rate for their bay to adopt a LID. I'd say we should have at least 80% or more. There is also an ongoing effort and opposition in Orono to stop the formation of LID's for the lakes and bays in that city as well.

In your packet is supporting documentation and links to other communities that have expressed their opposition for chemicals in their lakes.

To recap:

- There are many residents that oppose the formation of a TAXABLE LID and we have over 100 signatures to date
- We don't want these chemicals in our lake where we swim and play with our children and pets

- We don’t want this horrible liability moved to the City of Mound, the lakeshore owners like myself, deeded access owners, and business

You can reach out to me with any questions or concerns

Ed Rockwell
4888 Edgewater Drive, Mound, MN 55364
Phone: 612-481-6100
Email: eddierockwell@gmail.com

From: Bob Tunheim
To: Adam Edwards
Subject: Fwd: Stubbs Bay LID - we are against
Date: Monday, June 2, 2025 11:51:33 AM
Importance: High

Forwarding a number of LID opposition emails we have received in the last few days. Just noticed you weren't included in the distribution list.
---------- Forwarded message ----------
From: Mike Ladd <Mike.Ladd@cohasset.com>
Date: Jun 2, 2025 9:29 AM
Subject: Stubbs Bay LID - we are against
To: Bob Tunheim <btunheim@oronomn.gov>,spersian@oronomn.go,Jacqueline Ricks <jricks@oronomn.gov>,Alisa Benson <abenson@oronomn.gov>,Jon Schwingler <jschwingler@oronomn.gov>
Cc: Mike Ladd <Mike.Ladd@cohasset.com>

Please note that my wife and I are AGAINST a Stubbs Bay Lake Improvement District (LID) that assumes any legal responsibilities and/or liabilities that passes to the LID and/or may be incurred by the LID.
Although we do annually, personally pay for weed removal from our dock area, we are against any fees/cost that would be added to our tax assessments as a result of a LID. Stubbs Bay and the entire body of Lake Minnetonka, are enjoyed by all Minnesotans and the care and management of these types of public resources should be funded by State funding processes accordingly.

Thank you for your consideration of our position.

Best regards,

Michael Ladd, Carol Stainbrook
Stubbs Bay property owners
660 Tonkawa Road
Long Lake, MN 55356

Mike.ladd@cohasset.com
612 747-8868

Dear Mr. Tunheim, Ms. Benson, Ms. Ricks, Mr. Persian and Mr. Schwingler;

I am writing to you in opposition to the Stubbs Bay LID. My name is Barbara Schmidt and I live at 50 Landmark Drive in the Stubbs Bay wetlands with a view of Stubbs Bay.

For the last two days I have canvased Stubbs Bay lakeshore and deeded access homeowners to see what they think. I spoke to dozens of people and not a single person understood they were becoming legally liable for a public body of water for weed treatments. Not a single person understood that they were locking their neighbors into that same legal liability with a mandated tax whether they wanted the weed treatments or not.

Residents simply want another option without the tax and liability components. Most neighbors were willing to help pay for an ecologically sound option that is not forcing other neighbors into treatments they don't believe in. Some asked why there aren't options on various treatments? Where is the long term plan? Is there a Lake wide plan?

Please understand that Citizens voted for something that was not fully explained. Please take the time to learn what they want and present an alternative solution. Let's find a different vehicle and process to take care of our Lake that has ecological and civil oversight that is open to all those who wish to learn and participate.

Thank you - Barbara Schmidt 612-270-3924

From:	Bob Tunheim
To:	Adam Edwards
Subject:	Fwd: LMCD does not support LID"s?
Date:	Monday, June 2, 2025 11:55:21 AM
Attachments:	LMCD presentation May 28 2025.docx Att #2 LMCD Rich Anderson at Orono City Council meeting June 14.docx LMCD board chair person Ann Hoelscher email.docx
Importance:	High

---------- Forwarded message ----------
From: Jim Theisen <jtheisen98@gmail.com>
Date: Jun 1, 2025 11:59 AM
Subject: LMCD does not support LID's?
To: Bob Tunheim <btunheim@oronomn.gov>,Alisa Benson <abenson@oronomn.gov>,Jacqueline Ricks <jricks@oronomn.gov>,Steve Persian <spersian@oronomn.gov>,Jon Schwingler <jschwingler@oronomn.gov>
Cc:

Mayor and Council

I made a presentation to the LMCD board last Wednesday night regarding our opposition to LID's. They had previously offered their support to Stubb's Bay (I have asked them to rescind their support - still waiting on response). LMCD had planned to provide their support to Harrison's Bay that night but after hearing my presentation they decided to withhold their support.

I have attached 3 documents, please read to the end, as there is much to unpack here. I have a far more extensive document I will send tomorrow regarding LMA history and financials along with resident liability concerns. I'm asking that today's email and tomorrows both be part of the June 9th public record (and all attachments). LMCD is carefully deliberating this issue, I ask that our city council please consider all the facts before "signing off" on this, as it may set a new precedent.

Thanks

Jim

Jim Theisen

1295 Elmwood Ave

Orono

I'm 68 years old and have lived directly on Minnetonka shoreline 50 of my 68 years.

I have done some research regarding LMCD and learned it was created in 1967 by Minnesota State Legislature and is considered a political subdivision. It is funded and governed by 14 municipalities that boarder the lake, each have an appointed (not elected) representative from each municipality and each municipality paying an annual contribution. "Save the lake" funding initiative was created in 1970 to provide supplemental funding for public safety, environmental protection, and educational efforts. I have also read "The LMCD Comprehensive Eurasian Watermilfoil and Curly-Leaf Pondweed Management Plan" amended version dated Mar 13, 2013. I have read some, not all of the 250 pages, of the 2019 plan. There has been an enormous amount of effort on behalf of Lake Minnetonka by LMCD, and as a lifelong resident I'm grateful for your efforts.

First, I have a question for the board. If a group of bay residents were interested in creating a Lake Improvement District on Minnetonka could we count on your support for it's creation? Did LMCD provide support to St Alban's Bay and Carman's Bay when they created their LID's? If you would support, could you please explain the reasoning. If a group came with opposition, could we count on you supporting their opposition?

Rich Anderson and Eric Evanson (executive director of Lake Minnetonka Association) have been promoting the creation of LID's dating back to 2021 and as recently as Aug 12, 2024. See Orono and Minnetonka Beach council minutes (attached). Was Rich and Eric working on behalf of LMCD when they were promoting LID'S. Or were they working on behalf of LMA, Orono or Mound? Rich has been a LMCD board member since 2019, appointed by Denny Walsh. See his comments to Orono council dated June 14, 2021 (attached). This should be very concerning information. What is "the big surprise" he references, reduced levy for Orono (I have a copy of payments made 2014 to 2026 attached). Why is there a $697,000.00 reserve in 2021, far exceeding the $250,000.00 the auditors recommended. This same oversized reserve is also true of LMA per 2023 501C records. Not attached, but I have this in my possession here tonight. Currently Eric is working with Forest Lake, Crystal Bay, Stubb's Bay and Harrison Bay to create LID's that we are aware of.

LMCD provided partial funding for weed surveys in Forest Lake and Stubb's Bay. See Eric Evanson's presentation to this board on February 12, 2025, were he states "he wants more LID's without putting AIS treatments costs on public agencies"

We are in opposition to LID's for three primary reasons. The residents in Forest Lake stopped this action largely due to the liability (see state statute 6115.0980 attached) and the forced payment structure (or duplicate taxation).

1. We are opposed to the formation of an "association" or LID and forcing our neighbors into this structure to manage a public body of water.
2. We are opposed to the liability placed on us as residents and on the City of Orono by state statute 6115.0980, and "hold harmless" on the State of Minnesota to manage a public body of water.
3. We are opposed to the wide spread chemical treatment of our bays with these potentially harmful / forever chemicals, specifically ProcellaCOR.

Harrison Bay Association has suggested they will attempt to gain your official support. I'm asking that you do not provide it to them or any other bay. We believe creating LID's and placing this incredibly complex issue of invasives on a board of directors made of bay residents is not the correct course of action.

Email to LMCD board chair person Ann Hoelscher, 5/30/25

Ann

Thanks for your reply. I listen to the end of the May 28th meeting and find many on the board who don't fully understand LID's. The following are out takes from the board members comments.

Jim Theisen thoughts shown in red

Rich Anderson speaks about numbers required to ratify a LID. Yes the county says 51%, (but Rich in the Orono council meeting minutes suggests 70 to 75%). This high level of support has been mentioned in different correspondence I have seen to date. I believe the rationale is you need to have significant support to get this enacted. "Not sure why he went down this path?"

Mike Kirkwood would like to review in greater detail.

Nellis is concerned about the "forever chemical"

Jim Paul (he also sits on the board of LMA) talks about "easier than door to door fundraising" "I hear this in every bay, about fundraising fatigue. This by itself is not a reason to make everyone pay, even if you are in the minority, and take on this level of liability". Jim Paul also speaks of misinformation and demonizing Eric Evanson, I believe my information is factual and I do not demonize Eric (please read my presentation attached). He also suggests bringing in Patrick Selter of PLM to speak to your board (PLM is the company that does all of the chemical treatments in Lake Minnetonka and has for years) to speak about the safety of the chemicals. This is like "inviting the fox in to guard the hen house". There are 14 DNR licensed applicators in Minnesota, why does only one get all the business? Jim also spoke of multiple chemicals that I referenced "I referenced only one and that is ProcellaCOR. This is considered a "forever chemical" and Mn Dept of Ag is considering pulling its use. Carman's Bay and Harrison's Bay, possibly more, have been using this chemical, I would suggest instead of consulting with PLM, consider contacting the Mn Dept of Agriculture, or Mn pollution control".

Ben Brant, this needs more research.

Jim Brimeyer, this has not been fully vetted. It is an extra tax. Be careful about implementing a supposed "good idea".

Rich Anderson at Orono City Council meeting June 14, 2021

Items highlighted in red were read out loud at the May 28th LMCD meeting

CITY ATTORNEY REPORT

Attorney Mattick had nothing to report, and noted that the City and Mayor were sued this evening during public comments.

Richie Anderson noted the Councilmembers should have received a copy of a document from the Lake Minnetonka Conservation District (LMCD) Executive Director about the 2022 budget. The Council is invited to provide comments and he hopes someone would strongly follow up with a letter that they are in favor of reducing the City's levy by $11,500. He updated the Council that he found a buyer for the harvesters and is setting a budget for 2 patrolman deputies that will stay on the lake and not go down to the river which is $84,000; the previous year Mr. Anderson and Gabe funded the final $42,000 so they have made progress. They are currently out fundraising and will have a big surprise when the Treasurer's Report is presented at the next LMCD meeting.

Mayor Walsh asked how the crystal clear is going.

Mr. Anderson replied his area is gorgeous and they drafted a strong letter; he said the LMCD supports the City of Minnetonka Beach getting in bed with Orono to treat Crystal Bay. They will see how that goes. He explained when they did their bay they raised money to do a Lake Vegetation Management Plan (LVMP), and a Lake Improvement District (LID) is for the entire bay. He stated this bay is different because they need a joint powers agreement with the City of Minnetonka Beach who did not see it in their wisdom to step out a bit and take a chance.

Johnson said as a testimony on the reality of the difference, he is renting a house straight across. This year with the early ice out, one has to get to 16 feet of water depth right now to get out of the weeds on the depth locator. However on Mr. Anderson's side it is unbelievable and gorgeous.

Mr. Anderson clarified the citizenry is doing all this, not the LMCD.

Mayor Walsh thinks that is sad.

Johnson asked of the $75,000 collected for the Aquatic Invasive Species (AIS) from the cities the previous year, how much of that was spent on AIS?

Mr. Anderson said Orono paid $11,900 and they could have paid twice what they spent…it was less than $5,000.

Seals asked where that money went?

Mr. Anderson replied they have $697,000 of reserve money in the LMCD; the auditor says they should have 30-50% of expenses. In looking at the spreadsheet, expenses were $493,000 so 50% would be $250,000. In the 2021 budget there is still another $75,000 and he does not see how that will be spent.

I only mentioned one chemical in my presentation but others are concerning. Diquat has been banned in the EU and UK and is also thought to be harmful to Walleyes. I acknowledge Lake Minnetonka has weed problems in areas. There needs to be "tools" available to solve problems, choosing the right one is key. I also believe oversight is important, this does not mean a board of directors made up of individuals living on a particular bay.

I think I'm hearing the DNR is not participating, Minnehaha Watershed is not into chemical treatment (and does not support LID's), and if I'm hearing it correctly LMCD is pulling back from invasive management? This leaves LMA, with an annual budget of under $300,000.00 and nearly half their expenses are on overhead and the remainder for weed management (I have a full report dating back to 1998 of their 501C tax returns that I can share). They also have a $420,000.00 reserve in 2023 (they report $70.00 of investment income on the $420,000.00 reserve). Per Rich Anderson and LMCD auditors 30 to 50% of annual expenses is an appropriate reserve level. This would be $76,000.00 to $126,500.00 based on $253,000.00 of expenses in 2023 by LMA, why the huge reserve? Tim Harren lives on Stubb's Bay, is the Principal Officer of LMA, and is directly involved in creating the LID in Stubb's Bay. I've heard the Minnesota governor is considering reducing the budget by half to support these efforts.
Are these some of the primary reasons for the major push by LMA to put it on residents' backs?

I understand LMCD has provided a letter of support to Stubb's Bay but decided not to for Harrison's Bay at this time. The Orono city council has authorized a public hearing to take place on June 9th for Stubb's Bay. There is one scheduled for June 10th in Mound for Harrison's Bay. I'm sure those who are supporting the creation of the LID welcome the support of LMCD. I oppose the creation and hereby ask that you rescind your support until the issue is better understood. Please advise. Notifying these cities of your current position would likely aid in slowing this down. Documents need to be sent to Orono by June 2nd. Please advise.

I believe far more voices need to be heard about this issue and will offer my help in any capacity you request. The liability shift to residents is a major concern, again see state statute 6115.0980 provided at the LMCD meeting.

Thanks for your attention to this very important issue.

Jim

From: Karena Casey
To: Maggie Jin; Adam Edwards
Cc: Karena Casey; Lee Harren; Eric Evenson
Subject: Another Letter of Support for a Stubbs Bay LID - former Mayor of Orono, Jim White
Date: Wednesday, June 4, 2025 7:40:54 AM

Adam and Maggie,

Please also share this letter of support with the Council and Mayor. Thank you!!!
~Karena Casey

####

Dear Karena,
Let me summarize my experience of living with Carmen Bay's LID. First, Carmen Bay is not a closed bay like Stubbs Bay, and the water quality is much different in Carmen Bay than it is in Stubbs Bay. The north part of Carmen Bay has been more severely impacted by invasives like milfoil, than the southern, or open part of the bay where I live. Harvesting was done throughout our bay in the 1990's, and spot harvesting was done for a short time in later years. Milfoil cuttings piled up along our shoreline after each harvest. I think that harvesting simply spread the milfoil. Every boat trip out of our slip involved stopping the boat in deeper water and reversing the engine to spin the collected milfoil off the prop.

All of that changed when chemical treatment for milfoil became available. Our bay, like yours, had most lakeshore property owners supporting the lid. The annual cost for us has been approximately $200 to 300 per season, determined by the lakeshore frontage. We no longer have milfoil cuttings piling up along the riprap, and the water is clear well past our dock, and indeed, it is clear across our part the bay.

What has changed for us is we no longer draw lake water to sprinkle our lawn or our gardens, because the warning postings we have received before treatment tell us not to draw water for those purposes for 30 days *(this is a typo, it's only 3 days),* which hasn't been an inconvenience in summers when we're not in a drought like last year's drought. I leave it to the DNR monitor any effect the chemical treatments have on the native plants and fish.

Best of luck with your Stubbs Bay lid

Jim White

From: Karena Casey
To: Adam Edwards; Maggie Jin
Cc: Karena Casey; Lee Harren; Eric Evenson
Subject: Letter of Support from Mayor of Greenwood for a Stubbs Bay LID
Date: Wednesday, June 4, 2025 7:29:27 AM

Adam and Maggie,

Please make sure the full council and mayor has this letter of support for the LID. Thank you kindly!

~Karena Casey

###

Karena:

Based on my experience it could be counterproductive for the Mayor of another city to lobby another Mayor on issues that pertain to the other Mayor's city.

That being said I can tell you that the St Albans Bay LID, which has been in existence for over 10 years, has been extremely positive for the bay and noncontroversial. It has provided a stable property owner driven funding source for the control of milfoil and curly leaf pondweed on St Albans Bay. Because everyone pays the assessments have been relatively nominal with the LID even taking a year off from an assessment standpoint in 2024 because of the size of its reserves. Expenses have been less than forecast because the invasives are not allowed to get out of hand again with annual monitoring and treatment as needed in turn.

Feel free to call me with any questions.

Thank you,

Tom Fletcher
President
AEX Communications, Inc.
952-224-5500
Fletcher Management, Inc.
952-224-5555
4445 West 77th St Suite 102
Edina, MN 55435

Proposed Board of Directors for SBLID

Lee Harren leeharren@gmail.com 175 Bayside Rd
Karena Casey karenacasey@mchsi.com, 255 Bayside Rd
Bruce Lea brlea1@outlook.com, 740 Tonkawa Rd
Mark Johnson markjohnson_ms@msn.com, 555 Oxford Road
Brent Teele teele12@yahoo.com, 356 West Lake Street (considering)

Others who have expressed interest in being involved:

Ray Bernal rybernal@frontier.com 3775 Bayside Rd
John Erickson johnrosserickson@aol.com, 865 Partenwood Rd
Asim Gul sasimgul@gmail.com, 855 Partenwood Lane
Jennifer Leikikh jleikikh@comcast.net, 495 Oxford Rd
Barb McCreight barti432@aol.com, 692 Tonkawa Rd
Matthew Walter mwalter@hrii.com, 746 Tonkawa Rd
Bob Ryan bobryan@ryanautomall.com, 3625 Eileen Street
Marcel Smits marcel_smits@me.com, 3345 Fox Street
Ted Spooner Tspooner@aol.com, 700 Tonkawa Rd
John Thiesse johnthiesse@gmail.com, 3855 Bayside Rd
Mark McCutcheon, mccut01@yahoo.com, 3630 Eileen St.
Laverna Leipold, leipold@leipolds.org 678 Tonkawa Road
Ann Schrader, schradermail@yahoo.com, 3510 Bayside Rd
Steve Cox, Steven.cox@genmills.com 3700 Bayside Rd
Samual Heins, sam.heinsd@gmail.com, 575 Oxford Rd

LAKE MINNETONKA CONSERVATION DISTRICT
5341 MAYWOOD ROAD, SUITE 200 • MOUND, MINNESOTA 55364 • TELEPHONE 952/745-0789 • FAX 952/745-9085

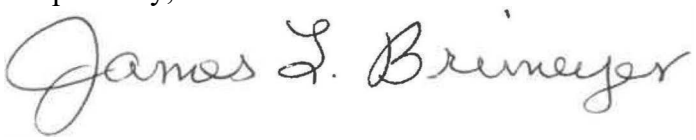
June 4, 2025

Adam Edwards, City Administrator
City of Orono
2750 Kelley Parkway
Orono, MN 55356

Dear Mr. Edwards,

The LMCD Board has recently received requests to endorse proposals for the creation of Lake Improvement Districts (LID). To clarify the LMCD's position in the letters addressing the Stubbs Bay LID dated April 30th and June 3rd, at this time the LMCD supports constituent and city decision making regarding local AIS management provided it is not in conflict with LMCD regulations.

Respectfully,



Jim Brimeyer
Interim Executive Director

cc: LMCD Board of Directors

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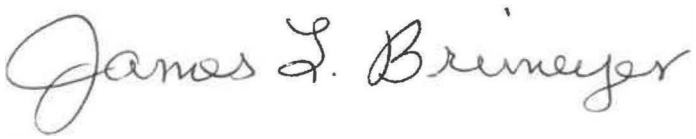
June 4, 2025

Eric Evenson
Lake Minnetonka Association
PO Box 248
Excelsior, MN 55331

Dear Mr. Evenson,

The LMCD Board has recently received requests to endorse proposals for the creation of Lake Improvement Districts (LID). To clarify the LMCD's position in the letters addressing the Stubbs Bay LID dated April 30th and June 3rd, at this time the LMCD supports constituent and city decision making regarding local AIS management provided it is not in conflict with LMCD regulations.

Respectfully,



Jim Brimeyer
Interim Executive Director

cc: LMCD Board of Directors

LAKE MINNETONKA CONSERVATION DISTRICT
5341 MAYWOOD ROAD, SUITE 200 • MOUND, MINNESOTA 55364 • PH: (952) 745-0789

June 2, 2025

Eric Evenson

Lake Minnetonka Association

P O Box 248

Excelsior, MN 55331

Dear Mr. Evenson,

In a letter dated April 30, 2025 the LMCD submitted a letter of support to establish a Lake Improvement District (LID) on Stubbs Bay.

As the result of LMCD Board discussion at the May 28th meeting, please be advised that the support letter is being reconsidered. The discussion revolved around the request of Harrison Bay to establish a LID for that bay. That request for support for Stubbs Bay is being held in abeyance at this time.

Of major concern are the following:

The respective municipal action regarding an LID and the impact on land use issues;

The manner of collecting funds to support LID programs;

Any efforts to impact the water quality of the designated LID;

Chemicals and other methods for treatment to be used, mostly in the AIS scope of services;

The legal implications/possibilities for any actions taken by the LID.

Respectfully,

James L Brimeyer

Interim Executive Director

cc: LMCD Board of Directors

LAKE MINNETONKA CONSERVATION DISTRICT
5341 MAYWOOD ROAD, SUITE 200 • MOUND, MINNESOTA 55364 • PH: (952) 745-0789

April 30th, 2025

Eric Evenson
Lake Minnetonka Association
P.O. Box 248
Excelsior, MN 55331

RE: Letter of Support for Stubbs Bay Lake Improvement District

Dear Eric Evenson,

The Lake Minnetonka Conservation District (LMCD) is pleased to provide this letter of support to establish a Lake Improvement District (LID) on Stubbs Bay. Lake Improvement Districts are a great benefit to this lake and perfect solution to facilitate coordinated efforts for lake protection and maintenance activities.

The LMCD Board has high regards for this effort and the opportunity it creates. Please accept this letter of support on behalf of the LMCD for the establishment of Stubbs Bay LID.

Please contact me if you have questions or I can be of assistance at 952.745.0789.

Respectfully,

Jim Brimeyer
Interim Executive Director

cc: LMCD Board of Directors

AGENDA ITEM

Date: June 9, 2025 **Item:** 13

Title: LA25-000019, 245 Ferndale Rd N, RPUD Concept Plan Review

Presenter: Melanie Curtis, Planner

Section: Community Development Report

1. **Purpose:**
The Council is requested to provide non-binding feedback on a plan to subdivide the subject property into three (3) total lots under an Residential Planned Unit Development ("RPUD"). RPUD development is a rezoning process created to accommodate the densities and types of residential development contemplated in the Comprehensive Plan. The applicant's original submittal reflected creation of two (2) total lots, which is below the comp plan density guidance for the property. Prior to the Planning Commission meeting on May 19th (**VIDEO**), the applicant submitted a revised plan showing 3 lots (**Exhibit A**). Please reference the **Planning Staff report** for a full analysis.

2. **Background:**
The property is a 0.99-acre property within the R-1A, Single-Family Residential zoning district (1.0 acre minimum). The current property size reflects the removal of the 33-foot portion of the lot within the road right-of-way. The property is guided within the 2020-2024 Comprehensive Plan for *Urban Low Density Residential* (3 - 8 units per acre). The property contains an existing single-family home, built in approximately 1955.

The property is situated between two subdivisions: **Northgate Two**, created in 1979 on the south and west (zoned PRD), and **Hill O' Way Manor** (commonly referred to as the "Chevy Chase" neighborhood) created in 1955 on the north (zoned R-1A) (**AERIAL PHOTOS**). Refer to **Exhibit D** for an overview and analysis of the different development standards under PUD, PRD, and RPUD.

3. **Planning Commission Vote and Comment:**
The Planning Commission discussed and provided feedback on the 3-lot alternative plan. The Planning Commission agreed with Staff's analysis that the original 2-lot plan did not meet the City's goals and were not supportive of a Comprehensive Plan amendment to lower the density requirement. Additional comments were as follows:
   - The project should meet the density prescribed in the Comprehensive Plan (minimum 3 units/acre).
   - The 3-lot plan appears to generally fit into the surrounding neighborhoods, in Orono and across Ferndale Road in Wayzata and Plymouth.
   - Building pads/home sizes should be scaled for the subject property - may be smaller than Northgate Two.

   Non-binding feedback was provided; there was no formal vote on the application.

4. **Staff Recommendation:**
Staff provided a revised RPUD standards analysis on the 3-lot plan. Development as an RPUD would require some flexibility, specifically on the dimensional requirements as single-family

building pad lots are not currently contemplated under an RPUD. For an analysis of the project against the RPUD regulations please refer to **Exhibit B**.

The property could be redeveloped as-is, one home on the ~1-acre lot, or developed with 3 units under an RPUD. Based on the Comprehensive Plan guidance, the original 2-lot proposal was not conforming.

COUNCIL ACTION REQUESTED

The Council should review the proposal and address the following questions to provide non-binding feedback to the application so they may prepare a formal application.

1. Neither of the abutting developments (Northgate Two nor Hill O' Way Manor) were created as an RPUD, although they both reflect principles of an RPUD. Does the Council find that the property's proximity and proposed design meet the exception criteria for RPUD applicability under 78-626(1)(b)?

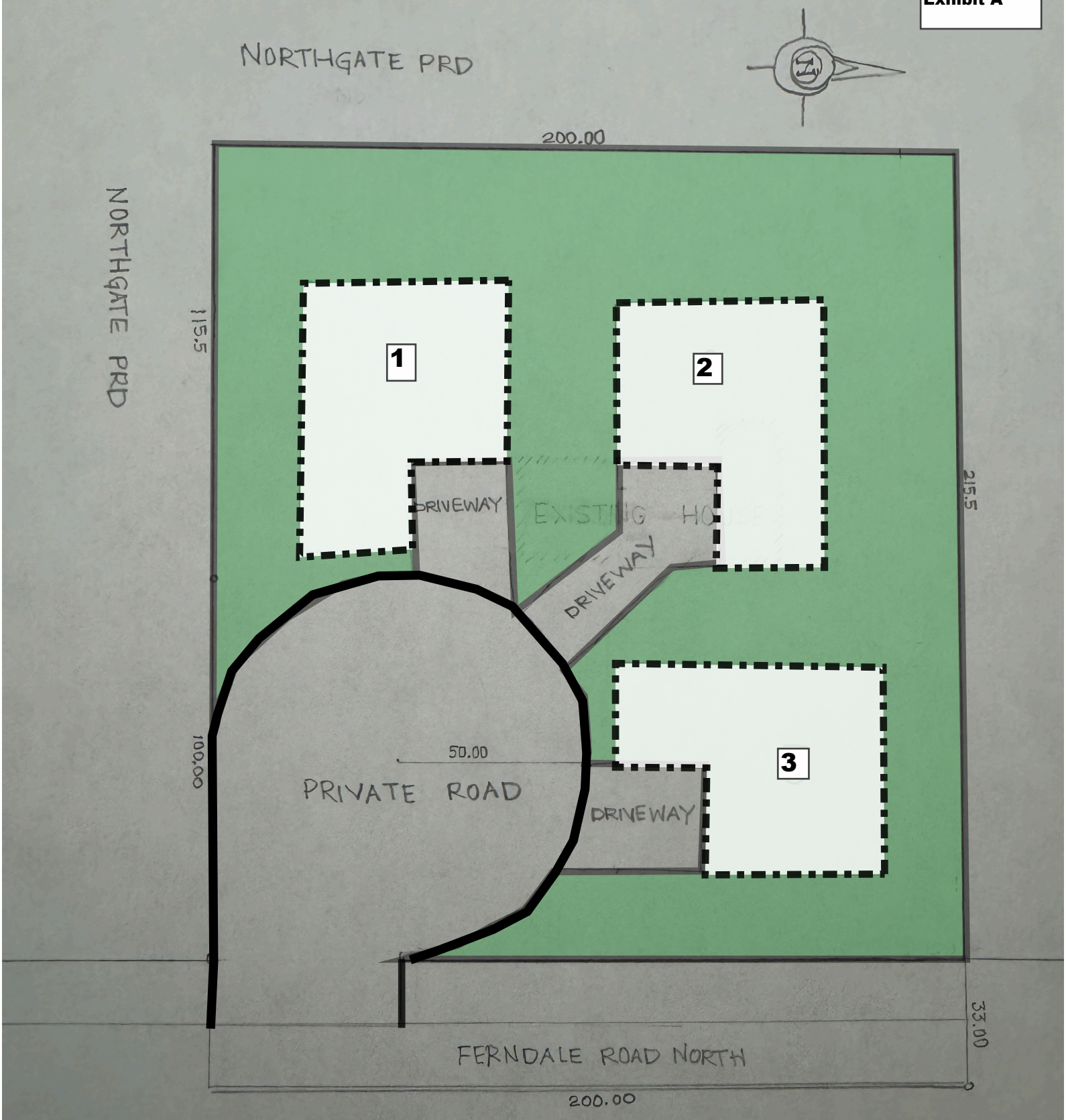
2. The RPUD process may be utilized to meet certain city goals for density, housing diversity, energy conservation, preservation of natural features, etc.. Does the applicant's plan, including the proposed density, meet those goals?

3. Are there any other issues or concerns with this application?

Exhibits

A. 3-Lot Site Plan
B. 3-lot RPUD Analysis
C. Draft PC Minutes
D. Comparison

Council Exhibit A



*Colored/annotated by staff

Council Exhibit B

RPUD Code Analysis: #LA25-000019 – UPDATED FOR 3 LOT PLAN

Code Section	Sec. 78-626 RPUD Standard/Requirement	Comment	Conforming? Yes/No
1	**Minimum area: 5 acres or certain exceptions…**	**The property is 0.99 acres in area. However, Section 78-626(1)(b) may apply. The Council may find that the project conforms to the exception under B, which reads: *The property is directly adjacent to or across a public street from property which has been developed previously as an RPUD or planned residential development and will be perceived as and will function as an extension of that previously approved development.* → As proposed, the development mimics Northgate Two.**	***Discuss***
2	*Uses.*	Single-family residential uses are conforming.	Yes
3	*Sewer availability*	Yes.	Yes
4	*Density.* Each development in the RPUD district shall have a density within the range specified in the comprehensive plan for the specific site.	The 2040 CMP guides the property for Urban Low Density Residential (3-8 units/acre). At 3 units per acre, the project would comply with the density guidance of the Comprehensive Plan.	Yes
5	*Incentives.* The city may utilize incentives to encourage the construction of projects that are consistent with the city's housing goals.	None requested.	
6	Floor Area Ratio for low to medium density = 0.5 (FAR = total building floor area / total lot area)	No house plans have been provided. However, the FAR limitation is achievable.	
Each RPUD site developed for single-family detached dwellings at medium density (i.e., densities ranging from 1 to 6 units/acre) shall be subject to the following standards (Section 78-626(8)):			
8a	Permitted Locations	The code contemplates single-family detached dwellings to be clustered in order to preserve significant natural features. The applicant proposes three single-family detached homes on building pad lots. A shared, open space outlot is proposed.	Yes
8b	**Minimum SFR lot size: 15,000 square feet.**	**The proposed lots will be sized for the building pads – a common, open space outlot is proposed. This configuration makes it impossible to comply with the single-family lot setbacks and dimensions.**	**Flexibility required**
8c	**Minimum lot width at the setback line: 90 feet.**		
8d	**Minimum lot depth: 125 feet.**		
8e	**Minimum front yard setback: 25 feet on internal streets within the RPUD site.**		
8f	**Minimum side yard setback: ten feet along interior lot lines; 15 feet on lot lines along the exterior of the RPUD site.**		
8g	**Rear yard setback: minimum of 40 feet or 20 percent of the depth of the lot, whichever is less.**		
8h	Building height: maximum of 30 feet.	No house plans have been provided. However, the 30-foot height limitation is achievable.	Yes
8i	All dwelling units… shall have a depth of at least 20 feet for at least 50 percent of their width. All dwelling units… shall have a width of at least 20 feet for at least 50 percent of their depth.	No house plans have been provided. However, the dimensional requirements are achievable.	Yes
8j	All dwellings shall have a permanent foundation in conformance with the state building code.	No house plans have been provided. However, the homes shall conform to the requirements for a permanent foundation.	Yes
8k & 8l	Relates to Accessory buildings	None are proposed.	Yes
8m	Off-street parking shall be provided for at least two vehicles for each single-family dwelling.	The plans show this can be accomplished.	Yes
11	Private recreational area. Each RPUD development shall provide a minimum of 10% of the gross project area in private recreational uses for project residents. Private recreational area requirements are in addition to the standard park dedication requirements.	The revised plan reflects individual, single-family building pad lots and a common space that could be used for recreational purposes.	Yes

6. NEW BUSINESS

6.1 LA25-000019, DARRYN BECKSTROM, 245 FERNDALE RD N., RPUD CONCEPT PLAN REVIEW

The Planning Commission is requested to review the Staff report, receive a presentation, and discuss and review the concept plan for rezoning to subdivide the one-acre property.

The Planning Commission discussed the item and asked questions of staff and the applicant, Darryn Beckstrom, Plymouth, daughter of the property owner.

Commissioners discussed the requirements and merits of an RPUD zoning district and whether the plan for the three houses would blend with the adjacent neighborhood and if setback requirements could be met. Commissioners were generally supportive of the concept plan as presented but asked for some additional information such as the size of houses that could be built and how they would compare to the adjacent neighborhood.

7. OLD BUSINESS

7.1 LA25-000014, REVISIONS TO CITY CODE REGARDING THE KEEPING OF ANIMALS IN RESIDENTIAL DISTRICTS

The Planning Commission is requested to review the Staff report, receive a presentation, and discuss the proposed text amendment regarding animals as accessory uses in residential districts. The proposal defines different categories of animals and some alterations to zoning regulations regarding lot sizes.

The Planning Commission discussed the item and asked questions of staff.

Commissioners said the definition of farm animals could include roosters, which are excluded as domestic poultry on smaller lots, or not use the term domestic poultry under farm animals. Commissioners suggested the definition of domestic poultry should be more restrictive, with some of the other kinds of fowl included as farm animals, and that the number of hens allowed in a domestic situation should be different from the number of doves and pigeons permitted. Discussion centered on whether permitted animals should be clearly defined or left open and what type of permitting should be required in different zoning districts. Commissioners indicated the goal would be to allow a small number of hens on smaller lots than the code currently permits. Setbacks for coops on residential half-acre lots would follow the primary building setbacks with a formula for setback from neighboring structures. Building permits would still be required.

Staff was directed to update the revisions to the code, incorporating the recommendations of the Commission, and schedule a public hearing.

8. OTHER ITEMS

Community Development Director Oakden updated the Planning Commission on City Council actions, noting that overall, the Council has been consistent with the Commission's recommendations.

Council Exhibit D

PUD ~ PRD ~ RPUD

The terms *Planned Unit Developments* (PUDs), *Planned Residential Developments* (PRDs), and *Residential Planned Unit Developments* (RPUDs) are often used interchangeably. PUDs offer flexibility from zoning standards to achieve consistent site design, while PRDs and RPUDs are specific *types* of PUDs, typically focused on specific residential uses.

✓ Planned Unit Development (PUD): A PUD is a type of development where regulations are relaxed to allow for flexible site and building design, potentially including mixed residential and non-residential uses, different housing types, and densities. **Utilization of the PUD zoning district within Orono is limited to the Highway 12 Corridor and the Navarre Area.**

***Comment**: The property is not located within the Highway 12 corridor or the Navarre area. The property is not eligible to be developed as a PUD.*

✓ Planned Residential Development (PRD): A PRD is a specific type of PUD that, through a CUP process, is limited to residential uses which emphasize flexibility in design and layout. The purpose of a PRD is to enhance the appearance of neighborhoods through preservation of natural open spaces, to counteract the effects of urban congestion and monotony, to provide cohesive structure to neighborhood design, to offer recreation opportunities close to home, and to aid in improving the welfare in general of city residents.

A proposal for PRD is not required to adhere to minimum lot size requirements to be eligible, provided that the total number of building lots or dwelling units shall not exceed the number of units allowed under the minimum lot size requirements of the zoning district in which such land is situated and should contain an open space preservation component. **For the subject property, located within the R-1A district (1 unit/acre), a PRD is allowed by CUP but is limited to detached single-family dwellings, and only where the total number of building lots or dwelling units does not exceed the number of lots permitted under the minimum lot size requirements of the zoning district.**

***Comment**: The 3-lot proposal exceeds the number of lots permitted under the R-1A zoning district. The property is not eligible to be developed under a PRD.*

✓ Residential Planned Unit Development (RPUD):
Similar to PRDs, RPUDs are also residential-focused PUDs, but specifically encourage innovative and creative designs for mixed residential uses. The purpose of RPUDs within Orono is to accommodate the densities and types of residential development contemplated in the Comprehensive Plan by incorporating the principles of the PUD concept. City Code Section 78-621 outlines the RPUD process to create a development which will encourage some or all of the following:

1. Flexibility in land development and redevelopment in order to utilize new techniques of building design, construction and land development;
2. Provision of housing to meet lifecycle, and affordable and moderate cost housing needs;
3. Energy conservation through the use of more efficient building designs and sitings and the clustering of buildings and land uses;
4. Preservation of desirable site characteristics and open space and protection of sensitive environmental features, including steep slopes, poor soils and trees;
5. High quality of design and design compatible with surrounding land uses, including both existing and planned;
6. Sensitive development in transitional areas located between different land uses and along significant corridors within the city; and
7. Development which is consistent with the comprehensive plan.

The total number of units for RPUD must fall within the density guidelines for the property identified in the 2040 Comp Plan, and shall not exceed the number of units permissible under the minimum lot size requirements of the zoning district in which the land is situated.

Each site proposed for rezoning to RPUD must be at least five acres (excluding wetlands, floodplain, right-of-way, or shoreland district) or it must meet one of the criteria listed in Section 78-626(1).

***Comment:** The subject property is only 1.0 acre in area. However, based on its proximity to Northgate Two it may be eligible for RPUD development through the exception under Section 78-626(1)(b) which states a property not meeting the minimum 5.0-acre requirement may be eligible if it is "directly adjacent to or across a public street from property which has been developed previously as a RPUD . . . and will be perceived as and will function as an extension of that . . . development".*

If the project is developed to mimic Northgate Two, it may be eligible if the City allows flexibility from the single-family lot dimensional standards.

AGENDA ITEM

Date: June 9, 2025 **Item:** 14

Title: Council Committee and Board Reports

Presenter: Adam Edwards, City Administrator / Engineer

Section: Council Committee Reports

1. **Purpose:**
   The purpose of the agenda item is for Orono council members to update one another on recent council committee or board meetings.

2. **Last Meeting:**
   A. The Long Lake Fire Advisory Board met on June 4th.

3. **Members:**
   A. **Long Lake Fire Advisory Board**
      - **Council Members**. Bob Tunheim and Steve Persian
      - **City Staff Members.** Interim Fire Chief Shea Chwialkowski, Adam Edwards
      - **Other Member Entities.** City of Long Lake, City of Medina and City of Minnetonka Beach

COUNCIL ACTION REQUESTED
Discussion item - no formal action required.

Exhibits
A. 2025-06-04 FAB Packet

AGENDA

Long Lake Fire Department Fire Advisory Meeting

June 4, 2025
4:00 pm – 5:00 pm
Long Lake Fire Station 1
340 Willow Drive N
Orono, MN

Representatives:

Long Lake	**Orono**	**Medina**	**Minnetonka Beach**
Scott Weske	Adam Edwards	Erin Barnhart	Jennifer Halverson
Jahn Dyvik	Steve Persian	Jason Nelson	Heidi Honey
Todd Newcomer	Bob Tunheim	Dino Deslauriers	
Mike Heiland	Shea Chwialkowski		

Welcome & Introductions	
Topics	Receive Minutes of March 5, 2025 Fire Advisory Board Meeting Review Operating Expenses as of Year to Date Call Numbers to Date Transition Update Joint Duty Crew Update JPA Update Establish Next Meeting Date
Other Topics	Any Additional Topics

Fire Advisory Board Meeting
Meeting Minutes
March 5, 2025

Roll Call of Attendees
The meeting was called by Fire Chief Mike Heiland. Please note that members in attendance:

Long Lake	Orono	Medina	Minnetonka Beach
Scott Weske	Adam Edwards	Erin Barnhart	Jennifer Halverson
Mike Heiland	James Van Eyll	Dino DesLauriers	
Todd Newcomer			
Jahn Dyvik			
Cody Farley			

Welcome & Introductions

The attendees of the Fire Advisory Board introduced themselves.

Topics

Receive Minutes of October 23, 2024, Fire Advisory Board Meeting

Review Unaudited December 2024/Year End Expenses
Long Lake City Administrator Weske gave a brief overview and highlighted some of the items included in the unaudited year-end expenses for 2024. He noted that it looked like they will end 2024 about $99,000 under budget, which would be refunded to the member cities. He asked if the member cities wanted to get a check or just have this amount credited to their next quarterly bill.

There was consensus of the Fire Advisory Board to just apply the refund amount from 2024 as a credit towards the member cities next payments.

Long Lake Councilmember Dyvik asked why they ended up under budget for the call volume.

Chief Heiland stated that in 2023 they had 507 calls and in 2024 had 467 calls, which was a difference of 40 calls. He noted that in addition to that, it was also related to the manpower because their overall numbers were down. He asked how many calls the Orono Fire Department had for the last 6 months of the year.

Orono Fire Chief VanEyll stated that he believed it was around 96 calls.

Weske explained that it added up quite a bit on an hourly basis. He stated that this information did not show the roll up information, so he would send out that information to the FAB.

Review Operating Expenses – Year to Date
Weske gave a brief overview of the Long Lake Fire Department operation expenses up to the end of February 2025. He stated that it appeared that the LLFD was relatively on par for where they needed to be for budgeting purposes.

Long Lake Councilmember Dyvik asked about the 2% pass through payment and if it was based on the number of calls.

Weske explained that it would be based on a specific formula with inputs including population, market value, and State need. He stated that he felt the LLFD had done pretty well in relation to worker's compensation and had come in better than they had expected.

Long Lake Councilmember Dyvik asked why the worker's compensation percentage wasn't closer to 25% and was closer to 66%.

Weske clarified that it was a one-time payment along with the general liability insurance.

Fire Chief Heiland noted that they had spent a lot of money on building repairs and maintenance and also on the heavy truck budget in 2024. He noted that they had equipped the new truck purchased last year with all new hand tools, and noted that in 2025 they sold the old engine 11. He outlined some of the expenses such as, new tires for the tanker, refurbishing the suspension and brake system on Utility 11, repair of the air exchanger and all 5 rooftop units. He explained that he was hopeful that in 2025 they would not be bombarded with building and heavy truck expenses.

Review Duty Crew Report for December 2024 and January 2025
Fire Chief Heiland noted that the LLFD was currently sitting at 38 members, with 3 on a leave of absence. He noted that one of their Station 2 firefighters had moved out of the area, so he had resigned. He explained that, as of today, the LLFD had run 79 calls compared to 69 in the same time period in 2024. He stated that they also have 3 members of the LLFD that were attending the EMT class and 3 firefighters that were currently in Firefighter 1 and 2 classes.

Long Lake City Councilmember Newcomer asked about big ticket items such as SCBAs and turnouts.

Fire Chief Heiland explained that they had budgeted for them so they were able to buy 6 sets every year and noted that they have a 10-year shelf life. He stated that felt that this system would help the LLFD be able to keep up.

Long Lake City Councilmember Newcomer referenced the OSHA proposal and noted that he felt that there was both good and bad included in it but wasn't sure when the final version would come out.

Fire Chief Heiland agreed that there were both positive and negative things included and noted that generally when this kind of thing comes out there were also grants and other funding available through the State. He noted that he appeared to be missing the page in his packet related to Duty Crew data.

Weske reviewed the Duty Crew data on behalf of Fire Chief Heiland and explained that, in December, there were 69 weekday shifts filled, which equated to 39.2%; 9 Saturdays filled, which equated to 22.5%, for a total of 78 slots for the month that were filled. He noted that there

was 1 call on December 2, 2024, which was a Station 2 call for a personal injury rollover incident with injuries. He explained that in service time was 1 minute, 42 seconds and the on scene time was 5:56 seconds.

Fire Chief Heiland reviewed the Duty Crew information for January 2025 and reminded the FAB that he calculated this information for shifts during the day where they have 2 people on a Duty Crew shift. He stated that for the month of January they had 5 calls on Duty Crew shifts and reviewed details of the call information. He noted that the LLFD had been pretty consistent at around 50% with their volunteer Duty Crew program and felt the Duty Crew program was still going well.

Long Lake Councilmember Dyvik asked about the first 2 in-service times, which were longer than the LLFD would like.

Fire Chief Heiland noted that the second call, which had the on-scene time of around 14 minutes, was a mutual aid call, which was something that they would wait for a full crew to arrive. He noted that the first call was for a medical call and noted there were times with that type of call that they also would wait for a full crew.

Long Lake Councilmember Dyvik asked about the breakdown of remote work and asked if those were for the Firefighters that chose to have the lower stipend amount in order to also work their normal job.

Fire Chief Heiland confirmed that was correct and reviewed how the remote work option was set up for the Firefighters and explained that he felt it was a helpful option for the LLFD. He noted that he felt Saturday afternoons had been kind of a bust for Duty Crews and reminded the Board that at the last meeting they had discussed the possibility of experimenting with a weeknight.

Discuss PT Duty Crews
Weske explained that he had added this to the agenda as a placeholder because he thought there may end up being an opportunity for it, but did not know if they were in a position to even be able to talk about it.

Long Lake Councilmember Dyvik suggested that they hold off on this discussion because Long Lake and Orono were still negotiating on what this may look like. He explained that he felt the negotiations were looking good and felt that they were pretty close. He noted that the current fire services contract goes through the end of 2025, so the question also becomes what the rest of 2025 would look like and also what will things look like beginning January 1, 2026.

Long Lake Councilmember Newcomer asked what kind of drills the LLFD was planning for 2025.

Fire Chief Heiland noted that they currently have 2 houses that may be burned.

Long Lake Councilmember Newcomer expressed frustration that the City of Wayzata had not reached out with an opportunity to conduct some drills during their recent tear down of the old bank building. He suggested that the LLFD may want to reach out to every nearby city and communicate that if they have permits that involve a tear down that they consider allowing the LLFD to do a drill. He noted that they would not even have to burn them, but it would still provide drilling opportunities for the LLFD.

Establish Next Meeting Date
Fire Chief Heiland stated that he was pleased that Long Lake and Orono representatives had been meeting to discuss fire service in the area.

There was consensus of the FAB to tentatively schedule the next meeting for May 21, 2025 at 4:00 p.m.

Wrap-Up / Adjourn

The meeting was adjourned by general consent at 4:31 p.m.

LONG LAKE, MN

Monthly Exp/Rev Accounts -FD

Account Descr	2025 Budget	2025 YTD Amt	%YTD Budget	MAY 2025 Amt
R 205-33402 FD Training Grants	$0.00	$13,384.50	0.00%	$1,694.68
R 205-33420 Fire Relief Assoc 2% State Aid	$165,000.00	$1,000.00	0.61%	$0.00
R 205-34210 Orono Fire Capital Funding	$0.00	$0.00	0.00%	$0.00
R 205-34212 Orono Fire Contract Revenue	$577,849.00	$288,924.50	50.00%	$0.00
R 205-34213 Long Lake Fire Capital Funding	$0.00	$0.00	0.00%	$0.00
R 205-34214 Long Lake Fire ContractRevenu	$103,954.00	$51,977.00	50.00%	$0.00
R 205-34215 Medina Fire Capital Funding	$0.00	$0.00	0.00%	$0.00
R 205-34217 Medina Fire ContractRevenue	$68,245.00	$34,122.50	50.00%	$0.00
R 205-34218 Minnetonka Beach contract rev	$63,000.00	$31,500.00	50.00%	$0.00
R 205-34220 FD Other Non-Contract Revenu	$5,998.00	$2,483.92	41.41%	$2,483.92
R 205-34951 Rent - Fire Dept.	$5,078.00	$1,269.42	25.00%	$0.00
R 205-36230 Contributions and Donations	$0.00	$2,085.56	0.00%	$0.00
R 205-36260 Refunds & Reimbursements	$0.00	$0.00	0.00%	$0.00
R 205-39100 Sales of Land/Capital Assets	$0.00	$28,500.00	0.00%	$0.00
	$989,124.00	$455,247.40	46.03%	$4,178.60
42280 Fire Dept Administration				
E 205-42280-1000 FT Admin Office Salaries	$116,035.94	$45,940.78	39.59%	$13,388.76
E 205-42280-1055 FD Duty Crew Pay	$0.00	$0.00	0.00%	$0.00
E 205-42280-1060 OFD Duty Crew Pay	$0.00	$0.00	0.00%	$0.00
E 205-42280-1080 Fire Officer Pay	$21,638.00	$7,414.24	34.26%	$1,853.56
E 205-42280-1130 Insurance Opt Out Pay	$14,500.00	$6,182.16	42.64%	$1,800.63
E 205-42280-1210 PERA	$21,464.06	$8,131.55	37.88%	$2,369.82
E 205-42280-1220 FICA	$7,500.00	$1,325.98	17.68%	$362.91
E 205-42280-1310 Employer Paid Health	$985.00	$439.80	44.65%	$86.60
E 205-42280-1510 Workers Comp Insurance	$44,000.00	$29,167.41	66.29%	$0.00
E 205-42280-2010 Office Supplies	$1,000.00	$555.73	55.57%	$39.98
E 205-42280-2030 Printed Forms	$500.00	$144.24	28.85%	$144.24
E 205-42280-2080 Training/Instruct Material	$250.00	$0.00	0.00%	$0.00
E 205-42280-2175 Fire Prevention Materials	$1,500.00	$0.00	0.00%	$0.00
E 205-42280-2410 Fire Department Uniform	$500.00	$0.00	0.00%	$0.00
E 205-42280-3000 Professional Srvs	$4,000.00	$219.50	5.49%	$0.00
E 205-42280-3010 Auditing and Actg Servic	$7,500.00	$4,000.00	53.33%	$0.00
E 205-42280-3090 Software Support	$8,500.00	$8,351.18	98.25%	$10.83
E 205-42280-3110 W.A.F.T.A	$2,000.00	$2,000.00	100.00%	$0.00
E 205-42280-3120 Legal Fees - Civil	$2,500.00	$0.00	0.00%	$0.00
E 205-42280-3150 LL Admin Fee	$18,000.00	$18,000.00	100.00%	$18,000.00
E 205-42280-3230 Cell Phones	$520.00	$206.00	39.62%	$60.00
E 205-42280-3310 Travel / Mileage Reimb	$400.00	$125.96	31.49%	$0.00
E 205-42280-3350 Education / Conferences	$4,500.00	$80.20	1.78%	$0.00
E 205-42280-3355 Motor Vehicle Lic & Reg	$100.00	$0.00	0.00%	$0.00
E 205-42280-3610 General Liability Ins	$9,500.00	$10,809.50	113.78%	$0.00
E 205-42280-4045 Insurance Claim Expense	$250.00	$0.00	0.00%	$0.00
E 205-42280-4135 Copier Maintenance	$650.00	$0.00	0.00%	$0.00
E 205-42280-4300 Miscellaneous	$1,500.00	$0.00	0.00%	$0.00
E 205-42280-4330 Dues and Subscriptions	$2,750.00	$2,150.75	78.21%	$214.99
E 205-42280-4450 Food & Beverage (Mtgs/	$1,500.00	$861.71	57.45%	$119.52
E 205-42280-4600 Recognition Expenditures	$1,000.00	$0.00	0.00%	$0.00
E 205-42280-5710 Computer/Printer Replac	$4,000.00	$392.84	9.82%	$0.00
E 205-42280-5800 Other Equipment	$4,000.00	$1,350.50	33.76%	$0.00
42280 Fire Dept Administration	$303,043.00	$147,850.03	48.79%	$38,451.84
42281 Fire Dept Operations				
E 205-42281-1055 FD Duty Crew Pay	$51,600.00	$12,100.00	23.45%	$1,650.00

Account Descr	2025 Budget	2025 YTD Amt	%YTD Budget	MAY 2025 Amt
E 205-42281-1065 Fire Call Pay	$78,250.00	$30,047.68	38.40%	$5,513.04
E 205-42281-1075 Fire Fighter Training Pay	$63,774.00	$12,331.80	19.34%	$3,546.40
E 205-42281-1085 Duty Officer Stipend	$0.00	$0.00	0.00%	$0.00
E 205-42281-1220 FICA	$7,500.00	$4,167.68	55.57%	$819.24
E 205-42281-2080 Training/Instruct Material	$650.00	$82.28	12.66%	$0.00
E 205-42281-2120 Motor Fuels	$15,300.00	$3,671.54	24.00%	$551.50
E 205-42281-2150 Shop Supplies	$2,200.00	$235.60	10.71%	$79.58
E 205-42281-2160 Chemicals and Chem Pro	$1,500.00	$1,630.66	108.71%	$0.00
E 205-42281-2190 Medical Supplies	$3,800.00	$3,254.65	85.65%	$2,978.63
E 205-42281-2210 Equipment Parts	$3,500.00	$5,323.32	152.09%	$0.00
E 205-42281-2215 SCBA Equipment Parts	$900.00	$386.97	43.00%	$0.00
E 205-42281-2400 Small Tools and Minor Eq	$6,800.00	$4,789.38	70.43%	$615.31
E 205-42281-2410 Fire Department Uniform	$10,000.00	$2,689.70	26.90%	$0.00
E 205-42281-2415 Turn Out Gear	$34,000.00	$24,588.00	72.32%	$0.00
E 205-42281-3050 Physicals / Other Medical	$16,000.00	$630.00	3.94%	$0.00
E 205-42281-3080 Training	$24,000.00	$20,452.75	85.22%	$3,080.00
E 205-42281-3225 Truck Communication Se	$5,250.00	$2,721.04	51.83%	$665.26
E 205-42281-3235 Cty 800mhz Radio Admin	$20,000.00	$5,536.44	27.68%	$1,384.11
E 205-42281-3280 Pagers/Radios Repairs &	$1,500.00	$0.00	0.00%	$0.00
E 205-42281-3285 Radio Lease	$7,200.00	$1,834.88	25.48%	$458.72
E 205-42281-3310 Travel / Mileage Reimb	$1,000.00	$0.00	0.00%	$0.00
E 205-42281-4030 Light Truck Maint & Repa	$8,000.00	$8,674.69	108.43%	$258.71
E 205-42281-4035 Heavy Truck Maint & Rep	$19,000.00	$7,575.93	39.87%	$447.45
E 205-42281-4040 Equip Maint & Repair	$5,500.00	$4,504.01	81.89%	$445.56
42281 Fire Dept Operations	$387,224.00	$157,229.00	40.60%	$22,493.51
42282 Willow Stn Facility Costs				
E 205-42282-2230 Bldg & Grnds Maint Supp	$1,000.00	$91.14	9.11%	$0.00
E 205-42282-3000 Professional Srvs	$1,000.00	$314.50	31.45%	$62.90
E 205-42282-3275 Internet Access (Mediaco	$8,300.00	$2,310.05	27.83%	$528.35
E 205-42282-3810 Electricity Expense	$12,500.00	$3,574.90	28.60%	$598.67
E 205-42282-3820 City Utilities (Wat,Sew,St	$3,100.00	$1,066.25	34.40%	$223.75
E 205-42282-3830 Natural Gas Expense	$8,000.00	$5,411.79	67.65%	$763.31
E 205-42282-3840 Custodial & Waste Remo	$9,000.00	$3,546.69	39.41%	$859.18
E 205-42282-3845 Lawn & Turf Maintenanc	$2,600.00	$139.00	5.35%	$139.00
E 205-42282-4010 Bldg Maint & Repairs	$16,000.00	$17,304.49	108.15%	$0.00
42282 Willow Stn Facility Costs	$61,500.00	$33,758.81	54.89%	$3,175.16
42283 FD Non-Operational Costs				
E 205-42283-1240 State Fire Aid Pension Co	$165,000.00	$0.00	0.00%	$0.00
E 205-42283-5000 Capital Outlay	$0.00	$0.00	0.00%	$0.00
42283 FD Non-Operational Costs	$165,000.00	$0.00	0.00%	$0.00
42286 Navarre Stn Facility Costs				
E 205-42286-2230 Bldg & Grnds Maint Supp	$250.00	$0.00	0.00%	$0.00
E 205-42286-3000 Professional Srvs	$1,000.00	$314.50	31.45%	$62.90
E 205-42286-3275 Internet Access (Mediaco	$7,000.00	$1,793.70	25.62%	$85.26
E 205-42286-3810 Electricity Expense	$4,500.00	$1,796.13	39.91%	$276.62
E 205-42286-3820 City Utilities (Wat,Sew,St	$2,300.00	$766.58	33.33%	$185.45
E 205-42286-3830 Natural Gas Expense	$3,500.00	$3,057.79	87.37%	$232.93
E 205-42286-3840 Custodial & Waste Remo	$7,000.00	$1,704.72	24.35%	$312.49
E 205-42286-3845 Lawn & Turf Maintenanc	$1,000.00	$0.00	0.00%	$0.00
E 205-42286-4010 Bldg Maint & Repairs	$9,500.00	$2,910.67	30.64%	$0.00
42286 Navarre Stn Facility Costs	$36,050.00	$12,344.09	34.24%	$1,155.65

CATAGORY	TASK	OWNER	COMPLETE BY	DETAILS	STATUS
OFD DUTY CREWS					
	Limit crews to 4 in Vector	Shea			
	Place appropriate limits on the first two slots for LLFD members	Shea			
	Place appropriate limits on the second two slots for OFD members	Shea	ASAP	OFD members are already freely signing up for that slot	
	The first shift M-F is 5 hours vs. 4. Is our $80 stipend going to remain for these shifts?	Mike		Changing the stipend should be a pain for LLFD payroll	
	Develop notification process for OPD	Shea			
	Develop training criteria for LLFD members who serve on crews. Should include details for driver, officer, and crew members	Shea			
	Determine new DC hours and shifts	Shea		M-F 7a-8p, Sat 8a-4p, none on Sun	Complete
	Load all LLFD members into Vector	Shea			Complete
	Train crews to wait to check into service until they are in the apparatus prepared to roll	Shea		This should coincide with the June 1 update	
	Meet with Steve P. to provide update on progress	Shea/Mike/ Cody	5/29/25		
LLFD DUTY CREWS					
	Limit crew slots to 2 per shift?	Mike		No. limitless	Complete
APPARATUS & EQUIPMENT					
	Move L-1 to station 1	Ryan			Complete
	Move T-1 to station 2	Ryan/Jackson			
	Empty and move R-12 to HQ	Ryan			
	Move T-12 to HQ	Ryan			
	Is there a known issue with the pump on L-1? when is it scheduled to be fixed?	Shea			
	Create an equipment list with equipment ownership	Ryan			
TRAINING					
	Update the driving booklets to be more printer/user friendly and include T-1, E-1	Cody			
	Create a ladder truck booklet.	Cody/Shea			

Make a plan for moving all non-shift training to Monday nights	Scott/Shea			
Evaluate % tracking for part time firefighters	Shea			
Update driving matrix and confirm credentials	Scott			
Get LLFD members signed off on T-1				
Get LLFD members signed off on driving L-1				
Get LLFD members signed off on pumping L-1				
Distribute planning efforts for Monday trainings	Scott/Shea			
OPERATIONS				
Update the rollout matrix to include T-1, L-1, and E-1 (during DC hours)	Mike		Draft complete, will be reviewed in the next Chiefs meeting	
Determine a new location for ice rescue gear	Ryan / John		Separate lockers in the apparatus bay?	
Develop response procedures for LLFD for when OFD duty crews are on shift	Mike/John			
Make a decision on smooth bore vs. fog	John			
Make a decision on hose loads	John			
TRANSITION COMMITTEE				
Collect volunteers and notify them	Cody / Shea		Adams, Veach, Hoster, Johnsrud, Spinks, Brooks, Flerimoen, Hayden	Complete
Assign them the task of selecting a new name	Cody	6/18/2025 for 5 options		
Establish a Chief liaison	Mike		Mike can be the committee's point of contact	
DISPATCH AND PAGING				
Notify dispatch of desired changes	Ryan	ASAP	Can the changes be affective 6/1/25?	
Do we switch LL area daytime call to OFD DC only?	Mike	ASAP		
DUTY OFFICER				
Make sure the old DO phone has cell service and put it back in C2 with a charger.	Mike		put a label on the phone displaying the phone number. Phone does not have service.	
Get all DOs set up in Vector	Cody		Still waiting on a couple	
Update DO shifts with recurring names	Cody		Need all DOs to get set up before this can happen	
ADMINISTRATION				

Make sure all members get logged into Vector	Mike
Enable LLFD to see OFD in Active 911 maps and vice versa	Ryan/ Tom D.
Email an LLFD roster with contact info to OFD	Mike
Email an OFD roster with contact info to LLFD	Shea

JPA PLANNING

Paging between DC vs POC vs Station 1 vs Station 2	
Finish on-boarding packet	Cody
Make recruiting plans and timeline	

AGENDA ITEM

Date: June 9, 2025 **Item:** 15

Title: Annual Performance Review of the City Administrator

Presenter: Adam Edwards, City Administrator / Engineer

Section: Closed Session

1. **Purpose:**
   The meeting will be closed as permitted by §13D.05, Subd. 3(a), to evaluate the performance of the City Administrator. The purpose of this item is for the City Council to provide feedback on the City Administrator's performance over the preceding year.

2. **Background:**
   Per the City Personnel Policy all employees are to receive a performance review annually by their supervisor. As the City Administrator reports directly to the City Council, the Council should provide the review. The review was started on April 14th but not completed due to the lateness of the hour.

3. **Process:**
   a. The focus of this session will be to establish expectations for the remainder of 2025.

   b. For reference, the Administrator responsibilities are broken down into three main areas below, in addition to the City Engineer function:
   - Lead Staff. Provide leadership to, and manage the activities of, the city staff and consultants to ensure city functions are provided in an efficient and resident focused manner. Create and maintain a professional and positive work environment.
   - Support Council. Ensure the City Council is provided with the information and professional advise needed to make sound decisions. Ensure policies and directives of the council are carried out. Foster healthy working relationship between Council, staff and the community.
   - Coordinate with other agencies. Facilitate intergovernmental cooperation with neighboring communities and other government and non-profit partners, including shared services and other cooperative ventures.
   - City Engineer. Prepare, resource and manage programs and project to maintain and improve the City's infrastructure. Provide engineer advice to city departments.

4. **Staff Recommendation:**
   I recommend the Council provide the required annual review.

COUNCIL ACTION REQUESTED

Discuss and agree to goals and expectations of the City Administrator's for 2025.

AGENDA ITEM

Date: June 9, 2025 **Item:** 16

Title: Closed Session - Labor Negotiation Discussion

Presenter: Adam Edwards, City Administrator / Engineer

Section: Closed Session

1. **Purpose:**
   The meeting will be closed as permitted by section 13D.03 to discuss the City's labor negotiation strategy related to the City's negotiations with LELS Local 168, Police Sergeants, LELS Local No. 40, Patrol Officers, IUOE Local No. 49 AFL-CIO, and OPEIU Local No. 12 AFL-CIO.

2. **Background:**
   The city has four bargaining units. All of the bargaining units agreements are up for renewal in 2026.

3. **Process:**
   City staff has initiated a first round of negotiations to learn what the respective units are looking for in the renewed agreements. Once council has provided guidance, staff will continue negotiations with the bargaining units. Agreements will be brought back to council for formal approval.

4. **Staff Recommendation:**
   Hold the Closed Session.

COUNCIL ACTION REQUESTED
Provide staff guidance on strategy for labor agreement negotiations.