



**New Brighton City Council  
Business Meeting Agenda  
New Brighton City Hall | Council Chambers  
803 Old Highway 8 NW, New Brighton, MN 55112  
6:30 PM May 27, 2025**

To participate in this meeting, members of the public may:

- **Attend the meeting in person.**
- **Watch the meeting electronically.** Tune into CTV Channel 8023 (CenturyLink) or Channel 16 (Comcast). To observe the meeting as a livestream or a webcast, visit [www.newbrightonmn.gov](http://www.newbrightonmn.gov) and click on "I Want To View a Public Meeting."
- **Join the meeting electronically.** Members of the public who need to interact with our public officials about agenda items, City Administration, and matters that are otherwise of public concern to the City Council but are unable to or not comfortable attending the meeting in person, may join the meeting electronically at: <https://newbrightonmn.gov/zoom> (no app needed), by scanning the QR Code on the right, or by using their Zoom app to join and entering: Meeting ID 898 6240 2361, Passcode 867530



**I. Call to Order and Roll Call**

- \_\_\_ Mayor Kari Niedfeldt-Thomas
- \_\_\_ Councilmember Graeme Allen
- \_\_\_ Councilmember Emily Dunsworth
- \_\_\_ Councilmember Jeanne Vint Frischman
- \_\_\_ Councilmember Jason Steffenhagen

**II. Pledge of Allegiance**

**III. Public Comment Forum**

**IV. Approval of Agenda**

**V. Special Order of Business**

1. Ramsey County Housing and Redevelopment Authority (HRA) Levy Update
2. Update from Ramsey County Commissioner Mary Jo McGuire and Ramsey County Manager Ling Becker

## **VI. Consent Agenda**

1. Consider Approval of Payments
2. Consider Approval of May 13, 2025 City Council Minutes
3. Accept Receipt of Commission Minutes
  - a. 04.14.25 Public Safety Commission
4. Consider Authorizing Purchase and Installation of NBCC Elevator Interior.
5. Ramsey County Cooperative Agreement for RRFB at County Road H and Edgewood
6. Consider Application for a Solicitor License for Custom Remodelers Inc.
7. Consider Ord. 919 Regarding Ex-Officio Members of Commissions
8. Consider Resolution Authorizing Publication of Ord. 919 by Title and Summary
9. Consider Approval of Massage Salon License and Personal Service License to Joualery Piahyang contingent on premise inspection

## **VII. Public Hearings**

## **VIII. Council Business**

1. Consider a Resolution to approve a Special Use Permit Amendment to authorize a new site plan, revised screening, and the addition of a lean-to on an existing structure for Clearscape Landscaping at 125 & 175 Old Highway 8.
2. Consider a Resolution to approve a Special Use Permit authorizing an auto sales use at 343 Old Highway 8.

## **IX. Commission Liason Reports, Announcements, and Updates**

City Manager Devin Massopust  
Councilmember Graeme Allen  
Councilmember Emily Dunsworth  
Councilmember Jeanne Vint Frischman  
Councilmember Jason Steffenhagen  
Mayor Kari Niedfeldt-Thomas

## **X. Adjournment**



|                        |                                  |
|------------------------|----------------------------------|
| <b>Agenda Section:</b> | <b>Special Order of Business</b> |
| <b>Report Date:</b>    | <b>05/20/2025</b>                |
| <b>Meeting Date:</b>   | <b>May 27, 2025</b>              |

## REQUEST FOR COUNCIL CONSIDERATION – EXECUTIVE SUMMARY

**ITEM DESCRIPTION: Ramsey County Housing and Redevelopment Authority (HRA) Levy Update**

### Action Requested:

|                 |                       |
|-----------------|-----------------------|
| Public Hearing: | Motion:               |
| Discussion:     | <b>Informational:</b> |

### Form of Action:

|                     |                                 |
|---------------------|---------------------------------|
| Resolution:         | Ordinance:                      |
| Contract/Agreement: | N/A or Other: <b>Discussion</b> |

### Votes Needed:

|          |             |
|----------|-------------|
| 3 Votes: | 4 Votes:    |
| 5 Votes: | <b>N/A:</b> |

### Summary Statement:

Representatives from Ramsey County will be present on May 27th to provide an update on the County's Housing & Redevelopment Authority.

### Recommendations:

Listen to the presentation and ask questions as needed.

### Applicable Deadlines:

n/a

|                          |                                                                                                                                                                                                                                                                                                                                |
|--------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Community Impact:</b> | The Ramsey County HRA plays an important role for the public in terms of health & wellness, economic growth & community investment, safety & justice, and the keeping of public records. Given their important role in the region, having a strong partnership with the HRA has a positive impact on the City of New Brighton. |
|--------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

|                             |                                                                                              |
|-----------------------------|----------------------------------------------------------------------------------------------|
| <b>Legislative History:</b> | - Members of the HRA periodically come before the City to provide updates on HRA activities. |
|-----------------------------|----------------------------------------------------------------------------------------------|

|                            |                          |                                  |
|----------------------------|--------------------------|----------------------------------|
| <b>Strategic Priority:</b> | Financial Sustainability | Staff Capabilities               |
|                            | Economic Development     | Community Engagement & Belonging |
|                            | City Assets              | Operational Effectiveness        |
|                            |                          | N/A                              |
|                            |                          |                                  |

|                       |                                                              |                 |                     |         |
|-----------------------|--------------------------------------------------------------|-----------------|---------------------|---------|
| <b>Fiscal Impact:</b> | <b>Financial Impact: Is there a financial consideration?</b> |                 | <b>No</b>           | Yes: \$ |
|                       | <b>Financing Sources:</b>                                    | Budgeted        | Budget Modification |         |
|                       | New Revenue                                                  | Use of Reserves | Other               |         |





**Housing and Redevelopment  
Authority (HRA) Levy Update –  
City of New Brighton  
May 27, 2025**



# Agenda

- Introduction
  - Ramsey County Commissioner Mai Chong Xiong, District 6 and Chair of Ramsey County Housing and Redevelopment Authority
  - Ramsey County Commissioner Mary Jo McGuire, District 2
- Ramsey County Community & Economic Development (CED) Department
  - Areas of work
  - Economic Competitiveness and Inclusion Plan
- Ramsey County Housing and Redevelopment Authority (HRA) Levy
- Looking ahead
  - Piloting new and enhanced business programming
  - Local Affordable Housing Aid (LAHA)

## Vision

A vibrant community where all are valued and thrive.

## Mission

A county of excellence working with you to enhance our quality of life.

## Goals



WELL-BEING



PROSPERITY



OPPORTUNITY



ACCOUNTABILITY

## Introduction





# Strategic Priorities

*The Board of Commissioners establishes the vision, mission and goals that guide Ramsey County: well-being, prosperity, opportunity, and accountability.*

**Vision:** A vibrant community where all are valued and thrive.

**Mission:** A county of excellence working with you to enhance our quality of life.

## Goals:

1. Strengthen individual, family and community health, safety and **well-being**
2. Cultivate economic **prosperity** and invest in neighborhoods with concentrated financial poverty
3. Enhance access to **opportunity** and mobility for all residents and businesses
4. Model fiscal **accountability**, transparency and strategic investments

# Countywide Strategic Plan

Seven strategic priorities (available online)

1. Residents first: effective, efficient and accessible operations
2. Advancing racial and health equity and shared community power
3. Aligning talent attraction, retention and promotion
4. Putting well-being and community at the center of Justice System Transformation
5. Advancing a holistic approach to strengthen individuals and families
6. Responding to climate change and increasing community resilience
7. Intergenerational prosperity for racial and economic inclusion



2

## Ramsey County Community and Economic Development Department (CED)

Josh Olson, Director  
Community & Economic Development Department



Ashland Apartments, Saint Paul



# What is the Community & Economic Development Department?

## Housing Infrastructure Programs



## Redevelopment Programs



## Real Estate Projects



## Business Support & Growth Programs





# Identifying CED's role and funding

|                                                                                    | Pre 2019<br><i>Baseline</i>                                                              | 2019<br><i>Transition</i>                                                                                                                                                                               | 2020/21<br><i>COVID/ECI Plan</i>                                                                                                                                                                                                | 2022<br><i>HRA Levy Starts</i>                                                                                                                                                       | 2023-2024                                                                                                                                                                                              | 2025 &<br><i>Looking forward</i>                                                                                                                                        |
|------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|   | <ul style="list-style-type: none"> <li>✓ Administer HUD entitlement programs.</li> </ul> | <ul style="list-style-type: none"> <li>✓ Open to Business.</li> <li>✓ Regional Portal (RCMB).</li> <li>✓ Corridor Revitalization Pilot.</li> <li>✓ \$8.9m GO Bonding for Affordable Projects</li> </ul> | <ul style="list-style-type: none"> <li>✓ Finalized ECI Plan.</li> <li>✓ Deployed \$25M in COVID small business relief.</li> <li>✓ NOAH II Impact Fund.</li> <li>✓ Dedicated \$37m ARPA funds to affordable projects.</li> </ul> | <ul style="list-style-type: none"> <li>✓ Housing Development Solicitation.</li> <li>✓ Critical Corridor Program debut.</li> <li>✓ Down Payment Assistance program revamp.</li> </ul> | <ul style="list-style-type: none"> <li>✓ Site Assessment Grant debuts.</li> <li>✓ Emerging and Diverse Developers Program introduced.</li> <li>✓ ARPA funds awarded to affordable projects.</li> </ul> | <ul style="list-style-type: none"> <li>✓ 'Support and Stabilize' initiated.</li> <li>• Small Business Reimagination Resource Grant.</li> <li>• ECI Plan 2.0.</li> </ul> |
|                                                                                    |                                                                                          |                                                                                                                       | <b>KEY POINT:</b> <i>A more responsive, diverse mix of programming</i>                                                                                                                                                          |                                                                                                                                                                                      |                                                                                                                                                                                                        |                                                                                                                                                                         |
|  | <ul style="list-style-type: none"> <li>• CDBG/HOME</li> <li>• ERF</li> </ul>             | <ul style="list-style-type: none"> <li>• CDBG/HOME</li> <li>• ERF</li> <li>• GO Bonds - <b>NEW</b></li> </ul>                                                                                           | <ul style="list-style-type: none"> <li>• CARES - <b>NEW</b></li> <li>• CDBG-CV - <b>NEW</b></li> <li>• CDBG/HOME</li> <li>• ERF</li> <li>• GO Bonds</li> <li>• HOME-ARP - <b>NEW</b></li> </ul>                                 | <ul style="list-style-type: none"> <li>• ARPA - <b>NEW</b></li> <li>• CDBG/HOME</li> <li>• ERF</li> <li>• HRA Levy - <b>NEW</b></li> <li>• GO Bonds</li> </ul>                       | <ul style="list-style-type: none"> <li>• ARPA</li> <li>• CDBG/HOME</li> <li>• ERF</li> <li>• HRA Levy</li> <li>• LAHA - <b>NEW</b></li> <li>• SAHA - <b>NEW</b></li> </ul>                             | <ul style="list-style-type: none"> <li>• CDBG/HOME</li> <li>• ERF</li> <li>• HRA Levy</li> <li>• LAHA</li> <li>• SAHA</li> </ul>                                        |
|                                                                                    |                                                                                          |                                                                                                                     | <b>KEY POINT:</b> <i>A more sustainable, locally driven funding model</i>                                                                                                                                                       |                                                                                                                                                                                      |                                                                                                                                                                                                        |                                                                                                                                                                         |

 [View acronym key](#)



## Ramsey County Economic Competitiveness and Inclusion Plan



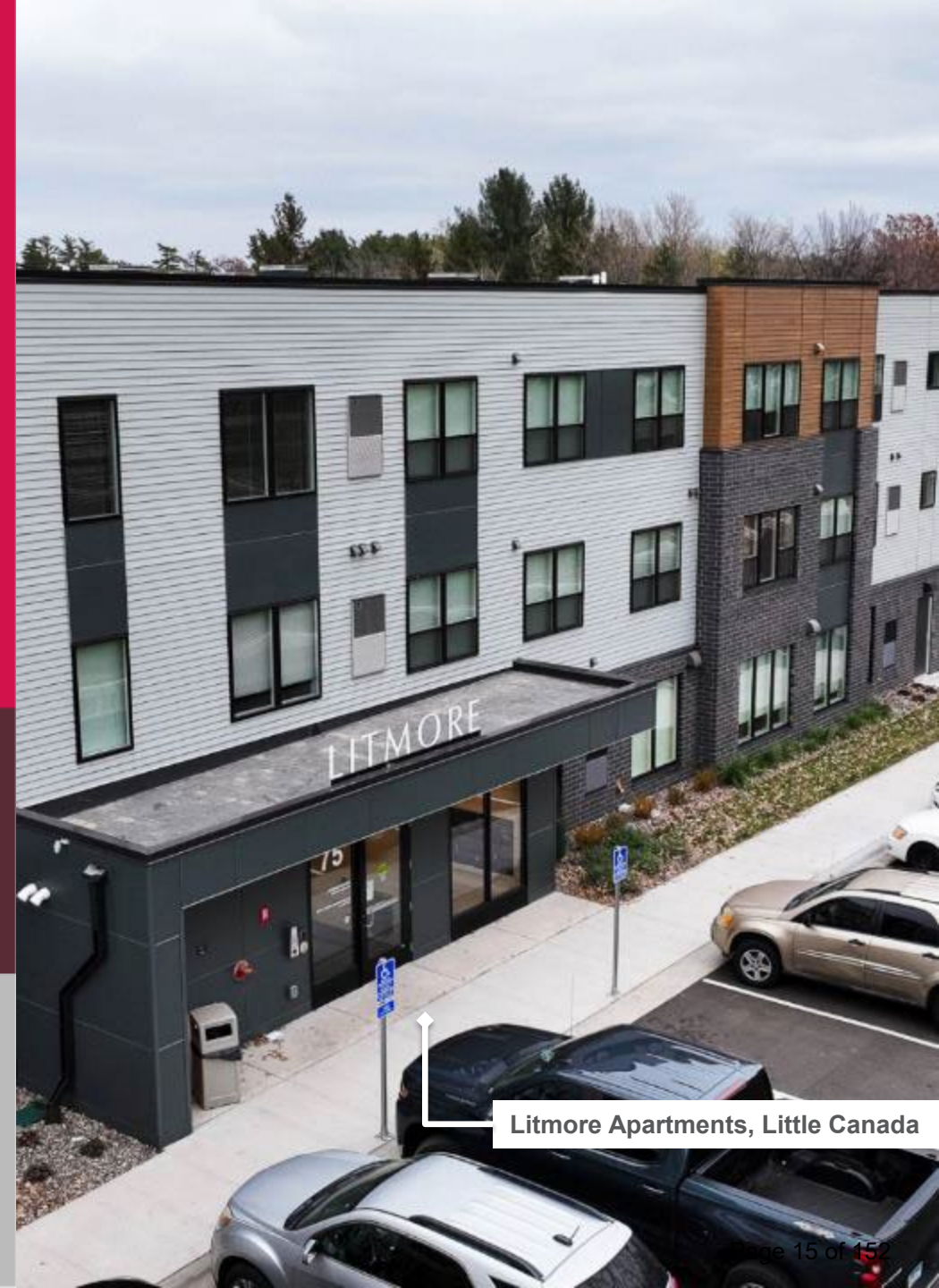
The strategies in the **ECI Plan** prioritize inclusion in future investments and other actions related to housing, job creation, workforce development and place-based investments.

[View the full plan](#)

[Track the progress](#)

3

## Housing and Redevelopment Authority (HRA) Levy





## Housing and Redevelopment Authority (HRA) Levy

- County approves HRA area of operation (excluding North Saint Paul) and approves 2022-2023 budget with levy for Housing and Redevelopment Authority.
  - Ramsey County was the *last metropolitan county to levy* from its Housing and Redevelopment Authority
- \$13.6 Million (2025 approved HRA Levy)
- Funding is guided by Economic Inclusion and Competitiveness Plan (Released: March 2021)



# Programming Funded by HRA Levy

## Housing Programs

- Affordable Housing infrastructure investments
- Down payment assistance (FirstHome)
- Emerging & Diverse Developers Program

## Redevelopment Programs

- Critical Corridors
  - Planning
  - Development + Infrastructure
  - Suburban Commercial Corridor Initiative
- Site Assessment Grants (SAG)

➔ Strive for 50/50 spending parity (Saint Paul/Suburbs) ➔



| Spending by Programmatic Areas<br>(Avg. of 2022 & 2023) |               |
|---------------------------------------------------------|---------------|
| 73%                                                     | Housing       |
| 17%                                                     | Redevelopment |
| 10%                                                     | Admin         |

| Geographic Spending Parity<br>(2024) |             |
|--------------------------------------|-------------|
| 50%                                  | Suburban RC |
| 50%                                  | Saint Paul  |

# Investing in New Brighton

|                                    | Housing Programs                                                              | Redevelopment Programs                                                                                                          | Business Programs                                                   |
|------------------------------------|-------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------|
| 2024 HRA Levy Awards →             | 6 First Home Loans (\$470K)<br><i>*All First-Generation borrowers</i>         |                                                                                                                                 | N/A<br>*No HRA Levy Funded Business Programming                     |
| Prior Year HRA Levy Awards →       | 3 First Home Loans (\$269K)<br><i>*All First-Generation borrowers in 2023</i> | Bringing a Sense of Place to New Brighton (\$32,600) CC 2022<br>Parking Reduction for a Greener New Brighton (\$29,340) CC 2022 | N/A<br>*No HRA Levy Funded Business Programming                     |
| Other Funded Projects/Activities → | 7 Homeowner Rehab or Repair recipients (CDBG in 2024)                         | Former MicomCorp/TGLDC LLC site, (\$221,435) ERF 2022                                                                           | 7 Entrepreneurs supported from New Brighton (Open to Business 2024) |
|                                    | Additional Programmatic Offerings Available                                   |                                                                                                                                 |                                                                     |
|                                    | Affordable Housing Projects                                                   | Site Assessment Grants                                                                                                          | CEO NEXT                                                            |
|                                    | Support and Stabilize                                                         |                                                                                                                                 | CEO NOW                                                             |

4

## Looking Ahead



Margaret St House, Saint Paul

# Small Business Support Programming

The ECI Plan reinforced the important intersections and linkages of affordable housing, redevelopment, workforce development and small business supports.

**1 in 2**

Renters are cost-burdened

**1 in 5**

Homeowners who are housing cost-burdened

**36%**

Workers in Ramsey County are being paid less than a living wage.

**Lags**

Business starts and lending compared to region and nation



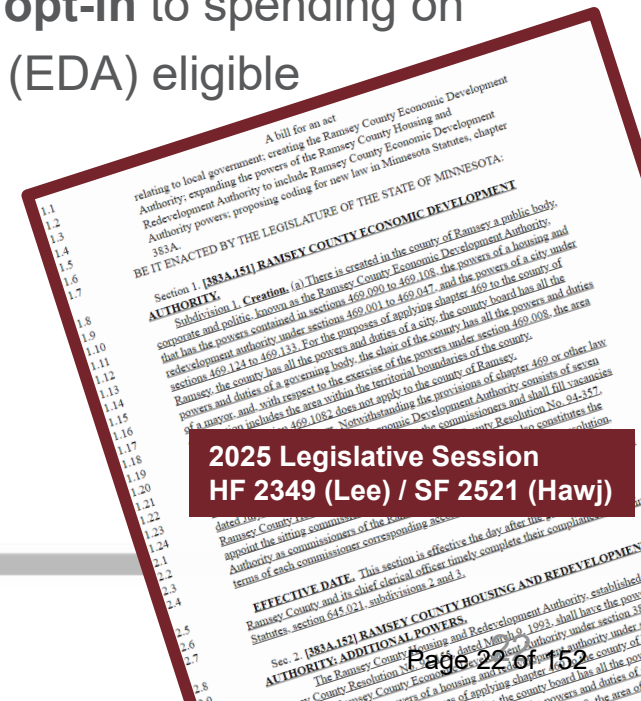
## Increasing the flexibility of HRA funding

- County remains steadfast in its prioritization of affordable housing.
  - Local Affordable Housing Aid (i.e. housing sales tax) is providing added flexibility
- Increases flexibility in funding business programming.
  - Currently General Levy supports \$345,000 business programming.
    - ▶ Open to Business, CEO Next, CEO Now, RamseyCountyMeansBusiness.com
- Areas of need identified to strengthen the small business ecosystem:
  - **Capacity building** of small business support organizations to meet current and future needs.
  - More **technical assistance/advisory services** to better serve targeted geographies, communities and/or industries.
  - Additional **flexible capital** to enable greater business retention, expansion & attraction.



## 2025 Legislative Request

- Seeks to amend the county's HRA statutory language to expand authority to better support diversifying industries, communities, and emerging entrepreneurs
- Legislation **does not impact** the formula associated with HRA levy collection
- Cities would have the **choice to opt-in** to spending on economic development authority (EDA) eligible activities.
- If no opt-in, then existing HRA-eligible activities would remain.



## Increasing the flexibility of HRA funding

- County remains steadfast in its prioritization of affordable housing.
  - Arrival of Local Affordable Housing Aid (i.e. housing sales tax) is providing added flexibility
    - Partial disbursement in 2024. Full disbursement in 2025 (estimated at \$14M).
- Increases flexibility in funding business programming.
  - Currently County's General Levy supports \$345,000 in business programming.
  - Initial plan is ~\$2M of HRA Levy (15%) towards business programming.
- Geographic parity of HRA levy spending remains.

# Looking Forward

- ✓ 2025 – Legislative Request Approved
- Reimagination Resource Center
  - Received responses to RFI on April 29<sup>th</sup>. RFP to follow in the coming weeks.
- Continued support for existing business programming portfolio
  - Open to Business; CEO Now, CEO Next, RamseyCountyMeansBusiness
- EDA: Opt-in Process (End of Legislative Session – July 2026)
- Jan. 2027- Start of *HRA Levy* funded Business Programming



5

## Local Affordable Sales Tax (LAHA) Funded Programming



# Local Affordable Housing Aid (LAHA)

- Local Affordable Housing Aid (LAHA) is a 0.25% sales tax collected by Minnesota Department of Revenue across the seven-county metro area for affordable housing.
- Eligible Uses:
  - Financing the supply of affordable housing (single family or multifamily).
    - New construction (up to 80% Area Median Income (AMI)).
    - Rehabilitation (up to 80% AMI).
  - Homeownership Assistance (up to 115% AMI).
  - Financial Support for Nonprofit Housing Providers.
  - Rental Assistance (up to 80% AMI).
  - Shelter Capital and Operations.
- Ramsey County's 2024 aid amount was \$6M.
- Ramsey County's 2025 aid amount is estimated at \$14M

# Local Affordable Housing Aid (LAHA)

- Local cities can partner with Ramsey County to use their LAHA to amplify impact of existing programs within their city.
- Existing RC programs that city LAHA funding could be connected to could include:
  - First Home Downpayment Assistance.
  - Single Family Rehab Deferred Loan Program.
  - Manufactured Home Critical Repair Grant Program.
  - Single Family Home Critical Repair Grant Program.
  - Multifamily Rehab and New Construction.
  - Emerging and Diverse Developers Program.





## Acronym Key

- HUD: U.S. Department of Housing & Urban Development.
- CDBG: Community Development Block Grant
- CDBG-CV: Community Development Block Grant – COVID19 allocation.
- HOME: Home Investment Partnership Program.
- HOME-ARP: Home Investment Partnership Program – American Rescue Plan allocation
- GO Bonds: General Obligation Bonds.
- ERF: Environmental Response Fund.
- ECI Plan: Economic Competitiveness & Inclusion Plan.
- ARPA: American Rescue Plan Act
- TFL: Tax Forfeited Land
- RCMB: RamseyCountyMeansBusiness.com
- LAHA: Local Affordable Housing Aid (Housing Sales Tax)
- SAHA: Statewide Affordable Housing Aid
- CED: Community and Economic Development Department
- EDA: Economic Development Authority



|                        |                                  |
|------------------------|----------------------------------|
| <b>Agenda Section:</b> | <b>Special Order of Business</b> |
| <b>Report Date:</b>    | <b>05/22/2025</b>                |
| <b>Meeting Date:</b>   | <b>May 27, 2025</b>              |

## REQUEST FOR COUNCIL CONSIDERATION – EXECUTIVE SUMMARY

**ITEM DESCRIPTION:** Update from Ramsey County Commissioner Mary Jo McGuire and Ramsey County Manager Ling Becker

### Action Requested:

|                 |                       |
|-----------------|-----------------------|
| Public Hearing: | Motion:               |
| Discussion:     | <b>Informational:</b> |

### Form of Action:

|                     |                      |
|---------------------|----------------------|
| Resolution:         | Ordinance:           |
| Contract/Agreement: | <b>N/A or Other:</b> |

### Votes Needed:

|          |             |
|----------|-------------|
| 3 Votes: | 4 Votes:    |
| 5 Votes: | <b>N/A:</b> |

### Summary Statement:

Ramsey County Commissioner Mary Jo McGuire and Ramsey County Manager Ling Becker will provide updates to the City Council on Ramsey County business.

### Recommendations:

Listen to updates and ask any pertinent follow-up questions.

### Applicable Deadlines:

N/A

|                          |                |
|--------------------------|----------------|
| <b>Community Impact:</b> | Informational. |
|--------------------------|----------------|

|                             |     |
|-----------------------------|-----|
| <b>Legislative History:</b> | N/A |
|-----------------------------|-----|

|                            |                          |                                  |
|----------------------------|--------------------------|----------------------------------|
| <b>Strategic Priority:</b> | Financial Sustainability | Staff Capabilities               |
|                            | Economic Development     | Community Engagement & Belonging |
|                            | City Assets              | Operational Effectiveness        |
|                            |                          | N/A                              |
|                            |                          |                                  |

|                       |                                                              |                 |                     |         |
|-----------------------|--------------------------------------------------------------|-----------------|---------------------|---------|
| <b>Fiscal Impact:</b> | <b>Financial Impact: Is there a financial consideration?</b> |                 | No                  | Yes: \$ |
|                       | <b>Financing Sources:</b>                                    | Budgeted        | Budget Modification |         |
|                       | New Revenue                                                  | Use of Reserves | Other               |         |

|                        |                       |
|------------------------|-----------------------|
| <b>Agenda Section:</b> | <b>Consent Agenda</b> |
| <b>Report Date:</b>    | <b>05/05/2025</b>     |
| <b>Meeting Date:</b>   | <b>May 27, 2025</b>   |

## REQUEST FOR COUNCIL CONSIDERATION – EXECUTIVE SUMMARY

### ITEM DESCRIPTION: Consider Approval of Payments

#### Action Requested:

|                 |                  |
|-----------------|------------------|
| Public Hearing: | Motion: <b>X</b> |
| Discussion:     | Informational:   |

#### Form of Action:

|                     |                        |
|---------------------|------------------------|
| Resolution:         | Ordinance:             |
| Contract/Agreement: | N/A or Other: <b>X</b> |

#### Votes Needed:

|                   |          |
|-------------------|----------|
| 3 Votes: <b>X</b> | 4 Votes: |
| 5 Votes:          | N/A:     |

#### Summary Statement:

The following summary of claims have been submitted to the City's Finance Department for payment. A detailed listing is also attached.

|               |                       |
|---------------|-----------------------|
| EFT:          | \$105,258.20          |
| ACH:          | \$521,449.85          |
| Check:        | \$588,145.47          |
| <b>Total:</b> | <b>\$1,214,853.52</b> |

**Recommendations:** To approve the payment of invoices as listed in the attachment.

**Applicable** The Council Meeting immediately following the disbursement of funds.

|                   |  |
|-------------------|--|
| <b>Deadlines:</b> |  |
|-------------------|--|

|                          |                                                                                                                                                                                               |
|--------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Community Impact:</b> | All payments of claims are accounted for in the City's budgets and/or long-term financial plans and may be funded by the community through the property tax levy, user fees or other charges. |
|--------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

|                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|-----------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Legislative History:</b> | Minnesota Statute 412.271 requires the City Council to approve all payments of claims. Per the City's Purchasing Policy, the City Council delegates to the City Manager or his/her designee its authority to pay claims prior to obtaining Council approval. A list of all payments are to be provided to the City Council at the next available Council meeting, and earlier payment does not affect the right of the City Council or any taxpayer to challenge the validity of a claim. |
|-----------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

|                            |                                       |                                    |
|----------------------------|---------------------------------------|------------------------------------|
| <b>Strategic Priority:</b> | Sustainable & Reliable Infrastructure | Operational Effectiveness <b>X</b> |
|                            | Environment & Sustainability          | Diversity, Equity Inclusion        |
|                            | Livable Community                     | N/A                                |

|                       |                                                              |                 |                     |                             |
|-----------------------|--------------------------------------------------------------|-----------------|---------------------|-----------------------------|
| <b>Fiscal Impact:</b> | <b>Financial Impact: Is there a financial consideration?</b> |                 | No                  | Yes: \$ <b>1,214,853.52</b> |
|                       | <b>Financing Sources:</b>                                    | Budgeted        | Budget Modification |                             |
|                       | New Revenue                                                  | Use of Reserves | Other               |                             |



# VI\_1 APPROVAL OF PAYMENTS

## CHECK DISBURSEMENT REPORT FOR CITY OF NEW BRIGHTON

| Check Date | Payee                               | Description                                                 | Amount    |
|------------|-------------------------------------|-------------------------------------------------------------|-----------|
| 05/01/2025 | METROPOLITAN LIFE INSURANCE COMPANY | DENTAL MAY - GROUP #KM05387365                              | 4,850.56  |
| 05/01/2025 | METROPOLITAN LIFE INSURANCE COMPANY | DENTAL MAY - GROUP #KM05387365                              | 260.27    |
|            |                                     |                                                             | 5,110.83  |
| 05/01/2025 | XCEL ENERGY                         | CITY HALL/PSB 03/18-04/16/25                                | 2,029.44  |
| 05/01/2025 | XCEL ENERGY                         | CITY HALL/PSB 03/18-04/16/25                                | 712.08    |
| 05/01/2025 | XCEL ENERGY                         | WELLS & LIFT STATIONS 03/19-04/17/25                        | 2,191.81  |
| 05/01/2025 | XCEL ENERGY                         | WELLS & LIFT STATIONS 03/19-04/17/25                        | 1,241.52  |
| 05/01/2025 | XCEL ENERGY                         | 500 13TH AVE NW 03/18-04/16/25                              | 1,374.82  |
| 05/01/2025 | XCEL ENERGY                         | PARKS 03/20-04/21/25                                        | 317.72    |
| 05/01/2025 | XCEL ENERGY                         | CITY HALL/PSB 03/18-04/16/25                                | 3,137.65  |
| 05/01/2025 | XCEL ENERGY                         | CITY HALL/PSB 03/18-04/16/25                                | 2,389.88  |
| 05/01/2025 | XCEL ENERGY                         | WELLS & LIFT STATIONS 03/19-04/17/25                        | 29,272.54 |
| 05/01/2025 | XCEL ENERGY                         | WELLS & LIFT STATIONS 03/19-04/17/25                        | 3,089.20  |
| 05/01/2025 | XCEL ENERGY                         | WELLS & LIFT STATIONS 03/19-04/17/25                        | 891.08    |
| 05/01/2025 | XCEL ENERGY                         | WELLS & LIFT STATIONS 03/19-04/17/25                        | 751.54    |
| 05/01/2025 | XCEL ENERGY                         | WELLS & LIFT STATIONS 03/19-04/17/25                        | 600.38    |
| 05/01/2025 | XCEL ENERGY                         | WELLS & LIFT STATIONS 03/19-04/17/25                        | 43.25     |
| 05/01/2025 | XCEL ENERGY                         | OLD HWY 8 STREET LIGHTS AND MAINT GARAGE GAS 03/19-04/17/25 | 2,520.32  |
| 05/01/2025 | XCEL ENERGY                         | WELLS & LIFT STATIONS 03/19-04/17/25                        | 13.19     |
| 05/01/2025 | XCEL ENERGY                         | STREET LIGHTS 03/18-04/16/25                                | 13.19     |
|            |                                     |                                                             | 50,589.61 |
| 05/02/2025 | GLOBAL PAYMENTS, INC                | NBCC APRIL 2025 CC FEES                                     | 10,759.23 |
| 05/02/2025 | GLOBAL PAYMENTS, INC                | NBCC APRIL 2025 CC FEES                                     | 16,138.85 |
| 05/02/2025 | GLOBAL PAYMENTS, INC                | GOLF APRIL 2025 CC FEES                                     | 3,480.77  |
|            |                                     |                                                             | 30,378.85 |
| 05/06/2025 | INVOICE CLOUD INC.                  | INVOICE CLOUD FEES 04/01/25-04/30/25                        | 3.75      |
| 05/06/2025 | INVOICE CLOUD INC.                  | INVOICE CLOUD FEES 04/01/25-04/30/25                        | 168.20    |
| 05/06/2025 | INVOICE CLOUD INC.                  | INVOICE CLOUD FEES 04/01/25-04/30/25                        | 468.74    |
| 05/06/2025 | INVOICE CLOUD INC.                  | INVOICE CLOUD FEES 04/01/25-04/30/25                        | 468.74    |
| 05/06/2025 | INVOICE CLOUD INC.                  | INVOICE CLOUD FEES 04/01/25-04/30/25                        | 234.37    |
|            |                                     |                                                             | 1,343.80  |
| 05/06/2025 | PEPSI-COLA - EFT                    | PO/GATORADE FOR RESALE AT THE GOLF COURSE                   | 1,046.53  |
| 05/14/2025 | MN DEPT OF REVENUE                  | APRIL FUEL TAX                                              | 148.51    |
| 05/05/2025 | AMERICAN EXPRESS - EFT              | APRIL AMEX CREDIT CARD FEES 03/30/2025 - 04/29/2025         | 92.97     |
| 05/05/2025 | AMERICAN EXPRESS - EFT              | APRIL AMEX CREDIT CARD FEES 03/30/2025 - 04/29/2025         | 97.71     |
| 05/05/2025 | AMERICAN EXPRESS - EFT              | APRIL AMEX CREDIT CARD FEES 03/30/2025 - 04/29/2025         | 97.71     |
| 05/05/2025 | AMERICAN EXPRESS - EFT              | APRIL AMEX CREDIT CARD FEES 03/30/2025 - 04/29/2025         | 48.84     |
|            |                                     |                                                             | 337.23    |
| 05/15/2025 | MN DEPT OF REVENUE                  | APRIL 2025 SALES TAX                                        | (120.55)  |
| 05/15/2025 | MN DEPT OF REVENUE                  | APRIL 2025 SALES TAX                                        | 7,313.25  |
| 05/15/2025 | MN DEPT OF REVENUE                  | APRIL 2025 SALES TAX                                        | 1,388.11  |
| 05/15/2025 | MN DEPT OF REVENUE                  | APRIL 2025 SALES TAX                                        | 2,849.40  |
| 05/15/2025 | MN DEPT OF REVENUE                  | APRIL 2025 SALES TAX                                        | 36.03     |
| 05/15/2025 | MN DEPT OF REVENUE                  | APRIL 2025 SALES TAX                                        | 1,575.28  |
| 05/15/2025 | MN DEPT OF REVENUE                  | APRIL 2025 SALES TAX                                        | 621.69    |

# VI\_1 APPROVAL OF PAYMENTS

## CHECK DISBURSEMENT REPORT FOR CITY OF NEW BRIGHTON

| Check Date | Payee                       | Description                                                              | Amount    |
|------------|-----------------------------|--------------------------------------------------------------------------|-----------|
| 05/15/2025 | MN DEPT OF REVENUE          | APRIL 2025 SALES TAX                                                     | 2,540.79  |
|            |                             |                                                                          | 16,204.00 |
| 05/15/2025 | MONEY MOVERS                | APRIL 2025 SERVICES                                                      | 19.25     |
| 05/15/2025 | VANCO PAYMENT SOLUTIONS     | MONTHLY VANCO FEES APRIL 2025                                            | 31.84     |
| 05/15/2025 | VANCO PAYMENT SOLUTIONS     | MONTHLY VANCO FEES APRIL 2025                                            | 31.84     |
| 05/15/2025 | VANCO PAYMENT SOLUTIONS     | MONTHLY VANCO FEES APRIL 2025                                            | 15.91     |
|            |                             |                                                                          | 79.59     |
| 05/09/2025 | BOYD, KIM                   | LUNCH FOR BCA DEATH AND MISSING PERSON 4/30, 5/2 BREEZY POINT            | 40.00     |
| 05/09/2025 | BS & A SOFTWARE             | PERMIT APPLICATIONS 1/24/2025-4/4/2025                                   | 910.00    |
| 05/09/2025 | BULLFROG INDUSTRIES LLC     | PAINT E2 LIGHT POLES                                                     | 6,760.00  |
| 05/09/2025 | CEMSTONE PRODUCT CO.        | REPAIR OF WATER BREAK CURB & SIDEWALK                                    | 1,303.50  |
| 05/09/2025 | CHESS, INC                  | MAINTENANCE PLAN - FOR APRIL 2025                                        | 2,190.00  |
| 05/09/2025 | CHET'S SHOES LLC            | BOOTS FOR JEREMY WELLS                                                   | 165.99    |
| 05/09/2025 | COVERALL OF THE TWIN CITIES | COMMERCIAL CLEANING SERVICES FOR CITY HALL                               | 2,561.00  |
| 05/09/2025 | COVERALL OF THE TWIN CITIES | CLEANING FOR MARCH- PUBLIC WORKS                                         | 2,070.00  |
| 05/09/2025 | COVERALL OF THE TWIN CITIES | CLEANING FOR PUBLIC SAFETY MAY 2025                                      | 2,816.00  |
|            |                             |                                                                          | 7,447.00  |
| 05/09/2025 | EMERSON, BURT               | LUNCH FOR BCA DEATH AND MISSING PERSON CONFERENCE 4/30, 5/2 BREEZY POINT | 40.00     |
| 05/09/2025 | FACTORY MOTOR PARTS CO      | #1507 BATTERY                                                            | 157.61    |
| 05/09/2025 | FACTORY MOTOR PARTS CO      | #1513 WIPER BLADES                                                       | 29.40     |
| 05/09/2025 | FACTORY MOTOR PARTS CO      | OIL FILTERS SHOP                                                         | 196.53    |
|            |                             |                                                                          | 383.54    |
| 05/09/2025 | GECK, DUEA & OLSON, PLLC    | PROSECUTION CONTRACT FILE NO: R MONTHLY CONTRACT                         | 7,515.00  |
| 05/09/2025 | HAWKINS, INC.               | LPC-4                                                                    | 6,162.41  |
| 05/09/2025 | HEIDI SMITH-MIRANDA         | ADULT DANCE CLASS SUB INVOICE                                            | 425.00    |
| 05/09/2025 | HOSE PROS LLC               | PARTS TO TRANSFER CHEMICALS                                              | 20.47     |
| 05/09/2025 | HYDRO CORP                  | BACKFLOW PREVENTION MNGMT PROGRAM- MARCH 2025                            | 379.00    |

# VI\_1 APPROVAL OF PAYMENTS

## CHECK DISBURSEMENT REPORT FOR CITY OF NEW BRIGHTON

| Check Date | Payee                               | Description                                                                     | Amount     |
|------------|-------------------------------------|---------------------------------------------------------------------------------|------------|
| 05/09/2025 | KATH FUEL OIL SERVICE               | DRUM PUMP SHOP                                                                  | 75.00      |
| 05/09/2025 | KIMLEY-HORN & ASSOCIATES, INC       | CONSTRUCTION PHASE SERVICES                                                     | 13,888.43  |
| 05/09/2025 | KUTAK ROCK LLP                      | LEGAL COSTS RE: BLOCK B REDEVELOPMENT TIF DISTRICT #32                          | 3,925.00   |
| 05/09/2025 | L.E.L.S                             | POLICE/SERG UNION DUES FOR MAY                                                  | 2,044.00   |
| 05/09/2025 | MANSFIELD OIL COMPANY OF GAINSVILLE | UNLEADED 813 GALLONS                                                            | 5,936.12   |
| 05/09/2025 | MARCO TECHNOLOGIES, LLC             | FOR SHRED SERVICE CHARGE - ROUTINE                                              | 52.50      |
| 05/09/2025 | MINUTE MAKER SECRETARIAL            | 4/14/25-4/22/25 MEETING MINUTES                                                 | 1,052.50   |
| 05/09/2025 | NEW BRIGHTON/MOUNDSVIEW ROTARY CLUB | 2025 ROTARY GOLD PLATE DINNER                                                   | 175.00     |
| 05/09/2025 | NEW LOOK CONTRACTING, INC           | PROJECT 21-9 OLD HIGHWAY 8-3 LANE CONVERSION REBID PARTIAL PAYMENT 2            | 75,205.66  |
| 05/09/2025 | NORTH SUBURBAN ACCESS CORPORATION   | 2025-APRIL MONTHLY MUNICIPAL MEETING AV SERVICES CITY OF NEW BRIGHTON           | 1,594.50   |
| 05/09/2025 | OGDEN NEWSPAPER OF MINNESOTA        | SPRING/SUMMER 2025 CITY NEWSLETTER                                              | 7,077.90   |
| 05/09/2025 | OXYGEN SERVICE COMPANY, INC.        | CYLINDER RENTAL - APRIL                                                         | 160.47     |
| 05/09/2025 | OXYGEN SERVICE COMPANY, INC.        | CARBON DIOXIDE                                                                  | 102.13     |
|            |                                     |                                                                                 | 262.60     |
| 05/09/2025 | SRIXON/CLEVELAND GOLF               | GOLF BALLS                                                                      | 1,957.05   |
| 05/09/2025 | STREET FLEET                        | 2025 LB COURIER STREET FLEET APRIL 2025 (04/23/2025) REPORT COURIER             | 50.32      |
| 05/09/2025 | SWEDEBRO, INC.                      | PSC- RAMP                                                                       | 3,200.00   |
| 05/09/2025 | TANKSCO, INC                        | CITY PROJECT 24-25 FORESTDALE WATER TOWER RECONDITIONING PAYMENT APPLICATION #1 | 192,375.00 |
| 05/09/2025 | THE MPX GROUP                       | DOOR KNOCKERS                                                                   | 332.47     |
| 05/09/2025 | TOKLE INSPECTIONS INC               | APRIL2025 TOKLE INSPECTIONS                                                     | 2,252.76   |

# VI\_1 APPROVAL OF PAYMENTS

## CHECK DISBURSEMENT REPORT FOR CITY OF NEW BRIGHTON

| Check Date | Payee                               | Description                                                         | Amount    |
|------------|-------------------------------------|---------------------------------------------------------------------|-----------|
| 05/09/2025 | UNITED RENTALS (NORTH AMERICA), INC | SCISSOR LIFT                                                        | 1,116.60  |
| 05/09/2025 | USP TECHNOLOGIES                    | 50% HYDROGEN PEROXIDE                                               | 22,852.42 |
| 05/09/2025 | VOLK, ERIC                          | INTERNET REIMBURSEMENT                                              | 105.22    |
| 05/09/2025 | WSB & ASSOCIATES INC                | VERMONT DNR GRANT PROFESSIONAL SERVICES MARCH1-31, 2025             | 1,989.00  |
| 05/09/2025 | WSN CONSTRUCTION SERVICES LLC       | SEAL ALONG BOTTOM OF GSR                                            | 5,647.00  |
| 05/16/2025 | ALEXANDER-SUSENS, TIFFANY           | APRIL DEALER RUNS                                                   | 51.80     |
| 05/16/2025 | BARR ENGINEERING COMPANY            | PROFESSIONAL SERVICES FROM 2/22/25 - 3/21/2025                      | 31,903.00 |
| 05/16/2025 | BLAC-RAC MANUFACTURING, INC         | GUN LOCK                                                            | 666.69    |
| 05/16/2025 | CAMPION BARROW & ASSOCIATES         | LAW ENFORCEMENT TESTING B. GATLUAK, CSO TESTING F. ADEN             | 930.00    |
| 05/16/2025 | COVERALL OF THE TWIN CITIES         | COMMERCIAL CLEANING SERVICES AT CITY HALL                           | 372.27    |
| 05/16/2025 | CRAWFORD, LEIGH                     | 2025 APRIL DLR BANK RUNS                                            | 271.74    |
| 05/16/2025 | FACTORY MOTOR PARTS CO              | WIPER BLADES SHOP                                                   | 16.48     |
| 05/16/2025 | FERGUSON ENTERPRISES, LLC           | 25-1 WATERMAIN MATERIALS                                            | 21,159.32 |
| 05/16/2025 | FLEXIBLE PIPE TOOL COMPANY          | #1609 WATER TANK/ STRAPS                                            | 3,980.15  |
| 05/16/2025 | GOPHER STATE ONE-CALL               | LOCATE TICKETS APRIL 2025                                           | 177.30    |
| 05/16/2025 | GOPHER STATE ONE-CALL               | LOCATE TICKETS APRIL 2025                                           | 177.30    |
| 05/16/2025 | GOPHER STATE ONE-CALL               | LOCATE TICKETS APRIL 2025                                           | 177.30    |
|            |                                     |                                                                     | 531.90    |
| 05/16/2025 | HYDRO CORP                          | BACKFLOW PREVENTION MANAGEMENT PROGRAM - APRIL 2025                 | 379.00    |
| 05/16/2025 | INFOSEND, INC                       | APRIL 2025 UB MAILING PRINTING, POSTAGE, MAILING. RCVD INV 05.12.25 | 288.22    |
| 05/16/2025 | INFOSEND, INC                       | APRIL 2025 UB MAILING PRINTING, POSTAGE, MAILING. RCVD INV 05.12.25 | 276.36    |
| 05/16/2025 | INFOSEND, INC                       | APRIL 2025 UB MAILING PRINTING, POSTAGE, MAILING. RCVD INV 05.12.25 | 288.22    |

# VI\_1 APPROVAL OF PAYMENTS

## CHECK DISBURSEMENT REPORT FOR CITY OF NEW BRIGHTON

| Check Date | Payee                               | Description                                                         | Amount    |
|------------|-------------------------------------|---------------------------------------------------------------------|-----------|
| 05/16/2025 | INFOSEND, INC                       | APRIL 2025 UB MAILING PRINTING, POSTAGE, MAILING. RCVD INV 05.12.25 | 276.36    |
| 05/16/2025 | INFOSEND, INC                       | APRIL 2025 UB MAILING PRINTING, POSTAGE, MAILING. RCVD INV 05.12.25 | 144.12    |
| 05/16/2025 | INFOSEND, INC                       | APRIL 2025 UB MAILING PRINTING, POSTAGE, MAILING. RCVD INV 05.12.25 | 138.17    |
|            |                                     |                                                                     | 1,411.45  |
| 05/16/2025 | INTELLICENTS INC                    | MONTHLY HEALTH CONSULTING                                           | 1,250.00  |
| 05/16/2025 | KENNEDY & GRAVEN CHARTERED          | LEGAL COSTS                                                         | 4,856.70  |
| 05/16/2025 | KENNEDY & GRAVEN CHARTERED          | LEGAL COSTS                                                         | 145.50    |
|            |                                     |                                                                     | 5,002.20  |
| 05/16/2025 | KRAHN, GINA                         | DINNER AT CENTRAL SQAURE CONFERENCE ORLANDO FL 4/28/2025            | 25.77     |
| 05/16/2025 | LEAK LOCATORS OF MONTANA, LLC       | AC 200 LOCATOR                                                      | 23,004.00 |
| 05/16/2025 | LOFFLER COMPANIES, INC              | CONTRACT FOR 4/9/25 - 5/8/25                                        | 61.21     |
| 05/16/2025 | MANSFIELD OIL COMPANY OF GAINSVILLE | UNLEADED 987 GALLONS                                                | 2,510.02  |
| 05/16/2025 | MASTER ELECTRIC CO., INC            | CHECK FOR STRAY VOLTAGE @ WELL #4                                   | 306.00    |
| 05/16/2025 | MC TOOL & SAFETY SALES              | MAGNETIC LOCATOR FOR 2 WATER TRUCKS                                 | 1,280.00  |
| 05/16/2025 | METROPOLITAN COUNCIL                | APRIL SAC 2025                                                      | (24.85)   |
| 05/16/2025 | METROPOLITAN COUNCIL                | APRIL SAC 2025                                                      | 2,485.00  |
|            |                                     |                                                                     | 2,460.15  |
| 05/16/2025 | METROPOLITAN COURIER CORPORATION    | SERVICES FOR THE MONTH OF APRIL                                     | 688.25    |
| 05/16/2025 | MN TEAMSTERS #320                   | MAINTENANCE DUES MAY                                                | 1,515.00  |
| 05/16/2025 | MORA, CLAUDIA                       | APRIL 2025 BANK AND DEALER MILEAGE                                  | 333.27    |
| 05/16/2025 | NUSS TRUCK & EQUIPMENT              | #0517 ENGINE BREATHER                                               | 102.38    |
| 05/16/2025 | PAETZNICK, TONY                     | LUNCH FOR ETI CONFRENCE ROCHESTER MN 4/7/2025, 4/10/2025            | 40.00     |
| 05/16/2025 | PALMER WEST CONSTRUCTION CO. INC    | REPAIR SMASHED PARAPET CAP @ WTP #1                                 | 835.00    |
| 05/16/2025 | RAMSEY COUNTY EMCOM                 | FLEET SUPPORT FOR APRIL 2025                                        | 12,969.67 |



# VI\_1 APPROVAL OF PAYMENTS

## CHECK DISBURSEMENT REPORT FOR CITY OF NEW BRIGHTON

| Check Date | Payee                             | Description                                                              | Amount    |
|------------|-----------------------------------|--------------------------------------------------------------------------|-----------|
| 05/16/2025 | SLACK, AARON                      | LUNCH FOR BCA DEATH AND MISSING PERSON CONFERENCE<br>4/30/2025, 5/2/2025 | 38.94     |
| 05/16/2025 | SPRINGER, GEORGE                  | INTERNET REIMBURSEMENT                                                   | 103.26    |
| 05/16/2025 | STREET FLEET                      | 2025 LB COURIER STREET FLEET MAY 2025 (05/07/2025) REPORT<br>COURIER     | 25.16     |
| 05/16/2025 | THE MPX GROUP                     | BUSINESS CARDS FOR THE PASSPORT OFFICE                                   | 134.10    |
| 05/16/2025 | TOTAL MECHANICAL SERVICES, INC    | HVAC PREVENTION MAINTENANCE                                              | 596.63    |
| 05/16/2025 | TOTAL MECHANICAL SERVICES, INC    | HVAC PREVENTION MAINTENANCE                                              | 364.12    |
| 05/16/2025 | TOTAL MECHANICAL SERVICES, INC    | HVAC PREVENTION MAINTENANCE                                              | 205.12    |
| 05/16/2025 | TOTAL MECHANICAL SERVICES, INC    | HVAC PREVENTION MAINTENANCE                                              | 104.03    |
| 05/16/2025 | TOTAL MECHANICAL SERVICES, INC    | HVAC PREVENTION MAINTENANCE                                              | 582.60    |
|            |                                   |                                                                          | 1,852.50  |
| 05/16/2025 | TOWLE WELDING SERVICE LLC         | NEW EXPANSION JOINT FOR HIGH SERVICE TOWER                               | 17,000.00 |
| 05/16/2025 | US BANK                           | INVESTMENT ADMIN FEE QTR 1 2025                                          | 3,965.47  |
| 05/16/2025 | VIA ACTUARIAL SOLUTIONS           | FYE2024 GASB 67/68 OFF YEAR REPORT                                       | 1,500.00  |
| 05/16/2025 | WONG, CHOY                        | MILAGE                                                                   | 4.34      |
| 05/16/2025 | XIONG, THAI                       | 2025 SPRING SEMESTER TUITION REIMBURTMENT                                | 2,666.40  |
| 05/16/2025 | ZIEGLER INC                       | STUMP GRINDER RENTAL                                                     | 3,194.00  |
| 05/08/2025 | ANOKA COUNTY VITAL RECORDS OFFICE | 2025 NOTARY REGISTRATION NARY EBBOTT                                     | 20.00     |
| 05/08/2025 | BARCLAY AUDIO                     | MAY SUMMER CONCERT SERIES - THE ZILLIONAIRES                             | 1,650.00  |
| 05/08/2025 | BERGANKDV LTD                     | INTERIM BILLING FOR DECEMBER 31 2024 AUDITED FINANCIAL<br>STATEMENT      | 7,212.00  |
| 05/08/2025 | CONSERVATION CORPS                | CREEKVIEW RESTORATION PROJECT                                            | 4,960.00  |
| 05/08/2025 | FLEETPRIDE, INC                   | #0517 FILTER & LAMP                                                      | 135.65    |
| 05/08/2025 | FLEETPRIDE, INC                   | OIL FILTERS                                                              | 12.56     |
|            |                                   |                                                                          | 148.21    |
| 05/08/2025 | HAMMER PLUMBING LLC               | BD Payment Refund                                                        | 0.20      |

# VI\_1 APPROVAL OF PAYMENTS

## CHECK DISBURSEMENT REPORT FOR CITY OF NEW BRIGHTON

| Check Date | Payee                            | Description                                           | Amount       |
|------------|----------------------------------|-------------------------------------------------------|--------------|
| 05/08/2025 | HAMMER PLUMBING LLC              | BD Payment Refund                                     | 52.50        |
| 05/08/2025 | HAMMER PLUMBING LLC              | BD Payment Refund                                     | 17.00        |
|            |                                  |                                                       | 69.70        |
| 05/08/2025 | LAYTON, THEODORE                 | AGREEMENT NO. 1212.0555                               | 100.00       |
| 05/08/2025 | LMCIT                            | CLAIM 509509                                          | 10.49        |
| 05/08/2025 | LMCIT                            | CLAIM 503950                                          | 1,737.17     |
| 05/08/2025 | MARTIN MARIETTA MATERIALS, INC   | ASPHALT FOR WATERBREAKS                               | 3,417.82     |
| 05/08/2025 | MIDWEST MINIATURE GUILD          | MIDWEST MINIATURE GUILD REFUND CHECK \$500            | 500.00       |
| 05/08/2025 | MINNESOTA PETROLEUM SERVICE, INC | VEHICLE LIFT INSPECTION                               | 579.00       |
| 05/08/2025 | MINT GREEN GROUP USA             | T SHIRTS/OUTERWEAR - GOLF COURSE RESALE               | 1,205.10     |
| 05/08/2025 | MN DEPT OF TRANSPORTATION        | BITUMINOUS PLANT INSPECTION                           | 188.84       |
| 05/08/2025 | MN DRIVER AND VEHICLE SERVICES   | NEW REAR LICENSE PLATE FOR PSO TRUCK                  | ** VOIDED ** |
| 05/08/2025 | NEECK CONSTRUCTION INC.          | REPAIR TO THE PUBLIC SAFETY BUILDING FROM A SNOW PLOW | 1,500.00     |
| 05/08/2025 | SAUCEDO LARRANAGA, JOSE ANDRES   | REFUND FOR OVERPAYMENT                                | 31.00        |
| 05/08/2025 | SCHELL, ROBERT                   | REFUND FOR OVERPAYMENT                                | 37.50        |
| 05/15/2025 | AARP                             | AARP SAFE DRIVER CLASS MAY 2025                       | 450.00       |
| 05/15/2025 | BLOOMER, PRISCILLA               | UB refund for account: 301234                         | 108.19       |
| 05/15/2025 | COWBOY JACK'S                    | REIMBURSEMENT FOR SAFE RIDE GRANT                     | 154.98       |
| 05/15/2025 | DRIVER AND VEHICLE SERVICES      | LICENSE PLATES FOE NEW SQUAD CARDS - 8 SETS           | 48.00        |
| 05/15/2025 | FLEETPRIDE, INC                  | OIL FILTERS STOCK                                     | 6.96         |
| 05/15/2025 | FLEETPRIDE, INC                  | FITTINGS SHOP                                         | 68.68        |
|            |                                  |                                                       | 75.64        |
| 05/15/2025 | IBRAHIM, JAFFERY                 | UB refund for account: 202531                         | 105.26       |

# VI\_1 APPROVAL OF PAYMENTS

## CHECK DISBURSEMENT REPORT FOR CITY OF NEW BRIGHTON

| Check Date | Payee                          | Description                                                 | Amount     |
|------------|--------------------------------|-------------------------------------------------------------|------------|
| 05/15/2025 | JOHNSON FAMILY TRUST           | UB refund for account: 300178                               | 16.47      |
| 05/15/2025 | JOHNSON FAMILY TRUST           | UB refund for account: 300178                               | 42.96      |
| 05/15/2025 | JOHNSON FAMILY TRUST           | UB refund for account: 300178                               | 29.01      |
| 05/15/2025 | JOHNSON FAMILY TRUST           | UB refund for account: 300178                               | 15.27      |
|            |                                |                                                             | 103.71     |
| 05/15/2025 | KALINOFF, JOHN                 | UB refund for account: 103606                               | 9.43       |
| 05/15/2025 | KALINOFF, JOHN                 | UB refund for account: 103606                               | 23.42      |
| 05/15/2025 | KALINOFF, JOHN                 | UB refund for account: 103606                               | 15.82      |
| 05/15/2025 | KALINOFF, JOHN                 | UB refund for account: 103606                               | 8.53       |
|            |                                |                                                             | 57.20      |
| 05/15/2025 | KODIAK POWER SYSTEMS           | REPAIR FOR NBCC GENERATOR                                   | 534.70     |
| 05/15/2025 | KUECHLE UNDERGROUND INC        | PROJECT 24-1 2024 STREET REHABILITATION PARTIAL PAYMENT 4   | 557,011.26 |
| 05/15/2025 | LEAGUE OF MINNESOTA CITIES     | 2025 LMC ANNUAL CONFERENCE ORDERED BY KARI NIEDFELDT-THOMAS | 490.00     |
| 05/15/2025 | MARTIN MARIETTA MATERIALS, INC | ASPHALT FOR WATER BREAK POTHOLES                            | 3,986.80   |
| 05/15/2025 | MINNESOTA OCCUPATIONAL HEALTH  | PRE-EMPLOYMENT TESTING & DOT DRUG SCREEN                    | 717.00     |
| 05/15/2025 | OFFICE OF MN IT SERVICES       | LANGUAGE LINE SERVICES - APRIL 2025                         | 238.35     |
| 05/15/2025 | POYE, RICHARD AND GERALDINE    | UB refund for account: 301341                               | 41.74      |
| 05/15/2025 | POYE, RICHARD AND GERALDINE    | UB refund for account: 301341                               | 108.79     |
| 05/15/2025 | POYE, RICHARD AND GERALDINE    | UB refund for account: 301341                               | 73.51      |
| 05/15/2025 | POYE, RICHARD AND GERALDINE    | UB refund for account: 301341                               | 38.66      |
|            |                                |                                                             | 262.70     |
| 05/15/2025 | RENSHAW, KATHLEEN              | REFUND FOR OVERPAYMENT                                      | 26.00      |
| 05/15/2025 | ROADKILL ANIMAL CONTROL        | APRIL 2025 ROADKILL PICK UP                                 | 129.00     |
| 05/15/2025 | SCORPION 300 PROPERTIES LLC    | UB refund for account: 305920                               | 56.70      |
| 05/15/2025 | STEVEN GLYNN ESTATE            | UB refund for account: 311175                               | 7.59       |
| 05/15/2025 | STEVEN GLYNN ESTATE            | UB refund for account: 311175                               | 19.78      |
| 05/15/2025 | STEVEN GLYNN ESTATE            | UB refund for account: 311175                               | 13.35      |
| 05/15/2025 | STEVEN GLYNN ESTATE            | UB refund for account: 311175                               | 7.02       |
|            |                                |                                                             | 47.74      |
| 05/15/2025 | THE EXCHANGE APARTMENTS        | REFUND OVERPAYMENT OF MR INV 25-0003648                     | 130.00     |

VI\_1 APPROVAL OF PAYMENTS

CHECK DISBURSEMENT REPORT FOR CITY OF NEW BRIGHTON

| Check Date     | Payee          | Description                   | Amount          |
|----------------|----------------|-------------------------------|-----------------|
| 05/15/2025     | WALDON, ARTHUR | UB refund for account: 215608 | 7.22            |
| 05/15/2025     | WALDON, ARTHUR | UB refund for account: 215608 | 18.81           |
| 05/15/2025     | WALDON, ARTHUR | UB refund for account: 215608 | 12.70           |
| 05/15/2025     | WALDON, ARTHUR | UB refund for account: 215608 | 6.68            |
|                |                |                               | 45.41           |
| TOTAL PAYMENTS |                |                               | \$ 1,214,853.52 |



Council Worksession  
May 13, 2025  
5:00 pm

Present: Mayor Kari Niedfeldt-Thomas  
Councilmember Emily Dunsworth  
Councilmember Jeanne Frischman  
Councilmember Jason Steffenhagen

Absent: Councilmember Graeme Allen

Staff in Attendance: Devin Massopust, Tony Paetznick, Ben Gozola, Hue Schlieu, Jennifer Fink

Guests in Attendance: PREC Chair Julia O'Rourke, EDC Chair Brian Krohn, Public Safety Chair Mark Jansen, Equity Chair Kami Miller

2025-2026 Commission Work Plans

Massopust stated the five citizen advisory Commissions play an important role in assisting the City Council and staff with achieving goals and objectives. Each Commission is also supported by a staff liaison and City Council liaison. The May 13 Work Session is a joint meeting between the City Council and Commission Chairs/Vice Chairs to review annual work plans, excluding Planning Commission since their work is clearly directed by Council and statutory requirements.

Massopust explained the Chair/Vice Chair of each Commission will share highlights from last year plus the anticipated upcoming meeting topics for their respective Commission. Presenters will rotate every 15 minutes. Public Safety Commission will present first, followed by PREC, EDC, and Equity Commission. To develop the 2025-2026 work plan, draft ideas from staff, a prior conversation with all Commissioners, and staff/budgetary capacity were considered. While Council will be discussing high-level topics during the work session, a more detailed work plan template will be posted to Commission web pages later this month.

Public Safety Chair Mark Jansen provided the Council with a presentation on the Public Safety Commissions work plan for 2025-2026. He commented on the topics the group discussed on the past year and reported on the matters that will be addressed in the coming months. He noted he looks forward to visiting the Ramsey County Dispatch Center to learn more about the new appropriate response model.

EDC Chair Brian Krohn presented the Council with information on the EDC's work plan and potential meeting topics for 2025-2026 and reviewed the items that were discussed in the previous year. He explained the EDC was working on a business outreach program which had Commission members proactively reaching out to local business owners.

Councilmember Dunsworth thanked the EDC for their efforts to reach out to local business owners, stating there were new businesses coming into the community all the time and she appreciated the fact the City was working to meet these new business owners.

PREC Chair Julia O'Rourke provided the Council with a presentation on the PREC work plan and potential meeting topics for 2025-2026. She also reviewed the topics that were addressed in the previous year, which included receiving updates from Park and Recreation staff members on the various programming and services provided by the City. She discussed the one-of-a-kind cone disc golf course the City had and noted this was a draw to the community.

Mayor Niedfeldt-Thomas commented on how the City had worked to have the racial covenants on City-owned park property discharged and asked that staff investigate signage to explain this.

Equity Commission Chair Kami Miller presented the Council with information on the Equity Commission's work plan and potential meeting topics for 2025-2026. She discussed how this group works to learn something new. She then reviewed the items that were discussed in the previous year. She indicated the Equity Commission would continue to attend the farmers' market in order to make the Equity Commission more known to the residents. She provided detailed information on the members forum that was hosted by the New Brighton Equity Commission noting 15 or 16 other communities attended. She explained this forum would be held again in September of 2025 in Minnetonka.

DEI Coordinator Schlieu provided the Council with information on the youth community connector program stating the City's hope was to increase engagement with youth in the community. She was pleased to report she had 30 applications for the program and noted eight individuals will be appointed as youth community connectors.

Councilmember Steffenhagen stated he greatly appreciated the fact the City had 30 young people willing and interested to work with the City. He asked that the 22 individuals that are not appointed be given the opportunity to serve as youth commissioners on another City Commission.

Mayor Niedfeldt-Thomas supported the Equity Commission focusing on the childcare crisis and what the City's role could be. She recommended the Commission receive a presentation from CPY to learn how they impact the community. Schlieu stated she appreciated this feedback and noted she would be looking into this topic further to see what the City could and could not provide.

Mayor Niedfeldt-Thomas suggested that if Met Council was invited to attend a future meeting that a bus tour and virtual meeting be held. Massopust stated staff could work to IT staff to ensure the meeting was recorded if a Met Council bus tour was conducted.

Councilmember Frischman supported the City engaging with all the students that applied to serve as a community connector. Massopust noted there were three student commissioner positions open at this time.

Worksession adjourned at 6:00 pm

Respectfully submitted,

Terri Spangrud  
City Clerk





## COUNCIL PROCEEDINGS THE CITY OF NEW BRIGHTON

Pursuant to notice thereof, a regular meeting of the New Brighton City Council was held Tuesday, May 13, 2025 at 6:30 pm in the New Brighton Council Chambers.

**Present:** Mayor Niedfeldt-Thomas, Dunsworth, Frischman and Steffenhagen  
**Absent:** Councilmember Allen

**Also Present:** Devin Massopust-City Manager, Sarah Sonsalla-City Attorney (attending remotely), Gina Foschi-Finance Director, Jennifer Fink-Parks and Recreation Director, Craig Schlichting-Community Assets and Development Director, Ben Gozola-Assistant Director of Community Assets and Development

### Call to Order

Mayor Niedfeldt-Thomas called the meeting to order at 6:30 pm.

### Pledge of Allegiance

Mayor Niedfeldt-Thomas led the Council in the Pledge of Allegiance.

### Public Comment Forum

Mayor Niedfeldt-Thomas opened the Public Forum for comments from the public. There were no comments from the public.

### Approval of Agenda

Approval of the May 13, 2025 Council Agenda.

**Motion by Councilmember Frischman, seconded by Councilmember Dunsworth to approve the agenda as submitted.**

**4 Ayes, 0 Nays-Motion Carried**

### Special Order of Business

None.

### Consent Agenda

1. Consider Approval of Payments.
2. Approve City Council Minutes:
  - a. April 22, 2025 City Council Meeting Minutes.
  - b. April 22, 2025 Worksession Meeting Minutes.
  - c. May 6, 2025 City Council Meeting Minutes.

### Call to Order

### Pledge of Allegiance

### Public Comment Forum

Approval of Agenda  
Approval of the  
May 13, 2025 Agenda.

### Special Order of Business

### Consent Agenda

3. Accept Receipt of Commission Minutes:
  - a. March 10, 2025 Public Safety Commission Meeting Minutes.
  - b. February 20, 2025 Equity Commission Meeting Minutes.
4. Consider Letter of Agreement with Minnesota Homeland Security and Emergency Management.
5. Consider Quote for Traffic Signal Repainting.
6. Accept Donation to the New Brighton Police Explorers.
7. Consider Property Easements as required for Jones Lake Improvements.
8. Consider Approval of Plans and Specifications and Authorization to Advertise for Bids for Public Improvement Project 25-1, 2025 Street Rehabilitation.
9. Consider a Resolution Authorizing the Mayor and City Manager to Enter into a Lease Agreement with Cingular Wireless PCS, LLC to Allow for Installation of Communications Equipment on the City Water Tower at 700 Silver Lake Road.
10. Consider Authorizing Purchase and Installation of three energy efficient boilers at the New Brighton Community Center.
11. Consider Authorizing Purchase and Installation of new generator at the New Brighton Community Center.
12. Consider Approval of Plans and Specifications and Authorization to Advertise for Bids for City Project 24-4, Lift Station #8 Replacement.
13. Consider Commission Chair and Vice Chair designations.
14. Consider authorizing staff to execute agreement with The Partners Group for Minnesota Paid Leave preparation services.
15. Authorize Staff to enter into a Grant Agreement with the Minnesota Pollution Control Agency (MPCA) for Shade Structure Installations.

**Motion by Councilmember Steffenhagen, seconded by Councilmember Frischman to approve the Consent Agenda as presented.**

**4 Ayes, 0 Nays - Motion Carried**

**Public Hearing**

1. Consider a Resolution to Revoke, Amend, or Reinstate the Currently Suspended Short-Term Rental Permit at 2182 Lakebrook Drive.

City Manager Massopust indicated Assistant Director of Community Assets and Development Gozola would be presenting this item to the Council.

Assistant Director of Community Assets and Development Gozola stated a short-term rental

**Public Hearing**

1. Consider a Resolution to Revoke, Amend, or Reinstate the Currently Suspended Short-Term Rental Permit at 2182 Lakebrook Drive.

permit for the property at 2182 Lakebrook Drive was administratively suspended by staff on April 29th, 2025. By code, a public hearing has been scheduled before the City Council to hear from staff on why the permit was suspended, hear the positions of the owner and resident agent, and hear from neighbors regarding their experiences with this short-term rental. After listening to all parties, the Council may ask questions as needed and must then deliberate on the future of this permit. Options for the Council include revocation of the permit (thereby ending this short-term rental), amending the permit (by placing new conditions on its continued operation), or reinstatement of the permit. Staff reviewed the options available to the Council noting when short-term rentals are not operated strictly and properly, there can be a negative impact on the surrounding properties. It was noted staff recommends revocation of the short-term rental permit for this property.

Mayor Niedfeldt-Thomas requested clarification from the permit holder who held the party. Alex Funk, short term rental permit holder for the property at 2182 Lakebrook Drive, explained his employee, who happens to be a college student, asked to stay at the rental property. He reported this employee signed the same agreement that all short-term rental guests sign. He indicated this employee knew what the rules were, and these rules were not followed. Mayor Niedfeldt-Thomas questioned how far Mr. Funk lived from the rental property. Mr. Funk stated he was 12 minutes from the rental property. City Manager Massopust reported City Code requires resident agents to live within 30 minutes of short term rental properties. Mayor Niedfeldt-Thomas asked if Mr. Funk was contacted by the Public Safety Department on the night of the party. Mr. Funk explained he was not contacted by the Public Safety Department or by the neighbors, but rather he was first notified by the cameras and noise detectors around 9:00 p.m. He indicated he called his employee and was told that things were under control. However, after viewing the cameras he went to the rental property. Councilmember Steffenhagen inquired if Mr. Funk was managing any other rental properties in New Brighton. Mr. Funk stated he was not managing any other properties in New Brighton. Mayor Niedfeldt-Thomas questioned how the City came to learn about the rental that occurred on July 12. Assistant Director of Community Assets and Development Gozola stated staff received a phone call that someone was renting the property and staff then visited the property. Mr. Funk acknowledged the neighbors and stated he was unaware there were so many families with young kids. He explained he recently got married and he would like to have kids someday. He stated he was terribly sorry about the event that occurred at this property. He commented he does not rent Ron's house out to people like his employee. He commented he trusted his employee and unfortunately this occurred. He stated he has put a lot of work into Ron's house. He reported he vets every renter and completes background checks. He indicated he mostly rents to families and individuals must be over the age of 25. He commented he let his employee stay at the rental property on a Monday night and things did not go how he thought. He stated he was notified at 9:00 p.m. and he spoke with his employee every 15 minutes after 10:30 p.m. and at midnight he cleared the house. He understood his employee had broken every rule as a result of this party. He indicated he has canceled all the bookings from April 29 to today. He reported he had the house booked for the entire summer with families. He requested the City allow him to keep the bookings he has in place for the summer. He explained he was looking to sell the house and stated he feels horrible about the event that occurred.

**Motion by Councilmember Frischman, seconded by Councilmember Dunsworth to open the Public Hearing.**

**4 Ayes, 0 Nays - Motion Carried**

The Public Hearing was opened at 6:55 p.m.

Sarah Baker, 2187 Lakewood Drive, stated she was speaking on behalf of her neighbors. She noted she lived two houses down from the rental property with her three young children. She thanked staff for their attention to this matter. She explained she moved to the neighborhood five and a half years ago where she was looking for a safe neighborhood to raise her family. She indicated she has been extremely fortunate to find a great community to raise her children. She stated some of her neighbors have been in the community for over 30 years and many young families have just moved to the area. She discussed how the rental property has had a long history of disturbances and police calls from the short-term rentals. She understood the five-bedroom home was advertised as a place for family gatherings, it has also been a place for parties. Over the years, this house has hosted many loud parties, weddings, bachelorette parties, college parties and the neighbors have reported the concerns. She commented as a parent with young kids living next to an Airbnb, she never knew what to expect when a new group arrives at this property every few days. She stated this property has continued to threaten the peace and safety in her small neighborhood. She respectfully requested the short-term rental license be revoked for this property. She commented after years of dealing with this, the final straw was back in 2020 when one party ended in gun shots around 4:00 a.m. She explained her then six-month old daughter was asleep at the time and she would not wish this terror on anyone. She was thankful that the police arrived that night and was able to disburse the crowd after keeping the neighborhood awake from 2:30 a.m. to 5:30 a.m. She reported after this event, the neighbors sent a certified letter to Ron requesting he discontinue the rentals and a copy of this letter was provided to the City Council. She indicated the neighbors did not receive a response from Ron and the rentals continued until the neighbors began working with the City Council to create the short-term rental ordinance. She stated after getting banned from Airbnb, this property had long term rentals until last summer. She noted in July of 2024, this property reappeared on Airbnb. She discussed how the property managers have failed to properly manage this property due to the long list of violations. She reported despite many warnings from the City, the pattern at this property continues. She commented further on the events that have occurred at the property which included the massive party on April 28, two gas leaks, and numerous parking violations. She explained after the police were called on April 28, it took hours to shut the party down. She stated the neighbors believe this pattern was doomed to repeat itself without revocation of the short-term rental permit. She then shared a video that displayed the fear, disruption, and impact these parties were having on the neighborhood.

Mayor Niedfeldt-Thomas asked for additional comments, there were none.

**Motion by Councilmember Frischman, seconded by Councilmember Dunsworth to close the Public Hearing.**

**4 Ayes, 0 Nays - Motion Carried**

The Public Hearing was closed at 7:07 p.m.

Councilmember Frischman stated the video from the neighbors was compelling. She explained she understood the property manager also had cameras. She questioned why the property manager waited for three hours before coming to the property. Mr. Funk explained he saw the front of the house starting at 9:30 p.m. and he spoke to his employee and someone yelled, "Hey, everyone go home." He was told that everyone was leaving and things were under control. He indicated it was 10:00 p.m. on a Monday night. He indicated he was going to go to bed himself and then the cops came and left so he believed the situation was under control. He explained he waited and then learned the cops were back. He stated he left his home at 11:45 p.m. and he arrived at 12:00 a.m.

Councilmember Frischman commented she found this response to be questionable. She indicated it only took Mr. Funk 12 minutes to get to the property, but it took him three hours to respond, especially given how important this permit was.

Councilmember Dunsworth asked if the employee who held this party was still employed by Mr. Funk. Mr. Funk stated he was a contractor, and he was no longer working within his office.

Mayor Niedfeldt-Thomas reported it appears police arrived on the scene at 10:00 p.m. She questioned if the management company was to be contacted immediately or were the police to disburse the partygoers. Assistant Director of Community Assets and Development Gozola stated public safety's main focus was to secure the area and deal with public safety component. He indicated the zoning component was dealt with the next day.

Councilmember Steffenhagen stated it appears the list of infractions since the permit was issued in July does not seem to match the description of events that the neighbors were listing. He indicated the neighbors were describing loud parties, weddings, bachelor parties, and photo shoots that have not been reported since the rental license was given. He asked what has been going on in the last year, and questioned if the last year has even had those instances. It may mean this event may not rise to the level of requiring this hearing. He inquired if the other events occurred when the property was under different management. Assistant Director of Community Assets and Development Gozola stated all of those types of examples dated back to the 2020 and 2021 timeframe when the property owner was renting the property on Airbnb, and the City did not have the short term rental permitting ordinance in place. He reported staff had provided the Council with a list of complaints since the permit came in place. He indicated some were technically infractions of the code, but it was not the type of infraction that requires a City Council revocation hearing, such as posting the "No Parking" signs. He explained none of the issues that Councilmember Steffenhagen had indicated have occurred under this permit. Councilmember Steffenhagen commented he would not want to have loud parties occurring on his street and noted he has had gunshots at the end of his street, which made him sleep in his kid's bed for the rest of the night. He reported this was very unsettling and had him asking what he could do to ensure this did not happen again. He understood the fear these types of events caused. However, with the property under new management, he questioned if there was a healthy track record and this was one unfortunate event or was this an escalation of a continued pattern. He stated he has rented Airbnb's before and he understood there were both benefits and concerns from these properties.

Mayor Niedfeldt-Thomas explained these were completely normal concerns and this was the difficult position the Council was in. She appreciated the management companies' self-reflection and she appreciated the learning that has occurred. She stated this event had her thinking about if the City's policy was properly structured. She commented when the City worked to put this ordinance in place, the zoning was set up to have a permit process that was not overly burdensome to allow people in all stages of life to be able to rent their properties on a short term basis. She indicated the Council was very mindful that it was not the City's intention to turn all properties in the community into short-term rentals. She explained the Council was very focused on community building and safety, which had to be taken into consideration when it comes to short-term rentals. She commented she heard from a lot of residents in this neighborhood when she decided to run for office and she committed to putting a short-term rental permitting process in place. She reported she was committed to following the policy that was in place because she believes it was a good one and explained she would be voting to revoke the short term rental permit.

Councilmember Dunsworth indicated she would also be voting to revoke the short-term rental permit as well. She stated she was on the City Council when the event occurred at this property in 2020. She reported this property has taken a considerable amount of City resources away from the community and she did not believe this property should remain a short-term rental. She commented she had no qualms with revoking this permit. She reported the new property management company was aware of the prior concerns with this property and should have taken more care.

**Motion by Councilmember Frischman, seconded by Councilmember Dunsworth to revoke the short-term rental permit at 2182 Lakebrook Drive for the following reasons:**

1. **There is an extensive history of problems with this property when it is used as a short-term rental.**
2. **The permit requirement was specifically put in place to eliminate the type of gathering held on 4/28/25.**
3. **The permit holders failed to take adequate action to ensure their guest(s) followed local ordinances.**

**4 Ayes, 0 Nays-Motion Carried**

### **Council Business**

1. Consider Authorizing Staff to enter into an Agreement with Kraus Anderson for Hansen West Park Building and Reconstruction Services.

City Manager Massopust indicated Parks and Recreation Director Fink would be presenting this item to the Council.

Parks and Recreation Director Fink stated staff is seeking Council authorization to move forward with construction services for the Hansen Park West redevelopment project and to authorize staff to execute an agreement with Kraus-Anderson Construction Company for an amount \$4,705,737, pending final review by the City Attorney. This project represents a transformational reinvestment in one of New Brighton's most beloved and well-used parks. Hansen Park West will feature:

- Inclusive playground
- Outdoor adult/teen challenge and fitness area
- Picnic shelter
- Bituminous trails, seating, and landscape improvements
- A new larger park building

Parks and Recreation Director Fink explained this park has been designed in partnership with WSB, LHB, and MWP Recreation. The playground equipment has earned three national demonstration site designations with a fourth pending, a first in Minnesota. The project was delayed for over a year while the City awaited updated floodplain maps. The City has now received conditional approval from Rice Creek Watershed District, allowing the project to proceed. The construction agreement utilizes the Sourcewell cooperative purchasing contract (#MN-R6-GC-0406222-KRU), which has been successfully used for other park projects in New Brighton. Staff is also requesting that Council authorize a 5% contingency for this project, to be managed administratively and used as needed for unforeseen conditions during construction. The total authorized amount is \$4,941,023.85. Staff commented further on the proposed improvements, noting the park project would have three national park designations and recommended approval of the project for Hansen Park West.

Mayor Niedfeldt-Thomas requested further information on the Sourcewell process. Parks and Recreation Director Fink explained she would work with Kraus Anderson the project to ensure the City was selecting the most cost effective design solutions. She indicated Kraus Anderson would then use the design plans to go out to a variety of contractors to provide quantities that are publicly bid. She stated the City then has the ability to work with trusted subcontractors and partners that have experience with the City without having to go with one low bidder.

**Motion by Councilmember Steffenhagen, seconded by Councilmember Frischman to authorize staff to proceed with construction of Hansen Park West by:**

1. **Approving a not-to-exceed construction agreement with Kraus-Anderson for \$4,705,737, pending final review by the City Attorney, and**
2. **Authorizing a 5% contingency to be managed administratively for use during construction as needed.**

### **Council Business**

1. Consider Authorizing Staff to enter into an Agreement with Kraus Anderson for Hansen West Park Building and Reconstruction Services.

**4 Ayes, 0 Nays-Motion Carried**

2. Consider Acceptance of the City's Annual Comprehensive Financial Report, Audit Communication Letter, and Reports on Compliance with Government Auditing Standards and Legal Compliance for the Fiscal Year Ended December 31, 2024.

City Manager Massopust indicated Finance Director Foschi would be presenting this item to the Council. Finance Director Foschi stated the preparation of the City's Annual Comprehensive Financial Report (ACFR) for the year ending December 31, 2024, has been completed. BerganKDV, our independent auditing firm, has completed its audit of our accounting records and financial statements. They have issued an unqualified, or clean, opinion that our financial statements are presented fairly in all material respects. The auditors have also issued a Communications Letter and Reports on Compliance with Government Auditing Standards and Legal Compliance. She reviewed the balance of the City's general fund and enterprise funds. She thanked all of her staff members who worked diligently to meet the auditor's requests.

Andy Gryce, BerganKDV, reviewed the 2024 audit in further detail with the Council and commended the City for their strong financial position. He commented on the internal controls the City had in place and noted there were no material concerns. He explained he had no compliance issues to report for 2024. He discussed the general fund and enterprise fund revenues and expenditures over the past five years.

Mayor Niedfeldt-Thomas asked if the City was charging enough for sewer and lights to cover the City's expenditures. Finance Director Foschi reported she believed the City was on the right path with the utility rates.

Mayor Niedfeldt-Thomas questioned if the City should have a larger operating reserve given how costs were on the rise. Finance Director Foschi stated this was something for the City to keep an eye on. She discussed how the public safety vacancies have caused an increase in the fund balance, along with increases in revenues from both the parks department and license bureau. She was of the opinion the fund balance policy should remain as is.

Mayor Niedfeldt-Thomas requested further information regarding the accounting changes that have occurred over the prior year. Mr. Gryce discussed the two significant changes that had occurred.

Councilmember Frischman commented on how the property tax percentage changed from 2023 to 2024. Mr. Gryce explained this occurred because the City lost \$1 million in public safety aid. City Manager Massopust reported the City has a priority to make non-tax property revenues 60%.

**Motion by Councilmember Frischman, seconded by Councilmember Dunsworth to accept the Annual Comprehensive Financial Report, Audit Communications Letter, and Reports on Compliance with Government Auditing Standards and Legal Compliance for the fiscal year ended December 31, 2024.**

**4 Ayes, 0 Nays-Motion Carried**

3. Resolution Supporting Rice Creek Watershed Districts State Bonding Request for Jones Lake Improvements.

City Manager Massopust indicated Community Assets and Development Director Schlichting would be presenting this item to the Council.

Community Assets and Development Schlichting stated in 2013, the cities of New Brighton, Roseville and St. Anthony Village entered into a petition with Rice Creek Watershed District to address regional stormwater needs. He explained the State of Minnesota often bonds for local government projects that meet a public purpose and the City of New Brighton supported the pursuit of funds in 2024. The cost of these improvements has increased to \$7,800,000. He reported a representative from the Rice Creek Watershed District was in attendance to further discuss the bonding request for the Jones Lake Improvements.

David Petry, Rice Creek Watershed District, provided an overview of the Rice Creek Watershed District and

2. Consider Acceptance of the City's Annual Comprehensive Financial Report, Audit Communication Letter, and Reports on Compliance with Government Auditing Standards and Legal Compliance for the Fiscal Year Ended December 31, 2024.

3. Resolution Supporting Rice Creek Watershed Districts State Bonding Request for Jones Lake Improvements.



reviewed the location of Ramsey County Ditches 2, 3 and 5. He commented on the flood event that occurred in July of 2011, which led to a basic water management project petition. He discussed the project planning that has occurred since the petition was provided to the watershed district. He summarized the Phase 1 report noting Hansen Park was the largest watershed construction project to date. He then reviewed the improvements that occurred at Mirror Pond. He commented further on the proposed plans for the Jones Lake area noting the proposed improvements would protect downstream areas after heavy rain events. He reported the watershed district was seeking different funding sources to assist with completing the proposed improvements for the Jones Lake area. He thanked the City for their continued support of the project and asked if the Council had any comments or questions.

Mayor Niedfeldt-Thomas asked if the Garden View improvements were included on the list of previous projects. Community Assets and Development Schlichting reported this local project was not included. Mayor Niedfeldt-Thomas inquired if the watershed district had been able to monitor the phosphorus reduction at Hansen Park. Mr. Petry explained this mechanics has been working well, noting there has been some issues with muskrats in the park.

Mayor Niedfeldt-Thomas stated she appreciated all of the success stories from Hansen Park and she would like these to be presented to the public.

Mayor Niedfeldt-Thomas questioned how the cost for the Jones Lake project had increased. Mr. Petry indicated the original estimate was \$6.2 million and this has increased to \$7.8 million.

**Motion by Councilmember Dunsworth, seconded by Councilmember Steffenhagen to adopt a Resolution supporting Rice Creek Watersheds request for \$7,800,000 in State Bonding.**

**4 Ayes, 0 Nays-Motion Carried**

### **Commission Liaison Reports, Announcements and Updates**

**Commission Liaison Reports, Announcements and Updates**

#### **Devin Massopust**

City Manager Massopust reported it was National Police Week and he sent a thank you to all his co-workers within the New Brighton Public Safety Department. He explained there would be a Suburban Ramsey County Law Enforcement Memorial Ceremony on Thursday, May 15 at 10:00 a.m. at Christ the King Church. He indicated the City received 30 applications for the youth community connector positions.

#### **Emily Dunsworth**

Councilmember Dunsworth reported she would be attending a Cable Commission meeting on Thursday, May 15 at 7:00 p.m.

#### **Jeanne Frischman**

Councilmember Frischman reported the Public Safety Commission met on Monday, May 12 and she was unable to attend. She understood the group discussed automatic license plate recognition cameras. She commented she and the City Manager attended the Metro Cities annual meeting.

#### **Jason Steffenhagen**

Councilmember Steffenhagen reported the Economic Development Commission met on Wednesday, May 7. He indicated he was not in attendance at this meeting. He understood this group discussed their business outreach program.

#### **Mayor Niedfeldt-Thomas**

Mayor Niedfeldt-Thomas thanked the Vietnamese Community of Minnesota for inviting her to an event at the State Capitol. She indicated the first cannabis license in the City has been granted to Lucky Strains. She commented she attended a regional council of mayors meeting

where the State Climatologist spoke about how the weather was changing in the State and Xcel Energy commented on their resource management planning efforts. She stated NYFS would be holding their annual luncheon on Wednesday, May 14. She reported New Brighton's cleanup day would be held on Saturday, May 17. She indicated the New Brighton Historical Society would be holding their annual clean up day on Saturday, May 17.

**Adjournment**

The meeting adjourned at 8:28 p.m.

**Adjournment**

Mayor Niedfeldt-Thomas adjourned the meeting at 8:28 p.m.

\_\_\_\_\_  
Kari Niedfeldt-Thomas, Mayor

ATTEST: \_\_\_\_\_  
Terri Spangrud, City Clerk



**MINUTES**  
**Public Safety Commission**  
**April 14, 2025 City Hall**  
**Council Chambers 6:30 p.m.**

**I. Call to Order**

The meeting was called to order at 6:30 p.m.

**II. Roll Call:**

Members Present: Commissioners Liza Allen, Kevin Dostal Dauer, Tom Harkins, Mark Jansen, Duncan Potter and Roberto Valdizan.

Members Absent: Commissioners Kena Abdissa and Adam Stout.

Also Present: Director Tony Paetznick, Sergeant Matt Farmer, Community Engagement Officer Austin Sonterre, and Council Member Jeanne Frischman.

**III. Approval of Agenda**

Motion by Allen, seconded by Dostal Dauer to approve the April 14, 2025 agenda as presented. Motion carried 6-0.

**IV. Approval of Minutes**

Motion by Dostal Dauer, seconded by Jansen to approve the March 10, 2025 minutes as presented. Motion carried 6-0.

**V. Presentations and Business Items**

**A. Introduction of New Commissioner – Tony Paetznick, Public Safety Director**

Director Paetznick introduced the new Commissioner to the group.

**B. Automatic License Plate Recognition (ALPR)**

Sergeant Matt Farmer and Community Engagement Officer Austin Sonterre provided the Commission with a presentation on the implementation of a Flock Safety Automatic License Plate Recognition (ALPR) system. Sergeant Farmer described how this new technology assisted officers with capturing the objective, indiscriminate information from vehicles throughout the community, and would be a force multiplier for the department. He discussed how the technology would assist with reducing crime and closing cases, while also providing shared data across other agencies in the metro area. He reviewed the other agencies in the

north metro that were using Flock. He commented on the data retention policies that would have to be followed by the department if a Flock system were put in place. Further information was provided on how the Flock system has been utilized by other departments to solve missing persons, hit and run and stolen vehicle crimes.

Discussion included:

- The Commission questioned why the data had to be destroyed after 30 days when State Statute allowed for data to be stored for 60 days. Staff explained Flock believed within 30 days the department should be able to determine if a suspect can be found. In addition, the 30 days addresses stored data fears.
- Staff spoke to the benefit of moving forward with a Flock system given how surrounding communities were already utilizing this technology.
- The Commission asked if the department was considering a mobile camera. Staff stated they would like to have one mobile camera for use by the department.
- Further discussion ensued regarding how the department will address privacy concerns. It was noted the Flock data would require a yearly audit, as was done with body cam footage.
- The Commission questioned how many cameras the City would need. Staff explained costs were being considered, along with the number of entry points in/out of the community.
- Staff provided further information regarding the cost to use the Flock system.
- It was noted a public/private partnership could be pursued for business or apartment complexes that would like to have their own private Flock cameras.
- Staff commented on the amount of time that would be saved noting having to go through Ring camera data if a Flock system were in place.
- Staff described how the fingerprint technology would assist officers with locating a vehicle based on specific characteristics.
- Staff commented on grant funding that was available through the BCA for this type of system.
- The Commission questioned what the initial ask would be for the number of cameras. Sergeant Farmer stated he would like to have five to ten cameras in the City plus one mobile camera.
- The Commission thanked staff for the detailed presentation on this topic.

### **C. 2025-2026 Work Plan**

Director Paetznick provided a presentation on the 2025-2026 work plan, reviewing the topics of interest and asked for comments or feedback from the Commission. He discussed the new system that was in place called CivicPlus that was being used to populate Commission and City Council agendas.

Discussion included:

- The Commission requested an update on the Ramsey County Appropriate Response Initiative.
- The Commission wanted to learn more about the hot spots and potential hot spots in the community.
- The Commission asked that a presentation be made on cannabis and how this use will potentially impact the community.

## **VI. Reports and Updates**

### **A. City Council Update – Jeanne Frischman, Councilmember**

Councilmember Frischman provided the Commission with an update from the City Council. She thanked the Commission members for their service to the community. She explained she was excited to be serving as the liaison to the Public Safety Commission. She noted her husband was an on-call firefighter in the community. She commented on the strategic priority session the Council held in February with staff and reviewed the draft priorities for the City.

### **B. Public Safety Update – Director Paetznick**

Director Paetznick explained it was National Public Safety Telecommunicators Week this week. He thanked all of the dispatchers that worked diligently to serve this community. He reported the department has added three new officers and the department was now at full strength. He commented the department was also working to fill the civilian public safety officer vacancies. He noted the City Council would be recognizing the retirement of Kip Lamothe. He stated the Public Safety hired their own IT technician who started with the department on March 19.

Further discussion ensued regarding the Flock camera system and it was noted there was support for this system moving forward.

## **VII. Adjournment**

Motion by Allen, seconded by Harkins to adjourn the meeting at 7:57 p.m. Motion carried 6-0.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Anthony S. Paetznick". The signature is fluid and cursive, with the first name "Anthony" and last name "Paetznick" clearly distinguishable.

Tony Paetznick  
Director of Public Safety

|                        |                       |
|------------------------|-----------------------|
| <b>Agenda Section:</b> | <b>Consent Agenda</b> |
| <b>Report Date:</b>    | <b>05/16/2025</b>     |
| <b>Meeting Date:</b>   | <b>May 27, 2025</b>   |

## REQUEST FOR COUNCIL CONSIDERATION – EXECUTIVE SUMMARY

**ITEM DESCRIPTION:** Consider Authorizing Purchase and Installation of NBCC Elevator Interior.

### Action Requested:

|                 |                |
|-----------------|----------------|
| Public Hearing: | Motion: X      |
| Discussion:     | Informational: |

### Form of Action:

|                       |               |
|-----------------------|---------------|
| Resolution:           | Ordinance:    |
| Contract/Agreement: X | N/A or Other: |

### Votes Needed:

|            |          |
|------------|----------|
| 3 Votes: X | 4 Votes: |
| 5 Votes:   | N/A:     |

### Summary Statement:

- The NBCC elevator interior shows visible wear and damage from its 30+ year life. As a vital part of ensuring accessibility for all community members including seniors and individuals with mobility challenges, maintaining a safe and functional elevator is essential to keeping NBCC inclusive and welcoming.
- Quote was received from Schindler Elevator Corporation who is the vendor that provides preventative maintenance and repairs on the NBCC elevator.

|                         |                                                                                   |
|-------------------------|-----------------------------------------------------------------------------------|
| <b>Recommendations:</b> | Staff recommends Authorizing Purchase and Installation of NBCC Elevator Interior. |
|-------------------------|-----------------------------------------------------------------------------------|

|                              |     |
|------------------------------|-----|
| <b>Applicable Deadlines:</b> | N/A |
|------------------------------|-----|

|                          |                                                                                                                                               |
|--------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Community Impact:</b> | Providing new interior of the elevator will maintain a safe, functional, welcoming atmosphere to our guests, members, tenants, and residents. |
|--------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------|

|                             |                                                                                                                                                                                                                                                                                                                               |
|-----------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Legislative History:</b> | <ul style="list-style-type: none"> <li>December 10, 2024 - Council adopted a resolution approving the final 2025 budget which identified the 2025 elevator interior project.</li> <li>September 22, 1993 – Council approved the construction of the Family Service Center (now the New Brighton Community Center).</li> </ul> |
|-----------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

|                            |                          |                                     |
|----------------------------|--------------------------|-------------------------------------|
| <b>Strategic Priority:</b> | Financial Sustainability | Staff Capabilities: X               |
|                            | Economic Development     | Community Engagement & Belonging: X |
|                            | City Assets: X           | Operational Effectiveness: X        |
|                            |                          | N/A                                 |
|                            |                          |                                     |

|                       |                                                              |                 |                        |                   |
|-----------------------|--------------------------------------------------------------|-----------------|------------------------|-------------------|
| <b>Fiscal Impact:</b> | <b>Financial Impact: Is there a financial consideration?</b> |                 | No                     | Yes: \$ 26,399.00 |
|                       | <b>Financing Sources:</b>                                    | Budgeted        | Budget Modification: X |                   |
|                       | New Revenue                                                  | Use of Reserves | Other                  |                   |





**Schindler Elevator Corporation**  
895 Blue Gentian Road  
Suite 12  
Eagan, MN 55121-1568  
Phone:  
Fax:

## UPGRADE ORDER AGREEMENT

**Date:** 05/09/2025

**Estimate Number:** NSTN-DFZSX7 (2025.1.1)

**To:**  
City of New Brighton  
400 10Th Street Nw  
New Brighton, MN 55112-6806

**Customer:**  
City of New Brighton  
400 10th St Nw  
New Brighton, MN 55112-6806

**Attn:** Jeffrey Johnson

Schindler hereby proposes to furnish and install the following with respect to the equipment located at the above building:

### ELEVATOR CAB INTERIOR (OPTION 2)

Schindler shall demo the existing cab interiors and replace with new as outlined below:

The below price is for limited weight interior items for (1) existing cab as detailed.

**WALL SKINS:** Lightweight LW3 design includes ThinCor vertical skins:

- We will provide pre-cut materials laid up on 1/8" ThinCor as well as screws and adhesive for attaching skins to the existing walls.
- The upper portion of each panel is faced with plastic laminate. We include Standard selection of Wilsonart plastic laminate. Premium selection will add to cost and may impact lead time.
- The lower portion of each panel is faced with 5WL pattern stainless steel.
- Each panel includes flush stainless steel #4 top, middle and bottom horizontal rails.
- The corners and the seams where the pieces meet will be covered by new 3" wide stainless steel #4 stiles applied with 2-faced tape. There will be no visible fasteners with this design as the screws used to attach the panel sections to the shell walls will be concealed behind the stiles.
- We include new projected base with integral & hidden vent slots. This base is 4-6" tall, surface mounted with screws and projects from the wall approximately 7/8".

**HANDRAIL:** for rear wall only. We include 3/8" x 2" flat bar stainless steel #4 with formed ends.

For both side walls: 3/8" x 2" (st stl #4 satin), formed ends, includes rem brackets (from within car)

**CEILING & LIGHTING:** Aluminum T-frame ceiling with 6mm translucent diffusers and T-8 LED lighting, model ALMT6TC.

- Quantity of lights is based on size of cab.



- (6) diffusers are included, although final number of diffusers is determined during engineering and will vary depending on cab size and existing escape hatch location.
- Emergency lighting is not included.
- Pads not included.

Unless otherwise noted, all stainless steel is quoted as #304 alloy with #4 satin, directional polish finish. Graining direction runs long dimension of each part with exception of round handrails.

*\*Note: Survey is included. Pricing subject to survey results.*

- Existing steel shell is retained.
- We are quoting based on assumed interior sizes. Significant difference in actual interior sizes will impact pricing.
- We are quoting based on the assumption that the existing cab shell walls are standard steel and that the cab does not contain special features such as wood or "picture frame" [open to the hoistway] shell walls, vertical canopy, wood returns, wood transom, etc. Should any of these special conditions exist, it may impact pricing and change the scope of this proposal.
- The change in cab finishes will add weight to the elevator system. Client is responsible for maintaining 5% weight Code compliance per ASME A17.1, Section 8.10.2.
- An on-site material staging area is required near the work area(s) and will be provided to the Contractor upon request as needed.
- All work shall be performed during regular working hours.

**Price:** \$26,399.00, plus applicable taxes. (Quotations valid for 30 days; price based upon work during regular working hours of regular working days.)

**\*Financing available (see below)**

**Payment:** 50% of the price is due upon acceptance of this proposal;  
40% of the price is due as work progresses within 30 days of invoice;  
Balance due upon completion, within 30 days of invoice.

Schindler reserves the right not to source material or schedule labor for the above quoted work until initial payment has been received.

Schindler retains title to any equipment furnished hereunder until final payment is made. Late or non-payment will result in assessment of interest charged at a rate of 1 1/2% per month or the highest legal rate available, and any attorneys' fees, expenses, and costs of collection. The customer understands that this is a fixed price proposal. Supporting documentation for materials and/or labor shall not be a condition precedent for payment in full to be made to Schindler.

**Available Financing:** Schindler understands that the cost of capital improvements can put a strain on a property's budget. For this reason, Schindler has teamed with leading financial organizations (Lender) in an effort to help our customers sort through the best options to fund these capital improvements. The financing is done directly between the Lender and you, our customer. In return, Schindler requires that you enter into a new 5-year maintenance agreement with Schindler.

Often times, other building systems will need upgrades as a part of the elevator or escalator improvements. The cost of the related work can be rolled into the total finance package with the Lender.



**As an example, if you finance \$25,000.00 for 60 months, your monthly payment would be approximately \$510.00 plus any applicable state and federal tax.** The monthly finance payment is an approximation and will be finalized between you and the Lender.

Financing is subject to the borrower's qualifications, including income, property evaluation, sufficient equity and final credit approval. Approvals are subject to underwriting guidelines, interest rates, and program guidelines. Loans are subject to change without notice based upon eligibility and market conditions. This is not a commitment to make a loan as financing options are subject to credit checks and approval.

This program is offered and provided through third-party financial organizations and are dependent upon those entities' rules, regulations, and restrictions.

If the maintenance agreement is cancelled for any reason prior to the 60-month term, all remaining balances become due immediately.

Your sales representative will be happy to facilitate the process moving forward if you are interested in our financing option. The finance credit approval form can be found attached to this document.



**The attached terms and conditions** are incorporated herein by reference.

Acceptance by you as owner's agent or authorized representative and subsequent approval by our authorized representative will be required to validate this agreement.

Proposed:

\_\_\_\_\_

By: Nathaniel Stedman

For: Schindler Elevator Corporation

Title: Sales Representative

Date: 4/23/2025

Approved:

\_\_\_\_\_

By: Kenneth Groll

Title: General Manager

Date: \_\_\_\_\_

Accepted:

\_\_\_\_\_

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

For: City of New Brighton

Title: City Manager

Date: \_\_\_\_\_

Accepted:

\_\_\_\_\_

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

For: \_\_\_\_\_

Title: Mayor

Date: \_\_\_\_\_



## TERMS AND CONDITIONS

1. Any changes to the building to meet local or state codes are to be made by Purchaser. Any changes in the Work required due to building conditions discovered in the performance of the Work will be paid by Purchaser.
2. No work, service materials or equipment other than as specified hereunder is included or intended.
3. Purchaser retains its normal responsibilities as Owner of the equipment which is subject of this Agreement.
4. Schindler will not be liable for damages of any kind, in excess of the Price of this Agreement, nor in any event for special, indirect, consequential or liquidated damages.
5. Any cutting and patching is by others and not included in this work.
6. Neither party shall be responsible for any loss, damage, detention or delay caused by labor trouble or disputes, strikes, lockouts, fire, explosion, theft, lightning, wind storm, earthquake, floods, epidemics, pandemics, storms, riot, civil commotion, malicious mischief, embargoes, shortages of materials or workmen, unavailability of material from usual sources, government priorities or requests or demands of the National Defense Program, civil or military authority, war, insurrection, failure to act on the part of either party's suppliers or subcontractors, orders or instructions of any federal, state, or municipal government or any department or agency thereof, acts of God, or by any other cause beyond the reasonable control of either party. Dates for the performance or completion of the work shall be extended by such delay of time as may be reasonably necessary to compensate for the delay.
7. We warrant that the work will comply with the specifications and that there will be no defects in materials or workmanship for one year after completion of the work or acceptance thereof by beneficial use, whichever is earlier. Our duty under this warranty is to correct nonconformance or defect at our expense within a reasonable time after the receipt of notice. THE EXPRESS WARRANTIES CONTAINED HEREIN ARE IN LIEU OF ALL OTHER WARRANTIES, EXPRESS OR IMPLIED, INCLUDING ANY WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE. Purchaser's remedies hereunder are exclusive.
8. Purchaser agrees to defend, indemnify and hold Schindler harmless from and against any claims, lawsuits, demands, judgments, damages, costs and expenses arising out of this Agreement except to the extent caused by or resulting from the sole and direct fault of Schindler.
9. For non-maintenance contract customers, Customer hereby agrees, without limitation, to defend, indemnify, release and hold harmless Schindler and its employees, affiliates, divisions, parent entities, predecessors and successors, representatives and agents from and against all claims, liabilities, losses, injuries, death, damages, fines, penalties, payments, costs, and expenses (including reasonable attorneys' fees and expenses) arising out of or relating to the Work performed by Schindler under this Agreement.

**INSURANCE:** At a minimum, Customer shall provide to Schindler, insurance coverages as set forth within, and a certificate of insurance evidencing such coverage: Comprehensive General Liability (including Products Liability, Completed Operations, Broad Form Property damage, and Blanket Contractual Liability) in the amounts of \$2M per occurrence, \$5M aggregate. Schindler Holding, Ltd., Schindler Elevator Corporation, and Schindler Enterprises, Inc. shall be named as additional insureds on the above referenced policies, pursuant to ISO Form CG 2010 11/85, and shall appear as such on the Certificate of Insurance. Insurance shall provide a waiver of subrogation in favor of the entities named as additional insureds. Insurance shall be primary over any other valid and collectible insurance. Any deductible / retention is the responsibility of the Named Insured.
10. Any proprietary material, information, data or devices contained in the equipment or work provided hereunder, or any component or feature thereof, remains our property. This includes, but is not limited to, any tools, devices, manuals, software, modems, source/ access/ object codes, passwords. In the event Schindler's maintenance obligation is terminated, the Schindler Ahead features ("SA") (if applicable) will be deactivated and Schindler reserves the right to remove the Schindler Ahead hardware. If Schindler is no longer the maintenance provider, Customer is responsible for obtaining alternative telephone service for the elevator phones.
11. In the event of governmental changes to applicable tariffs, tax rates, including but not limited to sales tax, use tax, excise tax, privilege tax, transaction tax and similar changes, or loss of tax exempt status, Schindler reserves the rights to adjust the contract price accordingly to account for all additional cost impacts.
12. We reserve the right to modify price and schedule without penalty due to material or component shortages, increases in inflation and/or material price increases based upon the S&P Material Price Index (MPI).



|                        |                       |
|------------------------|-----------------------|
| <b>Agenda Section:</b> | <b>Consent Agenda</b> |
| <b>Report Date:</b>    | <b>05/20/2025</b>     |
| <b>Meeting Date:</b>   | <b>May 27, 2025</b>   |

## REQUEST FOR COUNCIL CONSIDERATION – EXECUTIVE SUMMARY

**ITEM DESCRIPTION:** Ramsey County Cooperative Agreement for RRFB at County Road H and Edgewood

### Action Requested:

|                 |                |
|-----------------|----------------|
| Public Hearing: | Motion: X      |
| Discussion:     | Informational: |

### Form of Action:

|                       |               |
|-----------------------|---------------|
| Resolution:           | Ordinance:    |
| Contract/Agreement: X | N/A or Other: |

### Votes Needed:

|            |          |
|------------|----------|
| 3 Votes: X | 4 Votes: |
| 5 Votes:   | N/A:     |

### Summary Statement:

The Cities of Mounds View and New Brighton partnered with Ramsey County to install a Rectangular Rapid Flashing Beacon at Edgewood Drive and County Road H. The cooperative agreement identifies funding and ownership/maintenance responsibilities.

### Recommendations:

Approve the Mayor and Director of Community Assets and Development to sign/enter the Cooperative Agreement.

### Applicable

NA

|                   |  |
|-------------------|--|
| <b>Deadlines:</b> |  |
|-------------------|--|

|                          |                                                     |
|--------------------------|-----------------------------------------------------|
| <b>Community Impact:</b> | Promote safer pedestrian crossing of County Road H. |
|--------------------------|-----------------------------------------------------|

|                             |  |
|-----------------------------|--|
| <b>Legislative History:</b> |  |
|-----------------------------|--|

|                            |                          |                                  |
|----------------------------|--------------------------|----------------------------------|
| <b>Strategic Priority:</b> | Financial Sustainability | Staff Capabilities               |
|                            | Economic Development     | Community Engagement & Belonging |
|                            | City Assets X            | Operational Effectiveness        |
|                            |                          | N/A                              |
|                            |                          |                                  |

|                |                                                       |                 |                                                    |               |
|----------------|-------------------------------------------------------|-----------------|----------------------------------------------------|---------------|
| Fiscal Impact: | Financial Impact: Is there a financial consideration? |                 | No                                                 | Yes: \$ 9,920 |
|                | Financing Sources:                                    | Budgeted        | Budget Modification                                |               |
|                | New Revenue                                           | Use of Reserves | Other Municipal State Aid Maintenance/Construction |               |

# REQUEST FOR SIGNATURE FORM

|                                                                                                                     |                                       |
|---------------------------------------------------------------------------------------------------------------------|---------------------------------------|
| <b>Request for Signature</b>                                                                                        | County Manager                        |
| 1. Type of document                                                                                                 | Cooperative Agreement                 |
| 2. Aspen PO, contract or document number                                                                            | PUBW2025-09R                          |
| 3. Original contract number                                                                                         |                                       |
| 4. Contractor or grantor name                                                                                       | City of Mounds View                   |
| 5. Contractor Aspen ID # and CERT SVN and/or DUN #                                                                  | 0000046200                            |
| 6. Requesting business unit                                                                                         | PUBW                                  |
| Additional business unit                                                                                            |                                       |
| 7. Authority (required - DO NOT leave blank)                                                                        | Admin Code:                           |
|                                                                                                                     | Resolution Number: B2025-045          |
| 8. Program/project/service/grant name                                                                               |                                       |
| 9. Brief description of goods, services or grant duties (will be used for the County Board monthly contract report) | County Road H and Edgewood Drive      |
| 10. Original contract start date                                                                                    |                                       |
| 11. Original contract end date                                                                                      | 12/31/74                              |
| 12. Amendment number and amendment start date                                                                       |                                       |
| 13. Amendment end date                                                                                              |                                       |
| 14. Contract type                                                                                                   |                                       |
| 15. Original contract amount                                                                                        |                                       |
| 16. Previous amendment(s) total                                                                                     |                                       |
| 17. Amendment amount                                                                                                |                                       |
| 18. New total contract value                                                                                        | \$ 0.00                               |
| 19. Funding string                                                                                                  |                                       |
| Funding source                                                                                                      |                                       |
| 20. Revenue agreement budgeted amount                                                                               | \$ 19,840.00                          |
| 21. County contact and phone number                                                                                 | Luis Flores                           |
| 22. Signatures                                                                                                      |                                       |
| Department Preparer                                                                                                 | <i>Charity Clemens</i> Date: 04/16/25 |
| Department Director                                                                                                 | Date:                                 |
| Finance Analyst                                                                                                     | Date:                                 |
| Attorney                                                                                                            | Date:                                 |

Clear Form



**RAMSEY COUNTY  
COOPERATIVE AGREEMENT  
WITH THE CITY OF MOUNDS  
VIEW AND THE CITY OF NEW  
BRIGHTON FOR 2024 COUNTY  
ROAD H AND EDGEWOOD DRIVE  
RRFB PROJECT**

|                                              |                 |
|----------------------------------------------|-----------------|
| <b>Total Project Cost [Estimated]:</b>       | <b>\$39,680</b> |
| <b>Ramsey County Cost [Estimated]:</b>       | <b>\$19,840</b> |
| <b>City of Mounds View Cost [Estimated]:</b> | <b>\$9,920</b>  |
| <b>City of New Brighton [Estimated]:</b>     | <b>\$9,920</b>  |

**Attachments:**

Exhibit A – Project Location Map

Exhibit B - Project Quote from Forest Lake  
Contracting

This Agreement is between the City of Mounds View, a municipal corporation ("City 1"), the City of New Brighton ("City 2") and Ramsey County, a political subdivision of the State of Minnesota, ("County"). "City 1" and "City 2" herein forth referred to as the "Cities."

WHEREAS, the intersection of County Road H (County State Aid Highway 9) and Edgewood Drive ("Project Limits") is identified in Ramsey County's 2023-2027 Transportation Improvement Program for Miscellaneous Infrastructure Improvements - Various Traffic Signals are shown in Exhibit A - Project Location Map; and

WHEREAS, the Cities and County desire to install a Rectangular Rapid-Flashing Beacon (RRFB) pedestrian signal at the intersection of County Road H and Edgewood Drive, within the Project Limits ("Project"); and

WHEREAS, in the area affected by construction, County Road H is designated County State Aid Highway (CSAH) 9 and is located within the Cities; and

WHEREAS, County Road H is located in County right-of-way; and

NOW, THEREFORE, BE IT MUTUALLY AGREED AS FOLLOWS:

**AGREEMENTS**

**1. Responsibility for Design Engineering**

- 1.1. Plans, specifications, and proposals will be prepared in accordance with Mn/DOT

State Aid requirements.

- 1.2. The County will prepare or cause to be prepare plans, specifications, and proposals for the Project, which will include, among other things, proposed RRFB pedestrian signal, concrete curb & gutter, and paving.
- 1.3. Any costs associated with Project revisions after the completion of plans and specifications will be paid for by the party requesting the revisions. Revisions are subject to approval by both parties.

2. Responsibility for the Right of Way Plan and Acquisition

- 2.1. There is no Right-of-Way being acquired for the Project.

3. Procurement and Award of Contract

- 3.1. The County has an existing maintenance contract with Forest Lake Contracting and will cause Forest Lake Contracting to perform the Project work thereunder.

4. Responsibility for Construction Engineering and Design Engineering

- 4.1. The County shall perform any construction engineering or design engineering needed for the Project.

5. Project Costs

- 5.1. Except as provided herein, the County and Cities will participate in the costs of construction in accordance with the Ramsey County Cost Participation Policy and approved in the 2024 – 2028 Ramsey County Transportation Improvement Plan. If there is a conflict between the Cost Participation Policy and this Agreement, this Agreement will prevail.

- 5.2. The total estimated cost of the Project is set forth on Exhibit B. County and Cities will each be responsible for their respected shares of the total actual cost of the Project based on the final actual cost as invoiced by Forest Lake Contracting after Project completion, as follows: City 1, 25%; City 2, 25%; County, 50%.

- 5.3. Design Engineering Costs -- NA

- 5.4. Construction Engineering Costs -- NA

6. Payment Schedule

- 6.1. Upon receipt of the invoice from Forest Lake Contracting, the County will pay the invoice and invoice the Cities for their respective shares of final actual Project costs.
- 6.2. Invoice must include documentation of the charges, fees and costs as

reasonably required by the other party.

6.3. Payment will be made by the Cities within 35 days of receipt of the County's invoice.

7. Ownership and Maintenance Responsibility for Project Elements

7.1. Ownership and Maintenance Responsibility of the Roadway.

7.1.1. The County will own and maintain the roadway and associated roadway elements located within the County Right of Way, except as detailed below.

7.2. Ownership and Maintenance Responsibilities.

7.2.1. Ownership and maintenance of the Signal Systems, Accessible Pedestrian System (APS), and Rectangular Rapid-Flashing Beacons (RRFBs) are detailed in Agreements PW2023-09M (City of Mounds View) and PW2023-10M (City of New Brighton).

8. The Cities grant the County temporary construction permits over all Cities owned rights-of-way and property within the limits of the Project for use during construction at no cost to the County.
9. Each party is responsible for its own acts and omissions and the results thereof to the extent authorized by law and will not be responsible for the acts and omissions of any others and the results thereof.
10. The Cities and County shall indemnify, defend, and hold each other harmless against any and all liability, losses, costs, damages, expenses, claims, or actions, including attorney's fees, which the indemnified party, its officials, agents, or employees may hereafter sustain, incur, or be required to pay, arising out of or by reason of any act or omission of the indemnifying party, its officials, agents, or employees, in the execution, performance, or failure to adequately perform the indemnifying party's obligation pursuant to this Agreement. Nothing in this Agreement shall constitute a waiver by the County or the Cities of any statutory or common law immunities, limits, or exceptions on liability.
11. COUNTERPARTS: The parties may sign this Agreement in counterparts, each of which constitutes an original, but all of which together constitute one instrument.
12. ELECTRONIC SIGNATURES: The parties agree that the electronic signature of a party to this Agreement shall be as valid as an original signature of such party and shall be effective to bind such party to this Agreement. The parties further agree that any document (including this Agreement and any attachments or exhibits to this Agreement) containing, or to which there is affixed, an electronic signature shall be deemed (i) to be "written" or "in writing," (ii) to have been signed and (iii) to constitute a record established and maintained in the ordinary course of business and an original written record when printed from electronic files. For purposes hereof, "electronic signature" also means a manually signed original signature that is then transmitted by

any electronic means, including without limitation a faxed version of an original signature or an electronically scanned and transmitted version (e.g., via PDF) of an original signature. Any party's failure to produce the original signature of any electronically transmitted signature shall not affect the enforceability of this Agreement.

13. This Agreement shall remain in full force and effect until terminated by mutual agreement of the parties.

If to the CITIES:

City of Mounds View  
2401 Mounds View Blvd.  
25 West 4<sup>th</sup> St  
Mounds View, MN 55112  
Attention: Don Peterson, Director of Public Works

City of New Brighton  
803 Old Highway 8 NW  
New Brighton, MN 55112  
Attention: Craig Schlichting, Director of Community Assets and Development

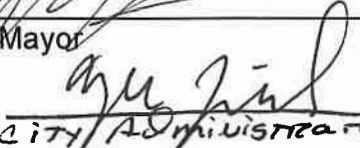
If to the COUNTY:

Ramsey County Public Works  
1425 Paul Kirkwold Drive  
Arden Hills, MN 55112  
Attention: Brad Estochen, Ramsey County Engineer

THE REMAINDER OF THIS PAGE IS INTENTIONALLY BLANK.

CITY OF MOUNDS VIEW, MINNESOTA

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

By: \_\_\_\_\_  
CITY ADMINISTRATOR

By: \_\_\_\_\_  
Director of Public Works

CITY OF NEW BRIGHTON, MINNESOTA

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

Date: \_\_\_\_\_

By: \_\_\_\_\_  
Director of Community Assets and  
Development

Date: \_\_\_\_\_

Approved by the Office of Financial Services:

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

Approved as to Form:

By: \_\_\_\_\_  
City Attorney

RAMSEY COUNTY, MINNESOTA

\_\_\_\_\_  
Ling Becker, County Manager

Date: \_\_\_\_\_

Approval recommended:

\_\_\_\_\_  
Brad Estochen, Ramsey County Engineer  
Public Works Department

Approved as to form:

*Kathleen Ritter*  
\_\_\_\_\_  
Assistant County Attorney

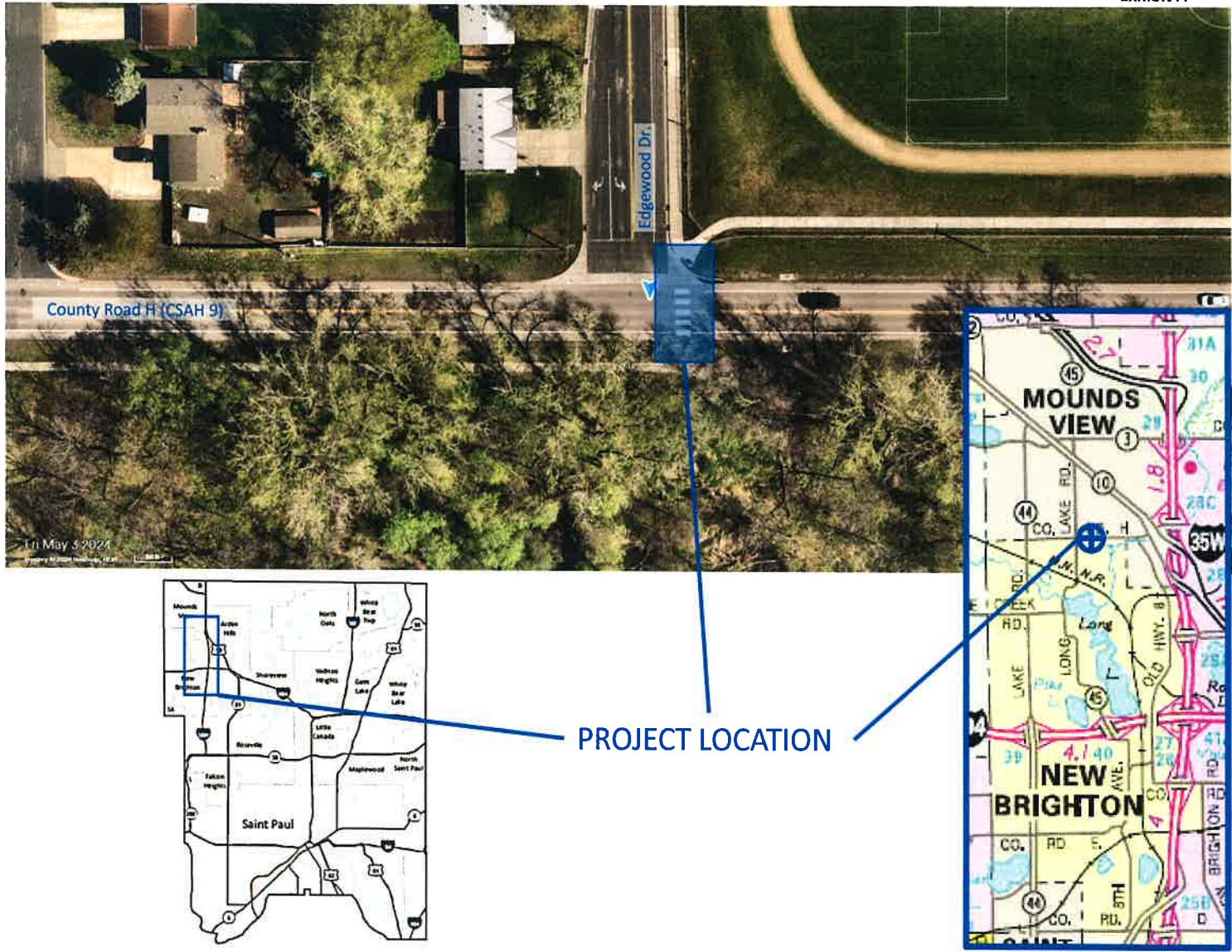




Exhibit B

14777 Lake Drive  
Forest Lake, MN 55025

PH: (651) 464-4500  
FAX: (651) 464-4722

**PROPOSAL SUBMITTED TO      WORK TO BE PERFORMED AT**

NAME Ramsey County: Jeff Kapoun  
ADDRESS 1425 Paul Kirkwold Drive  
CITY Arden Hills STATE MN ZIP 55112  
PHONE 612 366 2307  
DATE 12/11/24

NAME County H @ Edgewood  
ADDRESS  
CITY Shoreview/Moundsview STATE MN ZIP

**PROPOSAL TO DO THE FOLLOWING WORK**

*Forest Lake Contracting will provide and install a pedestal electrical service to provide power for a crosswalk flasher system. FLC will set 2 ped pole foundations, a service foundation. FLC will furnish and install 2 ped poles with RRFB light bars for each direction four total. FLC will transfer existing signs to the new poles when all parts arrive. FLC is capable of working with up to 4" of frost with no charges.*

The Lump Sum Cost For This Work Will Be **\$34,780.00**  
Added PB Stations will be **\$2,450 Ea.** Total **\$4,900.00**

If any frost charges are needed it would be on a T&M basis. Estimated cost \$1,000.00 - \$4,000.

Not Included:  
Sod Restoration.

**ACCEPTANCE OF PROPOSAL  
PAYMENT TO BE MADE AS FOLLOWS 30 DAYS NET.**

A 1.5% per month interest fee shall be charged on any balance 30 days past due.

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs, will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado and other necessary insurance. Our workers are fully covered by Workman's Compensation Insurance.

THE ABOVE PRICES, SPECIFICATIONS AND CONDITIONS ARE SATISFACTORY AND ARE HEREBY ACCEPTED. YOU ARE AUTHORIZED TO COMPLETE THIS CONTRACT AS SPECIFIED. PAYMENT WILL BE MADE AS OUTLINED ABOVE.

  
AUTHORIZED SIGNATURE  
Joe Monette

COMPANY

AUTHORIZED SIGNATURE

DATE OF ACCEPTANCE

AN AFFIRMATIVE ACTION, EQUAL OPPORTUNITY EMPLOYER



## REQUEST FOR SIGNATURE FORM

|                                                                                                                     |                                                                                                                                               |
|---------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Request for Signature</b>                                                                                        | County Manager                                                                                                                                |
| 1. Type of document                                                                                                 | Cooperative Agreement                                                                                                                         |
| 2. Aspen PO, contract or document number                                                                            | PW2024-21                                                                                                                                     |
| 3. Original contract number                                                                                         |                                                                                                                                               |
| 4. Contractor or grantor name                                                                                       | City of Mounds View & New Brighton                                                                                                            |
| 5. Contractor Aspen ID # and CERT SVN and/or DUN #                                                                  | 0000124858 & 0000124858                                                                                                                       |
| 6. Requesting business unit                                                                                         | PUBW                                                                                                                                          |
| Additional business unit                                                                                            |                                                                                                                                               |
| 7. Authority (required - DO NOT leave blank)                                                                        | Admin Code:                                                                                                                                   |
|                                                                                                                     | Resolution Number: B2024-184                                                                                                                  |
| 8. Program/project/service/grant name                                                                               |                                                                                                                                               |
| 9. Brief description of goods, services or grant duties (will be used for the County Board monthly contract report) | Transportation Improvement Program for Miscellaneous Infrastructure Improvements - Various Traffic Signals. County Road H and Edgewood Drive. |
| 10. Original contract start date                                                                                    |                                                                                                                                               |
| 11. Original contract end date                                                                                      |                                                                                                                                               |
| 12. Amendment number and amendment start date                                                                       |                                                                                                                                               |
| 13. Amendment end date                                                                                              |                                                                                                                                               |
| 14. Contract type                                                                                                   |                                                                                                                                               |
| 15. Original contract amount                                                                                        | \$ 39,680.00                                                                                                                                  |
| 16. Previous amendment(s) total                                                                                     |                                                                                                                                               |
| 17. Amendment amount                                                                                                |                                                                                                                                               |
| 18. New total contract value                                                                                        | \$ 39,680.00                                                                                                                                  |
| 19. Funding string                                                                                                  |                                                                                                                                               |
| Funding source                                                                                                      |                                                                                                                                               |
| 20. Revenue agreement budgeted amount                                                                               |                                                                                                                                               |
| 21. County contact and phone number                                                                                 | Luis Flores 651-266-7192                                                                                                                      |
| 22. Signatures                                                                                                      |                                                                                                                                               |
| Department Preparer                                                                                                 | <i>Charity Clemens</i> Date: 12/16/24                                                                                                         |
| Department Director                                                                                                 | Date:                                                                                                                                         |
| Finance Analyst                                                                                                     | Date:                                                                                                                                         |
| Attorney                                                                                                            | <i>Kathleen Ritter</i> Date: 12/16/2024                                                                                                       |

|                        |                       |
|------------------------|-----------------------|
| <b>Agenda Section:</b> | <b>Consent Agenda</b> |
| <b>Report Date:</b>    | <b>05/21/2025</b>     |
| <b>Meeting Date:</b>   | <b>May 27, 2025</b>   |

## REQUEST FOR COUNCIL CONSIDERATION – EXECUTIVE SUMMARY

**ITEM DESCRIPTION:** Consider Application for a Solicitor License for Custom Remodelers Inc.

### Action Requested:

|                 |                  |
|-----------------|------------------|
| Public Hearing: | <b>Motion: X</b> |
| Discussion:     | Informational:   |

### Form of Action:

|                     |                        |
|---------------------|------------------------|
| Resolution:         | Ordinance:             |
| Contract/Agreement: | <b>N/A or Other: X</b> |

### Votes Needed:

|          |               |
|----------|---------------|
| 3 Votes: | 4 Votes:      |
| 5 Votes: | <b>N/A: X</b> |

### Summary Statement:

Custom Remodelers, Inc. has applied for a solicitor's license to conduct a free quote for exterior work. All required fees have been paid.

### Recommendations:

To issue a solicitor license to Custom Remodelers, Inc. valid from May 30th thru November 30, 2025

### Applicable Deadlines:

None

|                          |                                                                                                                      |
|--------------------------|----------------------------------------------------------------------------------------------------------------------|
| <b>Community Impact:</b> | Allow a local business an opportunity to reach out to the surrounding community and offer home improvement services. |
|--------------------------|----------------------------------------------------------------------------------------------------------------------|

|                             |                                                    |
|-----------------------------|----------------------------------------------------|
| <b>Legislative History:</b> | City Code Chapter 10 regulates solicitor licenses. |
|-----------------------------|----------------------------------------------------|

|                            |                          |                                  |
|----------------------------|--------------------------|----------------------------------|
| <b>Strategic Priority:</b> | Financial Sustainability | Staff Capabilities               |
|                            | Economic Development     | Community Engagement & Belonging |
|                            | City Assets              | Operational Effectiveness        |
|                            |                          | N/A                              |
|                            |                          |                                  |

|                       |                                                              |                 |                     |         |
|-----------------------|--------------------------------------------------------------|-----------------|---------------------|---------|
| <b>Fiscal Impact:</b> | <b>Financial Impact: Is there a financial consideration?</b> |                 | <b>No</b>           | Yes: \$ |
|                       | <b>Financing Sources:</b>                                    | Budgeted        | Budget Modification |         |
|                       | New Revenue                                                  | Use of Reserves | Other               |         |
|                       |                                                              |                 |                     |         |



|                        |                       |
|------------------------|-----------------------|
| <b>Agenda Section:</b> | <b>Consent Agenda</b> |
| <b>Report Date:</b>    | <b>05/22/2025</b>     |
| <b>Meeting Date:</b>   | <b>May 27, 2025</b>   |

## REQUEST FOR COUNCIL CONSIDERATION – EXECUTIVE SUMMARY

**ITEM DESCRIPTION: Consider Ord. 919 Regarding Ex-Officio Members of Commissions**

### Action Requested:

|                 |                         |
|-----------------|-------------------------|
| Public Hearing: | <b><u>Motion: X</u></b> |
| Discussion:     | Informational:          |

### Form of Action:

|                     |                            |
|---------------------|----------------------------|
| Resolution:         | <b><u>Ordinance: X</u></b> |
| Contract/Agreement: | N/A or Other:              |

### Votes Needed:

|                          |          |
|--------------------------|----------|
| <b><u>3 Votes: X</u></b> | 4 Votes: |
| 5 Votes:                 | N/A:     |

### Summary Statement:

This ordinance clarifies that ex-officio members of commissions do not count toward quorums of any commission and establishes an odd number of voting members on each commission to reduce the likelihood of tie votes.

### Recommendations:

Approve Ordinance 919 Amending City Code Chapter 2 Article 5 Regarding Ex-Officio Members of Commissions

### Applicable Deadlines:

NA

|                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|--------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Community Impact:</b> | <p>Approval of this ordinance limits commission quorums to voting members to ensure that community-appointed commissioners can meet, deliberate, and carry out their work. While the adjustment does not expand representation, it preserves existing community participation and maintains space for resident voices in City decision-making. In doing so, it supports the effective functioning of commissions, ensures continuity in their work, and reinforces the City’s commitment to accessible and inclusive governance.</p> |
|--------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

|                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|-----------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Legislative History:</b> | <p>Earlier this spring, questions emerged regarding how quorum is calculated for commission meetings, particularly in cases of vacancies and member absences. During this review, staff—working in consultation with the city attorney—identified that past changes to the City Code had inadvertently included ex-officio members in both the maximum number of commissioners and quorum calculations. This issue came to light during the 2025 commissioner recruitment process prompting the need for immediate clarification.</p> <p>To avoid delays in appointments and ensure compliance with the City Code, the Council adopted Ordinance 916, which formally increased the maximum number of commissioners by one to include student members. Following that action, staff continued working with the city attorney to refine the Code language to better align with intended commission practices. Proposed Ordinance 919 clarifies that ex-officio members do not count toward quorum and establishes an odd number of voting members on each commission to reduce the likelihood of tie votes.</p> <p>These changes improve clarity in commission structure, reduce barriers to meeting quorum, and support consistent and functional governance.</p> <p>Relevant changes to the City Code that affected commission membership include:</p> <ul style="list-style-type: none"> <li>• 2017 – Ord. 856: Authorized up to one non-voting student member per commission; no change to membership maximum.</li> <li>• 2021 – Ord. 882: Granted voting rights to student members (excluding Planning Commission) and consolidated membership language for student and ex-officio members into a single section,</li> </ul> |
|-----------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

|  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|--|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|  | <p>inadvertently including all in the membership cap.</p> <ul style="list-style-type: none"> <li>• 2021 – Ord. 888: Extended voting rights to student members of all commissions; membership caps remained unchanged.</li> <li>• 2024 Recodification: No changes were made to commission membership or quorum provisions.</li> <li>• 2025 – Ord. 916: Increased the maximum number of commissioners by one to formally include student members, ensuring compliance with Code.</li> </ul> |
|--|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

|                            |                          |                                           |
|----------------------------|--------------------------|-------------------------------------------|
| <b>Strategic Priority:</b> | Financial Sustainability | Staff Capabilities                        |
|                            | Economic Development     | Community Engagement & Belonging          |
|                            | City Assets              | <b><u>Operational Effectiveness X</u></b> |
|                            |                          | N/A                                       |
|                            |                          |                                           |

|                       |                                                              |                 |                     |         |
|-----------------------|--------------------------------------------------------------|-----------------|---------------------|---------|
| <b>Fiscal Impact:</b> | <b>Financial Impact: Is there a financial consideration?</b> |                 | <b><u>No X</u></b>  | Yes: \$ |
|                       | <b>Financing Sources:</b>                                    | Budgeted        | Budget Modification |         |
|                       | New Revenue                                                  | Use of Reserves | Other               |         |
|                       |                                                              |                 |                     |         |

ORDINANCE NO. 919

STATE OF MINNESOTA  
COUNTY OF RAMSEY  
CITY OF NEW BRIGHTON

**AN ORDINANCE AMENDING THE NEW BRIGHTON CITY CODE  
REGARDING EX-OFFICIO MEMBERS OF COMMISSIONS**

THE CITY OF NEW BRIGHTON ORDAINS:

**SECTION 1.** Chapter 2, Article 5, Division 4, Section 2-116 of the Code of Ordinances of the City of New Brighton, Minnesota is amended to include the underlined language and remove the ~~stricken~~ language as follows:

Sec. 2-116. - Commission size.

Unless otherwise noted, all commissions will have a maximum of ~~ten~~ nine members, including a maximum of one student member ~~and an ex-officio member~~ as set forth in this article. Ex-officio members shall not be counted towards the total membership of the commission.

**SECTION 2.** Chapter 2, Article 5, Division 4, Section 2-122 of the Code of Ordinances of the City of New Brighton, Minnesota is amended to include the underlined language as follows:

Sec. 2-122. - Council representation.

- (a) The city council shall appoint one of its members as an ex officio member of each commission for a term of one year. This member shall have full rights of discussion but will not be a voting member of the commission. Ex-officio members are not required to attend all commission meetings and may attend as they deem necessary.
- (b) The city council may designate an alternate ex officio member from among their members to attend and participate in a commission meeting in the event of an absence of the regularly appointed ex officio member.

**SECTION 3.** Chapter 2, Article 5, Division 4, Section 2-193 of the Code of Ordinance of the City of New Brighton, Minnesota, is amended to include the underlined language and remove the ~~stricken~~ language as follows:

Sec. 2-193. - Members of the commission.

The membership of the economic development commission may be open to any resident or non-resident affiliated with a city business who is interested in the business climate and economic direction of the city. There shall be at least five city residents ~~represented~~ on the commission. The economic

development commission shall be composed of nine persons, including a maximum of one student member. Ex-officio members shall not be counted towards the total membership of the commission.

**SECTION 4.** Chapter 2, Article 5, Division 4, Section 2-214 of the Code of Ordinance of the City of New Brighton, Minnesota, is amended to include the underlined language and remove the ~~stricken~~ language as follows:

Sec. 2-214. – Members of the commission.

The planning commission shall be composed of ~~eight~~ seven persons, including a maximum of one student member ~~and an ex-officio member as set forth in division 1 of this article.~~ Ex-officio members shall not be counted towards the total membership of the commission.

**SECTION 5. Effective Date**

This ordinance shall take effect upon its adoption by the City Council, its publication in the City's official newspaper.

ADOPTED this 27th day of May 2025, by the New Brighton City Council with a vote of \_\_\_\_ ayes and \_\_\_\_ nays.

---

Kari Niedfeldt-Thomas, Mayor

---

Devin Massopust, City Manager

ATTEST:

---

Terri Spangrud, City Clerk





|                        |                       |
|------------------------|-----------------------|
| <b>Agenda Section:</b> | <b>Consent Agenda</b> |
| <b>Report Date:</b>    | <b>05/22/2025</b>     |
| <b>Meeting Date:</b>   | <b>May 27, 2025</b>   |

## REQUEST FOR COUNCIL CONSIDERATION – EXECUTIVE SUMMARY

**ITEM DESCRIPTION:** Consider Resolution Authorizing Publication of Ord. 919 by Title and Summary

### Action Requested:

|                 |                         |
|-----------------|-------------------------|
| Public Hearing: | <b><u>Motion: X</u></b> |
| Discussion:     | Informational:          |

### Form of Action:

|                             |               |
|-----------------------------|---------------|
| <b><u>Resolution: X</u></b> | Ordinance:    |
| Contract/Agreement:         | N/A or Other: |

### Votes Needed:

|          |                          |
|----------|--------------------------|
| 3 Votes: | <b><u>4 Votes: X</u></b> |
| 5 Votes: | N/A:                     |

### Summary Statement:

MN State Statute 412.101 subdivision 4 requires Ordinances to be published in the City's legal newspaper. This same statute allows City Councils to authorize publication of the ordinance by title and summary upon passage of a Resolution with a four-fifths vote.

### Recommendations:

Approve a Resolution Authorizing Publication of Ordinance 919 by Title and Summary

### Applicable

NA

|                   |  |
|-------------------|--|
| <b>Deadlines:</b> |  |
|-------------------|--|

|                          |                                                                                                                                                                                                                                                                                                                                                                                           |
|--------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Community Impact:</b> | Publishing a summary paragraph will be less expensive than publishing the ordinance in its entirety. Additionally, publishing a summary allows staff to explain the purpose of the ordinance in plain language make it more accessible and easily understood by the public. Copies of Ordinance 919 in its entirety is available for inspection at City Hall during regular office hours. |
|--------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

|                             |                                                                                                |
|-----------------------------|------------------------------------------------------------------------------------------------|
| <b>Legislative History:</b> | It is common for the City Council to authorize publication of ordinances by title and summary. |
|-----------------------------|------------------------------------------------------------------------------------------------|

|                            |                          |                                  |
|----------------------------|--------------------------|----------------------------------|
| <b>Strategic Priority:</b> | Financial Sustainability | Staff Capabilities               |
|                            | Economic Development     | Community Engagement & Belonging |
|                            | City Assets              | Operational Effectiveness        |
|                            |                          | <u><b>N/A X</b></u>              |
|                            |                          |                                  |

|                       |                                                              |                 |                     |         |
|-----------------------|--------------------------------------------------------------|-----------------|---------------------|---------|
| <b>Fiscal Impact:</b> | <b>Financial Impact: Is there a financial consideration?</b> |                 | <u><b>No</b></u>    | Yes: \$ |
|                       | <b>Financing Sources:</b>                                    | Budgeted        | Budget Modification |         |
|                       | New Revenue                                                  | Use of Reserves | Other               |         |
|                       |                                                              |                 |                     |         |

**RESOLUTION No. \_\_\_\_\_**  
**STATE OF MINNESOTA**  
**COUNTY OF RAMSEY**  
**CITY OF NEW BRIGHTON**

**RESOLUTION APPROVING A SUMMARY PUBLICATION FOR ORDINANCE No. 919**  
**REGARDING EX-OFFICIO MEMBERS OF COMMISSIONS**

**WHEREAS**, the City Council of the City of New Brighton has adopted the above referenced ordinance which clarifies that ex-officio members of commissions do not count toward the maximum number of commission members and are not required to attend meetings. Additionally, it establishes an odd number of voting members on each commission to reduce the likelihood of tie votes; and

**WHEREAS**, Minnesota Statutes, section 412.191, subdivision 4 allows publication by title and summary in the case of lengthy ordinances or those containing maps or charts; and

**WHEREAS**, the City Council believes that the following summary would clearly inform the public of the intent and effect of Ordinance No. 919 Regarding Ex-Officio Members of Commissions;

**NOW THEREFORE, BE IT RESOLVED** by the City Council of the City of New Brighton that the following summary of Ordinance No. 919 Regarding Ex-Officio Members of Commissions shall be published in the official newspaper in lieu of the entire ordinance:

**SUMMARY PUBLICATION**

**Ordinance No. 919**  
**Regarding Ex-Officio Members of Commissions**

Ordinance No. 919 was adopted by the City Council of the City of New Brighton on May 27, 2025 and clarifies that ex-officio members of commissions do not count towards the maximum membership of any city commission. The full ordinance is available for review at New Brighton City Hall, 803 Old Highway 8 NW, New Brighton, Minnesota, 55112 during regular office hours or by contacting City Clerk Terri Spangrud at [terri.spangrud@newbrightonmn.gov](mailto:terri.spangrud@newbrightonmn.gov) or 651-638-2045.

**ADOPTED** this 27<sup>th</sup> Day of May 2025 by the New Brighton City Council with a vote of \_\_\_\_\_ ayes and \_\_\_\_\_ nays.

\_\_\_\_\_  
Kari Niedfeldt-Thomas, Mayor

ATTEST:

\_\_\_\_\_  
Devin Massopust, City Manager

\_\_\_\_\_  
Terri Spangrud, City Clerk



|                        |                       |
|------------------------|-----------------------|
| <b>Agenda Section:</b> | <b>Consent Agenda</b> |
| <b>Report Date:</b>    | <b>05/14/2025</b>     |
| <b>Meeting Date:</b>   | <b>May 27, 2025</b>   |

## REQUEST FOR COUNCIL CONSIDERATION – EXECUTIVE SUMMARY

**ITEM DESCRIPTION:** Consider Approval of Massage Salon License and Personal Service License to Joualery Piajyang contingent on premise inspection

### Action Requested:

|                 |                  |
|-----------------|------------------|
| Public Hearing: | <b>Motion: X</b> |
| Discussion:     | Informational:   |

### Form of Action:

|                     |                      |
|---------------------|----------------------|
| Resolution:         | Ordinance:           |
| Contract/Agreement: | N/A or <b>Other:</b> |

### Votes Needed:

|                   |          |
|-------------------|----------|
| <b>3 Votes: X</b> | 4 Votes: |
| 5 Votes:          | N/A:     |

### Summary Statement:

Joualery Piajyang, owner of newly established "J Therapeutic Massage, LLC" has submitted all required fees and materials for a Massage Salon License at 1405 Silverlake Rd, room 11, New Brighton, MN 55130. She is also applying for her Personal Use Massage License with which she will be the only practitioner of massage in her place of business. A complete background check has been cleared. Once approved by council, the last step will be a premise inspection.

### Recommendations:

To authorize issuance of Massage Salon License and Personal Service

|  |                                                                                                                                                       |
|--|-------------------------------------------------------------------------------------------------------------------------------------------------------|
|  | License to Joualery Piajyang, owner of "J Therapeutic Massage, LLC" contingent on completion of a premises inspection by the Code Compliance Officer. |
|--|-------------------------------------------------------------------------------------------------------------------------------------------------------|

|                              |      |
|------------------------------|------|
| <b>Applicable Deadlines:</b> | None |
|------------------------------|------|

|                          |                                                                                                                                                                                                                                                                                                                                                        |
|--------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Community Impact:</b> | As a woman from Laos, the owner adds a rich cultural perspective to our local business landscape, creating a welcoming space where residents can experience wellness services rooted in global traditions. Her success is a testament to New Brighton's commitment to inclusivity and economic growth, making our community stronger and more vibrant. |
|--------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

|                             |                                                                             |
|-----------------------------|-----------------------------------------------------------------------------|
| <b>Legislative History:</b> | City Code Chapter 10, Article 9 regulates licenses for therapeutic massage. |
|-----------------------------|-----------------------------------------------------------------------------|

|                            |                          |                                  |
|----------------------------|--------------------------|----------------------------------|
| <b>Strategic Priority:</b> | Financial Sustainability | Staff Capabilities               |
|                            | Economic Development     | Community Engagement & Belonging |
|                            | City Assets              | Operational Effectiveness        |
|                            |                          | N/A                              |
|                            |                          |                                  |

|                       |                                                              |                 |                     |         |
|-----------------------|--------------------------------------------------------------|-----------------|---------------------|---------|
| <b>Fiscal Impact:</b> | <b>Financial Impact: Is there a financial consideration?</b> |                 | <b>No</b>           | Yes: \$ |
|                       | <b>Financing Sources:</b>                                    | Budgeted        | Budget Modification |         |
|                       | New Revenue                                                  | Use of Reserves | Other               |         |



|                        |                         |
|------------------------|-------------------------|
| <b>Agenda Section:</b> | <b>Council Business</b> |
| <b>Report Date:</b>    | <b>05/20/2025</b>       |
| <b>Meeting Date:</b>   | <b>May 27, 2025</b>     |

## REQUEST FOR COUNCIL CONSIDERATION – EXECUTIVE SUMMARY

**ITEM DESCRIPTION:** Consider a Resolution to approve a Special Use Permit Amendment to authorize a new site plan, revised screening, and the addition of a lean-to on an existing structure for Clearscape Landscaping at 125 & 175 Old Highway 8.

### Action Requested:

|                 |                |
|-----------------|----------------|
| Public Hearing: | <b>Motion:</b> |
| Discussion:     | Informational: |

### Form of Action:

|                     |               |
|---------------------|---------------|
| <b>Resolution:</b>  | Ordinance:    |
| Contract/Agreement: | N/A or Other: |

### Votes Needed:

|                 |          |
|-----------------|----------|
| <b>3 Votes:</b> | 4 Votes: |
| 5 Votes:        | N/A:     |

### Summary Statement:

Clearscape Holdings LLC is back before the City to once again seek minor changes to their previously approved SUP from 2021. Specifically, they are now seeking approval to reconfigure the approved employee parking lot, install new screening fences, and expand an existing building to include a lean-to. All improvements are intended to maximize use of the site for their business operations.

### Recommendations:

The Planning Commission and staff are both recommending

|  |                                        |
|--|----------------------------------------|
|  | <b>approval</b> subject to conditions. |
|--|----------------------------------------|

|                              |                                                                                                                                                                                           |
|------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Applicable Deadlines:</b> | Based on an application date of 4/21/25, the 60-day review period for this application expires on 6/20/25. This deadline can be extended an additional 60 days if more time is necessary. |
|------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

|                          |                                                                                                                          |
|--------------------------|--------------------------------------------------------------------------------------------------------------------------|
| <b>Community Impact:</b> | Conditional approval will ensure this business does not have an impact on surrounding properties and the adjacent ditch. |
|--------------------------|--------------------------------------------------------------------------------------------------------------------------|

|                             |                                                                                                                                                                                                                                                                                                                                                              |
|-----------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Legislative History:</b> | <ul style="list-style-type: none"> <li>- Original SUP approved in February of 2021 via Resolution 2021-022</li> <li>- SUP Amendment approved in April of 2021 via Resolution 2021-035</li> <li>- Application for 2nd Amendment and site plan review received on April 21, 2025</li> <li>- Planning Commission public hearing held on May 20, 2025</li> </ul> |
|-----------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

|                            |                             |                                  |
|----------------------------|-----------------------------|----------------------------------|
| <b>Strategic Priority:</b> | Financial Sustainability    | Staff Capabilities               |
|                            | <b>Economic Development</b> | Community Engagement & Belonging |
|                            | City Assets                 | Operational Effectiveness        |
|                            |                             | N/A                              |
|                            |                             |                                  |

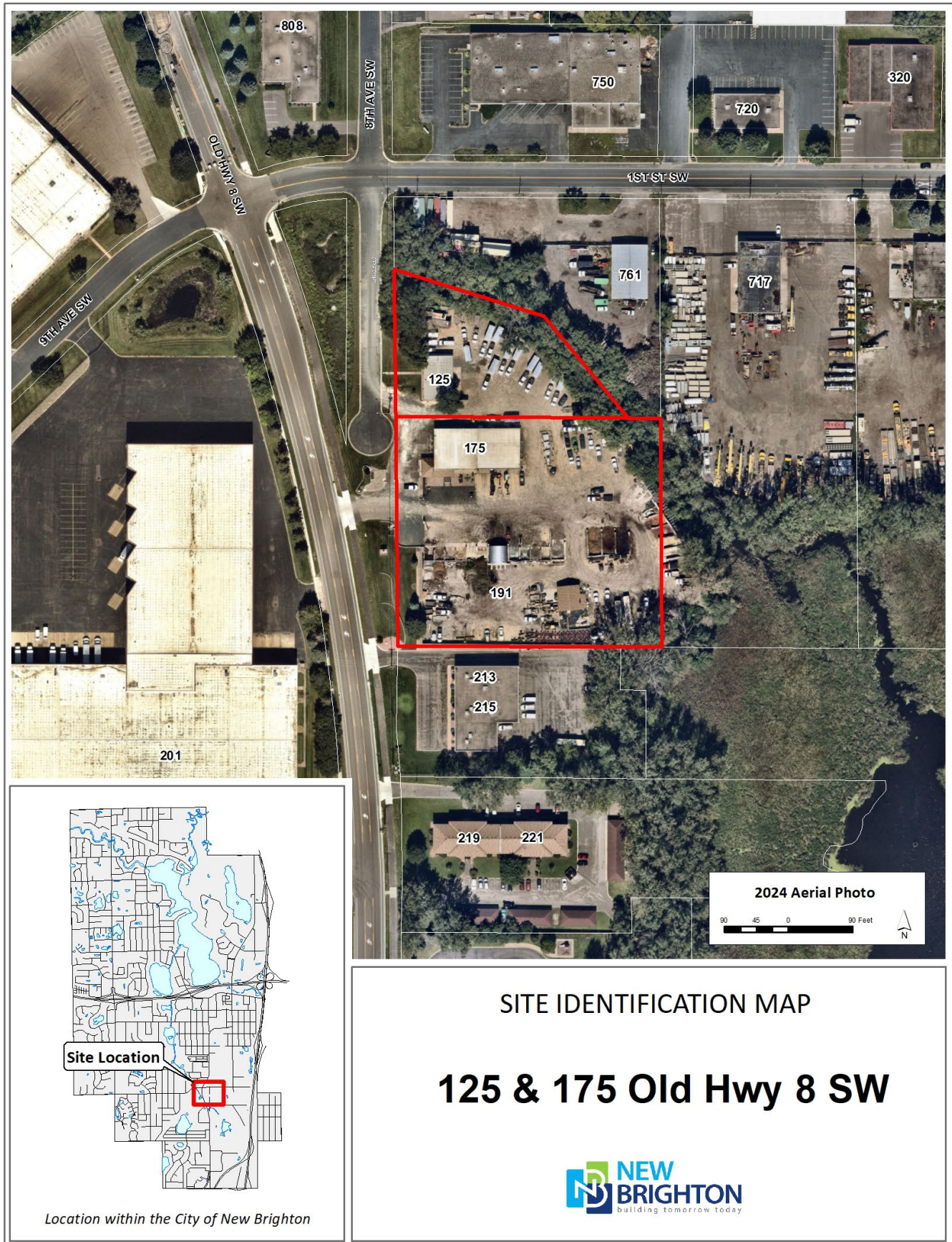
|                       |                                                              |                 |                     |         |
|-----------------------|--------------------------------------------------------------|-----------------|---------------------|---------|
| <b>Fiscal Impact:</b> | <b>Financial Impact: Is there a financial consideration?</b> |                 | <b>No</b>           | Yes: \$ |
|                       | <b>Financing Sources:</b>                                    | Budgeted        | Budget Modification |         |
|                       | New Revenue                                                  | Use of Reserves | Other               |         |
|                       |                                                              |                 |                     |         |

**To:** City Council  
**From:** Ben Gozola, *Assistant Director of Community Assets & Development*  
**Meeting Date:** 5-27-25  
**Applicants:** Clearscape Holdings LLC  
**Main Contact:** Dan Steuernagel, Chief Operating Officer  
**Location:** 125 and 175 Old Highway 8  
**Zoning:** I-1

### Introductory Information

|                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|--------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Project:</b>    | Clearscape Holdings LLC is back before the City to once again seek minor changes to their previously approved SUP from 2021. Specifically, they are now seeking approval to reconfigure the approved employee parking lot, install new screening fences, and expand an existing building to include a lean-to. All improvements are intended to maximize use of the site for their business operations.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <b>History:</b>    | <ul style="list-style-type: none"> <li>Pre 2021: D-Rock, a local landscaping company, was located on this site, but was sold in 2020 when the owners retired.</li> <li>Feb 2021: Special use permit approved for Clearscape Holdings LLC to locate on the property without a retail component. Property was going to be used as a staging ground for the company's operations throughout the metro.</li> <li>March 2021: Clearscape Holdings LLC examines their new space and determines there is value in remodeling and maintaining D-Rock's small retail node. SUP amendment proposed and approved.</li> <li>April 2021 – October 2024: Clearscape Holdings LLC fails to make required improvements to the site despite oversight and pressure from the City. Per the landowner, engineering changes required by the Watershed district pushed site plan costs to an unacceptable level, so alternative solutions have been pursued since the original approval. Plans currently proposed are the culmination of those efforts.</li> </ul> |
| <b>Request(s):</b> | <ul style="list-style-type: none"> <li>SUP amendment to authorize a new site plan, revised screening, and the addition of a lean-to on an existing structure.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |





## General Findings

|                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|----------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Site Data:</b>                | <ul style="list-style-type: none"> <li>Existing Lot Size = 4.2 acres (183,301 sq ft)</li> <li>Existing/Previous Uses – D-Rock Landscaping Company</li> <li>Existing Zoning – I-1</li> <li>Property Identification Number (PID): 32-30-23-12-0019 and 32-30-23-12-0026</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <b>Comp Plan Guidance:</b>       | <ul style="list-style-type: none"> <li>The 2040 Comprehensive Plan guides this property for Light Industrial (I-1). Landscaping Services is a use consistent with the light industrial land use guidance, and such uses have been on this land for over 30 years.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <b>Notable Code Definitions:</b> | <ul style="list-style-type: none"> <li>n/a</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <b>Applicable Codes:</b>         | <ul style="list-style-type: none"> <li><b>Chapter 6, Article 1, <u>I-1 District</u>.</b><br/>Identifies “outside storage” as a specially permitted use.</li> <li><b>Chapter 8, Article 1, <u>General Conditions</u>.</b><br/>Identifies the process by which site plans are to be reviewed and decided.</li> <li><b>Chapter 8, Article 2, <u>Special Use Permit</u>.</b><br/>Identifies the process by which a special use requests are to be reviewed and decided.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <b>Applicant's Narrative:</b>    | <p><i>Since our original approval in 2021, Clearscape Outdoor Services has undergone some internal restructuring, including the hiring of a new General Manager, Dan Steuernagel, who now serves as the CEO. Additionally, after a few years of selling bulk products to the public, we have gained a clearer understanding of the public traffic flow and how the retail portion of our business impacts space utilization. With these operational insights and leadership adjustments, we are now moving forward with the necessary site improvements.</i></p> <p><i>In fall of 2024, the intent was to change our original plans to optimize our space while enhancing the property's appearance from Old Highway 8. The first change involved redesigning the shape of the retention pond to meet the requirements of both the Rice Creek Watershed District (RCWD) and the City, while also reclaiming some vital operational space. We were successful with this change. The second modification focused on the parking lot, which we wanted to be shifted westward to better utilize the southwest portion of our land. This shift was going to require the removal of the current block/concrete privacy fence and replace it with a consistent privacy fence along the property line. After this was submitted to Ben Gozola, he found a critical error in our request. Our lot line on the plan was inaccurate and a portion of the parking lot was outside of the</i></p> |

(cont.) required 40' setback. This led us to go back to the engineering company and pull the parking lot back into the original plan behind the large block/concrete privacy fence as originally proposed.

## Site Review

### ***In General:***

- One update to the current plan when compared to the 2021 approval is a proposed expansion of the northern-most storage building with a lean-to to the north. As any new construction triggers the need for site plan review, we fully review the site herein.

### ***Existing Conditions:***

- The former D-Rock operation (closed in 2020) largely used the grounds for storage of materials and vehicles despite never having an SUP. Clearscape corrected that oversight with the approval of their SUP 2021, and has since largely maintained the former use of the property.

### ***Proposed Site Plan Updates:***

Main changes proposed to the site plan in 2025 include:

- The existing fencing, gates, and pillars that provide very little screening will all be removed.
- Bituminous in poor condition to the west of the building will be removed to facilitate replacement, and much of the existing gravel/dirt surface will be prepped for the new bituminous employee parking lot.
- New bituminous surfacing will be introduced around the building and to the south of the building creating a total of 68 on-site parking stalls.
- New fencing and swing gates will be erected at both entry points.
- New opaque screening fences will be constructed on the north and south sides of the property to screen the already approved outdoor storage and parking areas. The existing block wall will remain in place.
- A new 1280 square foot lean-to addition will be placed on the northern side of the northern-most building.
- The required stormwater pond will be constructed in the SE corner of the property.
- The remainder of the site will be organized for material and equipment storage.

### ***Building Materials / Height:***

- No changes are currently proposed to the height of any building.
- The proposed lean-to on the north end of the northern building will need to include materials that match or complement the existing building.

- |                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|-----------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Landscaping:</b>                     | <ul style="list-style-type: none"><li>▪ No new landscaping is required by code. Changes to site landscaping will occur over time at the discretion of the new property owner.</li></ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <b>Lighting:</b>                        | <ul style="list-style-type: none"><li>▪ While no new lighting is proposed for the site, any problems with existing lighting that are later identified shall be brought into compliance with code requirements.</li><li>▪ Should changes in lighting be proposed, the applicant must ensure that lighting is directed downward and installed to prevent direct light from being detectable at all lot lines. Lighting is also not to shine directly into the public right-of-way.</li></ul>                                                                                                                                                                                                                                                                                                                                    |
| <b>Lot Access:</b>                      | <ul style="list-style-type: none"><li>▪ The access points to the property will not change from existing conditions.</li><li>▪ In response to previous discussions by the Planning Commission, the applicant recognizes the need to separate fleet traffic from customer traffic, and is therefore proposing the following separation of flows:<ul style="list-style-type: none"><li>○ Clearscape employee crews and 3rd party landscape contractor crews (wholesale customers) will be directed to use the property's 8th Ave SW entrance / exit.</li><li>○ Consumers visiting the store will be directed to use the Old Highway 8 entrance as they historically did with D-Rock. Consumers that arrive with trailers will be asked to use the safer exit to the North when they depart.</li></ul></li></ul>                  |
| <b>Water System(s):</b>                 | <ul style="list-style-type: none"><li>▪ The site has access to Municipal water, and there are no engineering or public works concerns regarding water usage.</li></ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <b>Sanitary System(s):</b>              | <ul style="list-style-type: none"><li>▪ The site has access to Municipal sewer, and there are no engineering or public works concerns regarding sewer capacity or usage.</li></ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <b>Storm water / Grading / Erosion:</b> | <ul style="list-style-type: none"><li>▪ According to the RCWD, <i>"the change of total impervious will require an Administrative amendment from the watershed. RCWD will complete the amendment process when they receive the final plans for the project"</i> following City review. As a condition of approval, the applicant must address all comments and outstanding items for the RCWD prior to initiating site improvements.</li><li>▪ Containment of site materials from entering the nearby creek/ditch to the north &amp; east of this site will continue to be a top priority for the City and the Watershed District. As a condition of approval, the applicant must agree to install mitigation measures to contain and prevent materials from leaving the site as may be needed now or in the future.</li></ul> |

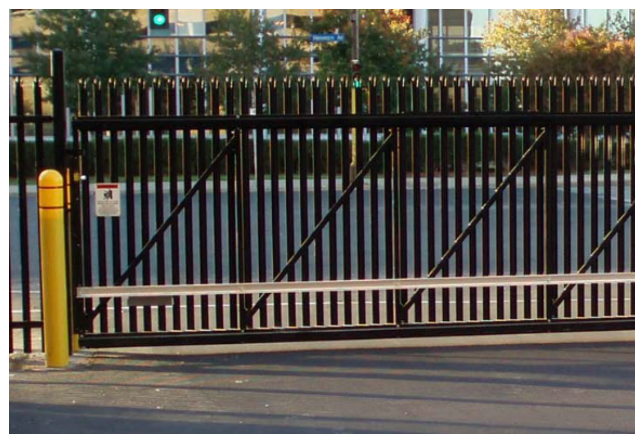


- (cont.)
- The applicant shall be required to address stormwater concerns if unforeseen issues arise (or become foreseeable) as a result of the on-site storage of equipment or materials.
  - Because a portion of the site will continue to be unpaved, vehicle tracking of dirt into the ROW is possible. As a condition of approval, the applicant must either make improvements to the site to keep tracking from being a problem, or must agree to paying for street sweeping services whenever directed to do so by the City.

- Signage**
- Any sign changes on the building and/or site will need to be reviewed and approved via a separate sign permitting process.

- Fire/Safety:**
- Public safety did not identify any issues with access or emergency vehicle movements; however, the applicant will be required to make contact with the soon-to-be-named Fire Marshall to discuss and resolve emergency access to the site through the gated entries.
  - As directed by the Fire Marshall, the applicant must agree to make minor adjustments to the arrangement of parking spaces and outdoor storage as necessary to facilitate large vehicle turning movements on the site.

- Fencing:**
- Final aesthetic details of the proposed (opaque) screening fence panels and the slatted gate panels shall be administratively approved by DCAD staff before installation occurs to ensure the final designs are acceptable for the intended purpose. These examples shown in the applicant's narrative are illustrative of the final designs staff will need to see before giving approval to proceed.



- The proposed fence along the NW property line must be terminated at the southerly edge of the ditch easement.

**Hours of Operations:**

- The facility is open from 7:30 a.m. to 4 p.m. Monday through Friday, and 8 a.m. to 3 p.m. on Saturdays.
- Future Sunday operations are currently under consideration.

**Parking & Traffic:**

- The new parking lot will create 68 parking stalls for use by employees and customers with the following breakdown:
  - Employee spaces: 60
  - Customer spaces: 6
  - Handicapped spaces: 2
- The north and eastern areas of the property will be used for the outdoor storage of landscaping equipment much as it historically has been used. Equipment would include detachable snow plows, snow blowers, leaf cleanup machines, tractors, work trucks, utility trailers, etc.
- All business related parking should be required to park on-site as part of this SUP, and on-street employee parking along 8<sup>th</sup> Ave SW shall be discontinued following completion of the on-site lot.

**Sidewalks & Trails:**

- There are no sidewalks in this area nor are any planned or needed.

**Development Phasing:**

- The project will be constructed in a single phase following approval.

## Special Use Permit Review

**In General:**

- The original SUP's in 2021 authorized the outdoor storage of landscaping materials and the businesses retail component.
- This amended SUP is necessary as it changes the site plan's parking lot, the configuration of previously approved outdoor storage, and screening fence details.

**SUP Standards Review:**

Issuance of an SUP requires an analysis of the proposed use against the following specific review criteria established in code.

(cont.) General review Criteria (Section 8-130):

1. ***That the establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare.***

Applicant Comment: Clearscape Outdoor Services provides essential lawn maintenance, landscaping, irrigation, and snowplowing services that enhance community safety and aesthetics. We adhere to industry safety standards and local regulations, ensuring our operations do not endanger public health, safety, morals, comfort, or general welfare. The small amount of hardscape products we sell to the general public is managed responsibly, ensuring safe and orderly transactions.

Staff Comment: Nothing changes with this application from the previous approval in terms of public health, safety, or general welfare. Proposed updates to fencing locations and fencing materials will provide desired screening of the site from Old 8 as originally intended. The applicant is also still willing to require employee crews and 3rd party landscape contractor crews (wholesale customers) to use the 8<sup>th</sup> Ave SW entrance & exit to separate business traffic from retail traffic. Customers with trailers will also be instructed to exit the site via 8<sup>th</sup> Ave SW. **Criteria met with conditions.**

2. ***That the special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood.***

Applicant Comment: The operations of Clearscape Outdoor Services are designed to complement and enhance the surrounding properties by maintaining well-kept lawns, landscapes, and clear pathways, contributing to the aesthetic and functional value of nearby properties. Our services will not interfere with the enjoyment or use of other properties, as all activities are conducted in accordance with local ordinances and regulations. In fact, our focus on high-quality grounds maintenance can improve the overall appearance and value of the neighborhood, thereby protecting and potentially enhancing property values.

Staff Comment: The site has been used for landscaping services for many years now, with Clearscape operating on the site since 2021. While the use itself has not caused issues, employee parking, screening, and dirt tracking from the site have been issues. This SUP amendment can/will address all problems.

- Once implemented, this plan will improve the overall appearance of the site, and will eliminate employee parking on 8<sup>th</sup> Ave SW.

(cont.)

- As identified in the existing SUP, the applicant will be required to work with staff on traffic flow to and from the site from Old Highway 8 if safety ever becomes a concern.
- Paving of the western portion of the site should help to alleviate tracking of dirt into the public right-of-way, but it will not necessarily eliminate the problem. Given that a portion of the lot will continue to consist of legal nonconforming hard-packed dirt, tracking into the public roadway is still possible. As a condition of approval, the owner must continuously monitor vehicle tracking of dirt/mud into the public streets, and if tracking is observed, it must be swept/removed/cleaned within 24 hours.

**Criteria met with conditions.**

3. ***That the establishment of the special use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.***

Applicant Comment: *The services provided by Clearscape Outdoor Services, including lawn maintenance, landscaping, irrigation, and snow removal, support the orderly development and enhancement of the surrounding properties. Our operations are designed to coexist with and complement other developments in the district. We strictly adhere to local zoning and development guidelines, ensuring that our presence does not interfere with or impede the growth and improvement of neighboring properties for their intended uses.*

Staff Comment: The proposed changes to outdoor storage on this property will not have any impact on the development or use of surrounding lands provided all conditions are followed now and into the future. **Criteria met with conditions.**

4. ***That adequate utilities, access roads, drainage and/or necessary facilities have been or are being provided.***

Applicant Comment: *Clearscape Outdoor Services is actively collaborating with Plowe Engineering and the Rice Creek Watershed District to ensure all necessary drainage requirements are met. We are committed to providing adequate utilities and access roads to support our operations. All necessary facilities, including drainage systems, are either in place or are being planned in compliance with local regulations to ensure the efficient and responsible use of the property.*

Staff Comment: Provided the applicant's agree to obtain all needed permits from the Rice Creek Watershed District and are committed to working with City Engineers on containment measures that may be needed to protect the adjacent creek/ditch, then staff finds this criteria is met. **Criteria met.**



- (cont.)
- 5. That the special use shall in all other respects conform to the applicable regulations of the district in which it is located.**
- Applicant Comment: Clearscape Outdoor Services is fully committed to complying with all applicable regulations and zoning requirements of the district in which we operate. We ensure that all aspects of our business, from daily operations to future developments, adhere to the local codes and standards set forth for the district. Our goal is to operate responsibly and within the legal framework provided
- Staff Comment: Provided the previously listed conditions are adhered to, staff believes the use will conform to other applicable regulations of the I-1 district.
- Criteria met.**

### Supplementary Review & Public Comment

**Additional  
Information:**

- None

**Engineering  
Review:**

Engineering comments on this application remain consistent with the analysis dated May 12, 2025. Comments are:

- **General – Site Improvements**
  1. The proposed fence is shown extending into the ditch easement located along the northerly property boundary. The fence shall be terminated at the southerly edge of the ditch easement.
  2. Owner to provide aesthetic details for the proposed fence.
  3. Owner to contact the New Brighton Fire Marchall to discuss emergency access to the stie through the gated entry.
  4. Provide a narrative of spill control practices for equipment stored near the creek. Additional perimeter control adjacent to the creek may be required pending review by city staff.
- **Storm Sewer - Grading**
  1. Conditional approval for the site improvements has been granted from the Rice Creek Watershed District. Owner and engineer to address comments and outstanding items identified by the RCWD prior to initiating site improvements.
  2. The engineer shall provide the appropriate plantings/seeding for the proposed storm sewer basin.

|                                    |                                                                                                                                                                                                                                                                                                                                    |
|------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| (cont.)                            | <p>3. Owner to continuously monitor vehicle tracking of dirt/mud from their property onto public streets. If vehicle tracking is observed, it shall be swept and removed within 24 hours.</p> <p>Conditions to address each of these concerns have been outlined in this report.</p>                                               |
| <b>Public Safety Review:</b>       | <ul style="list-style-type: none"><li>No public safety concerns on this application.</li></ul>                                                                                                                                                                                                                                     |
| <b>Public Comment:</b>             | <ul style="list-style-type: none"><li>Staff has not received any feedback from surrounding property owners as of 5/22/25, and there were no speakers for or against the proposal at the 5/20/25 public hearing held by the Planning Commission.</li></ul>                                                                          |
| <b>Planning Commission Review:</b> | <ul style="list-style-type: none"><li>The Planning Commission considered all information presented by staff and the applicant, and did not have any concerns or proposed changes to the submitted plans. <b>The commission unanimously recommended approval with conditions. Staff concurs with this recommendation.</b></li></ul> |

|                    |                                                                                                                                                                                                                                                                      |
|--------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Conclusion:</b> | <p>The applicant is requesting approval of a special use permit amendment and site plan to authorize outdoor storage, reconfigure lot uses, install screening fences, and construct a new lean-to for the existing landscaping company at 125/175 Old Highway 8.</p> |
|--------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

|                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|-------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Council Options:</b> | <p>The City Council has the following options:</p> <ul style="list-style-type: none"><li>A) APPROVE THE REQUESTS based on the applicant’s submittals and findings of fact.</li><li>B) DENY THE REQUESTS based on the applicant’s submittals and findings of fact.</li><li>C) TABLE THE ITEMS and request additional information.</li></ul> <p>Based on an application date of 4/21/25, the 60-day review period for this application expires on 6/20/25. This deadline can be extended an additional 60 days if more time is necessary.</p> |
|-------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

***Initial Motion for Debate:***

- Consider a Resolution to approve a Special Use Permit Amendment to authorize a new site plan, revised screening, and the addition of a lean-to on an existing structure for Clearscape Landscaping at 125 & 175 Old Highway 8.

***Resolution Findings of Fact:***

1. The proposed outdoor storage and site plan changes will not be detrimental to the public health or general welfare provided all materials are stored per an approved plan and all conditions are met;
2. The proposed storage and site plan changes will not impact the use of surrounding properties, and will not impact surrounding property values provided all conditions are met;
3. The proposed storage and site plan changes will not have any impact on the normal and ordinary development of surrounding properties;
4. The subject site is adequately served by municipal utilities and infrastructure;
5. The proposed use can conform to all underlying zoning district requirements.

***Resolution Conditions:***

1. Engineering comments in the May 12, 2025, engineering memo shall all be addressed.
2. All employee crews and 3rd party landscape contractor crews (wholesale customers) shall use the 1<sup>st</sup> St SW to 8<sup>th</sup> Ave SW entrance/exit route to separate equipment and materials traffic from retail traffic. Retail customers with trailers shall be instructed to exit via 8<sup>th</sup> Ave SW. Direct ingress & egress via the driveway on to Old Highway 8 shall be used by customers only, and/or by employee personal vehicles accessing the employee parking lot. Finally, the property owner shall work with staff on revisions to traffic flow to and from the site if safety ever becomes a concern.
3. Lighting on the site and building shall be directed downward and be installed so as to prevent direct light from being detectable at all lot lines. Lighting is also not to shine directly into the public right-of-way. Any problems with existing lighting that are later identified shall be brought into compliance with code requirements.
4. The applicants shall provide a narrative of spill control practices for equipment stored near creek, and come to an agreement with DCAD staff on final mitigation measures to contain and prevent materials from leaving the site and entering the creek/ditch as may be needed (both now and in the future).
5. The applicant must address all comments and outstanding items for the RCWD prior to initiating site improvements.

- (cont.)
6. The applicant shall be required to address stormwater concerns if unforeseen issues arise (or become foreseeable) as a result of the on-site storage of equipment or materials.
  7. The applicants shall stripe the new employee parking lot and customer spaces per the approved plan upon completion of paving.
  8. The applicant must either make further site improvements to eliminate the tracking of dirt into the public rights-of-way, or the owner must continuously monitor vehicle tracking of dirt/mud into the public streets, and if tracking is observed, it must be swept/removed/cleaned within 24 hours.
  9. The applicant shall make contact with the Fire Marshall to discuss and resolve emergency access to the site through the proposed gated entries.
  10. As directed by the Fire Marshall, the applicant shall make adjustments to the arrangement of parking spaces and outdoor storage as necessary to facilitate large vehicle turning movements on the site.
  11. The applicants will provide the fire marshal with updated Material Safety Data (MDS) sheets as may be needed.
  12. Sign changes on the building and/or site will need to be reviewed and approved via a separate sign permitting process.
  13. The proposed lean-to on the north end of the northern-most building shall be built with materials that match or complement the existing building.
  14. Final aesthetic details of the proposed (opaque) screening fence panels and the slatted gate panels shall be administratively approved by DCAD staff before purchase to ensure the final designs are acceptable for the intended purpose.
  15. The proposed fence along the NW property line must be terminated at the southerly edge of the ditch easement.
  16. All business-related parking shall be required to park on-site as part of this SUP. On-street employee parking along 8<sup>th</sup> Ave SW shall be discontinued following completion of the on-site employee parking lot.

*cc: Dan Steuernagel, Clearscape General Manager*



## interoffice

### MEMORANDUM

---

**to:** Ben Gozola, Assistant Director of Community Assets and Development  
**from:** Dustin Lind, Engineering Supervisor  
**subject:** Clearscape Outdoor Service  
**date:** May 12, 2025

The Engineering Department has reviewed the site plan for Clearscape Outdoor Services and we offer the following comments:

#### **General – Site Improvements**

1. The proposed fence is shown extending into the ditch easement located along the northerly property boundary. The fence shall be terminated at the southerly edge of the ditch easement.
2. Owner to provide aesthetic details for the proposed fence.
3. Owner to contact the New Brighton Fire Marchall to discuss emergency access to the stie through the gated entry.
4. Provide a narrative of spill control practices for equipment stored near the creek. Additional perimeter control adjacent to the creek may be required pending review by city staff.

#### **Storm Sewer - Grading**

1. Conditional approval for the site improvements has been granted from the Rice Creek Watershed District. Owner and engineer to address comments and outstanding items identified by the RCWD prior to initiating site improvements.
2. The engineer shall provide the appropriate plantings/seeding for the proposed storm sewer basin.
3. Owner to continuously monitor vehicle tracking of dirt/mud from their property onto public streets. If vehicle tracking is observed, it shall be swept and removed within 24 hours.

**RESOLUTION  
CITY COUNCIL  
CITY OF NEW BRIGHTON**

RESOLUTION MAKING FINDINGS OF FACT AND APPROVING A SPECIAL USE PERMIT  
AND SITE PLAN AUTHORIZING OUTDOOR STORAGE OF LANDSCAPING MATERIALS  
AND EQUIPMENT AND A BUILDING ADDITION AT 125 & 175 OLD HIGHWAY 8 SW

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

**WHEREAS**, the City Council of the City of the New Brighton has adopted a comprehensive plan and corresponding zoning regulations to promote orderly development and utilization of land within the city; and,

**WHEREAS**, Clearscape Holdings LLC (the “Applicant”) is owner of the properties (the “Property”) at 125 & 175 Old Highway 8 which are legally described as follows:

**Parcel 1:** That part of the West 410 feet of the Northwest Quarter of the Northeast Quarter of Section 32, Township 30, Range 23, Ramsey County, Minnesota, lying North of the Southerly 316.25 feet thereof and lying Southerly and Westerly of a line described as beginning at a point in the West line of said Northwest Quarter of the Northeast Quarter, distant 538.75 feet North of the Southwest corner of said Northwest Quarter of the Northeast Quarter; thence Southeasterly deflecting 72 degrees, 05 minutes (measured from the South to the East) from said West line a distance of 258.28 feet; thence Southeasterly to a point in the North line of the South 316.25 feet of said Northwest Quarter of the Northeast Quarter distant 363.7 feet East of said West line, according to the United States Government survey.

**Parcel 2:** The Southerly 106.25 feet of the Westerly 410 feet of the Northwest Quarter of the Northeast Quarter of Section 32, Township 30, Range 23, Ramsey County, Minnesota.

**Parcel 3:** The North 210 feet of the South 316.25 feet of the West 410 feet of the Northwest Quarter of the Northeast Quarter of Section 32, Township 30, Range 23, Ramsey County, Minnesota.

**WHEREAS**, the Applicant previously secured a Special Use Permit to authorize outdoor storage of landscaping materials and equipment for the Property, the decision for which was memorialized by Resolution 2021-022; and

**WHEREAS**, the Applicant previously secured a Special Use Permit amendment to reauthorize outdoor storage of landscaping materials and equipment for the Property with a revised site plan necessary to address RCWD concerns, the decision for which was memorialized by Resolution 2021-035; and

**WHEREAS**, construction of the approved plan became overly cost prohibitive; and

**WHEREAS**, the Applicant worked with an engineering company over time to identify cost-effective solutions that would meet all City and Watershed requirements; and

**WHEREAS**, the Applicant made application on April 21, 2025, for a second Special Use Permit Amendment and site plan review to authorize a new addition on the northern-most building, new screening fencing and gate materials, and a new site plan configuration for the Property; and

**WHEREAS**, staff fully reviewed the request and prepared a report for consideration by the Planning Commission at their meeting on May 20, 2025; and

**WHEREAS**, the Planning Commission held a public hearing on the request at the May 20, 2025, meeting and considered input from residents; and recommended conditional approval of the request based on the applicant's submittals and findings of fact; and

**WHEREAS**, the City Council considered on May 27, 2025, the recommendations of the Planning Commission, Staff, the Applicant's submissions, the contents of the staff report, and other evidence available to the Council.

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council of the City of New Brighton hereby approves the requested special use permit amendment and revised site plan based on the following findings of fact:

1. The proposed outdoor storage and site plan changes will not be detrimental to the public health or general welfare provided all materials are stored per an approved plan and all conditions are met;
2. The proposed storage and site plan changes will not impact the use of surrounding properties, and will not impact surrounding property values provided all conditions are met;
3. The proposed storage and site plan changes will not have any impact on the normal and ordinary development of surrounding properties;
4. The subject site is adequately served by municipal utilities and infrastructure;
5. The proposed use can conform to all underlying zoning district requirements.

**BE IT FURTHER RESOLVED**, that approval of the special use permit amendment shall be subject to the following conditions:

1. Engineering comments in the May 12, 2025, engineering memo shall all be addressed.
2. All employee crews and 3rd party landscape contractor crews (wholesale customers) shall use the 1<sup>st</sup> St SW to 8<sup>th</sup> Ave SW entrance/exit route to separate equipment and materials traffic from retail traffic. Retail customers with trailers shall be instructed to exit via 8<sup>th</sup> Ave SW. Direct ingress & egress via the driveway on to Old Highway 8 shall be used by customers only, and/or by employee personal vehicles accessing the employee parking lot. Finally, the property owner shall work with staff on revisions to traffic flow to and from the site if safety ever becomes a concern.
3. Lighting on the site and building shall be directed downward and be installed so as to prevent direct light from being detectable at all lot lines. Lighting is also not to shine directly into the public right-of-way. Any problems with existing lighting that are later identified shall be brought into compliance with code requirements.
4. The applicants shall provide a narrative of spill control practices for equipment stored near creek, and come to an agreement with DCAD staff on final mitigation measures to contain and prevent materials from leaving the site and entering the creek/ditch as may be needed (both now and in the future).
5. The applicant must address all comments and outstanding items for the RCWD prior to initiating site improvements.
6. The applicant shall be required to address stormwater concerns if unforeseen issues arise (or become foreseeable) as a result of the on-site storage of equipment or materials.
7. The applicants shall stripe the new employee parking lot and customer spaces per the approved plan upon completion of paving.
8. The applicant must either make further site improvements to eliminate the tracking of dirt into the public rights-of-way, or the owner must continuously monitor vehicle tracking of dirt/mud into the public streets, and if tracking is observed, it must be swept/removed/cleaned within 24 hours.
9. The applicant shall make contact with the Fire Marshall to discuss and resolve emergency access to the site through the proposed gated entries.
10. As directed by the Fire Marshall, the applicant shall make adjustments to the arrangement of parking spaces and outdoor storage as necessary to facilitate large vehicle turning movements on the site.



11. The applicants will provide the fire marshal with updated Material Safety Data (MDS) sheets as may be needed.
12. Sign changes on the building and/or site will need to be reviewed and approved via a separate sign permitting process.
13. The proposed lean-to on the north end of the northern-most building shall be built with materials that match or complement the existing building.
14. Final aesthetic details of the proposed (opaque) screening fence panels and the slatted gate panels shall be administratively approved by DCAD staff before purchase to ensure the final designs are acceptable for the intended purpose.
15. The proposed fence along the NW property line must be terminated at the southerly edge of the ditch easement.
16. All business-related parking shall be required to park on-site as part of this SUP. On-street employee parking along 8<sup>th</sup> Ave SW shall be discontinued following completion of the on-site employee parking lot

**ADOPTED** this 27<sup>rd</sup> day of May, 2025 by the New Brighton City Council with a vote of \_\_\_ ayes and \_\_\_ nays.

---

Kari Niedfeldt-Thomas, Mayor

---

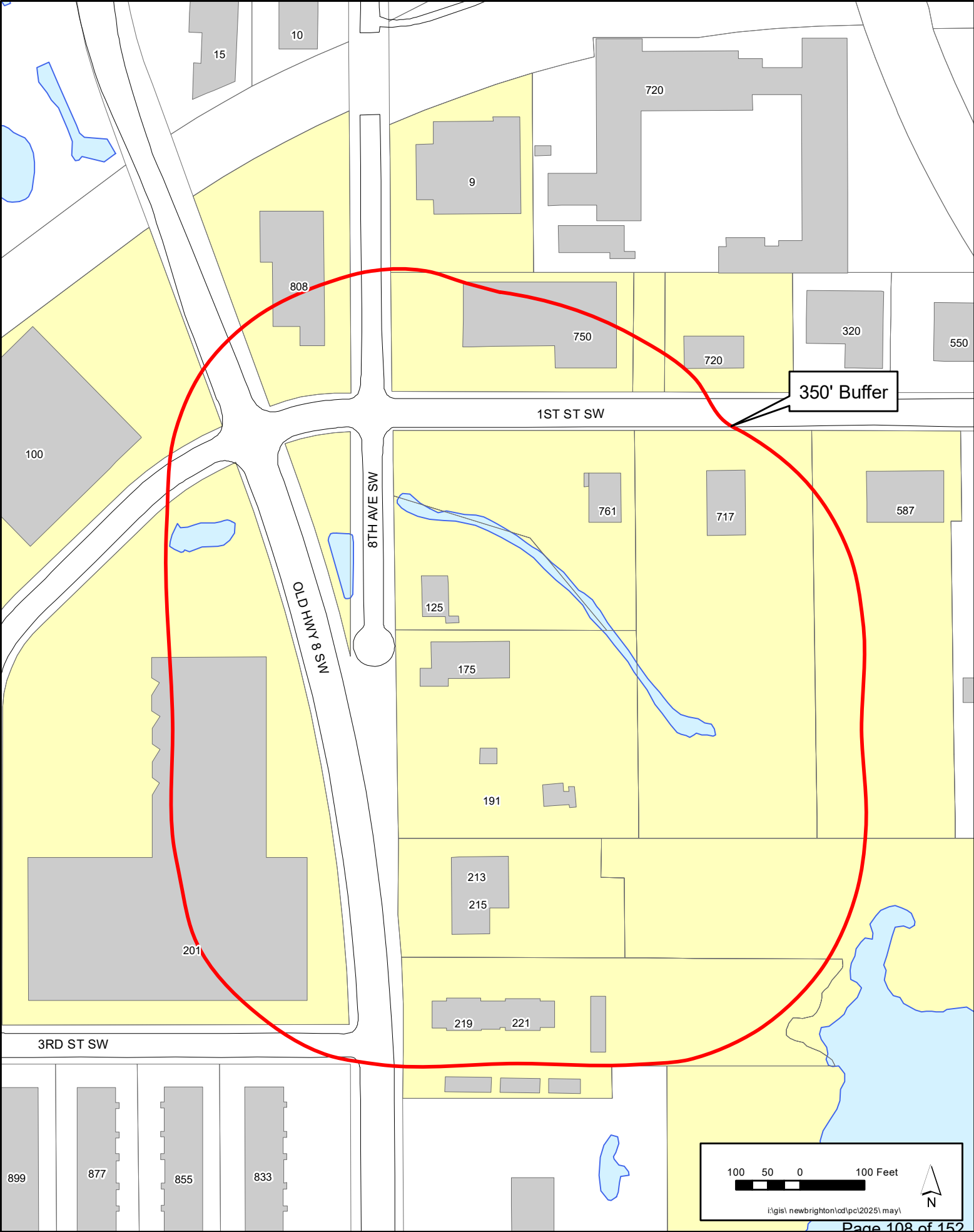
Devin Massopust, City Manager

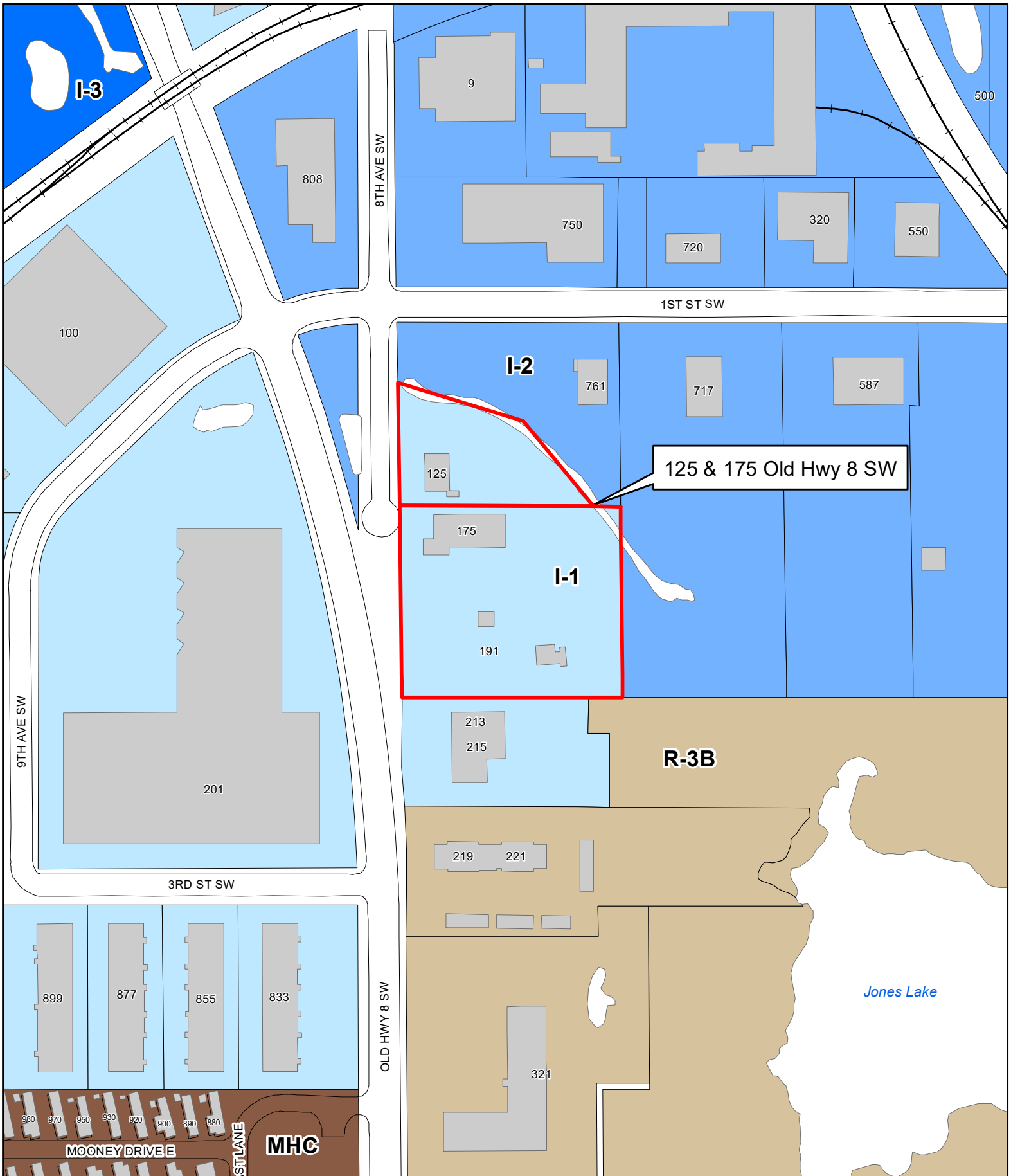
ATTEST:

---

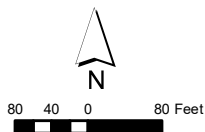
Terri Spangrud, City Clerk

125 & 175 Old Hwy 8 SW - 350' Mailing List





- I-1, Light Industrial
- I-2, Heavy Industrial
- I-3, Limited Industrial
- MHC, Manufactured Home Community



**Current Zoning**  
 125 & 175 Old Hwy 8 SW  
 I-1, Light Industrial



## **Special Use Permit Application for the City of New Brighton**

**Updated Proposal: Revision of parking lot and fencing**

**April 23, 2025**

**Dan Steuernagel**

**651-755-2651**

**DanS@clearscape.net**



# Topics

---

April 2025 Update

---

Special Use Description

---

Shifting Parking Lot

---

Fence and Gate Styles





# April 2025 Update

Since our original approval in 2021, Clearscape Outdoor Services has undergone some internal restructuring, including the hiring of a new General Manager, Dan Steuernagel, who now serves as the CEO. Additionally, after a few years of selling bulk products to the public, we have gained a clearer understanding of the public traffic flow and how the retail portion of our business impacts space utilization. With these operational insights and leadership adjustments, we are now moving forward with the necessary site improvements.

In fall of 2024, the intent was to change our original plans to optimize our space while enhancing the property's appearance from Old Highway 8. The first change involved redesigning the shape of the retention pond to meet the requirements of both the Rice Creek Watershed District (RCWD) and the City, while also reclaiming some vital operational space. We were successful with this change. The second modification focused on the parking lot, which we wanted to be shifted westward to better utilize the southwest portion of our land. This shift was going to require the removal of the current block/concrete privacy fence and replace it with a consistent privacy fence along the property line. After this was submitted to Ben Gozola, he found a critical error in our request. Our lot line on the plan was inaccurate and a portion of the parking lot was outside of the required 40' setback. This led us to go back to the engineering company and pull the parking lot back into the original plan behind the large block/concrete privacy fence as originally proposed. As shown on Slide 7.



# Special Use Permit Criteria Worksheet – Response

**1) That the establishment, maintenance, or operations of the special use will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare.**

Clearscape Outdoor Services provides essential lawn maintenance, landscaping, irrigation, and snowplowing services that enhance community safety and aesthetics. We adhere to industry safety standards and local regulations, ensuring our operations do not endanger public health, safety, morals, comfort, or general welfare. The small amount of hardscape products we sell to the general public is managed responsibly, ensuring safe and orderly transactions.

**2) That the special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood.**

The operations of Clearscape Outdoor Services are designed to complement and enhance the surrounding properties by maintaining well-kept lawns, landscapes, and clear pathways, contributing to the aesthetic and functional value of nearby properties. Our services will not interfere with the enjoyment or use of other properties, as all activities are conducted in accordance with local ordinances and regulations. In fact, our focus on high-quality grounds maintenance can improve the overall appearance and value of the neighborhood, thereby protecting and potentially enhancing property values.

**3) That the establishment of the special use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.**

The services provided by Clearscape Outdoor Services, including lawn maintenance, landscaping, irrigation, and snow removal, support the orderly development and enhancement of the surrounding properties. Our operations are designed to coexist with and complement other developments in the district. We strictly adhere to local zoning and development guidelines, ensuring that our presence does not interfere with or impede the growth and improvement of neighboring properties for their intended uses.





## Special Use Permit Criteria Worksheet – Response Cont.

**4) That adequate utilities, access roads, drainage and/or necessary facilities have been or are being provided.**

*Clearscape Outdoor Services is actively collaborating with Plowe Engineering and the Rice Creek Watershed District to ensure all necessary drainage requirements are met. We are committed to providing adequate utilities and access roads to support our operations. All necessary facilities, including drainage systems, are either in place or are being planned in compliance with local regulations to ensure the efficient and responsible use of the property.*

**5) That the special use shall in all other respects conform to the applicable regulations of the district in which it is located.**

*Clearscape Outdoor Services is fully committed to complying with all applicable regulations and zoning requirements of the district in which we operate. We ensure that all aspects of our business, from daily operations to future developments, adhere to the local codes and standards set forth for the district. Our goal is to operate responsibly and within the legal framework provided.*



# Entrances & Exits

- We plan to install metal slat gates in the entrances (1 & 2) to limit visibility from the road.
- Emergency vehicles will have access to the property through either gate and will be able to reach both buildings. Equipment stored outside will be organized so as not to block access.
- Any dirt or debris tracked into the street (3) from the exit will be frequently cleaned up by our street sweeping crew or at the request of the city.





# Additional employee parking



# Additional Paved Area

- Approximate area of new asphalt, exact area shown on design
- Existing asphalt in front of building (west side) will be removed and replaced





# Fence Design

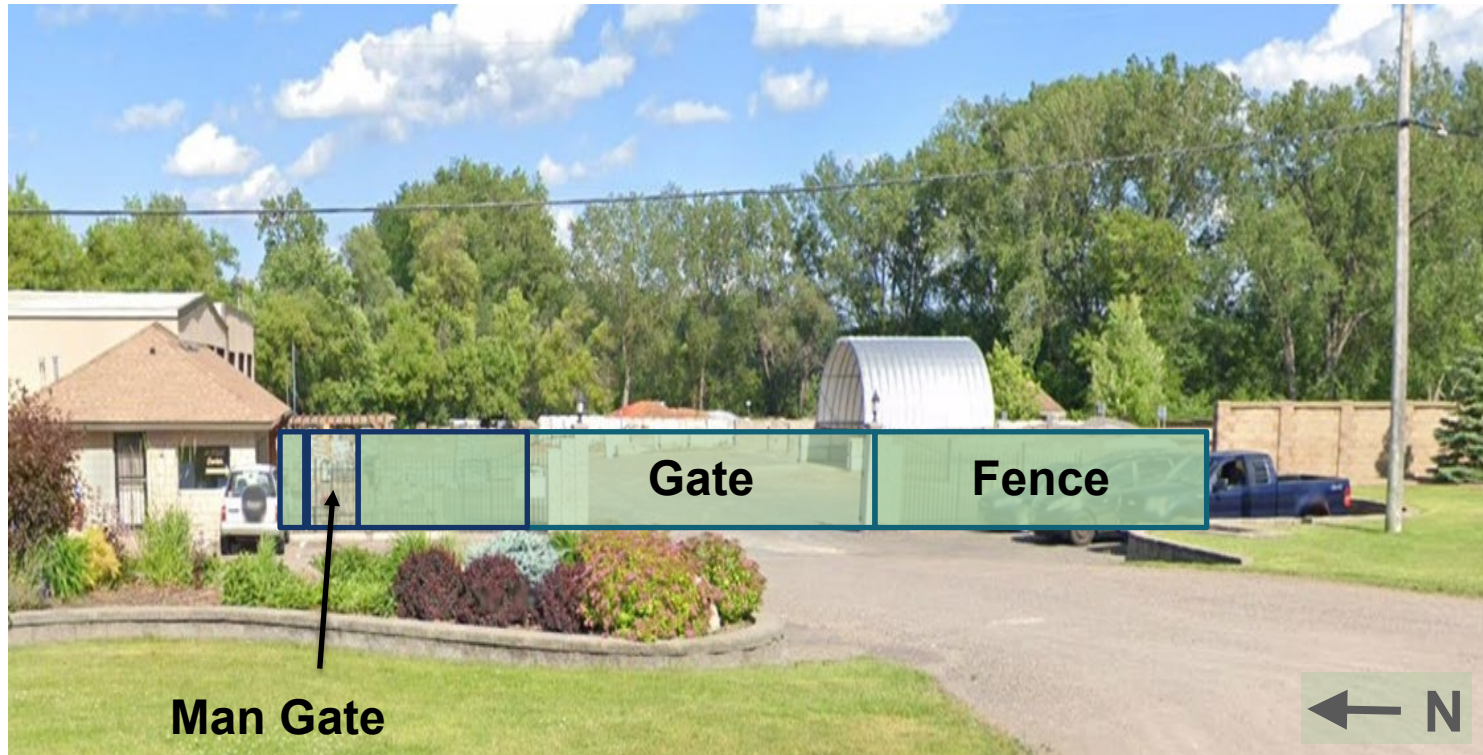
A 6- foot privacy fence will be used along the west portions of the property.



The goal of the fencing design is to obstruct visibility into the property from Hwy 8 while still allowing close-up visibility for customers to safely enter and exit the property.

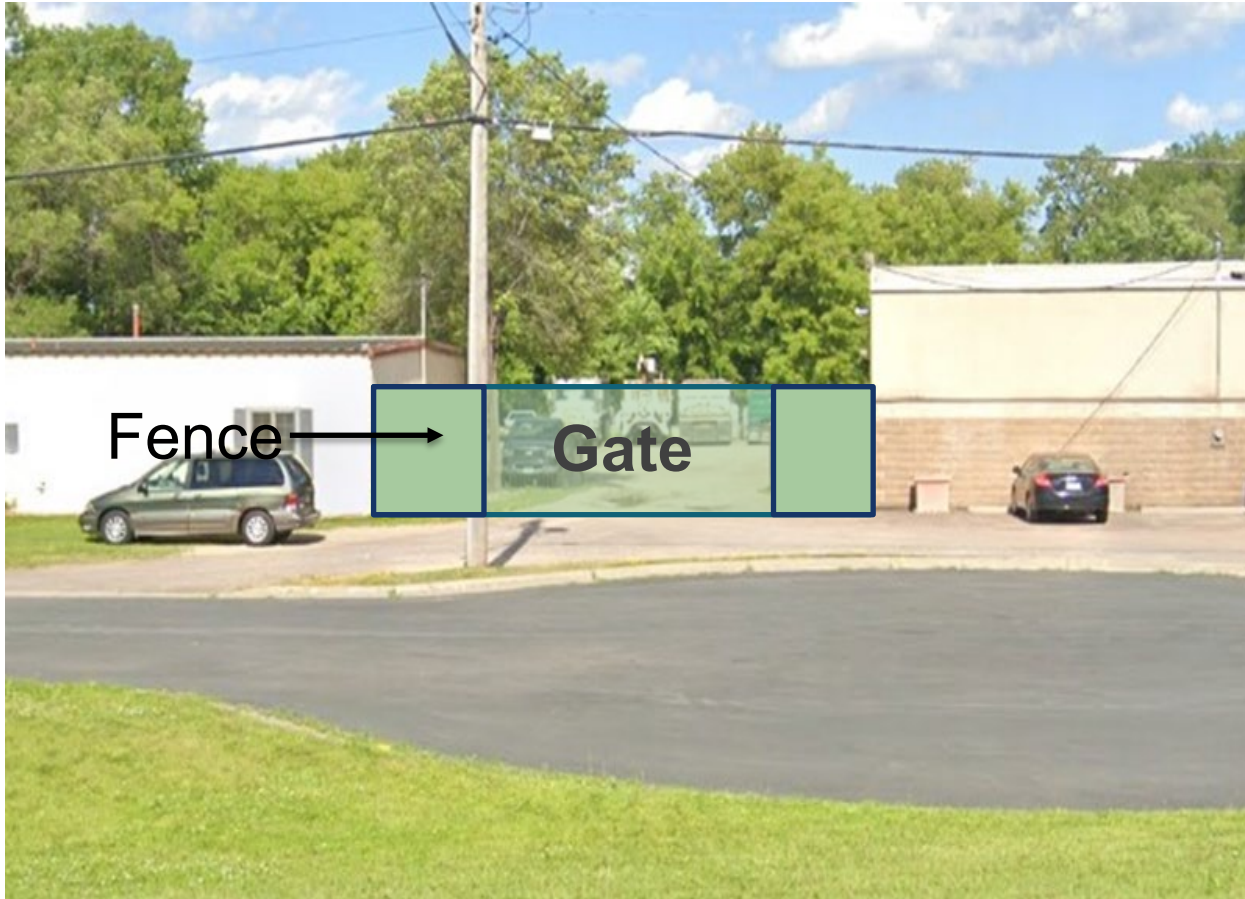


# South Entrance



The goal of the fencing design is to obstruct visibility into the property from Hwy 8 while still allowing close-up visibility for customers to safely enter and exit the property. A slat fence / gate with the slats directed East-West appears to be the best compromise.

# North Entrance



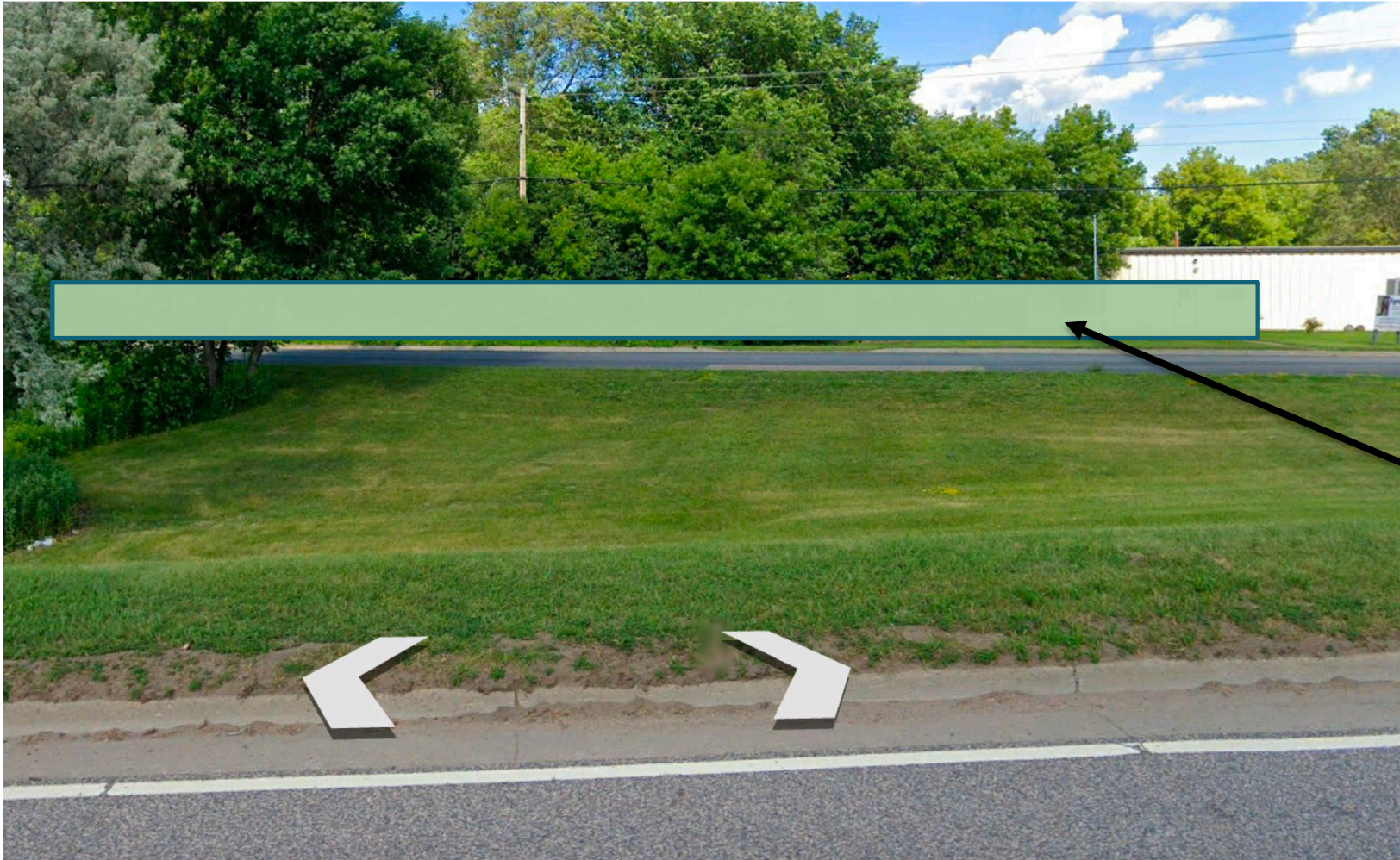
We plan to install a matching metal slat gate at the North entrance to be used by Clearscape landscaping crews.

This entrance will also be used by 3<sup>rd</sup> party contractors and consumers picking up landscape materials with larger vehicles and / or trailers.





# Northwest Property Line



The privacy fence would match all along Old Highway 8 SW







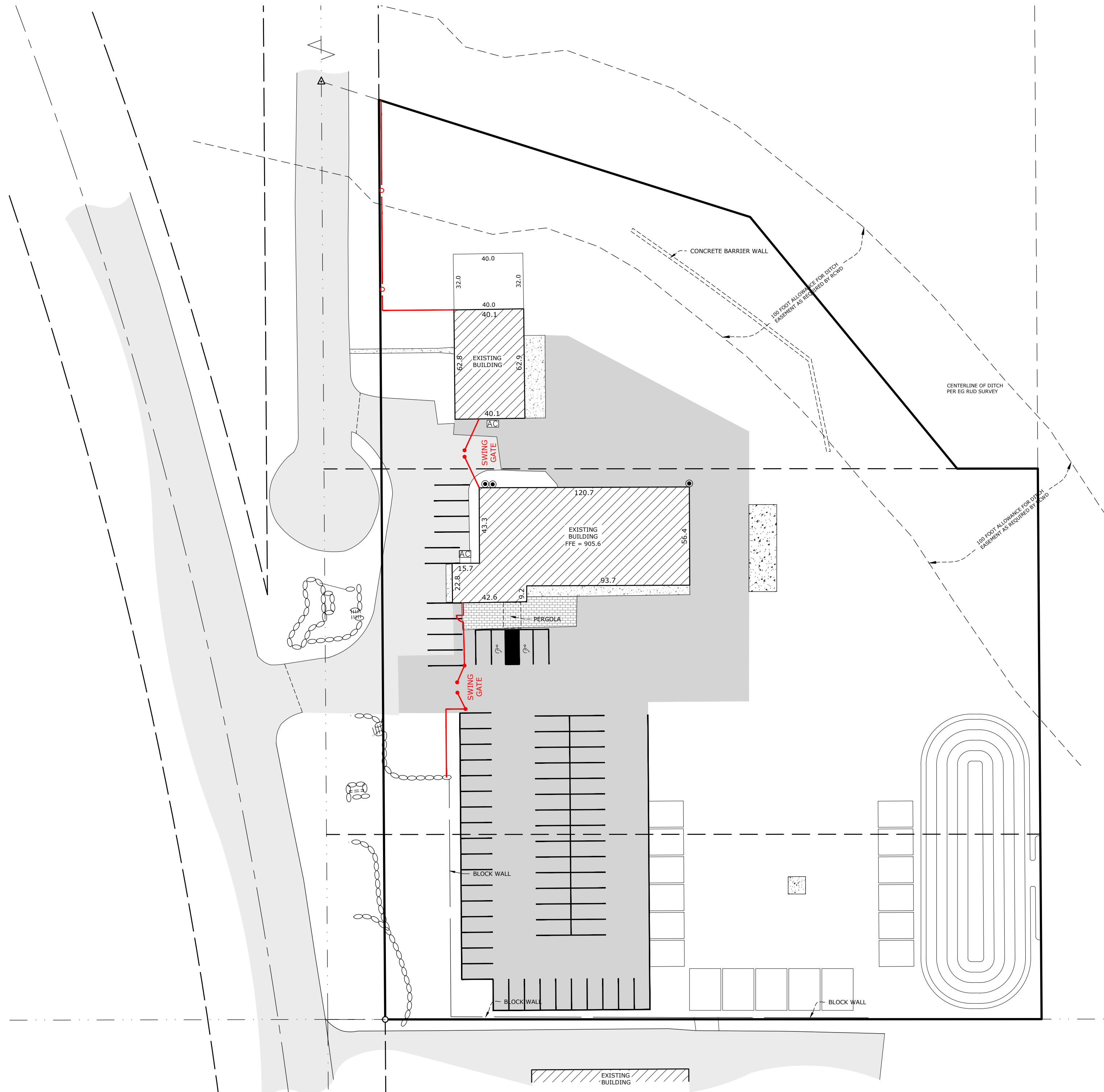
Thank you!



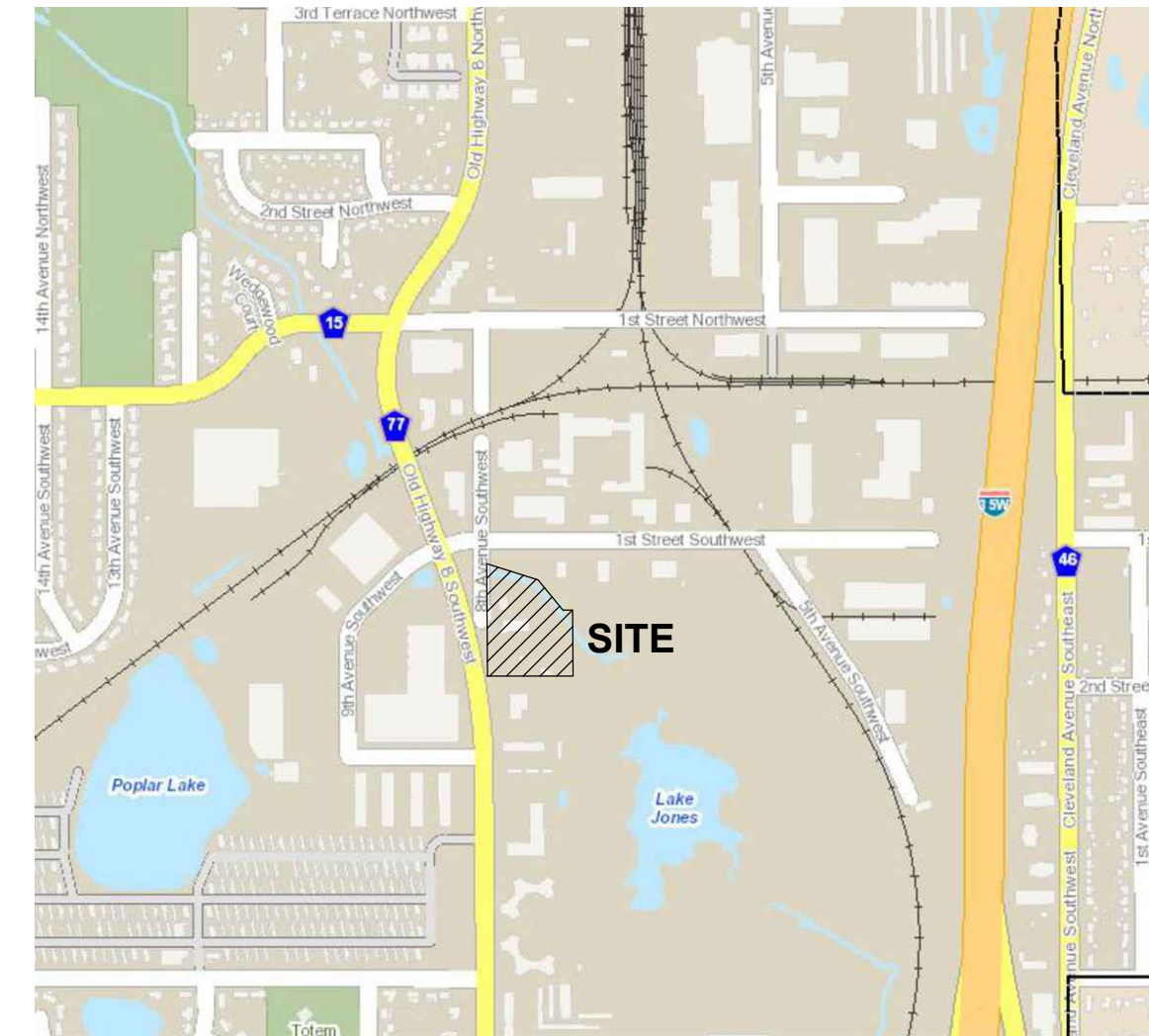
# PE OUTDOO

## TITLE SHEET

### NEW BRIGHTON, MINNESOTA



**VICINITY MAP ( NOT TO SCALE )**



DEVELOPER

**CLEARSCAPE OUTDOOR  
SERVICES  
175 OLD HWY 8 SW  
NEW BRIGHTON, MN 55112  
DAN STEUERNAGEL  
651-755-2651  
DANS@CLEARSCAPE.NET**

## ENGINEER

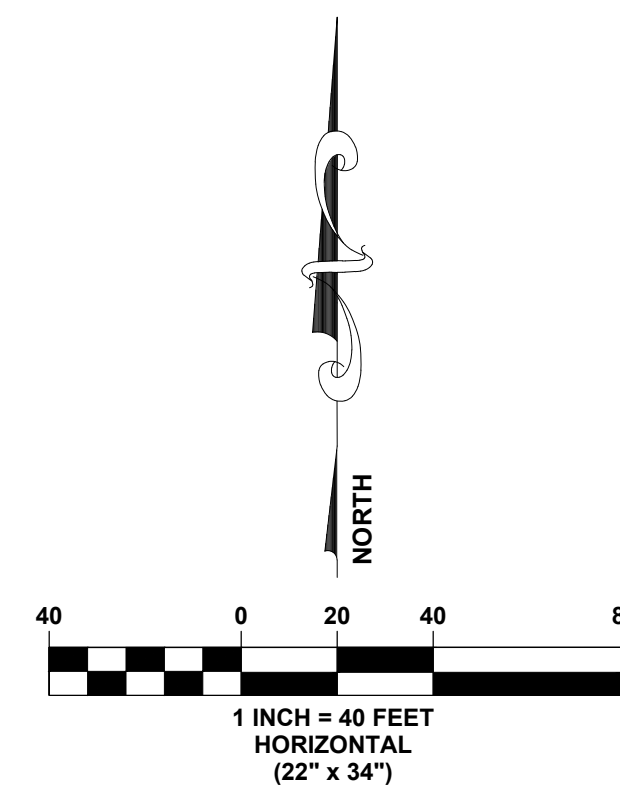
**PLOWE ENGINEERING, INC.**  
6776 LAKE DRIVE  
LINO LAKES, MN 55014  
ADAM GINKEL, P.E.  
651-361-8234  
ADAM@PLOWE.COM

**SURVEYOR**

**E.G. RUD & SONS LAND  
SURVEYING, INC.  
6776 LAKE DRIVE  
LINO LAKES, MN 55014  
JASON RUD  
651-361-8225  
JRUD@EGRUD.COM**

**AN MPCA NPDES CONSTRUCTION PERMIT IS REQUIRED  
PRIOR TO THE START OF CONSTRUCTION**

ALL PERMITS, INCLUDING BUT NOT LIMITED TO PERMITS FROM CITY OF NEW BRIGHTON, MNDOT, AND THE MINNESOTA DEPARTMENT OF LABOR AND INDUSTRY, SHALL BE OBTAINED PRIOR TO ORDERING OF MATERIAL AND STARTING OF CONSTRUCTION. NO INSTALLATION OF UTILITIES SHALL BE PERMITTED UNTIL ALL APPLICABLE PERMITS ARE RECEIVED BY CONTRACTOR. INSTALLATION OF UTILITIES SHALL BE CONSTRUCTED TO MINNESOTA DEPARTMENT OF LABOR AND INDUSTRY STANDARDS AND CITY STANDARDS AS IDENTIFIED IN THE PUBLIC WORKS/ENGINEERING STANDARDS.



## SHEET INDEX

|                    |                                         |
|--------------------|-----------------------------------------|
| <b>CO</b>          | <b>TITLE SHEET</b>                      |
| <b>C1.1</b>        | <b>REMOVALS PLAN</b>                    |
| <b>C1.2</b>        | <b>SITE PLAN</b>                        |
| <b>C2.1</b>        | <b>GRADING, DRAINAGE &amp; ESC PLAN</b> |
| <b>C2.2 - C2.3</b> | <b>SWPPP</b>                            |
| <b>C3.1</b>        | <b>UTILITY PLAN</b>                     |
| <b>C4.1</b>        | <b>DETAILS</b>                          |

**Plowe**  
ENGINEERING, INC.

6776 LAKE DRIVE  
SUITE 110  
LINO LAKES, MN 55014

PHONE: (651) 361-8210  
FAX: (651) 361-8701

 SITE PLANNING  
& ENGINEERING

|                                                                                                                                                                                                                                                                                            |  |      |             |                    |                                                                                                       |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|------|-------------|--------------------|-------------------------------------------------------------------------------------------------------|
| <p>I hereby certify that this plan was prepared by me<br/>or under my direct supervision and that I am a duly<br/>licensed professional engineer under the laws of<br/>the State of Minnesota.</p> <p><b>PRELIMINARY</b></p> <p>ADAM GINKEL</p> <p>Date: 05/01/2025 License No. 439683</p> |  | 1    | 10.29.24    | LEAN-TO ADDED      | <p>DRAWN BY:<br/>AG</p> <p>JOB NO:<br/>23-2119</p> <p>CHECK BY:<br/>MOA</p> <p>DATE:<br/>09/23/24</p> |
|                                                                                                                                                                                                                                                                                            |  | 2    | 04.04.25    | SITE PLAN ADJUSTED |                                                                                                       |
|                                                                                                                                                                                                                                                                                            |  | 3    |             |                    |                                                                                                       |
|                                                                                                                                                                                                                                                                                            |  | 4    |             |                    |                                                                                                       |
|                                                                                                                                                                                                                                                                                            |  | 5    |             |                    |                                                                                                       |
|                                                                                                                                                                                                                                                                                            |  | 6    |             |                    |                                                                                                       |
|                                                                                                                                                                                                                                                                                            |  | 7    |             |                    |                                                                                                       |
|                                                                                                                                                                                                                                                                                            |  | 8    |             |                    |                                                                                                       |
|                                                                                                                                                                                                                                                                                            |  | DATE | DESCRIPTION |                    |                                                                                                       |

**CLEARSCAPE OUTDOOR SERVICE**  
NEW BRIGHTON, MN

**TITLE SHEET**

**PREPARED FOR: CLEARSCAPE OUTDOOR SERVICES & SUPPLIES**

SHEET  
**C0**

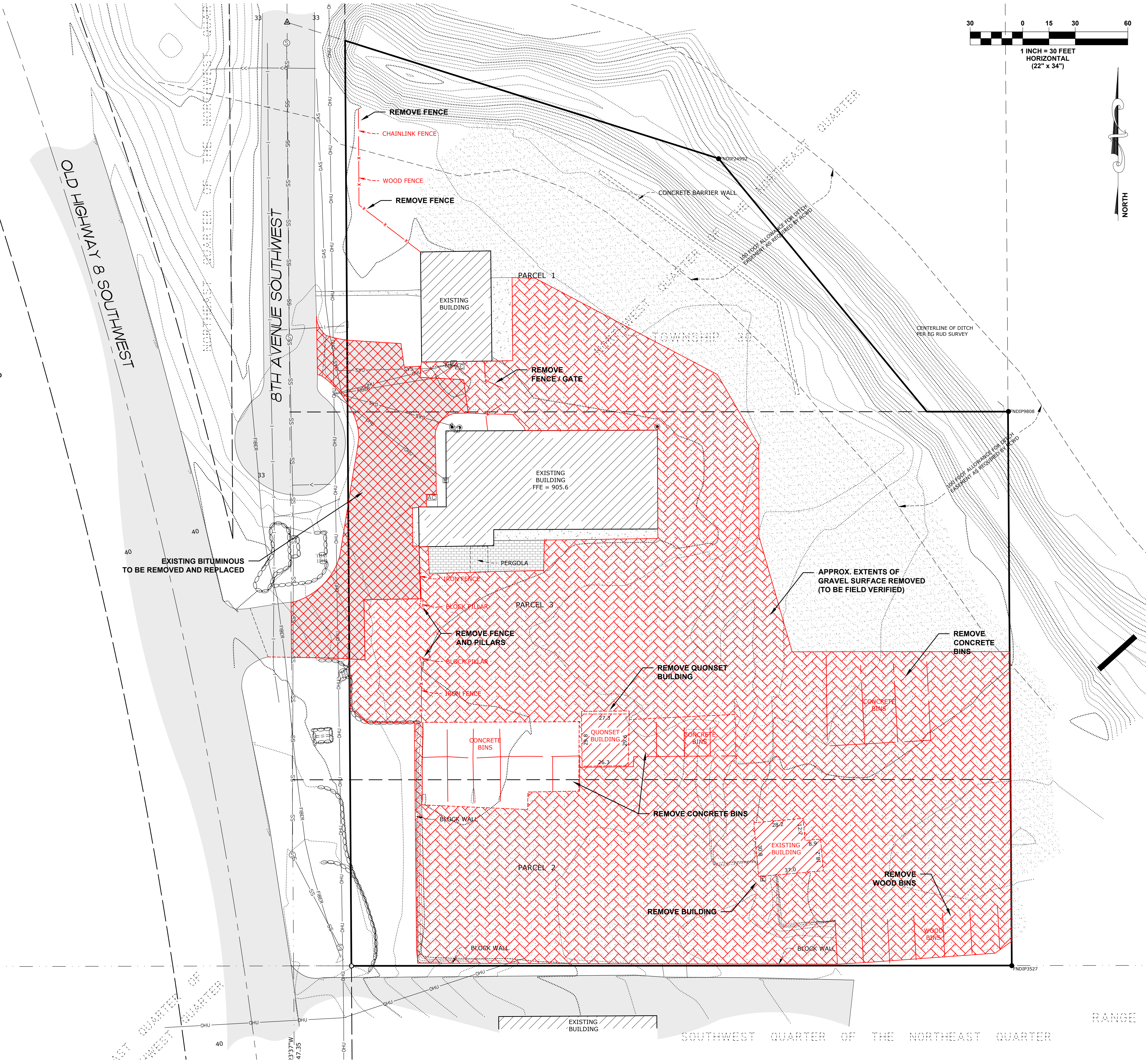


GENERAL NOTES

1. THE INFORMATION SHOWN ON THESE DRAWINGS CONCERNING TYPE AND LOCATION OF EXISTING UTILITIES IS NOT GUARANTEED TO BE ACCURATE OR ALL INCLUSIVE. THE CONTRACTOR IS RESPONSIBLE FOR MAKING HIS OWN DETERMINATION AS TO TYPE AND LOCATION OF UTILITIES AS NECESSARY TO AVOID DAMAGE TO THESE UTILITIES.
2. CALL GOPHER STATE ONE CALL AT LEAST 48 HOURS PRIOR TO ANY EXCAVATIONS FOR EXISTING UTILITIES LOCATIONS.
3. THE CONTRACTOR SHALL FIELD VERIFY SIZE, ELEVATION, AND LOCATION OF EXISTING UTILITIES AND NOTIFY ENGINEER OF ANY DISCREPANCIES PRIOR TO THE START OF INSTALLATIONS.
4. ALL UTILITY AND STREET INSTALLATIONS SHALL CONFORM TO THE CITY STANDARD SPECIFICATIONS AND DETAIL PLATES.
5. ALL WORK SHALL BE PERFORMED DURING CITY APPROVED WORKING HOURS.
6. PARKING, EQUIPMENT STORAGE OR MATERIAL STORAGE SHALL NOT BE ALLOWED ON PUBLIC STREETS OR WITHIN PUBLIC RIGHT-OF-WAY.
7. NOTIFY CITY A MINIMUM OF 48 HOURS PRIOR TO THE COMMENCEMENT OF CONSTRUCTION.
8. ALL ELECTRIC, TELEPHONE, AND GAS EXTENSIONS INCLUDING SERVICE LINES SHALL BE CONSTRUCTED TO THE APPROPRIATE UTILITY COMPANY SPECIFICATIONS. ALL UTILITY DISCONNECTIONS SHALL BE COORDINATED WITH THE APPROPRIATE UTILITY COMPANY.
9. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROVIDING AND MAINTAINING TRAFFIC CONTROL, SUCH AS BARRICADES, WARNING SIGNS, DIRECTIONAL SIGNS, FLAGMEN AND LIGHTS, AS NECESSARY TO CONTROL THE MOVEMENT OF TRAFFIC.

LEGEND

|                 |                                    |          |                                                                                                           |
|-----------------|------------------------------------|----------|-----------------------------------------------------------------------------------------------------------|
| — OHW —         | EXISTING OVERHEAD ELECTRIC         | —>>—     | PROPOSED STORM SEWER PIPE                                                                                 |
| — GAS —         | EXISTING UNDERGROUND GAS           | ⊙        | PROPOSED STORM STRUCTURE                                                                                  |
| — FIBER —       | EXISTING UNDERGROUND FIBEROPTIC    | ▲        | PROPOSED FLARED-END SECTION                                                                               |
| ⊡               | EXISTING TELEPHONE PEDESTAL        | —○—      | PROPOSED FENCE                                                                                            |
| ⊡               | EXISTING ELECTRICAL PEDESTAL / BOX | —928—    | PROPOSED CONTOUR                                                                                          |
| ⊡               | EXISTING CABLE PEDESTAL            | —930—    |                                                                                                           |
| ⊡               | EXISTING UTILITY POLE              | ⊗ 905.50 | PROPOSED SPOT ELEVATION<br>(GUTTERLINE, BITUMINOUS SURFACE, OR GROUND SURFACE UNLESS OTHERWISE INDICATED) |
| —>>—            | EXISTING STORM SEWER               | —4.0%—   | PROPOSED DIRECTION OF DRAINAGE                                                                            |
| — I —           | EXISTING WATER MAIN                | ⊙        | PROPOSED SILT FENCE                                                                                       |
| — SS —          | EXISTING SANITARY SEWER            | ⊙        | PROPOSED INLET PROTECTION                                                                                 |
| ⊙               | EXISTING SANITARY SEWER MANHOLE    | ⊡        | PROPOSED RIP-RAP                                                                                          |
| ..... 930 ..... | EXISTING CONTOUR                   | ⊡        | PROPOSED NEW BITUMINOUS                                                                                   |
| 900.65 ×        | EXISTING SPOT ELEVATION            |          |                                                                                                           |
| ⊡               | EXISTING RETAINING WALL            |          |                                                                                                           |
| — x —           | EXISTING FENCE                     |          |                                                                                                           |
|                 | EXISTING BOLLARDS                  |          |                                                                                                           |



**PLOWE**  
ENGINEERING, INC.  
6776 LAKE DRIVE  
LINCOLN, NE 68504  
PHONE: (402) 361-4210  
FAX: (402) 361-4701



DRAWN BY:  
AG  
JOB NO.  
23-2119  
CHECK BY:  
MOA  
DATE:  
09/23/24

| NO. | DATE     | DESCRIPTION        |
|-----|----------|--------------------|
| 1   | 04.04.25 | SITE PLAN ADJUSTED |
| 2   |          |                    |
| 3   |          |                    |
| 4   |          |                    |
| 5   |          |                    |
| 6   |          |                    |
| 7   |          |                    |
| 8   |          |                    |

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.

**PRELIMINARY**  
ADAM GINKEL  
Date: 05.01.2025 License No. 43963

**CLEARSCAPE OUTDOOR SERVICE**  
NEW BRIGHTON, MN  
**REMOVALS PLAN**  
PREPARED FOR: CLEARSCAPE OUTDOOR SERVICES & SUPPLIES

**C1.1**

SHEET

**C1.1**



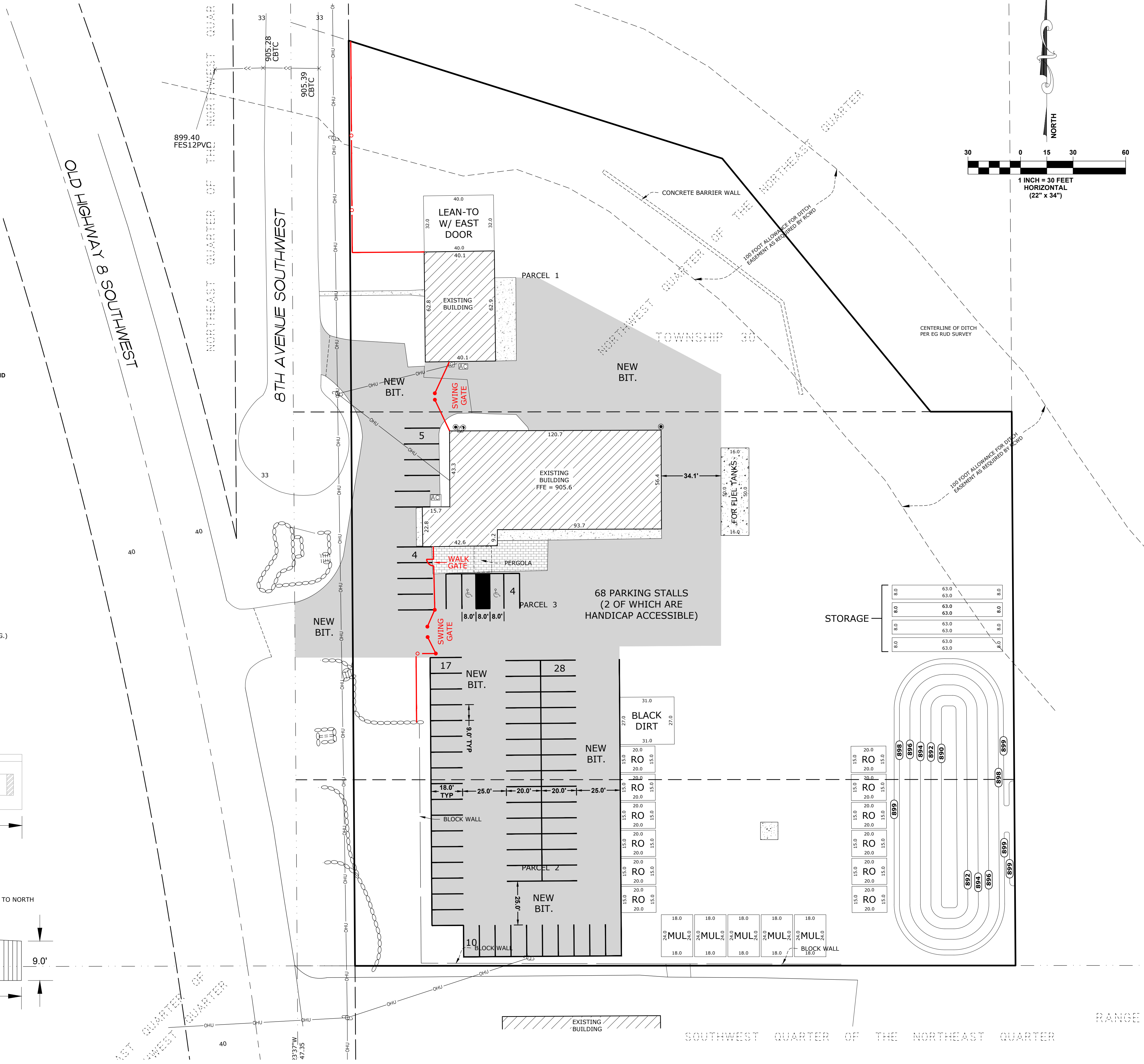
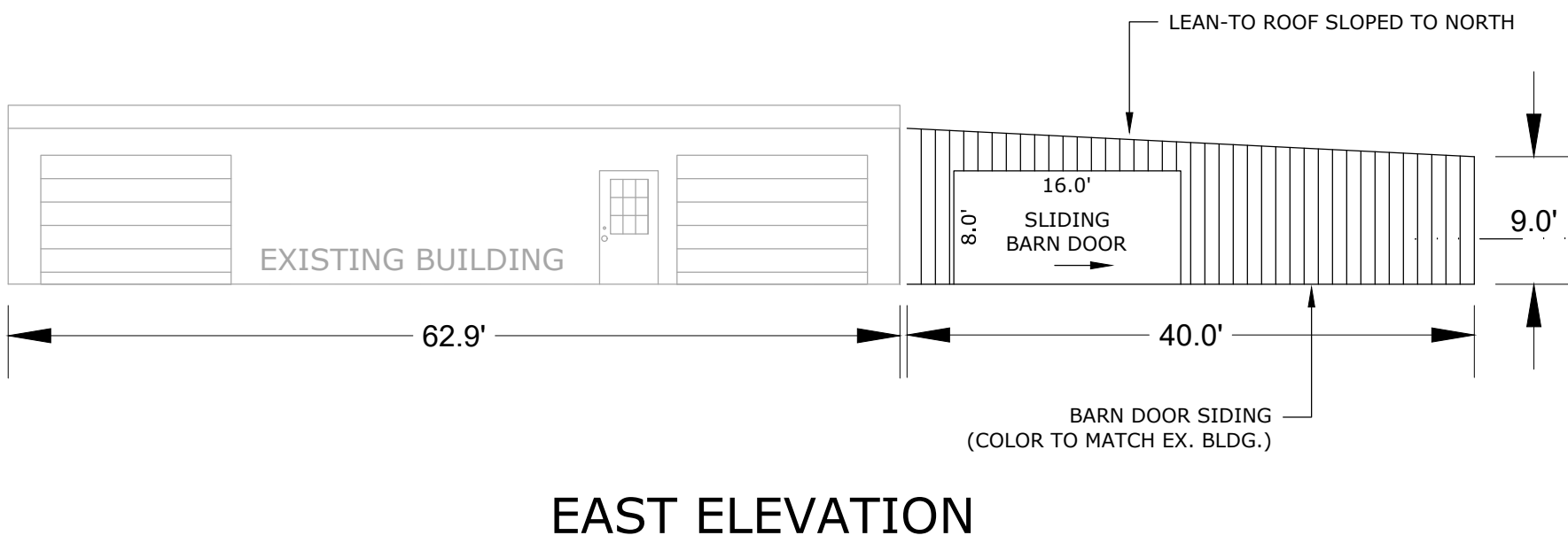
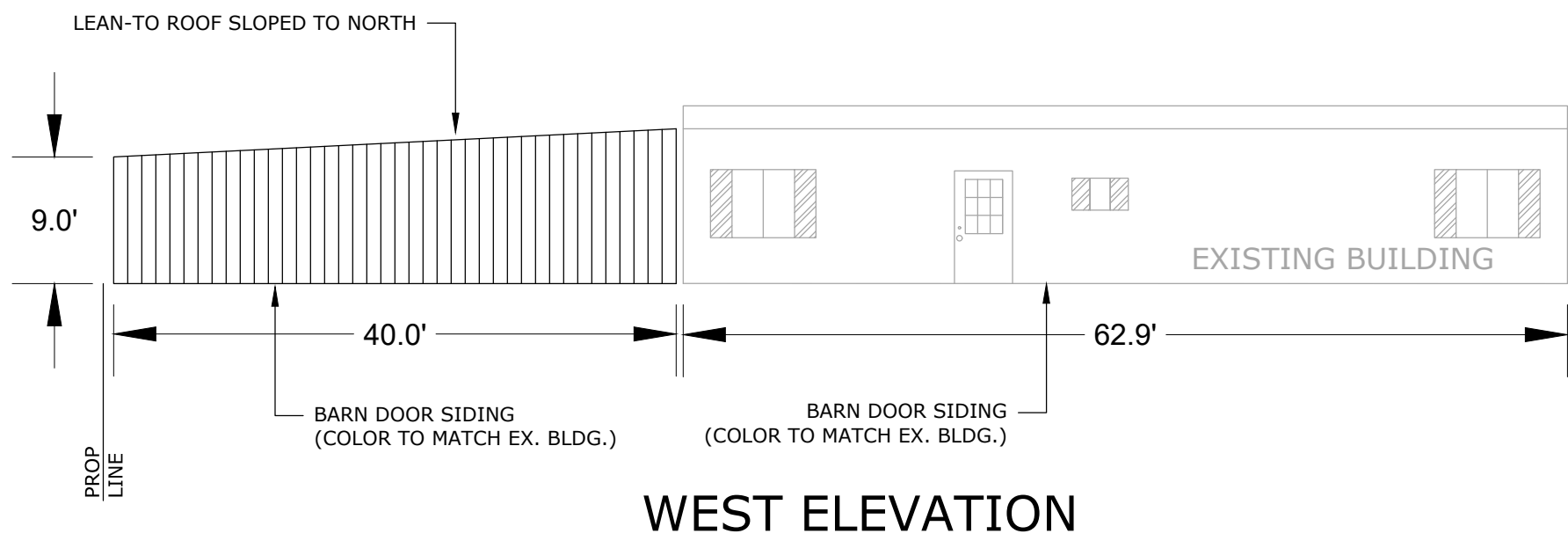
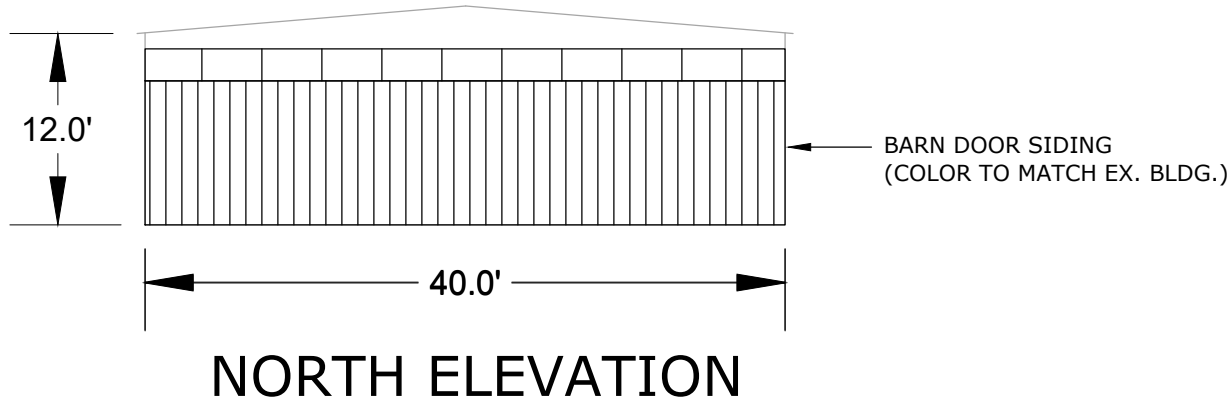
GENERAL NOTES

1. THE INFORMATION SHOWN ON THESE DRAWINGS CONCERNING TYPE AND LOCATION OF EXISTING UTILITIES IS NOT GUARANTEED TO BE ACCURATE OR ALL INCLUSIVE. THE CONTRACTOR IS RESPONSIBLE FOR MAKING HIS OWN DETERMINATION AS TO TYPE AND LOCATION OF UTILITIES AS NECESSARY TO AVOID DAMAGE TO THESE UTILITIES.
2. CALL GOPHER STATE ONE CALL AT LEAST 48 HOURS PRIOR TO ANY EXCAVATIONS FOR EXISTING UTILITIES LOCATIONS.
3. THE CONTRACTOR SHALL FIELD VERIFY SIZE, ELEVATION, AND LOCATION OF EXISTING UTILITIES AND NOTIFY ENGINEER OF ANY DISCREPANCIES PRIOR TO THE START OF INSTALLATIONS.
4. ALL UTILITY AND STREET INSTALLATIONS SHALL CONFORM TO THE CITY STANDARD SPECIFICATIONS AND DETAIL PLATES.
5. ALL WORK SHALL BE PERFORMED DURING CITY APPROVED WORKING HOURS.
6. PARKING, EQUIPMENT STORAGE OR MATERIAL STORAGE SHALL NOT BE ALLOWED ON PUBLIC STREETS OR WITHIN PUBLIC RIGHT-OF-WAY.
7. NOTIFY CITY A MINIMUM OF 48 HOURS PRIOR TO THE COMMENCEMENT OF CONSTRUCTION.
8. ALL ELECTRIC, TELEPHONE, AND GAS EXTENSIONS INCLUDING SERVICE LINES SHALL BE CONSTRUCTED TO THE APPROPRIATE UTILITY COMPANY SPECIFICATIONS. ALL UTILITY DISCONNECTIONS SHALL BE COORDINATED WITH THE APPROPRIATE UTILITY COMPANY.
9. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROVIDING AND MAINTAINING TRAFFIC CONTROL, SUCH AS BARRICADES, WARNING SIGNS, DIRECTIONAL SIGNS, FLAGMEN AND LIGHTS, AS NECESSARY TO CONTROL THE MOVEMENT OF TRAFFIC.

LEGEND

|                 |                                    |          |                                                                                                           |
|-----------------|------------------------------------|----------|-----------------------------------------------------------------------------------------------------------|
| — OHW —         | EXISTING OVERHEAD ELECTRIC         | —>—>—    | PROPOSED STORM SEWER PIPE                                                                                 |
| — GAS —         | EXISTING UNDERGROUND GAS           | ⊙        | PROPOSED STORM STRUCTURE                                                                                  |
| — FIBER —       | EXISTING UNDERGROUND FIBEROPTIC    | ▲        | PROPOSED FLARED-END SECTION                                                                               |
| □               | EXISTING TELEPHONE PEDESTAL        | —○—      | PROPOSED FENCE                                                                                            |
| ⊞               | EXISTING ELECTRICAL PEDESTAL / BOX | —928—    | PROPOSED CONTOUR                                                                                          |
| ⊞               | EXISTING CABLE PEDESTAL            | —930—    |                                                                                                           |
| ⊞               | EXISTING UTILITY POLE              | ⊗ 905.50 | PROPOSED SPOT ELEVATION<br>(GUTTERLINE, BITUMINOUS SURFACE, OR GROUND SURFACE UNLESS OTHERWISE INDICATED) |
| —>—>—           | EXISTING STORM SEWER               | —4.0%—   | PROPOSED DIRECTION OF DRAINAGE                                                                            |
| — 1 —           | EXISTING WATER MAIN                |          | PROPOSED SILT FENCE                                                                                       |
| — SS —          | EXISTING SANITARY SEWER            | ⊙        | PROPOSED INLET PROTECTION                                                                                 |
| ⊙               | EXISTING SANITARY SEWER MANHOLE    | ⊞        | PROPOSED RIP-RAP                                                                                          |
| ..... 930 ..... | EXISTING CONTOUR                   | ■        | PROPOSED NEW BITUMINOUS                                                                                   |
| 900.65 ×        | EXISTING SPOT ELEVATION            |          |                                                                                                           |
| ⊞               | EXISTING RETAINING WALL            |          |                                                                                                           |
| — x —           | EXISTING FENCE                     |          |                                                                                                           |
|                 | EXISTING BOLLARDS                  |          |                                                                                                           |

LEAN-TO ELEVATION VIEWS



**PLOWE**  
ENGINEERING, INC.  
8776 LAKE DRIVE  
MINNETONKA, MN 55014  
PHONE: (651) 361-8210  
FAX: (651) 361-8701



DRAWN BY: AG  
JOB NO: 23-2119  
CHECK BY: MOA  
DATE: 09/23/24

| NO. | DATE     | DESCRIPTION        |
|-----|----------|--------------------|
| 1   | 10/29/24 | LEAN-TO ADDED      |
| 2   | 04/04/25 | SITE PLAN ADJUSTED |
| 3   | 05/01/25 | FENCING ADJ.       |
| 4   |          |                    |
| 5   |          |                    |
| 6   |          |                    |
| 7   |          |                    |
| 8   |          |                    |

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.

**PRELIMINARY**

ADAM GINKEL  
Date: 04/30/2025 License No. 43963

**CLEARSCAPE OUTDOOR SERVICE**  
NEW BRIGHTON, MN

**SITE PLAN**

PREPARED FOR: CLEARSCAPE OUTDOOR SERVICES & SUPPLIES

SHEET

**C1.2**

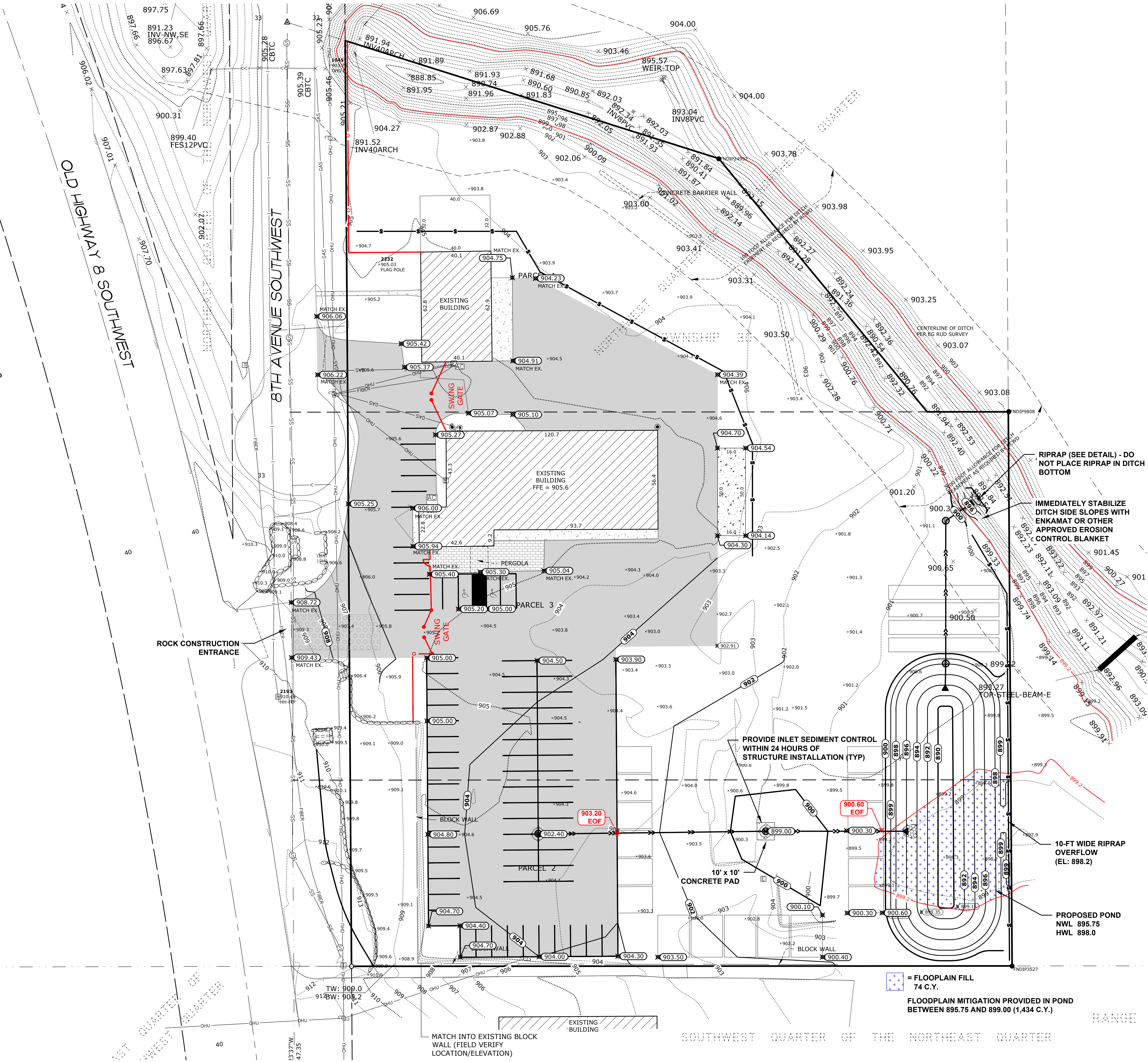


GENERAL NOTES

1. THE INFORMATION SHOWN ON THESE DRAWINGS CONCERNING TYPE AND LOCATION OF EXISTING UTILITIES IS NOT GUARANTEED TO BE ACCURATE OR ALL INCLUSIVE. THE CONTRACTOR IS RESPONSIBLE FOR MAKING HIS OWN DETERMINATION AS TO TYPE AND LOCATION OF UTILITIES AS NECESSARY TO AVOID DAMAGE TO THESE UTILITIES.
2. CALL GOPHER STATE ONE CALL AT LEAST 48 HOURS PRIOR TO ANY EXCAVATIONS FOR EXISTING UTILITIES LOCATIONS.
3. THE CONTRACTOR SHALL FIELD VERIFY SIZE, ELEVATION, AND LOCATION OF EXISTING UTILITIES AND NOTIFY ENGINEER OF ANY DISCREPANCIES PRIOR TO THE START OF INSTALLATIONS.
4. ALL UTILITY AND STREET INSTALLATIONS SHALL CONFORM TO THE CITY STANDARD SPECIFICATIONS AND DETAIL PLATES.
5. ALL WORK SHALL BE PERFORMED DURING CITY APPROVED WORKING HOURS. PARKING, EQUIPMENT STORAGE OR MATERIAL STORAGE SHALL NOT BE ALLOWED ON PUBLIC STREETS OR WITHIN PUBLIC RIGHT-OF-WAY.
7. NOTIFY CITY A MINIMUM OF 48 HOURS PRIOR TO THE COMMENCEMENT OF CONSTRUCTION.
8. ALL ELECTRIC, TELEPHONE, AND GAS EXTENSIONS INCLUDING SERVICE LINES SHALL BE CONSTRUCTED TO THE APPROPRIATE UTILITY COMPANY SPECIFICATIONS. ALL UTILITY DISCONNECTIONS SHALL BE COORDINATED WITH THE APPROPRIATE UTILITY COMPANY.
9. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROVIDING AND MAINTAINING TRAFFIC CONTROL, SUCH AS BARRICADES, WARNING SIGNS, DIRECTIONAL SIGNS, FLAGMEN AND LIGHTS, AS NECESSARY TO CONTROL THE MOVEMENT OF TRAFFIC.

LEGEND

|           |                                    |          |                                                                                                           |
|-----------|------------------------------------|----------|-----------------------------------------------------------------------------------------------------------|
| — OHW —   | EXISTING OVERHEAD ELECTRIC         | —>—>—    | PROPOSED STORM SEWER PIPE                                                                                 |
| — GAS —   | EXISTING UNDERGROUND GAS           | ⊙        | PROPOSED STORM STRUCTURE                                                                                  |
| — FIBER — | EXISTING UNDERGROUND FIBEROPTIC    | ▲        | PROPOSED FLARED-END SECTION                                                                               |
| ⊠         | EXISTING TELEPHONE PEDESTAL        | —○—      | PROPOSED FENCE                                                                                            |
| ⊡         | EXISTING ELECTRICAL PEDESTAL / BOX | —928—    | PROPOSED CONTOUR                                                                                          |
| ⊢         | EXISTING CABLE PEDESTAL            | —930—    |                                                                                                           |
| ⊣         | EXISTING UTILITY POLE              | ⊗ 905.50 | PROPOSED SPOT ELEVATION<br>(GUTTERLINE, BITUMINOUS SURFACE, OR GROUND SURFACE UNLESS OTHERWISE INDICATED) |
| —>—>—     | EXISTING STORM SEWER               | 4.0%     | PROPOSED DIRECTION OF DRAINAGE                                                                            |
| — I —     | EXISTING WATER MAIN                | ⊙        | PROPOSED SILT FENCE                                                                                       |
| — SS —    | EXISTING SANITARY SEWER            | ⊙        | PROPOSED INLET PROTECTION                                                                                 |
| ⊙         | EXISTING SANITARY SEWER MANHOLE    | ⊠        | PROPOSED RIP-RAP                                                                                          |
| ⋯ 930 ⋯   | EXISTING CONTOUR                   | ■        | PROPOSED NEW BITUMINOUS                                                                                   |
| 900.65 ×  | EXISTING SPOT ELEVATION            |          |                                                                                                           |
| ⊖         | EXISTING RETAINING WALL            |          |                                                                                                           |
| — x —     | EXISTING FENCE                     |          |                                                                                                           |
| —         | EXISTING BOLLARDS                  |          |                                                                                                           |



**PLOWE**  
ENGINEERING, INC.  
6776 LAKE DRIVE  
MINNETONKA, MN 55014  
PHONE: (651) 361-8210  
FAX: (651) 361-8701



DRAWN BY: AG  
JOB NO: 23-2119  
CHECK BY: MOA  
DATE: 09/23/24

| NO. | DATE     | DESCRIPTION                |
|-----|----------|----------------------------|
| 1   | 09/27/24 | POND OUTLET ALIGNMENT ADJ. |
| 2   | 10/29/24 | LEAN-TO ADDED              |
| 3   | 04/04/25 | SITE PLAN ADJUSTED         |
| 4   |          |                            |
| 5   |          |                            |
| 6   |          |                            |
| 7   |          |                            |
| 8   |          |                            |

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.

**PRELIMINARY**  
ADAM GINKEL  
Date: 05/01/2025 License No. 43863

**CLEARSCAPE OUTDOOR SERVICE**  
NEW BRIGHTON, MN  
**GRADING, DRAINAGE & ESC PLAN**  
PREPARED FOR: CLEARSCAPE OUTDOOR SERVICES & SUPPLIES

SHEET

**C2.1**



4.1 TERMINATION OF COVERAGE. [MINN. R. 7090]

4.2 PERMITTEES MUST SUBMIT A NOT WITHIN 30 DAYS AFTER ALL TERMINATION CONDITIONS LISTED IN SECTION 13 ARE COMPLETE. [MINN. R. 7090]

4.3 PERMITTEES MUST SUBMIT A NOT WITHIN 30 DAYS AFTER SELLING OR OTHERWISE LEGALLY TRANSFERRING THE ENTIRE SITE, INCLUDING PERMIT RESPONSIBILITY FOR ROADS (E.G., STREET SWEEPING) AND STORMWATER INFRASTRUCTURE FINAL CLEAN OUT, ON THE TRANSFER OF ANY PORTIONS OF A SITE TO ANOTHER PARTY. THE PERMITTEES' COVERAGE UNDER THIS PERMIT TERMINATES AT MIDNIGHT ON THE SUBMISSION DATE OF THE NOT. [MINN. R. 7090]

4.4 PERMITTEES MAY TERMINATE PERMIT COVERAGE PRIOR TO COMPLETION OF ALL CONSTRUCTION ACTIVITY IF THEY MEET ALL OF THE FOLLOWING CONDITIONS:

- A. CONSTRUCTION ACTIVITY HAS CEASED FOR AT LEAST 90 DAYS; AND
- B. AT LEAST 90 PERCENT (BY AREA) OF ALL ORIGINALLY PROPOSED CONSTRUCTION ACTIVITY HAS BEEN COMPLETED AND PERMANENT COVER HAS BEEN ESTABLISHED ON THOSE AREAS; AND
- C. ON AREAS WHERE CONSTRUCTION ACTIVITY IS NOT COMPLETE, PERMANENT COVER HAS BEEN ESTABLISHED; AND
- D. THE SITE COMPLIES WITH ITEM 13.3 THROUGH 13.7.

AFTER PERMIT COVERAGE IS TERMINATED UNDER THIS ITEM, ANY SUBSEQUENT DEVELOPMENT ON THE REMAINING PORTIONS OF THE SITE WILL REQUIRE PERMIT COVERAGE IF THE SUBSEQUENT DEVELOPMENT ITSELF OR AS PART OF THE REMAINING COMMON PLAN OF DEVELOPMENT OR SALE WILL RESULT IN LAND DISTURBING ACTIVITIES OF ONE (1) OR MORE ACRES IN SIZE. [MINN. R. 7090]

4.5 PERMITTEES MAY TERMINATE COVERAGE UPON MPCA APPROVAL AFTER SUBMITTING INFORMATION DOCUMENTING THE OWNER CANCELED THE PROJECT. [MINN. R. 7090]

6.1 SWPPP AMENDMENTS. [MINN. R. 7090]

6.2 ONE OF THE INDIVIDUALS DESCRIBED IN ITEM 21.2.A OR ITEM 21.2.B OR ANOTHER QUALIFIED INDIVIDUAL MUST COMPLETE ALL SWPPP CHANGES. CHANGES INVOLVING THE USE OF A LESS STRINGENT BMP MUST INCLUDE A JUSTIFICATION DESCRIBING HOW THE REPLACEMENT BMP IS EFFECTIVE FOR THE SITE CHARACTERISTICS. [MINN. R. 7090]

6.3 PERMITTEES MUST AMEND THE SWPPP TO INCLUDE ADDITIONAL OR MODIFIED BMPs AS NECESSARY TO CORRECT PROBLEMS IDENTIFIED OR ADDRESS SITUATIONS WHENEVER THERE IS A CHANGE IN DESIGN, CONSTRUCTION, OPERATION, MAINTENANCE, WEATHER OR SEASONAL CONDITIONS HAVING A SIGNIFICANT EFFECT ON THE DISCHARGE OF POLLUTANTS TO SURFACE WATERS OR GROUNDWATER. [MINN. R. 7090]

6.4 PERMITTEES MUST AMEND THE SWPPP TO INCLUDE ADDITIONAL OR MODIFIED BMPs AS NECESSARY TO CORRECT PROBLEMS IDENTIFIED OR ADDRESS SITUATIONS WHENEVER INSPECTIONS OR INVESTIGATIONS BY THE SITE OWNER OR OPERATOR, USEPA OR MPCA OFFICIALS INDICATE THE SWPPP IS NOT EFFECTIVE IN ELIMINATING OR SIGNIFICANTLY MINIMIZING THE DISCHARGE OF POLLUTANTS TO SURFACE WATERS OR GROUNDWATER OR THE DISCHARGES ARE CAUSING WATER QUALITY STANDARDS EXCEEDANCES. CHANGES INVOLVING THE USE OF A LESS STRINGENT BMP MUST INCLUDE A JUSTIFICATION DESCRIBING HOW THE REPLACEMENT BMP IS EFFECTIVE FOR THE SITE CHARACTERISTICS. [MINN. R. 7090]

7.1 BMP SELECTION AND INSTALLATION. [MINN. R. 7090]

7.2 PERMITTEES MUST SELECT, INSTALL, AND MAINTAIN THE BMPs IDENTIFIED IN THE SWPPP AND IN THIS PERMIT IN AN APPROPRIATE AND FUNCTIONAL MANNER AND IN ACCORDANCE WITH RELEVANT MANUFACTURER SPECIFICATIONS AND ACCEPTED ENGINEERING PRACTICES. [MINN. R. 7090]

8.1 EROSION PREVENTION PRACTICES. [MINN. R. 7090]

8.2 BEFORE WORK BEGINS, PERMITTEES MUST DELINEATE THE LOCATION OF AREAS NOT TO BE DISTURBED. [MINN. R. 7090]

8.3 PERMITTEES MUST MINIMIZE THE NEED FOR DISTURBANCE OF PORTIONS OF THE PROJECT WITH STEEP SLOPES. WHEN STEEP SLOPES MUST BE DISTURBED, PERMITTEES MUST USE TECHNIQUES SUCH AS PHASING AND STABILIZATION PRACTICES DESIGNED FOR STEEP SLOPES (E.G., SLOPE DRAINING AND TERRACING). [MINN. R. 7090]

8.4 PERMITTEES MUST STABILIZE ALL EXPOSED SOIL AREAS, INCLUDING STOCKPILES. STABILIZATION MUST BE INITIATED IMMEDIATELY TO LIMIT SOIL EROSION WHEN CONSTRUCTION ACTIVITY HAS PERMANENTLY OR TEMPORARILY CEASED ON ANY PORTION OF THE SITE AND WILL NOT RESUME FOR A PERIOD EXCEEDING 7 CALENDAR DAYS. STABILIZATION MUST BE COMPLETED NO LATER THAN 24 HOURS AFTER THE CONSTRUCTION ACTIVITY HAS CEASED. STABILIZATION IS NOT REQUIRED ON CONSTRUCTED BASE COMPONENTS OF ROADS, PARKING LOTS AND SIMILAR SURFACES. STABILIZATION IS NOT REQUIRED ON TEMPORARY STOCKPILES WITHOUT SIGNIFICANT SILT, CLAY OR ORGANIC COMPONENTS (E.G., CLEAN AGGREGATE STOCKPILES, DEMO CONCRETE STOCKPILES, SAND STOCKPILES) BUT PERMITTEES MUST PROVIDE SEDIMENT CONTROLS AT THE BASE OF THE STOCKPILE. [MINN. R. 7090]

8.5 FOR PUBLIC WATERS THAT THE MINNESOTA DNR HAS PROMULGATED "WORK IN WATER RESTRICTIONS" DURING SPECIFIED FISH SPAWNING TIME FRAMES, PERMITTEES MUST COMPLETE STABILIZATION OF ALL EXPOSED SOIL AREAS WITHIN 200 FEET OF THE WATERS EDGE, AND THAT DRAIN TO THESE WATERS, WITHIN 24 HOURS DURING THE RESTRICTION PERIOD. [MINN. R. 7090]

8.6 PERMITTEES MUST STABILIZE THE NORMAL WETTED PERIMETER OF THE LAST 200 LINEAR FEET OF TEMPORARY OR PERMANENT DRAINAGE DITCHES OR SWALES THAT DRAIN WATER FROM THE SITE WITHIN 24 HOURS AFTER CONNECTING TO A SURFACE WATER OR PROPERTY EDGE. PERMITTEES MUST COMPLETE STABILIZATION OF REMAINING PORTIONS OF TEMPORARY OR PERMANENT DRAINAGE DITCHES OR SWALES WITHIN 14 CALENDAR DAYS AFTER CONNECTING TO A SURFACE WATER OR PROPERTY EDGE AND CONSTRUCTION IN THAT PORTION OF THE DITCH TEMPORARILY OR PERMANENTLY CEASES. [MINN. R. 7090]

8.7 TEMPORARY OR PERMANENT DITCHES OR SWALES BEING USED AS A SEDIMENT CONTAINMENT SYSTEM DURING CONSTRUCTION (WITH PROPERLY DESIGNED ROCK-DITCH CHECKS, BOLL ROLLS, SILT DIKES, ETC.) DO NOT NEED TO BE STABILIZED. PERMITTEES MUST STABILIZE THESE AREAS WITHIN 24 HOURS AFTER THEIR USE AS A SEDIMENT CONTAINMENT SYSTEM CEASES. [MINN. R. 7090]

8.8 PERMITTEES MUST NOT USE MULCH, HYDROMULCH, TACKIFIER, POLYACRYLAMIDE OR SIMILAR EROSION PREVENTION PRACTICES WITHIN ANY PORTION OF THE NORMAL WETTED PERIMETER OF A TEMPORARY OR PERMANENT DRAINAGE DITCH OR SWALE SECTION WITH A CONTINUOUS SLOPE OF GREATER THAN 2 PERCENT. [MINN. R. 7090]

8.9 PERMITTEES MUST PROVIDE TEMPORARY OR PERMANENT ENERGY DISSIPATION AT ALL PIPE OUTLETS WITHIN 24 HOURS AFTER CONNECTION TO A SURFACE WATER OR PERMANENT STORMWATER TREATMENT SYSTEM. [MINN. R. 7090]

8.10 PERMITTEES MUST NOT DISTURB MORE LAND (I.E., PHASING) THAN CAN BE EFFECTIVELY INSPECTED AND MAINTAINED IN ACCORDANCE WITH SECTION 11. [MINN. R. 7090]

9.1 SEDIMENT CONTROL PRACTICES. [MINN. R. 7090]

9.2 PERMITTEES MUST ESTABLISH SEDIMENT CONTROL BMPs ON ALL DOWNGRADEMENT PERIMETERS OF THE SITE AND DOWNGRADEMENT AREAS OF THE SILL THAT DRAIN TO ANY SURFACE WATER, INCLUDING DITCHES AND GUTTER SYSTEMS. PERMITTEES MUST LOCATE SEDIMENT CONTROL PRACTICES UPGRADIENT OF ANY BUFFER ZONES. PERMITTEES MUST INSTALL SEDIMENT CONTROL PRACTICES BEFORE ANY UPGRADEMENT LAND-DISTURBING ACTIVITIES BEGIN AND MUST KEEP THE SEDIMENT CONTROL PRACTICES IN PLACE UNTIL THEY ESTABLISH PERMANENT COVER. [MINN. R. 7090]

9.3 IF DOWNGRADEMENT SEDIMENT CONTROLS ARE OVERLOADED, BASED ON FREQUENT FAILURE OR EXCESSIVE MAINTENANCE REQUIREMENTS, PERMITTEES MUST INSTALL ADDITIONAL SEDIMENT CONTROL PRACTICES OR REDUNDANT BMPs TO ELIMINATE THE OVERLOADING AND AMEND THE SWPPP TO IDENTIFY THESE ADDITIONAL PRACTICES AS REQUIRED IN ITEM 6.3. [MINN. R. 7090]

9.4 TEMPORARY OR PERMANENT DRAINAGE DITCHES AND SEDIMENT BASINS DESIGNED AS PART OF A SEDIMENT CONTAINMENT SYSTEM (E.G., DITCHES WITH ROCK-CHECK DAMS) REQUIRE SEDIMENT CONTROL PRACTICES ONLY AS APPROPRIATE FOR SITE CONDITIONS. [MINN. R. 7090]

9.5 A FLOATING SILT CURTAIN PLACED IN THE WATER IS NOT A SEDIMENT CONTROL BMP TO SATISFY ITEM 9.2 EXCEPT WHEN WORKING ON A SHORELINE OR BELOW THE WATERLINE. IMMEDIATELY AFTER THE SHORT TERM CONSTRUCTION ACTIVITY (E.G., INSTALLATION OF RIP RAP ALONG THE SHORELINE) IN THAT AREA IS COMPLETE, PERMITTEES MUST INSTALL AN UPLAND PERIMETER CONTROL PRACTICE IF EXPOSED SOILS STILL DRAIN TO A SURFACE WATER. [MINN. R. 7090]

9.6 PERMITTEES MUST RE-INSTALL ALL SEDIMENT CONTROL PRACTICES ADJUSTED OR REMOVED TO ACCOMMODATE SHORT-TERM ACTIVITIES SUCH AS CLEARING OR GRUBBING, OR PASSAGE OF VEHICLES. IMMEDIATELY AFTER THE SHORT-TERM ACTIVITY IS COMPLETED, PERMITTEES MUST RE-INSTALL SEDIMENT CONTROL PRACTICES BEFORE THE NEXT PRECIPITATION EVENT EVEN IF THE SHORT-TERM ACTIVITY IS NOT COMPLETE. [MINN. R. 7090]

9.7 PERMITTEES MUST PROTECT ALL STORM DRAIN INLETS USING APPROPRIATE BMPs DURING CONSTRUCTION UNTIL THEY ESTABLISH PERMANENT COVER ON ALL AREAS WITH POTENTIAL FOR DISCHARGING TO THE INLET. [MINN. R. 7090]

9.8 PERMITTEES MAY REMOVE INLET PROTECTION FOR A PARTICULAR INLET IF A SPECIFIC SAFETY CONCERN (E.G. STREET FLOODING/FREEZING) IS IDENTIFIED BY THE PERMITTEES OR THE JURISDICTIONAL AUTHORITY (E.G., CITY/COUNTY/TOWNSHIP/MINNESOTA DEPARTMENT OF TRANSPORTATION ENGINEER). PERMITTEES MUST DOCUMENT THE NEED FOR REMOVAL IN THE SWPPP. [MINN. R. 7090]

9.9 PERMITTEES MUST PROVIDE SILT FENCE OR OTHER EFFECTIVE SEDIMENT CONTROLS AT THE BASE OF STOCKPILES ON THE DOWNGRADEMENT PERIMETER. [MINN. R. 7090]

9.10 PERMITTEES MUST LOCATE STOCKPILES OUTSIDE OF NATURAL BUFFERS OR SURFACE WATERS, INCLUDING STORMWATER CONVEYANCES SUCH AS CURB AND GUTTER SYSTEMS UNLESS THERE IS A BYPASS IN PLACE FOR THE STORMWATER. [MINN. R. 7090]

9.11 PERMITTEES MUST INSTALL A VEHICLE TRACKING BMP TO MINIMIZE THE TRACK OUT OF SEDIMENT FROM THE CONSTRUCTION SITE OR ONTO PAVED ROADS WITHIN THE SITE. [MINN. R. 7090]

9.12 PERMITTEES MUST USE STREET SWEEPING IF VEHICLE TRACKING BMPs ARE NOT ADEQUATE TO PREVENT SEDIMENT TRACKING ONTO THE STREET. [MINN. R. 7090]

9.13 PERMITTEES MUST INSTALL TEMPORARY SEDIMENT BASINS AS REQUIRED IN SECTION 14. [MINN. R. 7090]

9.14 IN ANY AREAS OF THE SITE WHERE FINAL VEGETATIVE STABILIZATION WILL OCCUR, PERMITTEES MUST RESTRICT VEHICLE AND EQUIPMENT USE TO MINIMIZE SOIL COMPACTION. [MINN. R. 7090]

9.15 PERMITTEES MUST PRESERVE TOPSOIL ON THE SITE, UNLESS INFEASIBLE. [MINN. R. 7090]

9.16 PERMITTEES MUST DIRECT DISCHARGES FROM BMPs TO VEGETATED AREAS UNLESS INFEASIBLE. [MINN. R. 7090]

9.17 PERMITTEES MUST PRESERVE A 50 FOOT NATURAL BUFFER OR, IF A BUFFER IS INFEASIBLE ON THE SITE, PROVIDE A REDUNDANT DOUBLE PERIMETER SEDIMENT CONTROL SYSTEM WHEN A SURFACE WATER IS LOCATED WITHIN 50 FEET OF THE PROJECTS EARTH DISTURBANCES AND STORMWATER FLOWS TO THE SURFACE WATER. PERMITTEES MUST INSTALL PERIMETER SEDIMENT CONTROLS AT LEAST 5 FEET APART UNLESS LIMITED BY LACK OF AVAILABLE SPACE. NATURAL BUFFERS ARE NOT REQUIRED ADJACENT TO ROAD DITCHES, JUDICIAL DITCHES, COUNTY DITCHES, STORMWATER CONVEYANCE CHANNELS, STORM DRAIN INLETS, AND SEDIMENT BASINS. IF PRESERVATION OF A BUFFER IS INFEASIBLE, PERMITTEES MUST DOCUMENT THE REASONS IN THE SWPPP. SHEET PILING IS A REDUNDANT PERIMETER CONTROL IF INSTALLED IN A MANNER THAT RETAINS ALL STORMWATER. [MINN. R. 7090]

9.18 PERMITTEES MUST USE POLYMERS, FLOCCULANTS, OR OTHER SEDIMENTATION TREATMENT CHEMICALS IN ACCORDANCE WITH ACCEPTED ENGINEERING PRACTICES, DOSING SPECIFICATIONS AND SEDIMENT REMOVAL DESIGN RECOMMENDATIONS PROVIDED BY THE MANUFACTURER OR SUPPLIER. THE PERMITTEES MUST USE CONVENTIONAL EROSION AND SEDIMENT CONTROLS PRIOR TO CHEMICAL ADDITION AND MUST DIRECT TREATED STORMWATER TO A SEDIMENT CONTROL SYSTEM FOR FILTRATION OR SETTLEMENT OF THE FLOC PRIOR TO DISCHARGE. [MINN. R. 7090]

10.1 DEWATERING AND BASIN DRAINING. [MINN. R. 7090]

10.2 PERMITTEES MUST DISCHARGE TURBID OR SEDIMENT-LADEN WATERS RELATED TO DEWATERING OR BASIN DRAINING (E.G., PUMPED DISCHARGES, TRENCH/DITCH CUTS FOR DRAINAGE) TO A TEMPORARY OR PERMANENT SEDIMENT BASIN ON THE PROJECT SITE UNLESS INFEASIBLE. PERMITTEES MAY DEWATER TO SURFACE WATERS IF THEY VISUALLY CHECK TO ENSURE ADEQUATE TREATMENT HAS BEEN OBTAINED AND NUISANCE CONDITIONS (SEE MINN. R. 7050.0210, SUBP. 2) WILL NOT RESULT FROM THE DISCHARGE. IF PERMITTEES CANNOT DISCHARGE THE WATER TO A SEDIMENTATION BASIN PRIOR TO ENTERING A SURFACE WATER, PERMITTEES MUST TREAT IT WITH APPROPRIATE BMPs SUCH THAT THE DISCHARGE DOES NOT ADVERSELY AFFECT THE SURFACE WATER OR DOWNSTREAM PROPERTIES. [MINN. R. 7050.0210]

10.3 IF PERMITTEES MUST DISCHARGE WATER CONTAINING OIL OR GREASE, THEY MUST USE AN OIL-WATER SEPARATOR OR SUITABLE FILTRATION DEVICE (E.G., CARTRIDGE FILTERS, ABSORBENTS PADS) PRIOR TO DISCHARGE. [MINN. R. 7090]

10.4 PERMITTEES MUST DISCHARGE ALL WATER FROM DEWATERING OR BASIN-DRAINING ACTIVITIES IN A MANNER THAT DOES NOT CAUSE EROSION OR SCOUR IN THE IMMEDIATE VICINITY OF DISCHARGE POINTS OR INUNDATION OF WETLANDS IN THE IMMEDIATE VICINITY OF DISCHARGE POINTS THAT CAUSES SIGNIFICANT ADVERSE IMPACT TO THE WETLAND. [MINN. R. 7090]

10.5 IF PERMITTEES USE FILTERS WITH BACKWASH WATER, THEY MUST HAUL THE BACKWASH WATER AWAY FOR DISPOSAL, RETURN THE BACKWASH WATER TO THE BEGINNING OF THE TREATMENT PROCESS, OR INCORPORATE THE BACKWASH WATER INTO THE SITE IN A MANNER THAT DOES NOT CAUSE EROSION. [MINN. R. 7090]

11.1 INSPECTIONS AND MAINTENANCE. [MINN. R. 7090]

11.2 PERMITTEES MUST ENSURE A TRAINED PERSON, AS IDENTIFIED IN ITEM 21.2.B, WILL INSPECT THE ENTIRE CONSTRUCTION SITE AT LEAST ONCE EVERY SEVEN (7) DAYS DURING ACTIVE CONSTRUCTION AND WITHIN 24 HOURS AFTER A RAINFALL EVENT GREATER THAN 1/2 INCH IN 24 HOURS. [MINN. R. 7090]

11.3 PERMITTEES MUST INSPECT AND MAINTAIN ALL PERMANENT STORMWATER TREATMENT BMPs. [MINN. R. 7090]

11.4 PERMITTEES MUST INSPECT ALL EROSION PREVENTION AND SEDIMENT CONTROL BMPs AND POLLUTION PREVENTION MANAGEMENT MEASURES TO ENSURE INTEGRITY AND EFFECTIVENESS. PERMITTEES MUST REPAIR, REPLACE OR SUSPEND ANY NONFUNCTIONAL BMPs WITHIN 72 HOURS OF THE END OF THE NEXT BUSINESS DAY AFTER DISCOVERY UNLESS ANOTHER TIME FRAME IS SPECIFIED IN ITEM 11.5 OR 11.6. PERMITTEES MAY TAKE ADDITIONAL TIME IF FIELD CONDITIONS PREVENT ACCESS TO THE AREA. [MINN. R. 7090]

11.5 DURING EACH INSPECTION, PERMITTEES MUST INSPECT SURFACE WATERS, INCLUDING DRAINAGE DITCHES AND CONVEYANCE SYSTEMS BUT NOT CURB AND GUTTER SYSTEMS, FOR EVIDENCE OF EROSION AND SEDIMENT DEPOSITION. PERMITTEES MUST REMOVE ALL DELTAS AND SEDIMENT DEPOSITED IN SURFACE WATERS, INCLUDING DRAINAGE WAYS, CATCH BASINS, AND OTHER DRAINAGE SYSTEMS AND RESTABILIZE THE AREAS WHERE SEDIMENT REMOVAL RESULTS IN EXPOSED SOIL. PERMITTEES MUST COMPLETE REMOVAL AND STABILIZATION WITHIN SEVEN (7) CALENDAR DAYS OF DISCOVERY UNLESS PRECLUDED BY LEGAL, REGULATORY, OR PHYSICAL ACCESS CONSTRAINTS. PERMITTEES MUST USE ALL REASONABLE EFFORTS TO OBTAIN ACCESS, IF PRECLUDED, REMOVAL AND STABILIZATION MUST TAKE PLACE WITHIN SEVEN (7) DAYS OF OBTAINING ACCESS. PERMITTEES ARE RESPONSIBLE FOR CONTACTING ALL LOCAL, REGIONAL, STATE AND FEDERAL AUTHORITIES AND RECEIVING ANY APPLICABLE PERMITS, PRIOR TO CONDUCTING ANY WORK IN SURFACE WATERS. [MINN. R. 7090]

11.6 PERMITTEES MUST INSPECT CONSTRUCTION SITE VEHICLE EXIT LOCATIONS, STREETS AND CURB AND GUTTER SYSTEMS WITHIN AND ADJACENT TO THE PROJECT FOR SEDIMENTATION FROM EROSION OR TRACKED SEDIMENT FROM VEHICLES. PERMITTEES MUST REMOVE SEDIMENT FROM ALL PAVED SURFACES WITHIN ONE (1) CALENDAR DAY OF DISCOVERY OR, IF APPLICABLE, WITHIN A SHORTER TIME TO AVOID A SAFETY HAZARD TO USERS OF PUBLIC STREETS. [MINN. R. 7090]

11.7 PERMITTEES MUST REPAIR, REPLACE OR SUPPLEMENT ALL PERIMETER CONTROL DEVICES WHEN THEY BECOME NONFUNCTIONAL OR THE SEDIMENT REACHES 1/2 OF THE HEIGHT OF THE DEVICE. [MINN. R. 7090]

11.8 PERMITTEES MUST DRAIN TEMPORARY AND PERMANENT SEDIMENTATION BASINS AND REMOVE THE SEDIMENT WHEN THE DEPTH OF SEDIMENT COLLECTED IN THE BASIN REACHES 1/2 THE STORAGE VOLUME. [MINN. R. 7090]

11.9 PERMITTEES MUST ENSURE THAT AT LEAST ONE INDIVIDUAL PRESENT ON THE SITE (OR AVAILABLE TO THE PROJECT SITE IN THREE (3) CALENDAR DAYS) IS TRAINED IN THE JOB DUTIES DESCRIBED IN ITEM 21.2.B. [MINN. R. 7090]

11.10 PERMITTEES MAY ADJUST THE INSPECTION SCHEDULE DESCRIBED IN ITEM 11.2 AS FOLLOWS:

- A. INSPECTIONS OF AREAS WITH PERMANENT COVER CAN BE REDUCED TO ONCE PER MONTH, EVEN IF CONSTRUCTION ACTIVITY CONTINUES ON OTHER PORTIONS OF THE SITE; OR
- B. WHERE SITES HAVE PERMANENT COVER ON ALL EXPOSED SOIL AND NO CONSTRUCTION ACTIVITY IS OCCURRING ANYWHERE ON THE SITE, INSPECTIONS MAY BE REDUCED TO ONCE PER MONTH AND, AFTER 12 MONTHS, MAY BE SUSPENDED COMPLETELY UNTIL CONSTRUCTION ACTIVITY RESUMES. THE MPCA MAY REQUIRE INSPECTIONS TO RESUME IF CONDITIONS WARRANT; OR
- C. WHERE CONSTRUCTION ACTIVITY HAS BEEN SUSPENDED DUE TO FROZEN GROUND CONDITIONS, INSPECTIONS MAY BE SUSPENDED. INSPECTIONS MUST RESUME WITHIN 24 HOURS OF THAWING OCCURRING, OR UPON RESUMING CONSTRUCTION, WHICHEVER COMES FIRST. [MINN. R. 7090]
- 11.11 PERMITTEES MUST RECORD ALL INSPECTIONS AND MAINTENANCE ACTIVITIES WITHIN 24 HOURS OF BEING CONDUCTED AND THESE RECORDS MUST BE RETAINED WITH THE SWPPP. THESE RECORDS MUST INCLUDE:
  - A. DATE AND TIME OF INSPECTIONS; AND
  - B. NAME OF PERSONS CONDUCTING INSPECTIONS; AND
  - C. ACCURATE FINDINGS OF INSPECTIONS, INCLUDING THE SPECIFIC LOCATION WHERE CORRECTIVE ACTIONS ARE NEEDED; AND
  - D. CORRECTIVE ACTIONS TAKEN (INCLUDING DATES, TIMES, AND PARTY COMPLETING MAINTENANCE ACTIVITIES); AND
  - E. DATE OF ALL RAINFALL EVENTS GREATER THAN 1/2 INCHES IN 24 HOURS, AND THE AMOUNT OF RAINFALL FOR EACH EVENT. PERMITTEES MUST OBTAIN RAINFALL AMOUNTS BY EITHER A PROPERLY MAINTAINED RAIN GAUGE INSTALLED ONSITE, OR BY CONSULTING WITH A WEATHER STATION WITHIN 10 MILES OF THE PROJECT SITE, OR A WEATHER REPORTING SYSTEM THAT PROVIDES SITE SPECIFIC RAINFALL DATA FROM RADAR SUMMARIES; AND
  - F. IF PERMITTEES OBSERVE A DISCHARGE DURING THE INSPECTION, THEY MUST RECORD AND SHOULD PHOTOGRAPH AND DESCRIBE THE LOCATION OF THE DISCHARGE (I.E., COLOR, ODOR, SETTLED OR SUSPENDED SOLIDS, OIL SHEEN, AND OTHER OBVIOUS INDICATORS OF POLLUTANTS); AND
  - G. ANY AMENDMENTS TO THE SWPPP PROPOSED AS A RESULT OF THE INSPECTION MUST BE DOCUMENTED AS REQUIRED IN SECTION 6 WITHIN SEVEN (7) CALENDAR DAYS. [MINN. R. 7090]

12.1 POLLUTION PREVENTION MANAGEMENT MEASURES. [MINN. R. 7090]

12.2 PERMITTEES MUST PLACE BUILDING PRODUCTS AND LANDSCAPE MATERIALS UNDER COVER (E.G., PLASTIC SHEETING OR TEMPORARY ROOFS) OR PROTECT THEM BY SIMILARLY EFFECTIVE MEANS DESIGNED TO MINIMIZE CONTACT WITH STORMWATER. PERMITTEES ARE NOT REQUIRED TO COVER OR PROTECT PRODUCTS WHICH ARE EITHER NOT A SOURCE OF CONTAMINATION TO STORMWATER OR ARE DESIGNED TO BE EXPOSED TO STORMWATER. [MINN. R. 7090]

12.3 PERMITTEES MUST PLACE PESTICIDES, FERTILIZERS AND TREATMENT CHEMICALS UNDER COVER (E.G., PLASTIC SHEETING OR TEMPORARY ROOFS) OR PROTECT THEM BY SIMILARLY EFFECTIVE MEANS DESIGNED TO MINIMIZE CONTACT WITH STORMWATER. [MINN. R. 7090]

12.4 PERMITTEES MUST STORE HAZARDOUS MATERIALS AND TOXIC WASTE, (INCLUDING OIL, DIESEL FUEL, GASOLINE, MOTOR OIL, FLUIDS, PAINT, SOLVENTS, PETROLEUM-BASED PRODUCTS, WOOD PRESERVATIVES, ADHESIVES, CURING COMPOUNDS, AND ACIDS) IN SEALED CONTAINERS TO PREVENT SPILLS, LEAKS OR OTHER DISCHARGE. STORAGE AND DISPOSAL OF HAZARDOUS WASTE MATERIALS MUST BE IN COMPLIANCE WITH MINN. R. CH. 7045 INCLUDING SECONDARY CONTAINMENT AS APPLICABLE. [MINN. R. 7090]

12.5 PERMITTEES MUST PROPERLY STORE, COLLECT AND DISPOSE SOLID WASTE IN COMPLIANCE WITH MINN. R. CH. 7035. [MINN. R. 7090]

12.6 PERMITTEES MUST POSITION PORTABLE TOILETS SO THEY ARE SECURE AND WILL NOT TIP OR BE KNOCKED OVER. PERMITTEES MUST PROPERLY DISPOSE SANITARY WASTE IN ACCORDANCE WITH MINN. R. CH. 7041. [MINN. R. 7041]

12.7 PERMITTEES MUST TAKE REASONABLE STEPS TO PREVENT THE DISCHARGE OF SPILLED OR LEAKED CHEMICALS, INCLUDING FUEL, FROM ANY AREA WHERE CHEMICALS OR FUEL WILL BE LOADED OR UNLOADED INCLUDING THE USE OF DRIP PANS OR ABSORBENTS UNLESS INFEASIBLE. PERMITTEES MUST ENSURE ADEQUATE SUPPLIES ARE AVAILABLE AT ALL TIMES TO CLEAN UP DISCHARGED MATERIALS AND THAT AN APPROPRIATE DISPOSAL METHOD IS AVAILABLE FOR RECOVERED SPILLED MATERIALS. PERMITTEES MUST REPORT AND CLEAN UP SPILLS IMMEDIATELY AS REQUIRED BY MINN. STAT. 115.061, USING DRY CLEAN UP MEASURES WHERE POSSIBLE. [MINN. STAT. 115.061]

12.8 PERMITTEES MUST LIMIT VEHICLE EXTERIOR WASHING AND EQUIPMENT TO A DEFINED AREA OF THE SITE. PERMITTEES MUST CONTAIN RUNOFF FROM THE WASHING AREA IN A SEDIMENT BASIN OR OTHER SIMILARLY EFFECTIVE CONTROLS AND MUST DISPOSE WASTE FROM THE WASHING ACTIVITY PROPERLY. PERMITTEES MUST PROPERLY USE AND STORE SOAPS, DETERGENTS, OR SOLVENTS. [MINN. R. 7090]

12.9 PERMITTEES MUST PROVIDE EFFECTIVE CONTAINMENT FOR ALL LIQUID AND SOLID WASTES GENERATED BY WASHOUT OPERATIONS (E.G., CONCRETE, STUCCO, PAINT, FORM RELEASE OILS, CURING COMPOUNDS AND OTHER CONSTRUCTION MATERIALS) RELATED TO THE CONSTRUCTION ACTIVITY. PERMITTEES MUST PREVENT LIQUID AND SOLID WASHOUT WASTES FROM CONTACTING THE GROUND AND MUST DESIGN THE CONTAINMENT SO IT DOES NOT RESULT IN RUNOFF FROM THE WASHOUT OPERATIONS OR AREAS. PERMITTEES MUST PROPERLY DISPOSE LIQUID AND SOLID WASTES IN COMPLIANCE WITH MPCA RULES. PERMITTEES MUST INSTALL A SIGN INDICATING THE LOCATION OF THE WASHOUT FACILITY. [MINN. R. 7035, MINN. R. 7090]

13.1 PERMIT TERMINATION CONDITIONS. [MINN. R. 7090]

13.2 PERMITTEES MUST COMPLETE ALL CONSTRUCTION ACTIVITY AND MUST INSTALL PERMANENT COVER OVER ALL AREAS PRIOR TO SUBMITTING THE NOT. VEGETATIVE COVER MUST CONSIST OF A UNIFORM PERENNIAL VEGETATION WITH A DENSITY OF 70 PERCENT OF ITS EXPECTED FINAL GROWTH. VEGETATION IS NOT REQUIRED WHERE THE FUNCTION OF A SPECIFIC AREA DICTATES NO VEGETATION, SUCH AS IMPERVIOUS SURFACES OR THE BASE OF A SAND FILTER. [MINN. R. 7090]

13.3 PERMITTEES MUST CLEAN THE PERMANENT STORMWATER TREATMENT SYSTEM OF ANY ACCUMULATED SEDIMENT AND MUST ENSURE THE SYSTEM MEETS ALL APPLICABLE REQUIREMENTS IN SECTION 15 THROUGH 19 AND IS OPERATING AS DESIGNED. [MINN. R. 7090]

13.4 PERMITTEES MUST REMOVE ALL SEDIMENT FROM CONVEYANCE SYSTEMS PRIOR TO SUBMITTING THE NOT. [MINN. R. 7090]

13.5 PERMITTEES MUST REMOVE ALL TEMPORARY SYNTHETIC EROSION PREVENTION AND SEDIMENT CONTROL BMPs PRIOR TO SUBMITTING THE NOT. PERMITTEES MAY LEAVE BMPs DESIGNED TO DECOMPOSE ON-SITE IN PLACE. [MINN. R. 7090]

13.6 FOR RESIDENTIAL CONSTRUCTION ONLY, PERMIT COVERAGE TERMINATES ON INDIVIDUAL LOTS IF THE STRUCTURES ARE FINISHED AND TEMPORARY EROSION PREVENTION AND DOWNGRADEMENT PERIMETER CONTROL IS COMPLETE, THE RESIDENCE SELLS TO THE HOMEOWNER, AND THE PERMITTEE DISTRIBUTES THE MPCA'S "HOMEOWNER FACT SHEET" TO THE HOMEOWNER. [MINN. R. 7090]

13.7 FOR CONSTRUCTION PROJECTS ON AGRICULTURAL LAND (E.G., PIPELINES ACROSS CROPLAND), PERMITTEES MUST RETURN THE DISTURBED LAND TO ITS PRECONSTRUCTION AGRICULTURAL USE PRIOR TO SUBMITTING THE NOT. [MINN. R. 7090]

14.1 TEMPORARY SEDIMENT BASINS. [MINN. R. 7090]

14.2 WHERE TEN (10) OR MORE ACRES OF DISTURBED SOIL DRAIN TO A COMMON LOCATION, PERMITTEES MUST PROVIDE A TEMPORARY SEDIMENT BASIN TO PROVIDE TREATMENT OF THE RUNOFF BEFORE IT LEAVES THE CONSTRUCTION SITE OR ENTERS SURFACE WATERS. PERMITTEES MAY CONVERT A TEMPORARY SEDIMENT BASIN TO A PERMANENT BASIN AFTER CONSTRUCTION IS COMPLETE. THE TEMPORARY BASIN MUST BE LOCATED AT LEAST 100 FEET FROM THE BASIN AND BE BEHIND THE ACRES OF DISTURBED SOIL TO LESS THAN TEN (10) ACRES DRAINING TO A COMMON LOCATION. [MINN. R. 7090]

14.3 THE TEMPORARY BASIN MUST PROVIDE LIVE STORAGE FOR A CALCULATED VOLUME OF RUNOFF FROM A TWO (2)-YEAR, 24-HOUR STORM FROM EACH ACRE DRAIN TO THE BASIN OR 1,800 CUBIC FEET OF LIVE STORAGE PER ACRE DRAINED, WHICHEVER IS GREATER. [MINN. R. 7090]

14.4 WHERE PERMITTEES HAVE NOT CALCULATED THE TWO (2)-YEAR, 24-HOUR STORM RUNOFF AMOUNT, THE TEMPORARY BASIN MUST PROVIDE AT LEAST 3,600 CUBIC FEET OF LIVE STORAGE PER ACRE OF THE BASIN'S DRAINAGE AREA. [MINN. R. 7090]

14.5 PERMITTEES MUST DESIGN BASIN OUTLETS TO PREVENT SHORT-CIRCUITING AND THE DISCHARGE OF FLOATING DEBRIS. [MINN. R. 7090]

14.6 PERMITTEES MUST DESIGN THE OUTLET STRUCTURE TO WITHDRAW WATER FROM THE SURFACE TO MINIMIZE THE DISCHARGE OF POLLUTANTS. PERMITTEES MAY TEMPORARILY SUSPEND THE USE OF A SURFACE WITHDRAWAL MECHANISM DURING FROZEN CONDITIONS. THE BASIN MUST INCLUDE A STABILIZED EMERGENCY OVERFLOW TO PREVENT FAILURE OF POND INTEGRITY. [MINN. R. 7090]

14.7 PERMITTEES MUST PROVIDE ENERGY DISSIPATION FOR THE BASIN OUTLET WITHIN 24 HOURS AFTER CONNECTION TO A SURFACE WATER. [MINN. R. 7090]

14.8 PERMITTEES MUST LOCATE TEMPORARY BASINS OUTSIDE OF SURFACE WATERS AND ANY BUFFER ZONE REQUIRED IN ITEM 23.11. [MINN. R. 7090]

14.9 PERMITTEES MUST CONSTRUCT THE TEMPORARY BASINS PRIOR TO DISTURBING 10 OR MORE ACRES OF SOIL DRAINING TO A COMMON LOCATION. [MINN. R. 7090]

14.10 WHERE A TEMPORARY SEDIMENT BASIN MEETING THE REQUIREMENTS OF ITEM 14.3 THROUGH 14.9 IS INFEASIBLE, PERMITTEES MUST INSTALL EFFECTIVE SEDIMENT CONTROLS SUCH AS SMALLER SEDIMENT BASINS AND/OR SEDIMENT TRAPS, SILT FENCES, VEGETATIVE BUFFER STRIPS OR OTHER MEASURES AS DICTATED BY MEASUREMENTS OF MEASURES AT ANY INDIVIDUAL SITE CONDITIONS. IN DETERMINING WHETHER INSTALLING A SEDIMENT BASIN IS INFEASIBLE, PERMITTEES MUST CONSIDER PUBLIC SAFETY AND MAY CONSIDER FACTORS SUCH AS SITE SLOPS, SLOPE, AND AVAILABLE AREA ON-SITE. PERMITTEES MUST DOCUMENT THIS DETERMINATION OF INFEASIBILITY IN THE SWPPP. [MINN. R. 7090]

15.1 PERMANENT STORMWATER TREATMENT SYSTEM. [MINN. R. 7090]

15.2 PERMITTEES MUST DESIGN THE PROJECT SO ALL STORMWATER DISCHARGED FROM THE PROJECT DURING AND AFTER CONSTRUCTION ACTIVITIES DOES NOT CAUSE A VIOLATION OF STATE WATER QUALITY STANDARDS, INCLUDING NUISANCE CONDITIONS, EROSION OR SCOUR, OR VIOLATION OF FEDERAL, STATE OR LOCAL WATER QUALITY STANDARDS. PERMITTEES MUST DESIGN THE PROJECT TO PREVENT EROSION OR SCOUR, OR A SIGNIFICANT ADVERSE IMPACT TO WETLANDS CAUSED BY INUNDATION OR DECREASE OF FLOW. [MINN. R. 7090]

15.3 PERMITTEES MUST DESIGN AND CONSTRUCT A PERMANENT STORMWATER TREATMENT SYSTEM TO TREAT THE WATER QUALITY VOLUME IF THE PROJECT'S ULTIMATE DEVELOPMENT REPLACES VEGETATION AND/OR OTHER PREVIOUS SURFACES CREATING A NET INCREASE OF ONE (1) OR MORE ACRES OF CUMULATIVE IMPERVIOUS SURFACE. [MINN. R. 7090]

15.4 PERMITTEES MUST CALCULATE THE WATER QUALITY VOLUME AS ONE (1) INCH TIMES THE NET INCREASE OF IMPERVIOUS SURFACES CREATED BY THE PROJECT. [MINN. R. 7090]

15.5 PERMITTEES MUST FIRST CONSIDER VOLUME REDUCTION PRACTICES ON-SITE (E.G., INFILTRATION OR OTHER) WHEN DESIGNING THE PERMANENT STORMWATER TREATMENT SYSTEM. IF THIS PERMIT PROHIBITS INFILTRATION AS DESCRIBED IN ITEM 16.14 THROUGH ITEM 16.21, PERMITTEES MAY CONSIDER A WET SEDIMENTATION BASIN, FILTRATION BASIN OR REGIONAL POND. THIS PERMIT DOES NOT CONSIDER WET SEDIMENTATION BASINS AND FILTRATION SYSTEMS TO BE VOLUME REDUCTION PRACTICES. [MINN. R. 7090]

15.6 FOR PROJECTS WHERE THE FULL VOLUME REDUCTION REQUIREMENT CANNOT BE MET ON-SITE, (E.G., THE SITE HAS INFILTRATION PROHIBITIONS), PERMITTEES MUST DOCUMENT THE REASONS IN THE SWPPP. [MINN. R. 7090]

15.7 PERMITTEES MUST DISCHARGE THE WATER QUALITY VOLUME TO A PERMANENT STORMWATER TREATMENT SYSTEM PRIOR TO DISCHARGE TO A SURFACE WATER. FOR PURPOSES OF THIS ITEM, SURFACE WATERS DO NOT INCLUDE MAN-MADE DRAINAGE SYSTEMS THAT CONVEY STORMWATER TO A PERMANENT STORMWATER TREATMENT SYSTEM. [MINN. R. 7090]

15.8 WHERE THE PROXIMITY TO BEDROCK PRECLUDES THE INSTALLATION OF ANY OF THE PERMANENT STORMWATER TREATMENT PRACTICES REQUIRED BY SECTIONS 15 THROUGH 19, PERMITTEES MUST INSTALL OTHER TREATMENT SUCH AS GRASSED SWALES, SMALLER SEDIMENTATION BASINS, OR GRIT CHAMBERS, PRIOR TO THE DISCHARGE OF STORMWATER TO SURFACE WATERS. [MINN. R. 7090]

15.9 FOR LINEAR PROJECTS WHERE PERMITTEES CANNOT TREAT THE ENTIRE WATER QUALITY VOLUME WITHIN THE EXISTING RIGHT-OF-WAY, PERMITTEES MUST MAKE A REASONABLE ATTEMPT TO OBTAIN ADDITIONAL RIGHT-OF-WAY, EASEMENT OR OTHER PERMISSION FOR STORMWATER TREATMENT DURING THE PROJECT PLANNING PROCESS. DOCUMENTATION OF THESE ACTIONS MUST BE IN THE SWPPP. PERMITTEES MUST STILL CONSIDER VOLUME REDUCTION PRACTICES FIRST AS DESCRIBED IN ITEM 15.5. IF PERMITTEES CANNOT OBTAIN ADDITIONAL RIGHT-OF-WAY, EASEMENT OR OTHER PERMISSION, THEY MUST MAXIMIZE THE TREATMENT OF THE WATER QUALITY VOLUME PRIOR TO DISCHARGE TO SURFACE WATERS. [MINN. R. 7090]

16.1 INFILTRATION SYSTEMS. [MINN. R. 7090]

16.2 INFILTRATION OPTIONS INCLUDE, BUT ARE NOT LIMITED TO: INFILTRATION BASINS, INFILTRATION TRENCHES, RAINWATER GARDENS, BIORETENTION AREAS WITHOUT UNDERDRAINS, SWALES WITH IMPERMEABLE CHECK DAMS, AND SUBSURFACE INFILTRATION. IF PERMITTEES CHOOSE TO USE INFILTRATION, PERMITTEES MUST FOLLOW THE REQUIREMENTS OF THIS PERMIT. PERMITTEES MUST INCORPORATE THE DESIGN PARAMETERS IN ITEM 16.3 THROUGH ITEM 16.31. PERMITTEES MUST FOLLOW THE INFILTRATION PROHIBITION IN ITEM 16.14 ANYTIME AN INFILTRATION SYSTEM IS DESIGNED, INCLUDING THOSE NOT REQUIRED BY THIS PERMIT. [MINN. R. 7090]

16.3 PERMITTEES MUST DESIGN INFILTRATION SYSTEMS SUCH THAT PRE-EXISTING HYDROLOGIC CONDITIONS OF WETLANDS IN THE VICINITY OF THE SITE ARE NOT IMPACTED (E.G., INUNDATION OR BREACHING A PERCHED WATER TABLE SUPPORTING A WETLAND). [MINN. R. 7090]

16.4 PERMITTEES MUST NOT EXCAVATE INFILTRATION SYSTEMS TO FINAL GRADE, OR WITHIN THREE (3) FEET OF FINAL GRADE, UNTIL THE CONTRIBUTING DRAINAGE AREA HAS BEEN CONSTRUCTED AND FULLY STABILIZED UNLESS THEY PROVIDE RIGOROUS EROSION PREVENTION AND SEDIMENT CONTROLS (E.G., DIV



PROJECT TITLE

CLEARSCAPE OUTDOOR SERVICES

PROJECT LOCATION

175 OLD HIGHWAY 8 SW  
NEW BRIGHTON, MN 55112  
RAMSEY COUNTY

LATITUDE: 45.04734  
LONGITUDE: -93.19737

DEVELOPER

CLEARSCAPE OUTDOOR SERVICES  
175 OLD HIGHWAY 8 SW  
NEW BRIGHTON, MN 55112

CONTACT NAME: DAN STEUERNAGEL  
CONTACT PHONE: (651) 755-2651  
CONTACT E-MAIL: DanS@clearscape.net

GENERAL CONTRACTOR

TBD

DOCUMENTATION OF TRAINED INDIVIDUALS

A. INDIVIDUAL WHO PREPARED THE SWPPP:  
ADAM GINKEL  
PLOWE ENGINEERING, INC.  
6776 LAKE DRIVE  
LINO LAKES MN 55014  
(651) 361-8234  
adam@plowe.com

B. INDIVIDUAL(S) OVERSEEING IMPLEMENTATION OF, REVISING AND/OR AMENDING THE SWPPP AND INDIVIDUALS PERFORMING INSPECTIONS FOR THE PROJECT. ONE OF THESE INDIVIDUALS MUST BE AVAILABLE FOR AN ONSITE INSPECTION WITHIN 72 HOURS UPON REQUEST BY THE MPCA. [MINN. R. 7090]

C. INDIVIDUAL(S) PERFORMING OR SUPERVISING THE INSTALLATION, MAINTENANCE AND REPAIR OF BMPS. [MINN. R. 7090]

LONG TERM OPERATION AND MAINTENANCE OF PERMANENT STORMWATER FACILITIES

THE PROPOSED STORMWATER MANAGEMENT FEATURE FOR THIS SITE IS A STORMWATER POND AND WILL BE PRIVATELY OWNED AND MAINTAINED.

REVEGETATION SPECIFICATIONS

| ITEM                     | MNDOT SPECIFICATION              | NOTES |
|--------------------------|----------------------------------|-------|
| SOD                      | 3878                             |       |
| SEED **                  | 3876                             |       |
| * FOR TURF ESTABLISHMENT |                                  |       |
| COMMERCIAL TURF          | MNDOT MIX 25-131 (220 LBS/ACRE)  |       |
| RESIDENTIAL TURF         | MNDOT MIX 25-131 (120 LBS/ACRE)  |       |
| TEMPORARY FALL COVER     | MNDOT MIX 21-112 (100 LBS/ACRE)  |       |
| SPRING/SUMMER            | MNDOT MIX 21-112 (100 LBS/ACRE)  |       |
| SOIL-BUILDING COVER      | MNDOT MIX 21-113 (110 LBS/ACRE)  |       |
| 1-2 YEARS COVER          | MNDOT MIX 22-111 (30.5 LBS/ACRE) |       |
| 2-5 YEARS COVER          | MNDOT MIX 22-112 (40 LBS/ACRE)   |       |
| MULCH                    | 3882 (TYPE 1 - DISC ANCHORED)    |       |
| HYDROMULCH               | 3884                             |       |
| FERTILIZER               | 3881                             |       |
| WOOD FIBER BLANKET       | 3885 (CATEGORY 2)                |       |

\* MOW A MINIMUM OF:  
RESIDENTIAL TURF - ONCE PER 2 WEEKS  
COMMERCIAL TURF - ONCE PER 4 WEEKS

\*\* SEEDED AREAS SHALL BE EITHER MULCHED OR COVERED BY FIBROUS BLANKETS TO PROTECT SEEDS AND LIMIT EROSION.

SITE IMPERVIOUS AREAS

|                            | BEFORE CONSTRUCTION | AFTER CONSTRUCTION |
|----------------------------|---------------------|--------------------|
| ANALYZED AREA              | 4.19 ACRES          |                    |
| TOTAL ESTIMATED IMPERVIOUS | 3.20 ACRES          | 2.97 ACRES         |
| TOTAL ESTIMATED PERVIOUS   | 0.99 ACRES          | 1.22 ACRES         |

TOTAL DISTURBED AREA

~2.7 ACRES

SITE MAP W/ EXISTING AND FINAL GRADES AND DESIGN CALCULATIONS

SEE "STORMWATER DRAINAGE REPORT" FOR EXISTING AND PROPOSED AREA MAPS, DENOTING DRAINAGE AREA BOUNDARIES, DIRECTIONS OF FLOW, AND DISCHARGE POINTS WHERE STORMWATER LEAVES THE SITE.

RECEIVING WATERS WITHIN ONE MILE

| NAME OF WATER BODY | TYPE OF WATER BODY | SPECIAL WATER | IMPAIRED WATER |
|--------------------|--------------------|---------------|----------------|
| RCD 2              | DITCH              | NO            | NO             |
| LAKE JONAS         | LAKE               | NO            | YES            |
| LAKE JOHANA        | LAKE               | NO            | YES            |
|                    |                    |               |                |
|                    |                    |               |                |

BUFFER TO SURFACE WATER

☐ YES

☐ NO

☒ N/A

IF THE SITE DRAINS TO A SURFACE WATER, IS A 50-FT NATURAL BUFFER ADJACENT TO THE SURFACE WATER PRESERVED?

NOTE: NATURAL BUFFERS ARE NOT REQUIRED ADJACENT TO ROAD DITCHES, JUDICIAL DITCHES, COUNTY DITCHES, STORMWATER CONVEYANCE CHANNELS, STORM DRAIN INLETS, AND SEDIMENT BASINS.

TEMPORARY SEDIMENTATION BASINS

☐ YES

☐ NO

☒ N/A

IF TEN (10) OR MORE ACRES OF DISTURBED SOIL DRAIN TO A COMMON LOCATION, IS A TEMPORARY SEDIMENT BASIN PROVIDED FOR TREATMENT OF THE RUNOFF BEFORE IT LEAVES THE CONSTRUCTION SITE OR ENTERS SURFACE WATERS?

A) **BECAUSE THIS SITE IS WITHIN ONE MILE OF AN IMPAIRED WATER, THIS REQUIREMENT BECOMES FIVE (5) MILES. HOWEVER, IT IS NOT ANTICIPATED THAT MORE THAN 5 ACRES WILL BE DISTURBED.**

INFILTRATION FEASIBILITY

☒ YES

☐ NO

☐ N/A

ARE THERE ANY INFILTRATION RESTRICTIONS FOR THE SITE (SEE 16.14 THROUGH 16.21)?

A) **THE SITE HAS CLAY SOILS AND IS UNSUITABLE FOR INFILTRATION.**

ADDITIONAL STORMWATER MITIGATION MEASURES

☐ YES

☒ NO

ARE THERE ANY STORMWATER MITIGATION MEASURES PER:

- ENVIRONMENTAL REVIEW DOCUMENT?
- ENDANGERED SPECIES REVIEW?
- ARCHAEOLOGICAL REVIEW?
- OTHER LOCAL, STATE OR FEDERAL REVIEW?

IF YES TO ANY OF THE ABOVE, DESCRIBE THE MITIGATION MEASURES. FOR PURPOSES OF THIS PERMIT, MITIGATION MEASURES MEANS ACTIONS NECESSARY TO AVOID, MINIMIZE, OR MITIGATE FOR IMPACTS RELATED TO EROSION PREVENTION, SEDIMENT CONTROL, THE PERMANENT STORMWATER TREATMENT SYSTEM, POLLUTION PREVENTION MANAGEMENT MEASURES AND DISCHARGES ASSOCIATED WITH THE PROJECT'S CONSTRUCTION ACTIVITY. [MINN. R. 7090]

QUANTITIES - ESTIMATED QUANTITIES FOR EROSION AND SEDIMENT CONTROL MEASURES

| TYPE                         | QTY | UNIT         |
|------------------------------|-----|--------------|
| SILT FENCE                   |     | LINEAR FEET  |
| BIO-ROLLS                    |     | EACH         |
| RIP-RAP W. GEO-FABRIC        |     | CUBIC YARDS  |
| CATCH BASIN INLET PROTECTION |     | EACH         |
| STABILIZED RIPRAP OVERFLOW   |     | EACH         |
| EROSION CONTROL BLANKET      |     | SQUARE YARDS |
| SEED & MULCH (GENERAL)       |     | ACRE         |
| ROCK CONSTRUCTION ENTRANCE   |     | EACH         |

NARRATIVE - TIMING FOR INSTALLATION OF EROSION AND SEDIMENT CONTROL MEASURES

1. A COPY OF THE APPROVED EROSION AND SEDIMENT CONTROL PLAN AND SWPPP MUST BE AVAILABLE ON THE PROJECT SITE AT ALL TIMES.

2. CONTRACTOR SHALL INSTALL SILT FENCE AS SHOWN ON PLAN.

2.1. ADDITIONAL SILT FENCE MAY BE NECESSARY IF LOCAL CONDITIONS REQUIRE.

2.2. THE CONTRACTOR SHALL MAINTAIN SILT FENCE, INCLUDING THE REMOVAL OF ACCUMULATED SEDIMENT, THROUGH COMPLETION OF BUILDING CONSTRUCTION.

2.3. SILT FENCE SHALL REMAIN IN-PLACE UNTIL SITE HAS BEEN STABILIZED.

3. CONTRACTOR SHALL INSTALL A ROCK CONSTRUCTION ENTRANCE AT ALL LOCATIONS WHERE CONSTRUCTION TRAFFIC WILL ENTER/EXIT SITE.

4. CONTRACTOR TO INSTALL TREE PROTECTION FENCING AS APPLICABLE.

5. CONTRACTOR SHALL PERFORM SITE GRADING ON AN AREA-BY-AREA BASIS TO MINIMIZE UNSTABILIZED AREAS.

5.1. CONTRACTOR MUST IMMEDIATELY INITIATE STABILIZATION OF EXPOSED SOIL AREAS, AS DESCRIBED IN ITEM 8.4 OF THE PERMIT, AND COMPLETE THE STABILIZATION WITHIN 24 HOURS AFTER THE CONSTRUCTION ACTIVITY IN THAT PORTION OF THE SITE TEMPORARILY OR PERMANENTLY CEASES.

5.2. CONTRACTOR TO PROVIDE TEMPORARY SEDIMENTATION BASINS AS REQUIRED IN SECTION 14.1 THROUGH 14.10.

6. CONTRACTOR TO SHALL PAY SPECIAL ATTENTION TO ADJACENT PROPERTY LINES TO ENSURE THE EROSION CONTROL PRACTICES INPLACE IN THOSE AREAS PREVENT MIGRATION OF SEDIMENT ONTO ADJACENT PROPERTIES.

7. ALL EROSION AND SEDIMENT CONTROL MEASURES SHOWN ON THE PLANS OR IMPLEMENTED IN THE FIELD SHALL BE IN ACCORDANCE WITH THE CITY AND NPDES PHASE II PERMIT REQUIREMENTS.

8. CONTRACTOR TO PROVIDE ADDITIONAL SILT FENCE, BIOROLLS, EROSION CONTROL BLANKET, OR OTHER APPROVED EQUAL FOR ANY SLOPES THAT APPEAR TO BE FAILING.

9. CONTRACTOR TO STABILIZE SOIL STOCKPILES; STABILIZATION SHALL BE INITIATED IMMEDIATELY.

10. CONTRACTOR SHALL FINAL GRADE SWALE AREAS UPON STABILIZATION OF UPSTREAM AREAS.

11. CONTRACTOR SHALL BE RESPONSIBLE TO SWEEP/SCRAPE ADJACENT STREETS WHEN MATERIALS OR DEBRIS HAVE WASHED/FLOWED ONTO ADJACENT STREETS OR AS DIRECTED BY CITY.

12. COORDINATE SMALL UTILITIES INSTALLATIONS (GAS, PHONE, ELECTRIC, CABLE, FIBEROPTIC, ETC.) AFTER PAVEMENT INSTALLATION.

MAP OF SURFACE WATERS

IMPAIRED STREAMS: COUNTY DITCH 2  
ASSESSMENT UNIT: 07010206-522

APPROVED TMDL PLAN FOR: CHLORIDE  
ADDITIONAL IMPAIRMENTS: BENTHIC  
MACROINVERTEBRATES BIOASSESSMENTS:  
FISH BIOASSESSMENTS  
NEW IMPAIRMENTS: CHLORIDE

IMPAIRED WETLANDS: JONES  
ASSESSMENT UNIT: 62-0076-00

APPROVED TMDL PLAN FOR: NONE  
ADDITIONAL IMPAIRMENTS: AQUATIC PLANT  
BIOASSESSMENTS: BENTHIC  
MACROINVERTEBRATES BIOASSESSMENTS  
NEW IMPAIRMENTS: NONE

IMPAIRED LAKES: JOHANNA  
ASSESSMENT UNIT: 62-0078-00

APPROVED TMDL PLAN FOR: CHLORIDE  
ADDITIONAL IMPAIRMENTS: PERFLUOROOCTANE  
SULFONATE (PFOS) IN FISH TISSUE  
NEW IMPAIRMENTS: CHLORIDE

PREPARED FOR: CLEARSCAPE OUTDOOR SERVICES & SUPPLIES

CLEARSCAPE OUTDOOR SERVICE

NEW BRIGHTON, MN

SWPPP

SHEET

C2.2

PROJECT TITLE

CLEARSCAPE OUTDOOR SERVICES

PROJECT LOCATION

175 OLD HIGHWAY 8 SW  
NEW BRIGHTON, MN 55112  
RAMSEY COUNTY

LATITUDE: 45.04734  
LONGITUDE: -93.19737

DEVELOPER

CLEARSCAPE OUTDOOR SERVICES  
175 OLD HIGHWAY 8 SW  
NEW BRIGHTON, MN 55112

CONTACT NAME: DAN STEUERNAGEL  
CONTACT PHONE: (651) 755-2651  
CONTACT E-MAIL: DanS@clearscape.net

GENERAL CONTRACTOR

TBD

DOCUMENTATION OF TRAINED INDIVIDUALS

A. INDIVIDUAL WHO PREPARED THE SWPPP:  
ADAM GINKEL  
PLOWE ENGINEERING, INC.  
6776 LAKE DRIVE  
LINO LAKES MN 55014  
(651) 361-8234  
adam@plowe.com

B. INDIVIDUAL(S) OVERSEEING IMPLEMENTATION OF, REVISING AND/OR AMENDING THE SWPPP AND INDIVIDUALS PERFORMING INSPECTIONS FOR THE PROJECT. ONE OF THESE INDIVIDUALS MUST BE AVAILABLE FOR AN ONSITE INSPECTION WITHIN 72 HOURS UPON REQUEST BY THE MPCA. [MINN. R. 7090]

C. INDIVIDUAL(S) PERFORMING OR SUPERVISING THE INSTALLATION, MAINTENANCE AND REPAIR OF BMPS. [MINN. R. 7090]

LONG TERM OPERATION AND MAINTENANCE OF PERMANENT STORMWATER FACILITIES

THE PROPOSED STORMWATER MANAGEMENT FEATURE FOR THIS SITE IS A STORMWATER POND AND WILL BE PRIVATELY OWNED AND MAINTAINED.

REVEGETATION SPECIFICATIONS

| ITEM                     | MNDOT SPECIFICATION              | NOTES |
|--------------------------|----------------------------------|-------|
| SOD                      | 3878                             |       |
| SEED **                  | 3876                             |       |
| * FOR TURF ESTABLISHMENT |                                  |       |
| COMMERCIAL TURF          | MNDOT MIX 25-131 (220 LBS/ACRE)  |       |
| RESIDENTIAL TURF         | MNDOT MIX 25-131 (120 LBS/ACRE)  |       |
| TEMPORARY FALL COVER     | MNDOT MIX 21-112 (100 LBS/ACRE)  |       |
| SPRING/SUMMER            | MNDOT MIX 21-112 (100 LBS/ACRE)  |       |
| SOIL-BUILDING COVER      | MNDOT MIX 21-113 (110 LBS/ACRE)  |       |
| 1-2 YEARS COVER          | MNDOT MIX 22-111 (30.5 LBS/ACRE) |       |
| 2-5 YEARS COVER          | MNDOT MIX 22-112 (40 LBS/ACRE)   |       |
| MULCH                    | 3882 (TYPE 1 - DISC ANCHORED)    |       |
| HYDROMULCH               | 3884                             |       |
| FERTILIZER               | 3881                             |       |
| WOOD FIBER BLANKET       | 3885 (CATEGORY 2)                |       |

\* MOW A MINIMUM OF:  
RESIDENTIAL TURF - ONCE PER 2 WEEKS  
COMMERCIAL TURF - ONCE PER 4 WEEKS

\*\* SEEDED AREAS SHALL BE EITHER MULCHED OR COVERED BY FIBROUS BLANKETS TO PROTECT SEEDS AND LIMIT EROSION.

SITE IMPERVIOUS AREAS

|                            | BEFORE CONSTRUCTION | AFTER CONSTRUCTION |
|----------------------------|---------------------|--------------------|
| ANALYZED AREA              | 4.19 ACRES          |                    |
| TOTAL ESTIMATED IMPERVIOUS | 3.20 ACRES          | 2.97 ACRES         |
| TOTAL ESTIMATED PERVIOUS   | 0.99 ACRES          | 1.22 ACRES         |

TOTAL DISTURBED AREA

~2.7 ACRES

SITE MAP W/ EXISTING AND FINAL GRADES AND DESIGN CALCULATIONS

SEE "STORMWATER DRAINAGE REPORT" FOR EXISTING AND PROPOSED AREA MAPS, DENOTING DRAINAGE AREA BOUNDARIES, DIRECTIONS OF FLOW, AND DISCHARGE POINTS WHERE STORMWATER LEAVES THE SITE.

RECEIVING WATERS WITHIN ONE MILE

| NAME OF WATER BODY | TYPE OF WATER BODY | SPECIAL WATER | IMPAIRED WATER |
|--------------------|--------------------|---------------|----------------|
| RCD 2              | DITCH              | NO            | NO             |
| LAKE JONAS         | LAKE               | NO            | YES            |
| LAKE JOHANA        | LAKE               | NO            | YES            |
|                    |                    |               |                |
|                    |                    |               |                |

BUFFER TO SURFACE WATER

☐ YES

☐ NO

☒ N/A

IF THE SITE DRAINS TO A SURFACE WATER, IS A 50-FT NATURAL BUFFER ADJACENT TO THE SURFACE WATER PRESERVED?

NOTE: NATURAL BUFFERS ARE NOT REQUIRED ADJACENT TO ROAD DITCHES, JUDICIAL DITCHES, COUNTY DITCHES, STORMWATER CONVEYANCE CHANNELS, STORM DRAIN INLETS, AND SEDIMENT BASINS.

TEMPORARY SEDIMENTATION BASINS

☐ YES

☐ NO

☒ N/A

IF TEN (10) OR MORE ACRES OF DISTURBED SOIL DRAIN TO A COMMON LOCATION, IS A TEMPORARY SEDIMENT BASIN PROVIDED FOR TREATMENT OF THE RUNOFF BEFORE IT LEAVES THE CONSTRUCTION SITE OR ENTERS SURFACE WATERS?

A) **BECAUSE THIS SITE IS WITHIN ONE MILE OF AN IMPAIRED WATER, THIS REQUIREMENT BECOMES FIVE (5) MILES. HOWEVER, IT IS NOT ANTICIPATED THAT MORE THAN 5 ACRES WILL BE DISTURBED.**

INFILTRATION FEASIBILITY

☒ YES

☐ NO

☐ N/A

ARE THERE ANY INFILTRATION RESTRICTIONS FOR THE SITE (SEE 16.14 THROUGH 16.21)?

A) **THE SITE HAS CLAY SOILS AND IS UNSUITABLE FOR INFILTRATION.**

ADDITIONAL STORMWATER MITIGATION MEASURES

☐ YES

☒ NO

ARE THERE ANY STORMWATER MITIGATION MEASURES PER:

- ENVIRONMENTAL REVIEW DOCUMENT?
- ENDANGERED SPECIES REVIEW?
- ARCHAEOLOGICAL REVIEW?
- OTHER LOCAL, STATE OR FEDERAL REVIEW?

IF YES TO ANY OF THE ABOVE, DESCRIBE THE MITIGATION MEASURES. FOR PURPOSES OF THIS PERMIT, MITIGATION MEASURES MEANS ACTIONS NECESSARY TO AVOID, MINIMIZE, OR MITIGATE FOR IMPACTS RELATED TO EROSION PREVENTION, SEDIMENT CONTROL, THE PERMANENT STORMWATER TREATMENT SYSTEM, POLLUTION PREVENTION MANAGEMENT MEASURES AND DISCHARGES ASSOCIATED WITH THE PROJECT'S CONSTRUCTION ACTIVITY. [MINN. R. 7090]

QUANTITIES - ESTIMATED QUANTITIES FOR EROSION AND SEDIMENT CONTROL MEASURES

| TYPE                         | QTY | UNIT         |
|------------------------------|-----|--------------|
| SILT FENCE                   |     | LINEAR FEET  |
| BIO-ROLLS                    |     | EACH         |
| RIP-RAP W. GEO-FABRIC        |     | CUBIC YARDS  |
| CATCH BASIN INLET PROTECTION |     | EACH         |
| STABILIZED RIPRAP OVERFLOW   |     | EACH         |
| EROSION CONTROL BLANKET      |     | SQUARE YARDS |
| SEED & MULCH (GENERAL)       |     | ACRE         |
| ROCK CONSTRUCTION ENTRANCE   |     | EACH         |

NARRATIVE - TIMING FOR INSTALLATION OF EROSION AND SEDIMENT CONTROL MEASURES

1. A COPY OF THE APPROVED EROSION AND SEDIMENT CONTROL PLAN AND SWPPP MUST BE AVAILABLE ON THE PROJECT SITE AT ALL TIMES.

2. CONTRACTOR SHALL INSTALL SILT FENCE AS SHOWN ON PLAN.

2.1. ADDITIONAL SILT FENCE MAY BE NECESSARY IF LOCAL CONDITIONS REQUIRE.

2.2. THE CONTRACTOR SHALL MAINTAIN SILT FENCE, INCLUDING THE REMOVAL OF ACCUMULATED SEDIMENT, THROUGH COMPLETION OF BUILDING CONSTRUCTION.

2.3. SILT FENCE SHALL REMAIN IN-PLACE UNTIL SITE HAS BEEN STABILIZED.

3. CONTRACTOR SHALL INSTALL A ROCK CONSTRUCTION ENTRANCE AT ALL LOCATIONS WHERE CONSTRUCTION TRAFFIC WILL ENTER/EXIT SITE.

4. CONTRACTOR TO INSTALL TREE PROTECTION FENCING AS APPLICABLE.

5. CONTRACTOR SHALL PERFORM SITE GRADING ON AN AREA-BY-AREA BASIS TO MINIMIZE UNSTABILIZED AREAS.

5.1. CONTRACTOR MUST IMMEDIATELY INITIATE STABILIZATION OF EXPOSED SOIL AREAS, AS DESCRIBED IN ITEM 8.4 OF THE PERMIT, AND COMPLETE THE STABILIZATION WITHIN 24 HOURS AFTER THE CONSTRUCTION ACTIVITY IN THAT PORTION OF THE SITE TEMPORARILY OR PERMANENTLY CEASES.

5.2. CONTRACTOR TO PROVIDE TEMPORARY SEDIMENTATION BASINS AS REQUIRED IN SECTION 14.1 THROUGH 14.10.

6. CONTRACTOR TO SHALL PAY SPECIAL ATTENTION TO ADJACENT PROPERTY LINES TO ENSURE THE EROSION CONTROL PRACTICES INPLACE IN THOSE AREAS PREVENT MIGRATION OF SEDIMENT ONTO ADJACENT PROPERTIES.

7. ALL EROSION AND SEDIMENT CONTROL MEASURES SHOWN ON THE PLANS OR IMPLEMENTED IN THE FIELD SHALL BE IN ACCORDANCE WITH THE CITY AND NPDES PHASE II PERMIT REQUIREMENTS.

8. CONTRACTOR TO PROVIDE ADDITIONAL SILT FENCE, BIOROLLS, EROSION CONTROL BLANKET, OR OTHER APPROVED EQUAL FOR ANY SLOPES THAT APPEAR TO BE FAILING.

9. CONTRACTOR TO STABILIZE SOIL STOCKPILES; STABILIZATION SHALL BE INITIATED IMMEDIATELY.

10. CONTRACTOR SHALL FINAL GRADE SWALE AREAS UPON STABILIZATION OF UPSTREAM AREAS.

11. CONTRACTOR SHALL BE RESPONSIBLE TO SWEEP/SCRAPE ADJACENT STREETS WHEN MATERIALS OR DEBRIS HAVE WASHED/FLOWED ONTO ADJACENT STREETS OR AS DIRECTED BY CITY.

12. COORDINATE SMALL UTILITIES INSTALLATIONS (GAS, PHONE, ELECTRIC, CABLE, FIBEROPTIC, ETC.) AFTER PAVEMENT INSTALLATION.

MAP OF SURFACE WATERS

IMPAIRED STREAMS: COUNTY DITCH 2  
ASSESSMENT UNIT: 07010206-522

APPROVED TMDL PLAN FOR: CHLORIDE  
ADDITIONAL IMPAIRMENTS: BENTHIC  
MACROINVERTEBRATES BIOASSESSMENTS:  
FISH BIOASSESSMENTS  
NEW IMPAIRMENTS: CHLORIDE

IMPAIRED WETLANDS: JONES  
ASSESSMENT UNIT: 62-0076-00

APPROVED TMDL PLAN FOR: NONE  
ADDITIONAL IMPAIRMENTS: AQUATIC PLANT  
BIOASSESSMENTS: BENTHIC  
MACROINVERTEBRATES BIOASSESSMENTS  
NEW IMPAIRMENTS: NONE

IMPAIRED LAKES: JOHANNA  
ASSESSMENT UNIT: 62-0078-00

APPROVED TMDL PLAN FOR: CHLORIDE  
ADDITIONAL IMPAIRMENTS: PERFLUOROOCTANE  
SULFONATE (PFOS) IN FISH TISSUE  
NEW IMPAIRMENTS: CHLORIDE

PREPARED FOR: CLEARSCAPE OUTDOOR SERVICES & SUPPLIES

CLEARSCAPE OUTDOOR SERVICE

NEW BRIGHTON, MN

SWPPP

SHEET

C2.2

PROJECT TITLE

CLEARSCAPE OUTDOOR SERVICES

PROJECT LOCATION

175 OLD HIGHWAY 8 SW  
NEW BRIGHTON, MN 55112  
RAMSEY COUNTY

LATITUDE: 45.04734  
LONGITUDE: -93.19737

DEVELOPER

CLEARSCAPE OUTDOOR SERVICES  
175 OLD HIGHWAY 8 SW  
NEW BRIGHTON, MN 55112

CONTACT NAME: DAN STEUERNAGEL  
CONTACT PHONE: (651) 755-2651  
CONTACT E-MAIL: DanS@clearscape.net

GENERAL CONTRACTOR

TBD

DOCUMENTATION OF TRAINED INDIVIDUALS

A. INDIVIDUAL WHO PREPARED THE SWPPP:  
ADAM GINKEL  
PLOWE ENGINEERING, INC.  
6776 LAKE DRIVE  
LINO LAKES MN 55014  
(651) 361-8234  
adam@plowe.com

B. INDIVIDUAL(S) OVERSEEING IMPLEMENTATION OF, REVISING AND/OR AMENDING THE SWPPP AND INDIVIDUALS PERFORMING INSPECTIONS FOR THE PROJECT. ONE OF THESE INDIVIDUALS MUST BE AVAILABLE FOR AN ONSITE INSPECTION WITHIN 72 HOURS UPON REQUEST BY THE MPCA. [MINN. R. 7090]

C. INDIVIDUAL(S) PERFORMING OR SUPERVISING THE INSTALLATION, MAINTENANCE AND REPAIR OF BMPS. [MINN. R. 7090]

LONG TERM OPERATION AND MAINTENANCE OF PERMANENT STORMWATER FACILITIES

THE PROPOSED STORMWATER MANAGEMENT FEATURE FOR THIS SITE IS A STORMWATER POND AND WILL BE PRIVATELY OWNED AND MAINTAINED.

REVEGETATION SPECIFICATIONS

| ITEM                     | MNDOT SPECIFICATION              | NOTES |
|--------------------------|----------------------------------|-------|
| SOD                      | 3878                             |       |
| SEED **                  | 3876                             |       |
| * FOR TURF ESTABLISHMENT |                                  |       |
| COMMERCIAL TURF          | MNDOT MIX 25-131 (220 LBS/ACRE)  |       |
| RESIDENTIAL TURF         | MNDOT MIX 25-131 (120 LBS/ACRE)  |       |
| TEMPORARY FALL COVER     | MNDOT MIX 21-112 (100 LBS/ACRE)  |       |
| SPRING/SUMMER            | MNDOT MIX 21-112 (100 LBS/ACRE)  |       |
| SOIL-BUILDING COVER      | MNDOT MIX 21-113 (110 LBS/ACRE)  |       |
| 1-2 YEARS COVER          | MNDOT MIX 22-111 (30.5 LBS/ACRE) |       |
| 2-5 YEARS COVER          | MNDOT MIX 22-112 (40 LBS/ACRE)   |       |
| MULCH                    | 3882 (TYPE 1 - DISC ANCHORED)    |       |
| HYDROMULCH               | 3884                             |       |
| FERTILIZER               | 3881                             |       |
| WOOD FIBER BLANKET       | 3885 (CATEGORY 2)                |       |

\* MOW A MINIMUM OF:  
RESIDENTIAL TURF - ONCE PER 2 WEEKS  
COMMERCIAL TURF - ONCE PER 4 WEEKS

\*\* SEEDED AREAS SHALL BE EITHER MULCHED OR COVERED BY FIBROUS BLANKETS TO PROTECT SEEDS AND LIMIT EROSION.

SITE IMPERVIOUS AREAS

|                            | BEFORE CONSTRUCTION | AFTER CONSTRUCTION |
|----------------------------|---------------------|--------------------|
| ANALYZED AREA              | 4.19 ACRES          |                    |
| TOTAL ESTIMATED IMPERVIOUS | 3.20 ACRES          | 2.97 ACRES         |
| TOTAL ESTIMATED PERVIOUS   | 0.99 ACRES          | 1.22 ACRES         |

TOTAL DISTURBED AREA

~2.7 ACRES

SITE MAP W/ EXISTING AND FINAL GRADES AND DESIGN CALCULATIONS

SEE "STORMWATER DRAINAGE REPORT" FOR EXISTING AND PROPOSED AREA MAPS, DENOTING DRAINAGE AREA BOUNDARIES, DIRECTIONS OF FLOW, AND DISCHARGE POINTS WHERE STORMWATER LEAVES THE SITE.

RECEIVING WATERS WITHIN ONE MILE

| NAME OF WATER BODY | TYPE OF WATER BODY | SPECIAL WATER | IMPAIRED WATER |
|--------------------|--------------------|---------------|----------------|
| RCD 2              | DITCH              | NO            | NO             |
| LAKE JONAS         | LAKE               | NO            | YES            |
| LAKE JOHANA        | LAKE               | NO            | YES            |
|                    |                    |               |                |
|                    |                    |               |                |

BUFFER TO SURFACE WATER

☐ YES

☐ NO

☒ N/A

IF THE SITE DRAINS TO A SURFACE WATER, IS A 50-FT NATURAL BUFFER ADJACENT TO THE SURFACE WATER PRESERVED?

NOTE: NATURAL BUFFERS ARE NOT REQUIRED ADJACENT TO ROAD DITCHES, JUDICIAL DITCHES, COUNTY DITCHES, STORMWATER CONVEYANCE CHANNELS, STORM DRAIN INLETS, AND SEDIMENT BASINS.

TEMPORARY SEDIMENTATION BASINS

☐ YES

☐ NO

☒ N/A

IF TEN (10) OR MORE ACRES OF DISTURBED SOIL DRAIN TO A COMMON LOCATION, IS A TEMPORARY SEDIMENT BASIN PROVIDED FOR TREATMENT OF THE RUNOFF BEFORE IT LEAVES THE CONSTRUCTION SITE OR ENTERS SURFACE WATERS?

A) **BECAUSE THIS SITE IS WITHIN ONE MILE OF AN IMPAIRED WATER, THIS REQUIREMENT BECOMES FIVE (5) MILES. HOWEVER, IT IS NOT ANTICIPATED THAT MORE THAN 5 ACRES WILL BE DISTURBED.**

INFILTRATION FEASIBILITY

☒ YES

☐ NO

☐ N/A

ARE THERE ANY INFILTRATION RESTRICTIONS FOR THE SITE (SEE 16.14 THROUGH 16.21)?

A) **THE SITE HAS CLAY SOILS AND IS UNSUITABLE FOR INFILTRATION.**

ADDITIONAL STORMWATER MITIGATION MEASURES

☐ YES

☒ NO

ARE THERE ANY STORMWATER MITIGATION MEASURES PER:

- ENVIRONMENTAL REVIEW DOCUMENT?
- ENDANGERED SPECIES REVIEW?
- ARCHAEOLOGICAL REVIEW?
- OTHER LOCAL, STATE OR FEDERAL REVIEW?

IF YES TO ANY OF THE ABOVE, DESCRIBE THE MITIGATION MEASURES. FOR PURPOSES OF THIS PERMIT, MITIGATION MEASURES MEANS ACTIONS NECESSARY TO AVOID, MINIMIZE, OR MITIGATE FOR IMPACTS RELATED TO EROSION PREVENTION, SEDIMENT CONTROL, THE PERMANENT STORMWATER TREATMENT SYSTEM, POLLUTION PREVENTION MANAGEMENT MEASURES AND DISCHARGES ASSOCIATED WITH THE PROJECT'S CONSTRUCTION ACTIVITY. [MINN. R. 7090]

QUANTITIES - ESTIMATED QUANTITIES FOR EROSION AND SEDIMENT CONTROL MEASURES

| TYPE                         | QTY | UNIT         |
|------------------------------|-----|--------------|
| SILT FENCE                   |     | LINEAR FEET  |
| BIO-ROLLS                    |     | EACH         |
| RIP-RAP W. GEO-FABRIC        |     | CUBIC YARDS  |
| CATCH BASIN INLET PROTECTION |     | EACH         |
| STABILIZED RIPRAP OVERFLOW   |     | EACH         |
| EROSION CONTROL BLANKET      |     | SQUARE YARDS |
| SEED & MULCH (GENERAL)       |     | ACRE         |
| ROCK CONSTRUCTION ENTRANCE   |     | EACH         |

NARRATIVE - TIMING FOR INSTALLATION OF EROSION AND SEDIMENT CONTROL MEASURES

1. A COPY OF THE APPROVED EROSION AND SEDIMENT CONTROL PLAN AND SWPPP MUST BE AVAILABLE ON THE PROJECT SITE AT ALL TIMES.

2. CONTRACTOR SHALL INSTALL SILT FENCE AS SHOWN ON PLAN.

2.1. ADDITIONAL SILT FENCE MAY BE NECESSARY IF LOCAL CONDITIONS REQUIRE.

2.2. THE CONTRACTOR SHALL MAINTAIN SILT FENCE, INCLUDING THE REMOVAL OF ACCUMULATED SEDIMENT, THROUGH COMPLETION OF BUILDING CONSTRUCTION.

2.3. SILT FENCE SHALL REMAIN IN-PLACE UNTIL SITE HAS BEEN STABILIZED.

3. CONTRACTOR SHALL INSTALL A ROCK CONSTRUCTION ENTRANCE AT ALL LOCATIONS WHERE CONSTRUCTION TRAFFIC WILL ENTER/EXIT SITE.

4. CONTRACTOR TO INSTALL TREE PROTECTION FENCING AS APPLICABLE.

5. CONTRACTOR SHALL PERFORM SITE GRADING ON AN AREA-BY-AREA BASIS TO MINIMIZE UNSTABILIZED AREAS.

5.1. CONTRACTOR MUST IMMEDIATELY INITIATE STABILIZATION OF EXPOSED SOIL AREAS, AS DESCRIBED IN ITEM 8.4 OF THE PERMIT, AND COMPLETE THE STABILIZATION WITHIN 24 HOURS AFTER THE CONSTRUCTION ACTIVITY IN THAT PORTION OF THE SITE TEMPORARILY OR PERMANENTLY CEASES.

5.2. CONTRACTOR TO PROVIDE TEMPORARY SEDIMENTATION BASINS AS REQUIRED IN SECTION 14.1 THROUGH 14.10.

6. CONTRACTOR TO SHALL PAY SPECIAL ATTENTION TO ADJACENT PROPERTY LINES TO ENSURE THE EROSION CONTROL PRACTICES INPLACE IN THOSE AREAS PREVENT MIGRATION OF SEDIMENT ONTO ADJACENT PROPERTIES.

7. ALL EROSION AND SEDIMENT CONTROL MEASURES SHOWN ON THE PLANS OR IMPLEMENTED IN THE FIELD SHALL BE IN ACCORDANCE WITH THE CITY AND NPDES PHASE II PERMIT REQUIREMENTS.

8. CONTRACTOR TO PROVIDE ADDITIONAL SILT FENCE, BIOROLLS, EROSION CONTROL BLANKET, OR OTHER APPROVED EQUAL FOR ANY SLOPES THAT APPEAR TO BE FAILING.

9. CONTRACTOR TO STABILIZE SOIL STOCKPILES; STABILIZATION SHALL BE INITIATED IMMEDIATELY.

10. CONTRACTOR SHALL FINAL GRADE SWALE AREAS UPON STABILIZATION OF UPSTREAM AREAS.

11. CONTRACTOR SHALL BE RESPONSIBLE TO SWEEP/SCRAPE ADJACENT STREETS WHEN MATERIALS OR DEBRIS HAVE WASHED/FLOWED ONTO ADJACENT STREETS OR AS DIRECTED BY CITY.

12. COORDINATE SMALL UTILITIES INSTALLATIONS (GAS, PHONE, ELECTRIC, CABLE, FIBEROPTIC, ETC.) AFTER PAVEMENT INSTALLATION.

MAP OF SURFACE WATERS

IMPAIRED STREAMS: COUNTY DITCH 2  
ASSESSMENT UNIT: 07010206-522

APPROVED TMDL PLAN FOR: CHLORIDE  
ADDITIONAL IMPAIRMENTS: BENTHIC  
MACROINVERTEBRATES BIOASSESSMENTS:  
FISH BIOASSESSMENTS  
NEW IMPAIRMENTS: CHLORIDE

IMPAIRED WETLANDS: JONES  
ASSESSMENT UNIT: 62-0076-00

APPROVED TMDL PLAN FOR: NONE  
ADDITIONAL IMPAIRMENTS: AQUATIC PLANT  
BIOASSESSMENTS: BENTHIC  
MACROINVERTEBRATES BIOASSESSMENTS  
NEW IMPAIRMENTS: NONE

IMPAIRED LAKES: JOHANNA  
ASSESSMENT UNIT: 62-0078-00

APPROVED TMDL PLAN FOR: CHLORIDE  
ADDITIONAL IMPAIRMENTS: PERFLUOROOCTANE  
SULFONATE (PFOS) IN FISH TISSUE  
NEW IMPAIRMENTS: CHLORIDE

PREPARED FOR: CLEARSCAPE OUTDOOR SERVICES & SUPPLIES

CLEARSCAPE OUTDOOR SERVICE

NEW BRIGHTON, MN

SWPPP

SHEET

C2.2

PROJECT TITLE

CLEARSCAPE OUTDOOR SERVICES

PROJECT LOCATION

175 OLD HIGHWAY 8 SW  
NEW BRIGHTON, MN 55112  
RAMSEY COUNTY

LATITUDE: 45.04734  
LONGITUDE: -93.19737

DEVELOPER

CLEARSCAPE OUTDOOR SERVICES  
175 OLD HIGHWAY 8 SW  
NEW BRIGHTON, MN 55112

CONTACT NAME: DAN STEUERNAGEL  
CONTACT PHONE: (651) 755-2651  
CONTACT E-MAIL: DanS@clearscape.net

GENERAL CONTRACTOR

TBD

DOCUMENTATION OF TRAINED INDIVIDUALS

A. INDIVIDUAL WHO PREPARED THE SWPPP:  
ADAM GINKEL  
PLOWE ENGINEERING, INC.  
6776 LAKE DRIVE  
LINO LAKES MN 55014  
(651) 361-8234  
adam@plowe.com

B. INDIVIDUAL(S) OVERSEEING IMPLEMENTATION OF, REVISING AND/OR AMENDING THE SWPPP AND INDIVIDUALS PERFORMING INSPECTIONS FOR THE PROJECT. ONE OF THESE INDIVIDUALS MUST BE AVAILABLE FOR AN ONSITE INSPECTION WITHIN 72 HOURS UPON REQUEST BY THE MPCA. [MINN. R. 7090]

C. INDIVIDUAL(S) PERFORMING OR SUPERVISING THE INSTALLATION, MAINTENANCE AND REPAIR OF BMPS. [MINN. R. 7090]

LONG TERM OPERATION AND MAINTENANCE OF PERMANENT STORMWATER FACILITIES

THE PROPOSED STORMWATER MANAGEMENT FEATURE FOR THIS SITE IS A STORMWATER POND AND WILL BE PRIVATELY OWNED AND MAINTAINED.

REVEGETATION SPECIFICATIONS

| ITEM                     | MNDOT SPECIFICATION              | NOTES |
|--------------------------|----------------------------------|-------|
| SOD                      | 3878                             |       |
| SEED **                  | 3876                             |       |
| * FOR TURF ESTABLISHMENT |                                  |       |
| COMMERCIAL TURF          | MNDOT MIX 25-131 (220 LBS/ACRE)  |       |
| RESIDENTIAL TURF         | MNDOT MIX 25-131 (120 LBS/ACRE)  |       |
| TEMPORARY FALL COVER     | MNDOT MIX 21-112 (100 LBS/ACRE)  |       |
| SPRING/SUMMER            | MNDOT MIX 21-112 (100 LBS/ACRE)  |       |
| SOIL-BUILDING COVER      | MNDOT MIX 21-113 (110 LBS/ACRE)  |       |
| 1-2 YEARS COVER          | MNDOT MIX 22-111 (30.5 LBS/ACRE) |       |
| 2-5 YEARS COVER          | MNDOT MIX 22-112 (40 LBS/ACRE)   |       |
| MULCH                    | 3882 (TYPE 1 - DISC ANCHORED)    |       |
| HYDROMULCH               | 3884                             |       |
| FERTILIZER               | 3881                             |       |
| WOOD FIBER BLANKET       | 3885 (CATEGORY 2)                |       |

\* MOW A MINIMUM OF:  
RESIDENTIAL TURF - ONCE PER 2 WEEKS  
COMMERCIAL TURF - ONCE PER 4 WEEKS

\*\* SEEDED AREAS SHALL BE EITHER MULCHED OR COVERED BY FIBROUS BLANKETS TO PROTECT SEEDS AND LIMIT EROSION.

SITE IMPERVIOUS AREAS

|                            | BEFORE CONSTRUCTION | AFTER CONSTRUCTION |
|----------------------------|---------------------|--------------------|
| ANALYZED AREA              | 4.19 ACRES          |                    |
| TOTAL ESTIMATED IMPERVIOUS | 3.20 ACRES          | 2.97 ACRES         |
| TOTAL ESTIMATED PERVIOUS   | 0.99 ACRES          | 1.22 ACRES         |

TOTAL DISTUR



GENERAL NOTES

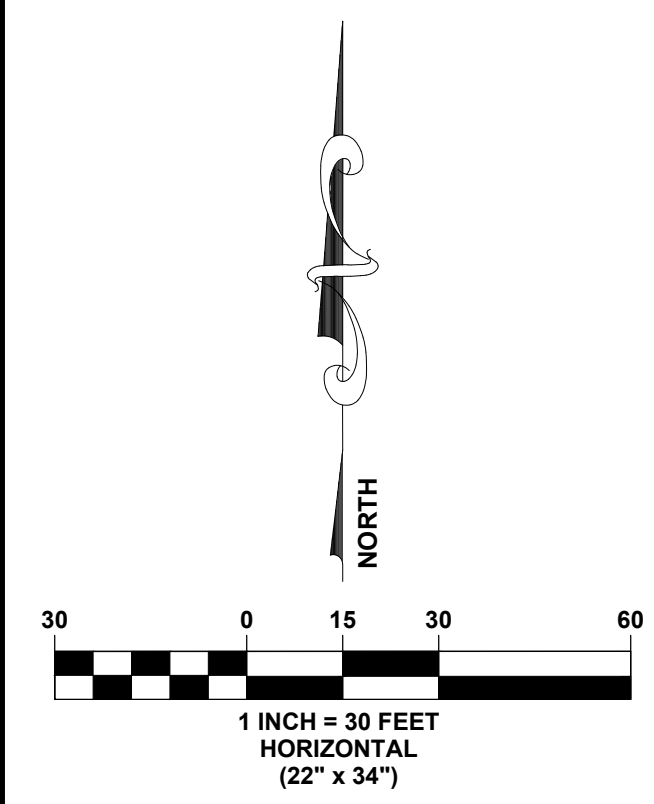
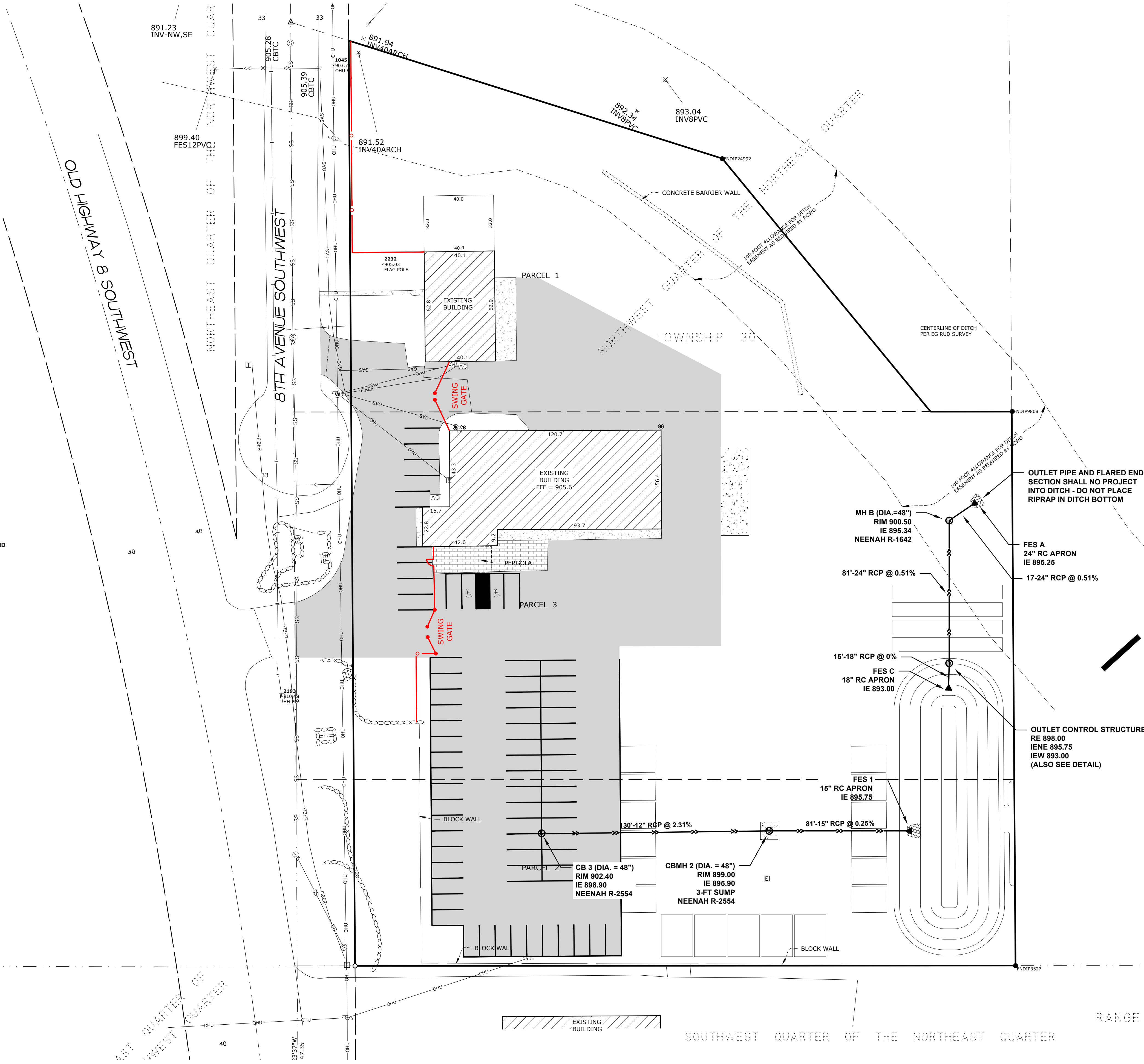
1. THE INFORMATION SHOWN ON THESE DRAWINGS CONCERNING TYPE AND LOCATION OF EXISTING UTILITIES IS NOT GUARANTEED TO BE ACCURATE OR ALL INCLUSIVE. THE CONTRACTOR IS RESPONSIBLE FOR MAKING HIS OWN DETERMINATION AS TO TYPE AND LOCATION OF UTILITIES AS NECESSARY TO AVOID DAMAGE TO THESE UTILITIES.
2. CALL GOPHER STATE ONE CALL AT LEAST 48 HOURS PRIOR TO ANY EXCAVATIONS FOR EXISTING UTILITIES LOCATIONS.
3. THE CONTRACTOR SHALL FIELD VERIFY SIZE, ELEVATION, AND LOCATION OF EXISTING UTILITIES AND NOTIFY ENGINEER OF ANY DISCREPANCIES PRIOR TO THE START OF INSTALLATIONS.
4. ALL UTILITY AND STREET INSTALLATIONS SHALL CONFORM TO THE CITY STANDARD SPECIFICATIONS AND DETAIL PLATES.
5. ALL WORK SHALL BE PERFORMED DURING CITY APPROVED WORKING HOURS.
6. PARKING, EQUIPMENT STORAGE OR MATERIAL STORAGE SHALL NOT BE ALLOWED ON PUBLIC STREETS OR WITHIN PUBLIC RIGHT-OF-WAY.
7. NOTIFY CITY A MINIMUM OF 48 HOURS PRIOR TO THE COMMENCEMENT OF CONSTRUCTION.
8. ALL ELECTRIC, TELEPHONE, AND GAS EXTENSIONS INCLUDING SERVICE LINES SHALL BE CONSTRUCTED TO THE APPROPRIATE UTILITY COMPANY SPECIFICATIONS. ALL UTILITY DISCONNECTIONS SHALL BE COORDINATED WITH THE APPROPRIATE UTILITY COMPANY.
9. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROVIDING AND MAINTAINING TRAFFIC CONTROL, SUCH AS BARRICADES, WARNING SIGNS, DIRECTIONAL SIGNS, FLAGMEN AND LIGHTS, AS NECESSARY TO CONTROL THE MOVEMENT OF TRAFFIC.

STORM SEWER NOTES

1. STORM SEWER MATERIALS SHALL BE:
  - 1.1. RCP ONLY
2. FIELD VERIFY SIZE, ELEVATION, AND LOCATION OF EXISTING STORM SEWER AND NOTIFY ENGINEER OF ANY DISCREPANCIES PRIOR TO ANY INSTALLATIONS.
3. STORM SEWER LENGTHS INCLUDE THE LAYING LENGTH OF THE FLARED-END SECTION. LAYING LENGTH OF APRON TO BE DEDUCTED FROM PAYMENT LENGTH OF PIPE
4. PIPE FLARED-END SECTIONS SHALL INCLUDE RIPRAP. PIPES 24" IN DIAMETER AND LARGER REQUIRE TRASHGUARDS.

LEGEND

|                 |                                    |          |                                                                                                           |
|-----------------|------------------------------------|----------|-----------------------------------------------------------------------------------------------------------|
| — OHW —         | EXISTING OVERHEAD ELECTRIC         | —>—>—    | PROPOSED STORM SEWER PIPE                                                                                 |
| — GAS —         | EXISTING UNDERGROUND GAS           | ⊙        | PROPOSED STORM STRUCTURE                                                                                  |
| — FIBER —       | EXISTING UNDERGROUND FIBEROPTIC    | ▲        | PROPOSED FLARED-END SECTION                                                                               |
| ⊠               | EXISTING TELEPHONE PEDESTAL        | —○—      | PROPOSED FENCE                                                                                            |
| ⊡               | EXISTING ELECTRICAL PEDESTAL / BOX | — 928 —  | PROPOSED CONTOUR                                                                                          |
| ⊡               | EXISTING CABLE PEDESTAL            | — 930 —  |                                                                                                           |
| ⊡               | EXISTING UTILITY POLE              | ⊗ 905.50 | PROPOSED SPOT ELEVATION<br>(GUTTERLINE, BITUMINOUS SURFACE, OR GROUND SURFACE UNLESS OTHERWISE INDICATED) |
| —>—>—           | EXISTING STORM SEWER               | 4.0%     | PROPOSED DIRECTION OF DRAINAGE                                                                            |
| — I —           | EXISTING WATER MAIN                |          | PROPOSED SILT FENCE                                                                                       |
| — SS —          | EXISTING SANITARY SEWER            | ⊙        | PROPOSED INLET PROTECTION                                                                                 |
| ⊙               | EXISTING SANITARY SEWER MANHOLE    | ⊡        | PROPOSED RIP-RAP                                                                                          |
| ..... 930 ..... | EXISTING CONTOUR                   | ■        | PROPOSED NEW BITUMINOUS                                                                                   |
| 900.65 ×        | EXISTING SPOT ELEVATION            |          |                                                                                                           |
| — ○ — ○ —       | EXISTING RETAINING WALL            |          |                                                                                                           |
| — x —           | EXISTING FENCE                     |          |                                                                                                           |
|                 | EXISTING BOLLARDS                  |          |                                                                                                           |



**PLOWE**  
ENGINEERING, INC.  
6776 LAKE DRIVE  
MINNETONKA, MN 55014  
PHONE: (651) 361-8210  
FAX: (651) 361-8701



DRAWN BY:  
AG  
JOB NO.  
23-2119  
CHECK BY:  
MOA  
DATE:  
09/23/24

| NO. | DATE     | DESCRIPTION                |
|-----|----------|----------------------------|
| 1   | 09/27/24 | POND OUTLET ALIGNMENT ADJ. |
| 2   | 10/29/24 | LEAN-TO ADDED              |
| 3   | 04/04/25 | SITE PLAN ADJUSTED         |
| 4   |          |                            |
| 5   |          |                            |
| 6   |          |                            |
| 7   |          |                            |
| 8   |          |                            |

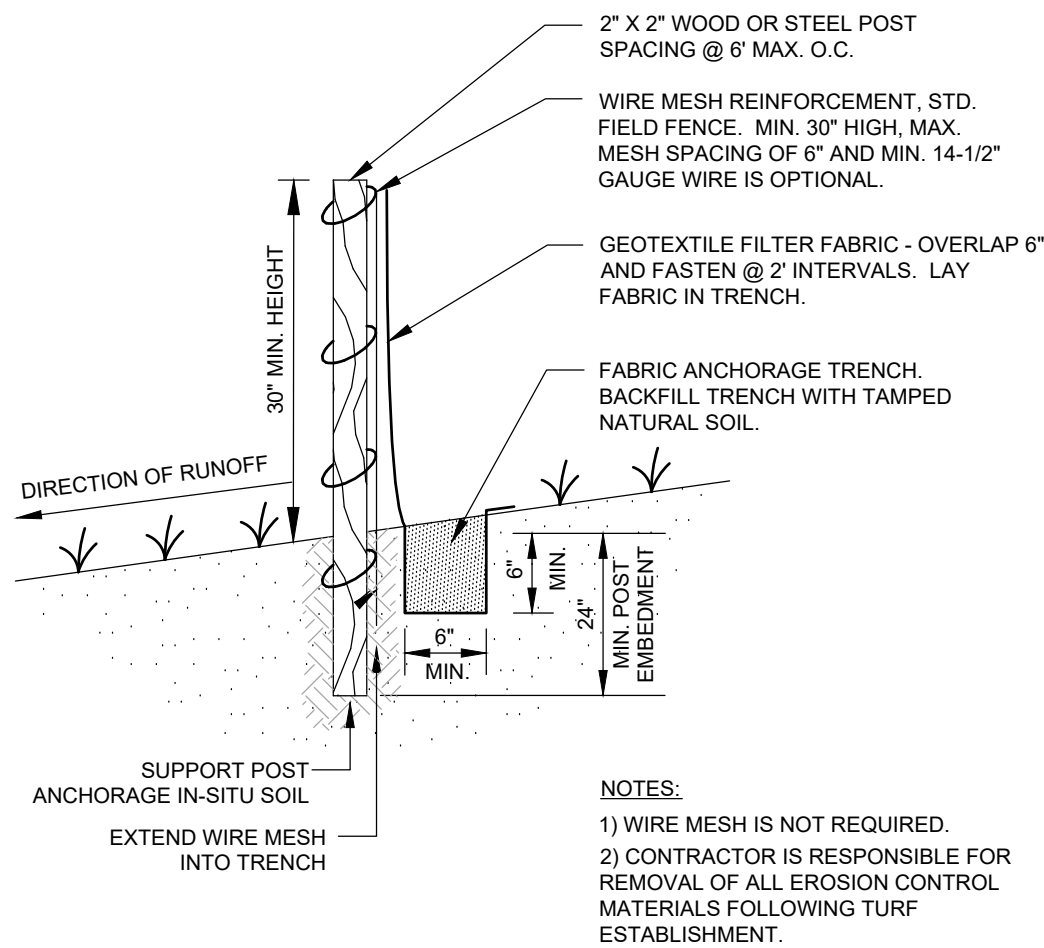
I hereby certify that this plan was prepared by me or under my direct supervision and that I am a duly licensed professional engineer under the laws of the State of Minnesota.

**PRELIMINARY**  
ADAM GINKEL  
License No. 439663  
Date: 05/01/2025

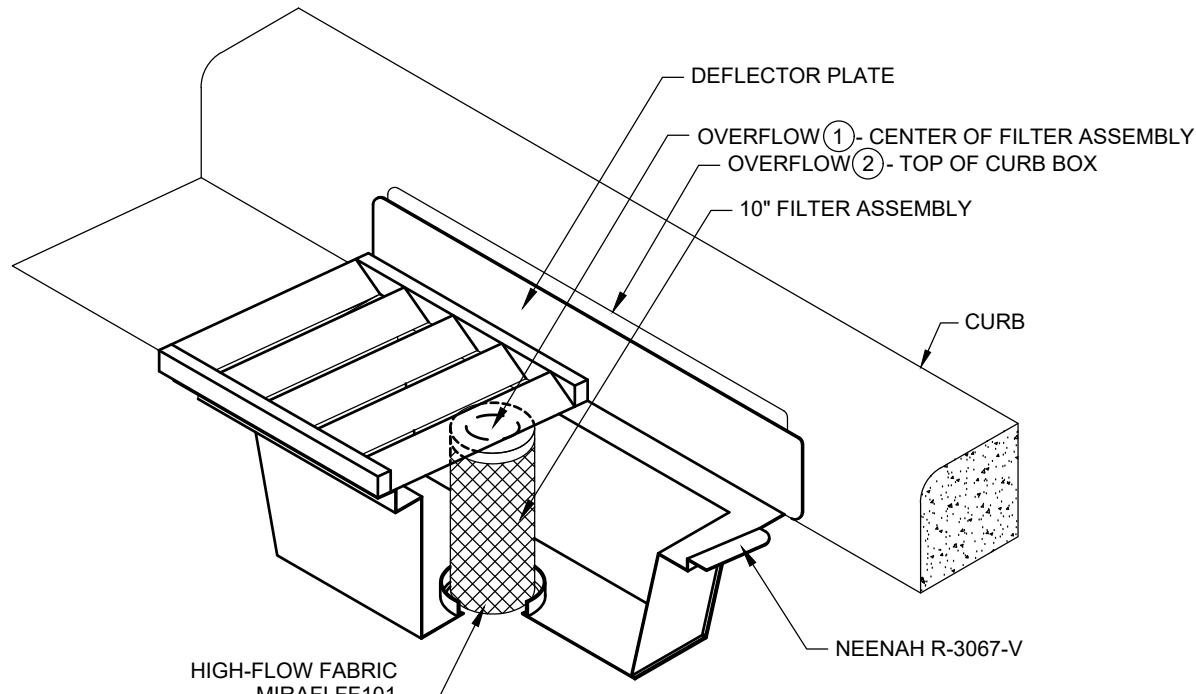
**CLEARSCAPE OUTDOOR SERVICE**  
NEW BRIGHTON, MN  
**UTILITY PLAN**  
PREPARED FOR: CLEARSCAPE OUTDOOR SERVICES & SUPPLIES

SHEET  
**C3.1**

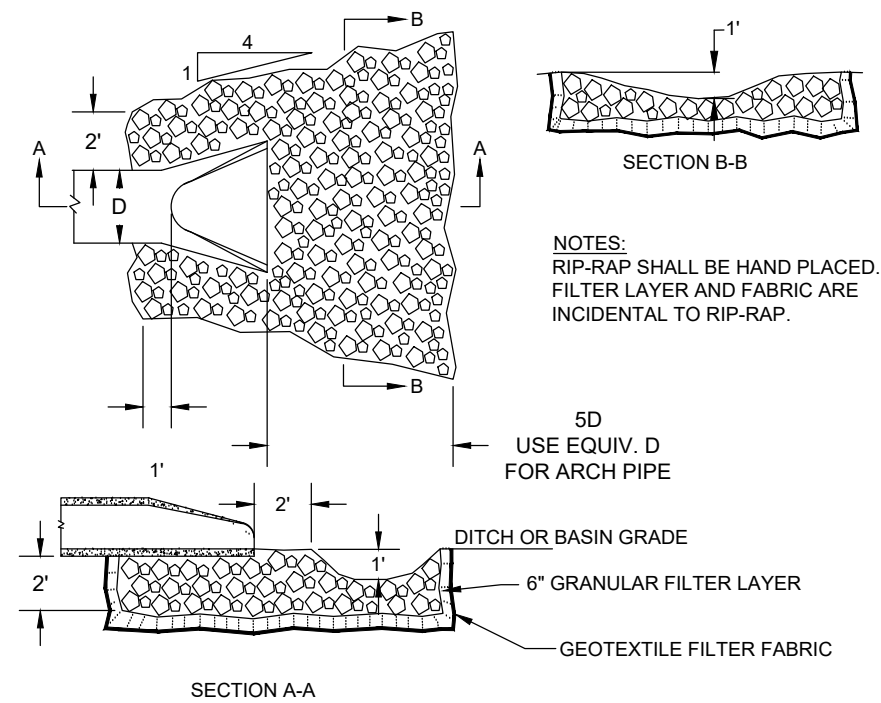




SILT FENCE  
N.T.S.

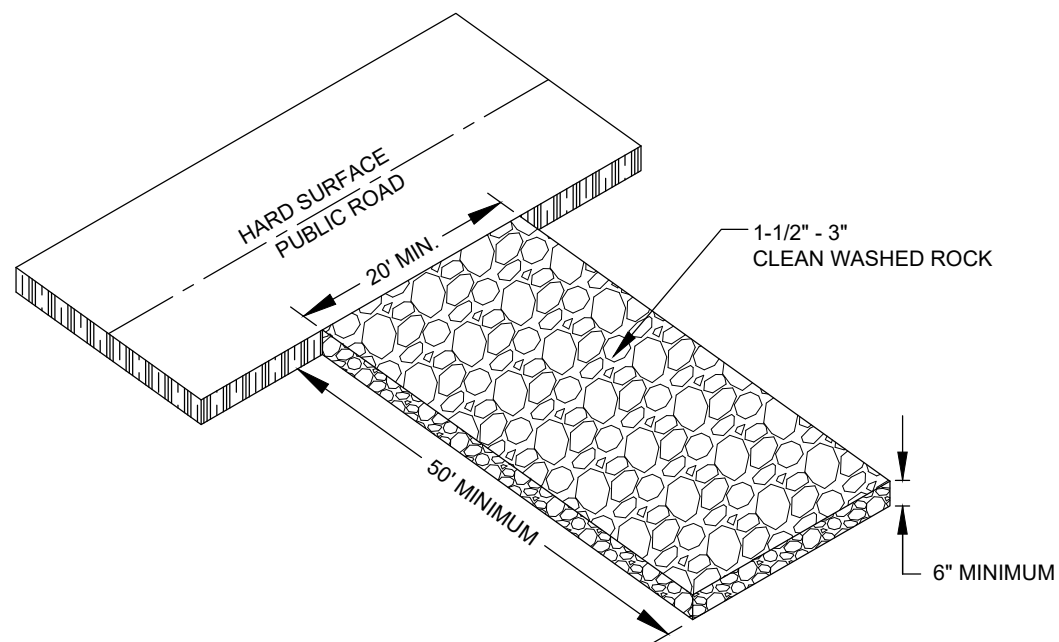


WIMCO INLET PROTECTION  
N.T.S.

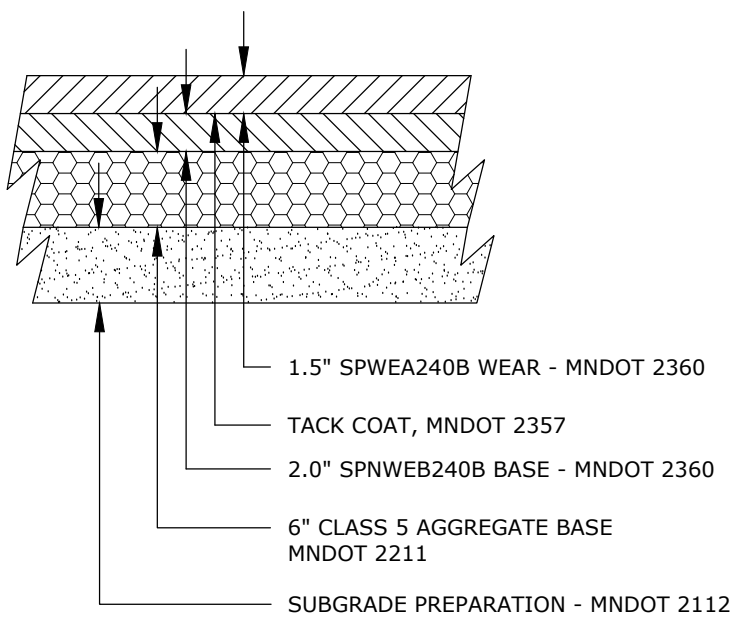


| RIP-RAP QUANTITIES (C.Y.) |         |           |         |           |         |
|---------------------------|---------|-----------|---------|-----------|---------|
| PIPE DIA.                 | RIP-RAP | PIPE DIA. | RIP-RAP | PIPE DIA. | RIP-RAP |
| 12"                       | 4       | 24"       | 10      | 42"       | 23      |
| 15"                       | 5       | 27"       | 12      | 48"       | 29      |
| 18"                       | 6       | 30"       | 14      | 54"       | 34      |
| 21"                       | 8       | 36"       | 19      | 60"       | 39      |

RIP-RAP AT PIPE OUTLETS  
N.T.S.



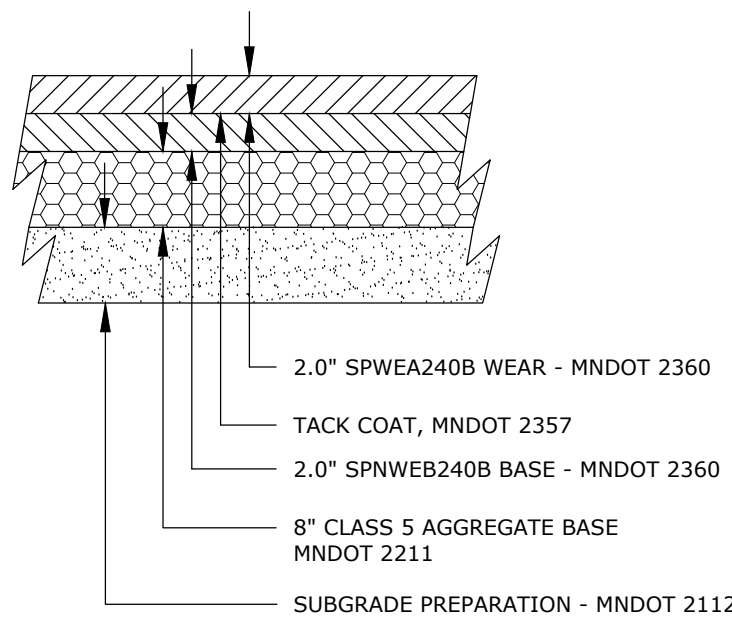
ROCK CONSTRUCTION ENTRANCE  
N.T.S.



PAVING SHALL CONFORM TO THE LATEST EDITION OF MNDOT'S STANDARD SPECIFICATIONS FOR CONSTRUCTION AND THE CITY'S STANDARDS FOR STREET AND UTILITY CONSTRUCTION.

PAVING SECTION SHALL BE REVIEWED AND APPROVED BY GEOTECHNICAL ENGINEER PRIOR TO ANY INSTALLATIONS.

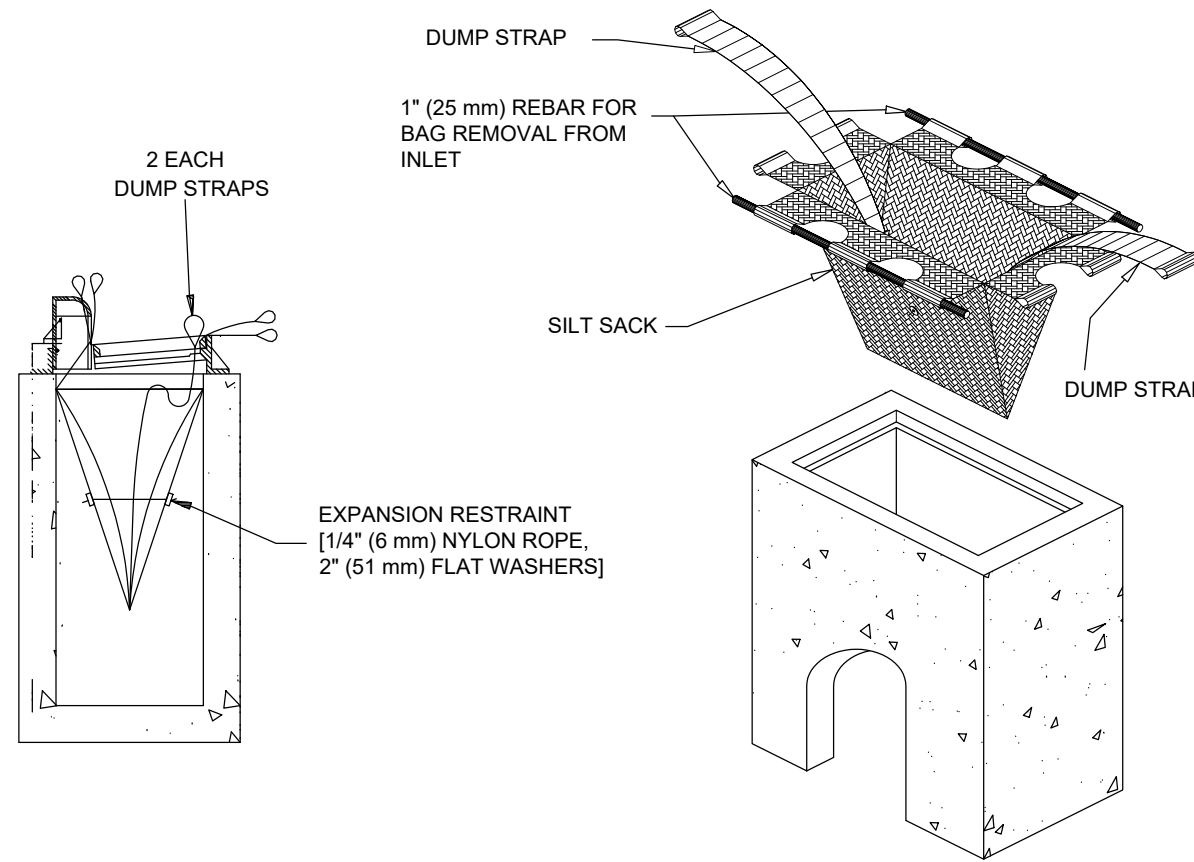
PAVEMENT - LIGHT DUTY  
N.T.S.



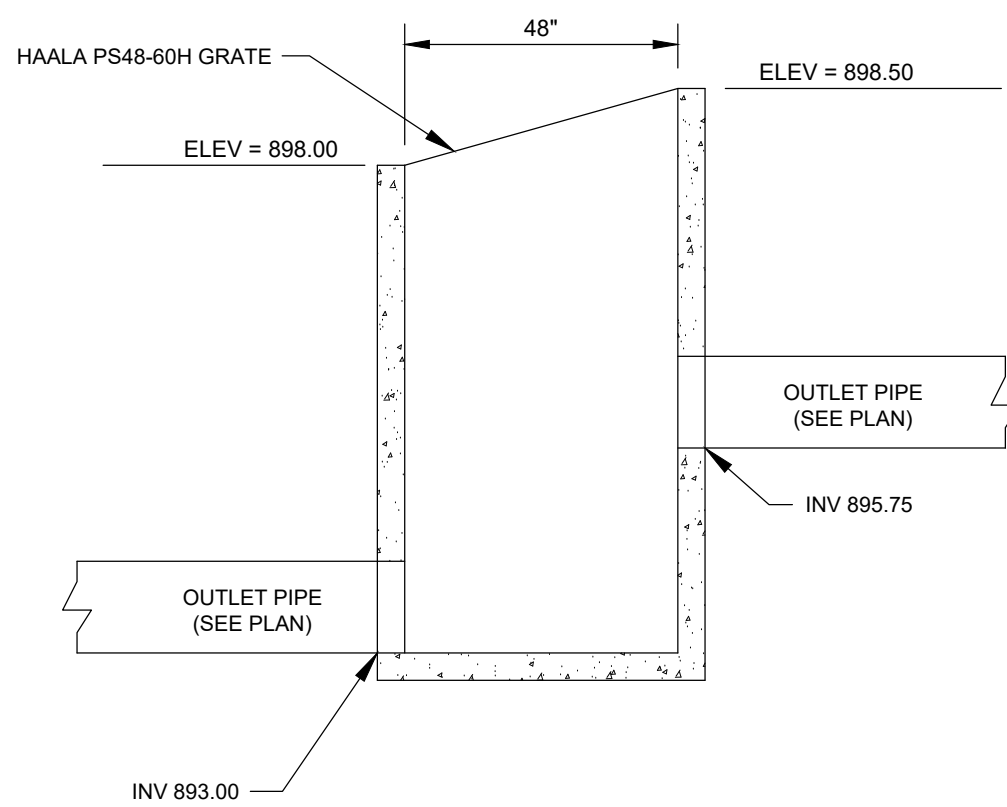
PAVING SHALL CONFORM TO THE LATEST EDITION OF MNDOT'S STANDARD SPECIFICATIONS FOR CONSTRUCTION AND THE CITY'S STANDARDS FOR STREET AND UTILITY CONSTRUCTION.

PAVING SECTION SHALL BE REVIEWED AND APPROVED BY GEOTECHNICAL ENGINEER PRIOR TO ANY INSTALLATIONS.

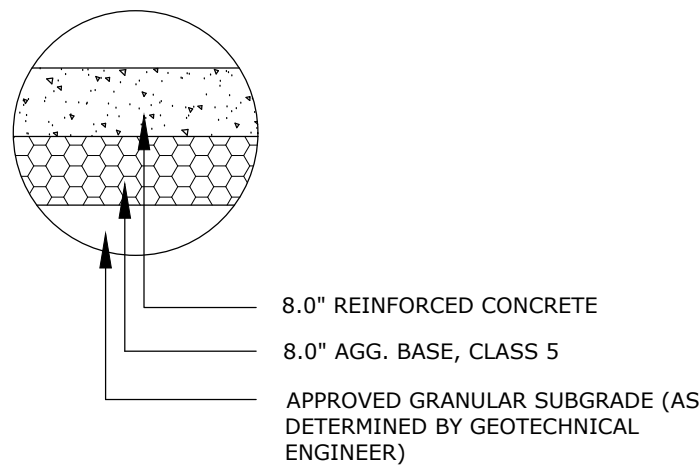
PAVEMENT - HEAVY DUTY  
N.T.S.



SILT SACK  
N.T.S.

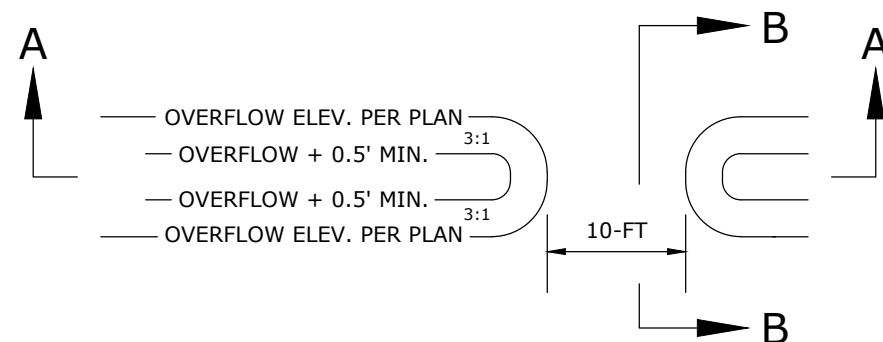


POND OUTLET STRUCTURE  
N.T.S.

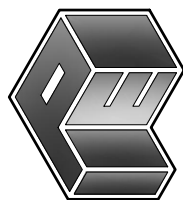
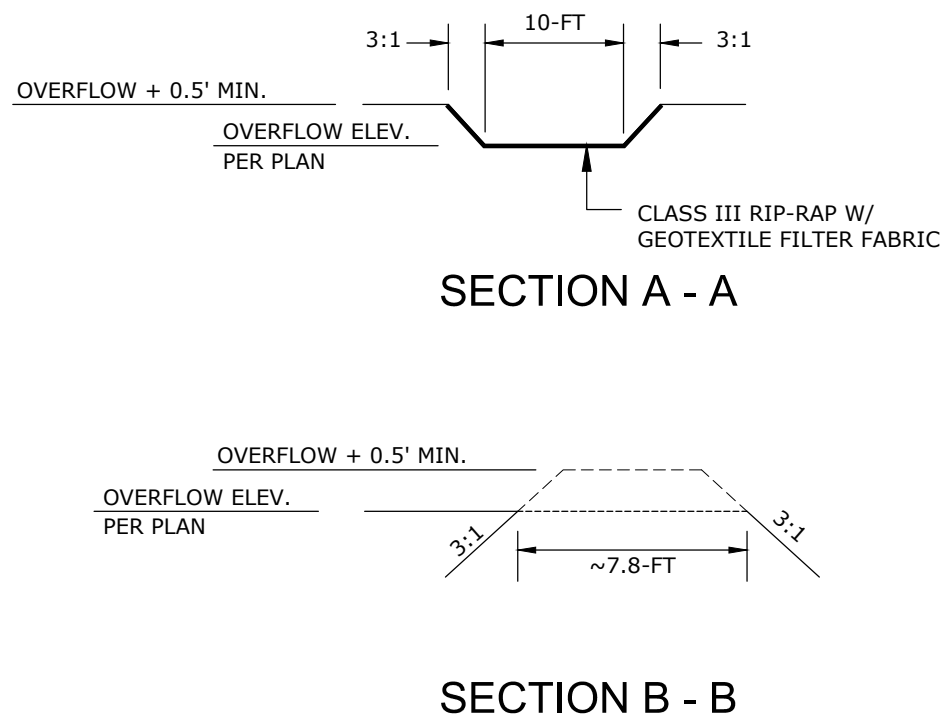


- PAVING SHALL CONFORM TO THE LATEST EDITION OF MNDOT'S STANDARD SPECIFICATIONS FOR CONSTRUCTION
- GEOTECHNICAL ENGINEER TO PROVIDE RECOMMENDATIONS FOR MATERIALS FOR FINAL PAVEMENT DESIGN.

CONCRETE PAVEMENT  
N.T.S.



RIP-RAP OVERFLOWS  
N.T.S.



| NO. | DATE | DESCRIPTION |
|-----|------|-------------|
| 1   |      |             |
| 2   |      |             |
| 3   |      |             |
| 4   |      |             |
| 5   |      |             |
| 6   |      |             |
| 7   |      |             |
| 8   |      |             |

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.

**PRELIMINARY**  
ADAM GINKEL  
Date: 05/01/2025 License No. 43963



|                        |                         |
|------------------------|-------------------------|
| <b>Agenda Section:</b> | <b>Council Business</b> |
| <b>Report Date:</b>    | <b>05/20/2025</b>       |
| <b>Meeting Date:</b>   | <b>May 27, 2025</b>     |

## REQUEST FOR COUNCIL CONSIDERATION – EXECUTIVE SUMMARY

**ITEM DESCRIPTION:** Consider a Resolution to approve a Special Use Permit authorizing an auto sales use at 343 Old Highway 8.

### Action Requested:

|                 |                |
|-----------------|----------------|
| Public Hearing: | <b>Motion:</b> |
| Discussion:     | Informational: |

### Form of Action:

|                     |               |
|---------------------|---------------|
| <b>Resolution:</b>  | Ordinance:    |
| Contract/Agreement: | N/A or Other: |

### Votes Needed:

|                 |          |
|-----------------|----------|
| <b>3 Votes:</b> | 4 Votes: |
| 5 Votes:        | N/A:     |

### Summary Statement:

Stephen Bona (Bona Brothers) is seeking an SUP to authorize an auto sales business on their property at 343 Old Highway 8. A similar SUP was approved in 2018, but the business was never opened which voided the original approval.

### Recommendations:

The Planning Commission and staff are both recommending **approval** with conditions.

|                              |                                                                                                            |
|------------------------------|------------------------------------------------------------------------------------------------------------|
| <b>Applicable Deadlines:</b> | Based on an application date of 4/21/25, the 60-day review period for this application expires on 6/20/25. |
|------------------------------|------------------------------------------------------------------------------------------------------------|

|                          |                                                                                                                                                                                   |
|--------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Community Impact:</b> | Provided recommended conditions are followed, the use should not have a negative impact on the area, and will ensure the property continues to contribute to the City's tax base. |
|--------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

|                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|-----------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Legislative History:</b> | <ul style="list-style-type: none"> <li>- In early 2018, Bona Brothers received approval of a very similar (but smaller) special use permit for auto sales (Resolution 2018-038) out of the building to the south of 343 Old Hwy 8, but various circumstances intervened, and the auto-sales business was never opened.</li> <li>- On April 21, 2025, Bona Management LLC applied for another SUP to authorize auto sales from the building at 343 Old Highway 8</li> <li>- The Planning Commission held a public hearing on this request on May 20, 2025</li> </ul> |
|-----------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

|                            |                             |                                  |
|----------------------------|-----------------------------|----------------------------------|
| <b>Strategic Priority:</b> | Financial Sustainability    | Staff Capabilities               |
|                            | <b>Economic Development</b> | Community Engagement & Belonging |
|                            | City Assets                 | Operational Effectiveness        |
|                            |                             | N/A                              |
|                            |                             |                                  |

|                       |                                                              |                 |                     |         |
|-----------------------|--------------------------------------------------------------|-----------------|---------------------|---------|
| <b>Fiscal Impact:</b> | <b>Financial Impact: Is there a financial consideration?</b> |                 | <b>No</b>           | Yes: \$ |
|                       | <b>Financing Sources:</b>                                    | Budgeted        | Budget Modification |         |
|                       | New Revenue                                                  | Use of Reserves | Other               |         |
|                       |                                                              |                 |                     |         |



*To:* **City Council**  
*From:* Ben Gozola, Assistant Director DCAD  
*Meeting Date:* **5-27-25**  
*Applicants:* **Bona Management Company LLC**  
*Main Contacts:* Stephen Bona, Co-Owner  
*Location:* 343 Old Highway 8 NW  
*Zoning:* **I-1 (Light Industrial)**

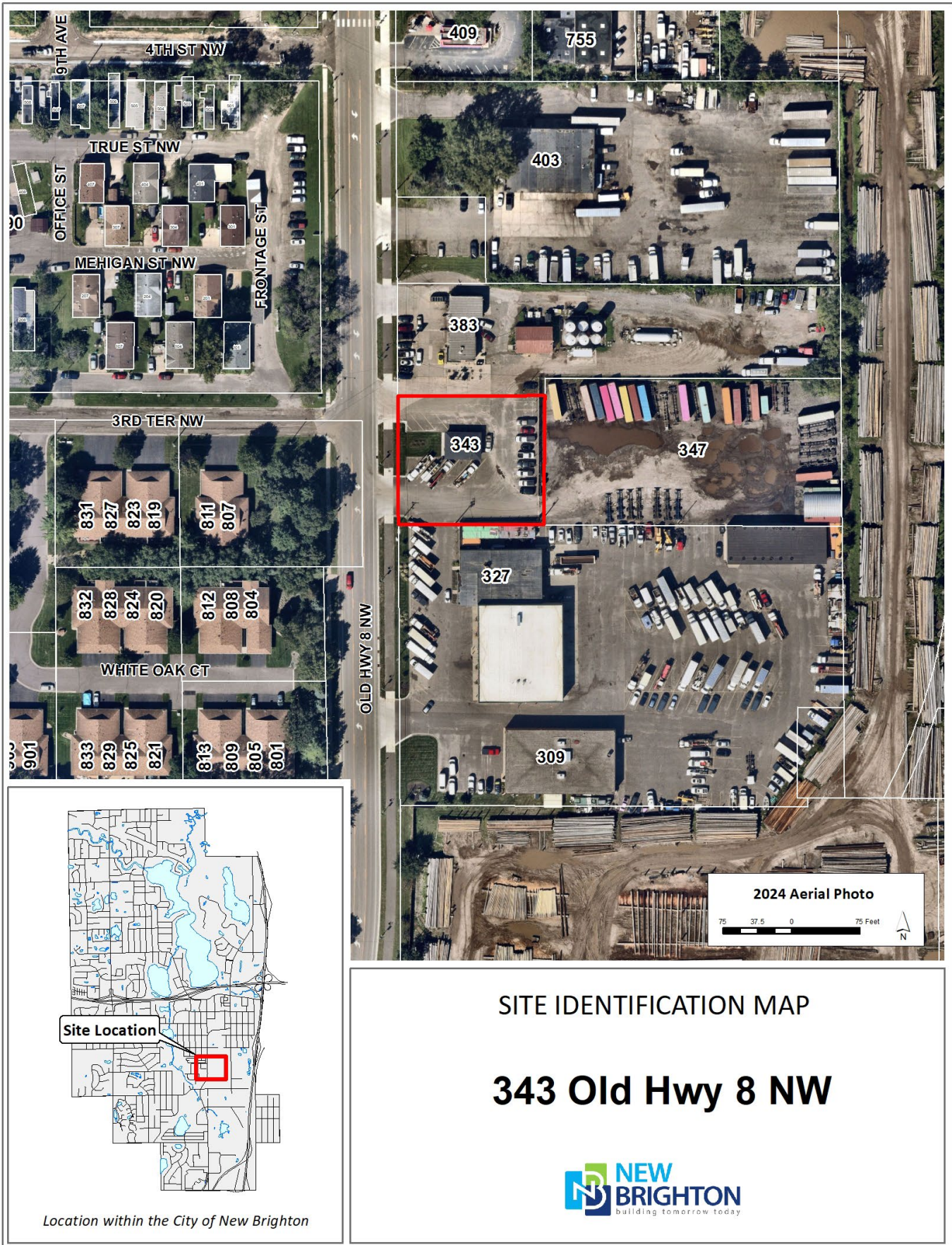
### Introductory Information

- |                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|---------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b><i>Project:</i></b>    | <ul style="list-style-type: none"> <li>▪ Bona Management Company LLC is seeking a Special Use Permit to authorize auto sales from their property at 343 Old Highway 8 NW.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                         |
| <b><i>History:</i></b>    | <ul style="list-style-type: none"> <li>▪ In early 2018, Bona Brothers received approval of a very similar (but smaller) special use permit for auto sales (Resolution 2018-038) out of the building to the south of 343 Old Hwy 8, but various circumstances intervened, and the auto-sales business was never opened. When the business was not established within one year of approval, the previous SUP became void.</li> <li>▪ On April 21, 2025, Bona Management LLC applied for another SUP to authorize auto sales from the building at 343 Old Highway 8.</li> </ul> |
| <b><i>Request(s):</i></b> | <ul style="list-style-type: none"> <li>▪ <b>Special Use Permit to authorize an auto sales use at 343 Old Highway 8.</b></li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                           |

### General Findings

- |                          |                                                                                                                                                                                                                                                                                                                                                   |
|--------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b><i>Site Data:</i></b> | <ul style="list-style-type: none"> <li>▪ Existing Lot Size <math>\approx</math> 0.51 acres (<math>\approx</math> 22,215 sq ft)</li> <li>▪ Existing Use – Satellite office space and parking for Bona Brothers Truck &amp; Utilities</li> <li>▪ Existing Zoning – I-1</li> <li>▪ Property Identification Number (PID): 29-30-23-42-0021</li> </ul> |
|--------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|





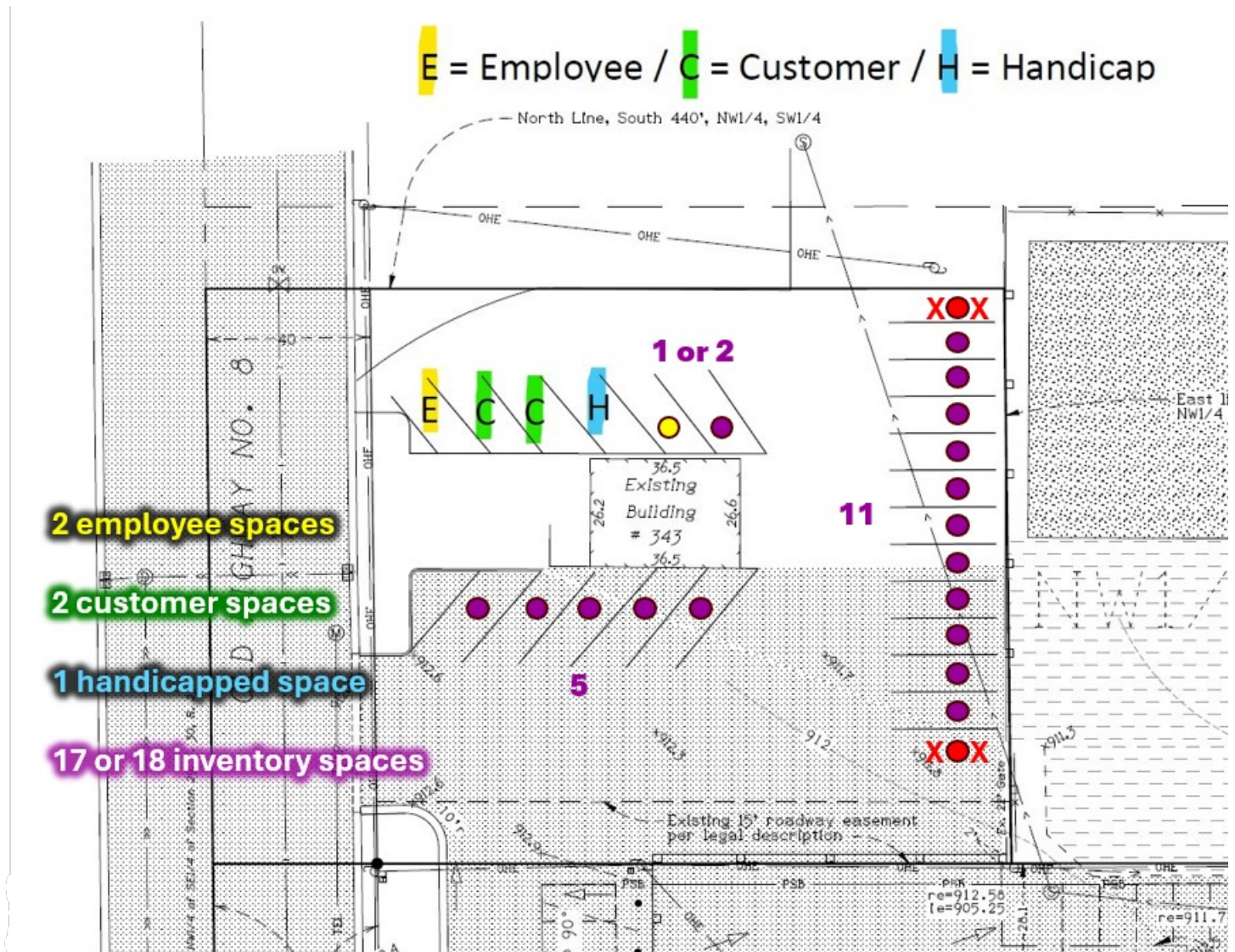
|                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|-------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Comp Plan<br/>Guidance &amp;<br/>Zoning:</b> | <ul style="list-style-type: none"> <li>▪ The comprehensive plan guides this property for Light Industrial Development. Auto sales is an appropriate use in this zoning district if approved by special use permit.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <b>Notable Code<br/>Definitions:</b>            | <ul style="list-style-type: none"> <li>▪ none</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <b>Applicable<br/>Codes:</b>                    | <ul style="list-style-type: none"> <li>▪ <b>Chapter 5, Article 3, Specially Permitted Uses in a B-3 District.</b><br/>Allows auto sales by special use permit if certain criteria can be met.</li> <li>▪ <b>Chapter 6, Article 1, <u>Light Industrial District</u>.</b><br/>Allows any use (except residential and those listed as I-2 uses) by special use permit.</li> <li>▪ <b>Chapter 8, Article 2, <u>Special Use Permit and Variance</u>.</b><br/>Identifies the process by which a special use request is to be reviewed and decided.</li> </ul>                                                                                                                                                                           |
| <b>Applicant's<br/>Narrative [sic]:</b>         | <p>SUP for Used Vehicle Sales</p> <p>343 Old Highway 8 NW, New Brighton</p> <p>Bona Companies Inc. is requesting permission for a Special Use Permit to sell vehicles at 343 Old Highway 8 NW. We plan to use the existing building as an office and reserve the surrounding twenty-three parking spaces for customers, employees and vehicle inventory.</p> <p>We would maintain a professional image that is aesthetically pleasing. This means vehicles would be parked orderly, kept in good, salable condition, and any advertisements would be limited to an appropriate sign on the building</p>                                                                                                                           |
| <b>Site Plan<br/>Overview:</b>                  | <ul style="list-style-type: none"> <li>▪ A formal site plan review is not necessary for this application as no new construction is proposed by the applicant. The following site plan details are provided to give context to the subsequent special use permit examination.</li> <li>▪ Access to the site will not be changing. The northern portion of this site and the southern ¼ of 383 Old Highway 8 have historically been a shared drive aisle serving both lots. From staff's perspective, this is a long-standing legal nonconformity, and is a matter left between the property owners. Should either owner ever wish to establish a boundary between the properties, the site plans for both would need to</li> </ul> |



(cont.)

be opened, and the City would get involved with the issue at that point. For now, the matter is left between the private property owners to resolve as desired.

- By code, this use must include two employee parking spaces. As proposed, the use will have 2 employee spaces, 2 customer spaces, 1 handicapped space, and 17 inventory spaces. One of the employee spaces may be accounted for on the neighboring lot to the south provided the space is paved. If the second employee space is reserved on the adjacent lot, 18 spaces will be available for inventory.
- Note that the area in front of the gate in the SE corner of the property and the northern most space along the eastern property line shall not be used for the parking of vehicles (see red X markings on the figure below). These should be stripped as no parking areas.



## Special Use Permit Review:

### In General:

- Auto sales is a use that requires a Special Use Permit in the I-1 zoning district.

### Criteria Review:

Issuance of an SUP requires an analysis of the proposed use against the following specific review criteria established in code.

1. *That the establishment, maintenance, or operations of the special use will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare.*

APPLICANT COMMENTS: *Bona Brothers operates in an ethical manner and maintains strict appearance standards. Our business serves the welfare of the community instead of detracts from it. [sic]*

Staff Analysis: The establishment of this business should have minimal impact on the public health, safety, morals, and comfort of the general public with proper conditions. Aesthetics of the operation have the greatest potential to impact the surrounding area, so proper conditions regarding signage and lighting will be key. Inventory will be visible from Old Highway 8, so ensuring all vehicles are in excellent condition and operable must be required. Staff did not identify any ways this use would conflict with the adjacent business operations. **Criteria can be met with conditions.**

2. *That the special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood.*

APPLICANT COMMENTS: *We intend to sell lightly used cars in excellent, operable condition and forego advertisements and marketing often seen at used car lots (e.g. gaudy signage, flags, etc.). Our operation will not be detrimental to neighbors in any way. [sic]*

Staff Analysis: Staff agrees with the applicant that ensuring all inventory vehicles are lightly used and in excellent, operable condition will be key to ensuring the property is not injurious to the area. Specific conditions that will ensure this criteria is met include:

- For-sale vehicles stored on-site shall be limited to available inventory spaces (no more than 18).
- Parking spaces shall configured as shown on the provided site plan. All spaces shall be clearly/visibly striped and paint touched up as necessary. Non-parking areas to the north and south of the eastern line of spaces shall be striped as non-parking areas.

(cont.)

- Drive aisles to the north and south of the office building shall be kept free of obstruction at all times.
- Lighting on the site and building shall be directed downward and be installed so as to prevent direct light from being detectable at all lot lines. Lighting is also not to shine directly into the public right-of-way. Any problems with existing lighting that are later identified shall be brought into compliance with code requirements

**Criteria met with conditions.**

3. *That the establishment of the special use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.*

APPLICANT COMMENTS: We work to constantly improve our property so it is functional and aesthetically pleasing. We do not see this as being an issue. [sic]

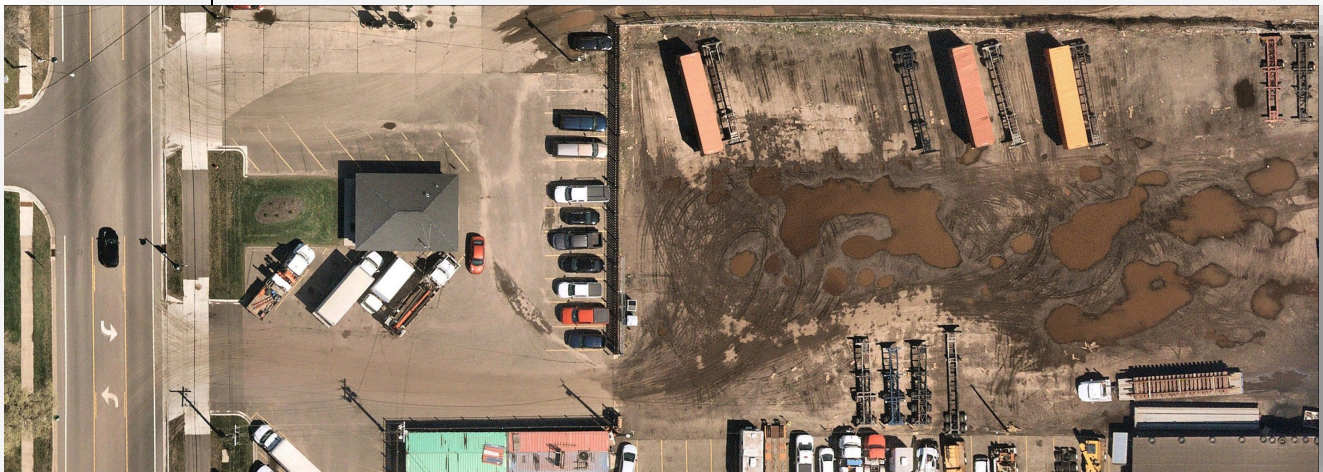
Staff Analysis: The proposed auto sales business should have no impact on the use of nearby properties provided all conditions of approval are continually met.

**Criteria met with conditions.**

4. *That adequate utilities, access roads, drainage and/or necessary facilities have been or are being provided.*

APPLICANT COMMENTS: This is a well functioning property whose building was rebuilt in 2021 while the lot was repaved in 2023. It is in excellent and functional condition. [sic]

Staff Analysis: There are no access problems or issues with the availability of utilities to serve the subject site. That said, there *IS* an existing drainage problem in this area that does impact the subject site as well as area stormwater infrastructure. Luckily, the drainage issue in question is controlled by the applicant and can therefore be addressed as a component of this SUP.





(cont.)



As seen on these aerials, the adjacent site at 347 Old Highway 8 has grading issues which result in substantial puddling during rain events. This in turn leads to significant tracking of dirt onto the subject site and out into the right-of-way for Old Highway 8. Eventually, this dirt ends up in downstream storm sewer catch basins which results in frequent and costly cleaning of the system to ensure it remains functional. This dynamic must end, and this application should be the catalyst to a solution.

As a condition of SUP approval, staff is recommending the applicant work with DCAD staff to eliminate or control this problem. Options could include improvements to the lot at 347 Old Highway 8 to eliminate dirt from the equation altogether, or potentially the establishment of a vehicle tracking management plan (i.e. an established street sweeping schedule and provisions for installing and maintaining storm sewer

inlet protections for downstream catch basins). Engineering staff is open to exploring solutions that work for both parties, so staff is not mandating any one solution at this time. As a condition of the SUP, staff would suggest requiring that a solution or plan be agreed upon by August 29<sup>th</sup>, 2025; and that a deadline for implementation of the agreement be administratively set at that time. Should either the deadline for a plan be missed or the implementation date be missed, either circumstance could be used to support revocation of the special use permit by the City Council. **Criteria met with conditions.**

**5. That the special use shall in all other respects conform to the applicable regulations of the district in which it is located.**

APPLICANT COMMENTS: Our request for an SUP for used vehicles sales was previously approved in 2017 previously but we did not start the business. Like then, we believe our SUP request conforms to all regulations as required. [sic]

Staff Analysis: Staff did not identify other ways in which the proposed use would not conform to code. Nonconformities such as parking lot location were

|                |                                                                                                            |
|----------------|------------------------------------------------------------------------------------------------------------|
| <i>(cont.)</i> | previously addressed in 2017 and are therefore not discussed again in this review.<br><b>Criteria met.</b> |
|----------------|------------------------------------------------------------------------------------------------------------|

### ***Supplementary Review & Public Comment***

|                                           |                                                                                                                                                                                                                                                                                          |
|-------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b><i>Additional Information:</i></b>     | ▪ None                                                                                                                                                                                                                                                                                   |
| <b><i>Engineering Review:</i></b>         | ▪ No engineering memo was created for this item, but feedback from engineering staff was incorporated directly into this staff report. The primary engineering concern is how the applicant plans to deal with sediment from this site and the adjacent site, and those details are TBD. |
| <b><i>Public Safety Review:</i></b>       | ▪ No public safety concerns other than that the applicant must keep drive lanes open at all times for emergency vehicle access.                                                                                                                                                          |
| <b><i>Public Comment:</i></b>             | ▪ There were no comments received for or against this proposal as of 5/22/25, and there were no speakers for or against this proposal at the 5/20/25 public hearing.                                                                                                                     |
| <b><i>Planning Commission Review:</i></b> | ▪ The Planning Commission considered all information presented by staff and the applicant, and did not have any concerns or proposed changes to the submitted plans. <b>The commission unanimously recommended approval with conditions. Staff concurs with this recommendation.</b>     |

### ***Conclusion:***

The application is requesting a Special Use Permit to authorize auto sales from their property at 343 Old Highway 8 NW.

***Council Options:*** The City Council has the following options:

- A) APPROVE THE REQUEST based on the applicant's submittals and findings of fact.
- B) DENY THE REQUEST based on the applicant's submittals and findings of fact.
- C) TABLE THE ITEM and request additional information.

(cont.) Based on an application date of 4/21/25, the 60-day review period for this application expires on 6/20/25. This deadline can be extended an additional 60 days if more time is necessary.

**Initial Motion for Debate:** ▪ Consider a Resolution to approve a Special Use Permit authorizing an auto sales use at 343 Old Highway 8.

**Resolution Findings of Fact:**

1. The subject property is guided for light industrial by the comprehensive plan, and automotive sales can be permitted via a special use permit in the I-1 zoning district.
2. Establishment, maintenance, and operation of an automotive sales business at the proposed location will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare.
3. The existing building along with the proposed site plan can accommodate the use without impacting surrounding lands.
4. Conditions can be placed on this SUP to ensure drive lanes remain open for emergency vehicles.
5. The auto sales use will not have detrimental impact on area property values.
6. The subject site is adequately served by public utilities, roads, and drainage facilities to accommodate the proposed use.
7. The special use will be in conformance with all underlying zoning district requirements provided stormwater management concerns are addressed.

**Resolution Conditions:**

1. Parking for employees, customers, and inventory shall follow the approved site plan.
2. Parking spaces shall configured as shown on the provided site plan. All spaces shall be clearly/visibly striped and existing paint touched up as necessary. Non-parking areas to the north and south of the eastern row of parking spaces shall be striped as non-parking areas (hatched).
3. Lighting on the site and building shall be directed downward and be installed so as to prevent direct light from being detectable at all lot lines. Lighting is also not to shine directly into the public right-of-way. Any problems with existing lighting that are later identified shall be brought into compliance with code requirements.

- (cont)
4. All signage shall conform to requirements of zoning code and shall have proper permits prior to being erected. At no time shall flags, inflatable tube men, balloons, streamers, or other similar visual attraction devices be used on this site in conjunction with the auto sales business.
  5. To ensure the used auto sales lot maintains an acceptable appearance from Old Highway 8, inventory vehicles shall be lightly used and in excellent, operable condition.
  6. For-sale vehicles stored on-site shall be limited to available inventory spaces (no more than 18).
  7. Drive aisles around the office building shall be kept free of obstruction at all times to ensure safety vehicle access to this and surrounding sites.
  8. The applicant shall work with DCAD staff to identify an agreeable solution to the dirt-tracking problem from this site and an adjacent site which is impacting local storm sewers. A solution or plan shall be agreed upon by August 29<sup>th</sup>, 2025; and a deadline for implementation of the solution or plan shall be administratively set at that time. Failure to meet either deadline shall be sufficient grounds for the City Council to revoke this special use permit.
  9. Failure to open the business within one year of approval shall render this special use permit void.

*cc: Stephen Bona*

**RESOLUTION  
CITY COUNCIL  
CITY OF NEW BRIGHTON**

**RESOLUTION MAKING FINDINGS OF FACT AND APPROVING A SPECIAL USE PERMIT  
TO AUTHORIZE AN AUTO SALES USE ON THE PROPERTY AT 343 OLD HIGHWAY 8  
NW**

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

**WHEREAS**, the City Council of the City of the New Brighton has adopted a comprehensive plan and corresponding zoning regulations to promote orderly development and utilization of land within the city; and,

**WHEREAS**, Bona Management Company LLC (the “Applicant”) is owner of the property at 343 Old Highway 8 (the “Property”) which is legally described as follows:

The North 140.00 feet of the South 440.00 feet of the West 194.5 feet of  
the Northwest Quarter of the Southeast Quarter of Section 29, Township 30,  
Range 23, Ramsey County, MN.  
Subject to highway.

**WHEREAS**, the Applicant also owns surrounding lands to the east and south of the Property; and

**WHEREAS**, the Applicant secured a similar special use permit for auto sales (Resolution 2018-038) out of the building to the south of 343 Old Hwy 8, but the business was never opened and the SUP became void; and

**WHEREAS**, the Applicant made application on April 21, 2025, for a new Special Use Permit to authorize auto sales as a specially permitted use on the Property; and

**WHEREAS**, staff fully reviewed the request and prepared a report for consideration by the Planning Commission at their meeting on May 20, 2025; and

**WHEREAS**, the Planning Commission held a public hearing on the request at the May 20, 2025, meeting and considered input from residents; and recommended conditional approval of the request based on the applicant’s submittals and findings of fact; and

**WHEREAS**, the City Council considered on May 27, 2025, the recommendations of the Planning Commission, Staff, the Applicant's submissions, the contents of the staff report, and other evidence available to the Council.



**NOW, THEREFORE, BE IT RESOLVED**, that the City Council of the City of New Brighton hereby approves the requested special use permit based on the following findings of fact:

1. The subject property is guided for light industrial by the comprehensive plan, and automotive sales can be permitted via a special use permit in the I-1 zoning district.
2. Establishment, maintenance, and operation of an automotive sales business at the proposed location will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare.
3. The existing building along with the proposed site plan can accommodate the use without impacting surrounding lands.
4. Conditions can be placed on this SUP to ensure drive lanes remain open for emergency vehicles.
5. The auto sales use will not have detrimental impact on area property values.
6. The subject site is adequately served by public utilities, roads, and drainage facilities to accommodate the proposed use.
7. The special use will be in conformance with all underlying zoning district requirements provided stormwater management concerns are addressed.

**BE IT FURTHER RESOLVED**, that approval of the special use permit shall be subject to the following conditions:

1. Parking for employees, customers, and inventory shall follow the approved site plan.
2. Parking spaces shall be configured as shown on the provided site plan. All spaces shall be clearly/visibly striped and existing paint touched up as necessary. Non-parking areas to the north and south of the eastern row of parking spaces shall be striped as non-parking areas (hatched).
3. Lighting on the site and building shall be directed downward and be installed so as to prevent direct light from being detectable at all lot lines. Lighting is also not to shine directly into the public right-of-way. Any problems with existing lighting that are later identified shall be brought into compliance with code requirements.
4. All signage shall conform to requirements of zoning code and shall have proper permits prior to being erected. At no time shall flags, inflatable tube men, balloons, streamers, or other similar visual attraction devices be used on this site in conjunction with the auto sales business.
5. To ensure the used auto sales lot maintains an acceptable appearance from Old Highway 8, inventory vehicles shall be lightly used and in excellent, operable condition.
6. For-sale vehicles stored on-site shall be limited to available inventory spaces (no more than 18).

7. Drive aisles around the office building shall be kept free of obstruction at all times to ensure safety vehicle access to this and surrounding sites.
8. The applicant shall work with DCAD staff to identify an agreeable solution to the dirt-tracking problem from this site and an adjacent site which is impacting local storm sewers. A solution or plan shall be agreed upon by August 29<sup>th</sup>, 2025; and a deadline for implementation of the solution or plan shall be administratively set at that time. Failure to meet either deadline shall be sufficient grounds for the City Council to revoke this special use permit.
9. Failure to open the business within one year of approval shall render this special use permit void.

**ADOPTED** this 27<sup>rd</sup> day of May, 2025 by the New Brighton City Council with a vote of \_\_\_ ayes and \_\_\_ nays.

---

Kari Niedfeldt-Thomas, Mayor

---

Devin Massopust, City Manager

ATTEST:

---

Terri Spangrud, City Clerk

EXISTING PROPERTY DESCRIPTION - #309 OLD HWY 8 - PID NO. 29.30.23.42.0035  
NEW COMBINED DESCRIPTION FROM RAMSEY COUNTY TAX RECORDS

The North 200.00 feet of the South 300.00 feet of the West 529.5 feet of the Northwest Quarter of the Southeast Quarter of Section 29, Township 30, Range 23, Ramsey County, MN.  
Together with a perpetual roadway easement over and upon the southerly 15.00 feet of the westerly 194.5 feet of the North 160.00 feet of the South 460.00 feet of the westerly 529.5 feet of said Northwest Quarter of the Southeast Quarter of Section 29, Township 30, Range 23 as created by deed recorded in Book 1481 of Deeds, page 327, and situate in Ramsey County, MN;

AND:

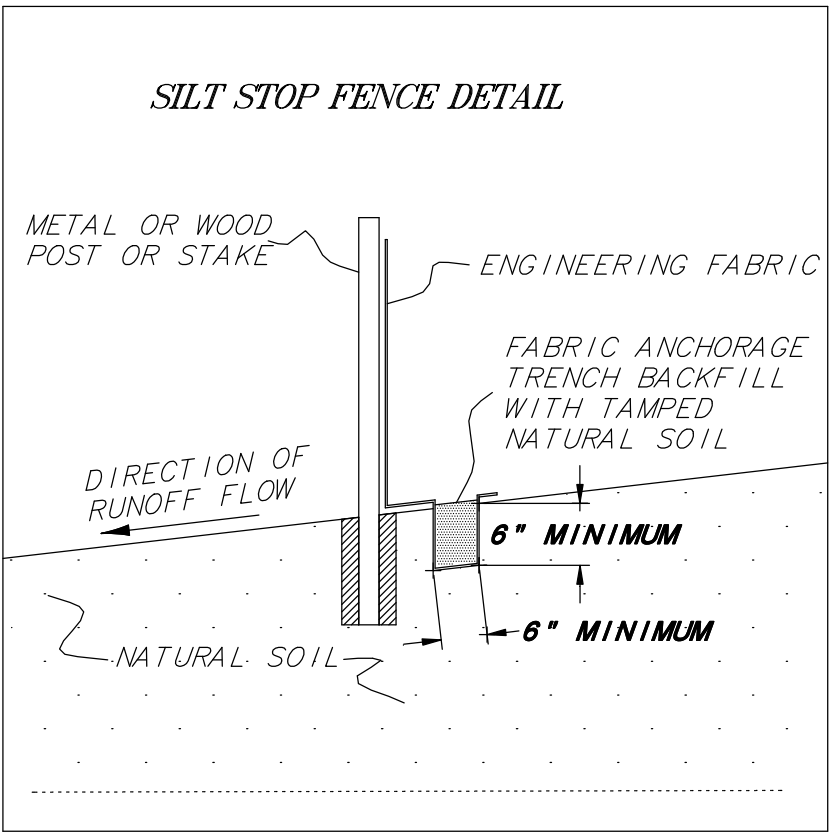
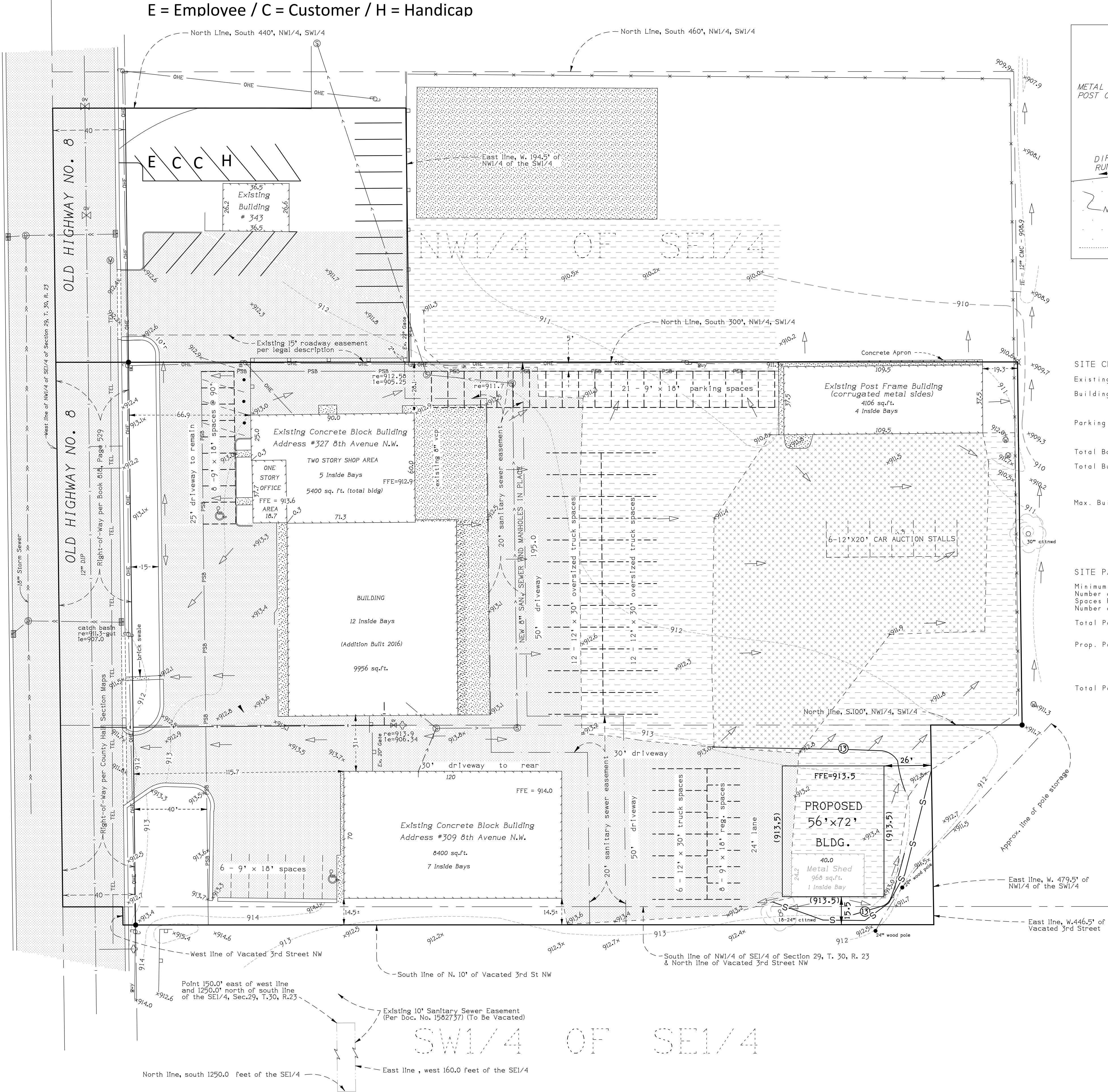
The South 100.00 feet of the West 479.5 feet of the Northwest Quarter of the Southeast Quarter of Section 29, Township 30, Range 23, Ramsey County, MN.  
Together with the North 10.00 feet of the West 446.50 feet of the Vacated 3rd Street NW lying adjacent and situate in Ramsey County, MN.

EXISTING PROPERTY DESCRIPTION - #343 OLD HWY 8 - PID NO. 29.30.23.42.0021  
DESCRIPTION FROM RAMSEY COUNTY TAX RECORDS

The North 140.00 feet of the South 440.00 feet of the West 194.5 feet of the Northwest Quarter of the Southeast Quarter of Section 29, Township 30, Range 23, Ramsey County, MN.  
Subject to highway.

NOTE: EXISTING PARKING ON #343 OLD HIGHWAY 8 IS SHOWN FROM AERIAL MAPPING DONE 2024 ON THE RAMSEY COUNTY GIS SITE.

- = IRON MONUMENT SET
- = IRON MONUMENT FOUND
- ✱ = SPIKE SET
- = EXISTING SANITARY SEWER & MANHOLE
- = EXISTING STORM SEWER & MANHOLE
- = EXISTING MISC. MANHOLE
- = EXISTING CATCH BASIN
- = EXISTING OVERHEAD POWER
- = EXISTING BURIED COMMUNICATION LINE
- = EXISTING UTILITY POLE
- = EXISTING MONITORING WELL
- = EXISTING WROUGHT IRON/WOOD PRIVACY FENCE & CONCRETE FOUNDATION
- = EXISTING 1" CONTOUR
- x913.0 = EXISTING SPOT ELEVATION
- = EXISTING BITUMINOUS - GOOD CONDITION
- = EXISTING CONCRETE OR BRICK SURFACE - GOOD CONDITION
- = EXISTING BITUMINOUS - POOR CONDITION
- = EXISTING COMPACTED PAVEMENT MILLINGS - TOTALLY IMPERVIOUS
- PSB = PARKING SETBACK LINE
- = DIRECTION OF DRAINAGE
- S— = PROPOSED HEAVY DUTY SILT FENCE
- (900.0) = PROPOSED ELEVATION
- ① = PROPOSED CONTOUR



#### SITE CRITERIA

Existing Zoning - I-1  
Building Setbacks - 60' Front  
15' Side  
20' Rear  
Parking Setbacks - 40' Front  
5' Side  
5' Rear  
Total Boundary Area - 146,255 SQ. Ft. (to 40' r/w)  
Total Building Area - 28,830 Sq. Ft. (existing)  
968 Sq. Ft. (removed)  
4,032 Sq. Ft. (proposed)  
31,894 Sq. Ft. (total)  
Max. Building Coverage - 40% - 19.7% (existing)  
21.8% (proposed)

#### SITE PARKING CALCULATION

Minimum Parking Required - 6  
Number of Employees - 15 (projected)  
Spaces Per Building Area - 26 (inc. ex. & proposed)  
Number of Bays - 24 (inc. ex. & proposed)  
Total Parking Required - 24 (in bldg. bay areas)  
47 (outside of buildings)  
Prop. Parking as Shown - 30 (large truck-12'x30')  
43 (regular car-9'x18')  
2 (handicap-12'x18')  
24 (in bldg bay areas)  
6 (auction-12'x20')  
Total Parking as Shown - 105 Total Spaces

Graphic Scale in Feet



DATE: MARCH 30, 2016  
Rev. 9-1-16 (sewer)  
Rev. 4-2-25 (parking on #343)

SHEET 1 OF 1 SHEETS

SITE PLAN,  
DRAINAGE,  
& EROSION  
CONTROL

TRUCK  
SERVICE  
&  
BODY SHOP

CLIENT:  
  
BONA BROS. AUTOMOTIVE

I hereby certify that this plan was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor in the State of Minnesota.  
Randy L. Kurth, RLS, No. 20270  
Russell J. Kurth, RLS, No. 16113

KURTH SURVEYING, INC.  
4002 JEFFERSON ST., N.E.  
COLUMBIA HEIGHTS, MN 55421  
PHONE: (763) 788-9769  
E-MAIL: KSI@KURTHSURVEYINGINC.COM

Page 6 of 12





To Whom it May Concern,

Bona Companies Inc. is requesting permission for a Special Use Permit to sell vehicles at 343 Old Highway 8 NW. We plan to use the existing building as an office and reserve the surrounding twenty-four parking spaces for vehicles.

We would maintain a professional image that is aesthetically pleasing. This means vehicles would be parked orderly, kept in good, saleable condition, and any advertisements would be limited to an appropriate sign on the building.

Regards,

Stephen Bona



## Special Use Permit Criteria Worksheet

A special use permit cannot be approved unless the Planning Commission and City Council find that the following criteria have been met. Please provide a response on how/why your project meets the below stated criteria. Use additional sheets if necessary and consult with the Planning Director at the time of your Pre-Application Meeting as some items may not be applicable for your project.

- 1) That the establishment, maintenance, or operations of the special use will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare.

Bona Bros. operates in an ethical manner and maintains strict appearance standards. Our business serves the welfare of the community instead of detracts from it.

- 2) That the special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood.

We intend to sell lightly used cars in excellent, operable condition and forego advertisements and marketing often seen at used car lots (e.g. gaudy signage, flags, etc.). Our operation will not be detrimental to neighbors in any way.

- 3) That the establishment of the special use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.

We work to constantly improve our property so it is functional and aesthetically pleasing. We do not see this being an issue.

- 4) That adequate utilities, access roads, drainage and/or necessary facilities have been or are being provided.

This is a well functioning property whose building was rebuilt in 2021 while the lot was repaved in 2023. It is in excellent and functional condition.

- 5) That the special use shall in all other respects conform to the applicable regulations of the district in which it is located.

- Our request for an SUP for used vehicles sales was previously approved in 2017 previously but we did not start the business. Like then, we believe our SUP request conforms to all regulations as required.

**RESOLUTION NO. 2018-038**  
**STATE OF MINNESOTA**  
**COUNTY OF RAMSEY**  
**CITY OF NEW BRIGHTON**

**RESOLUTION MAKING FINDINGS OF FACT AND APPROVING A SPECIAL USE PERMIT AND NONCONFORMING USE PERMIT.**

**WHEREAS**, an application has been made by John Bona to allow vehicle sales at 327B Old Highway 8 NW, and

**WHEREAS**, the procedural history of the application is as follows:

1. Applications for a Special Use Permit and Nonconforming Use Permit were received on February 28, 2018.
2. A public hearing notice concerning the request was published in the April 4, 2018 edition of the New Brighton *Bulletin*.
3. Public hearing notices were mailed to property owners within 350' of the property on April 6, 2016.
4. The Planning Commission, pursuant to published and mailed notices, held a public hearing on April 17, 2018 and all present were given a chance to freely speak at the hearing.
5. The Planning Commission recommended conditional approval on April 17, 2018.
6. The City Council considered the request on April 24, 2018.

**WHEREAS**, the Planning Commission and City Council make the following Findings of Fact with respect to the Special Use Permit (PSCI18-0001) and Nonconforming Use Permit (PNCU18-0001):

1. The property is zoned I – 1, Light Industrial.
2. The property is guided in the Comprehensive Plan for BP, Business Park.
3. The proposed improvements are located on 327B Old Highway 8 NW.
4. The property is legally described as follows:

327 Old Highway 8 NW (293023420015)

The North 200.00 feet of the South 300.00 feet of the West 529.5 feet of the Northwest Quarter of the Southeast Quarter of Section 29, Township 30, Range 23, Ramsey County MN.

Together with a perpetual roadway easement over and upon the southerly 15.00 feet of the westerly 194.5 feet of said North 160.00 feet of the South 460.00 feet of the westerly 529.5 feet of said Northwest Quarter of the Southeast Quarter of Section 29, Township 30, Range 23 as created by deed recorded in Book 1481 of Deeds, page 327, and situate in Ramsey County, MN.

5. The site is currently used for truck and trailer repair.
6. The applicant is proposing to open a vehicle sales operation out of the existing building located at the northeast corner of the property, limited to six vehicles.
7. The Planning Commission and City Council considered the following special use permit criteria of Zoning Code Section 8-130:

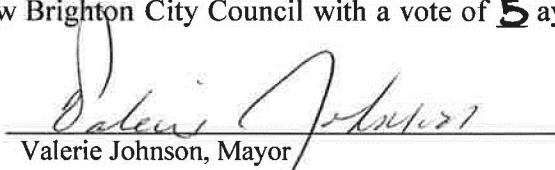
- a. That the establishment, maintenance, or operations of the special use will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare.
  - b. That the special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood.
  - c. That the establishment of the special use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.
  - d. That adequate utilities, access roads, drainage and/or necessary facilities have been or are being provided.
  - e. That the special use shall in all other respects conform to the applicable regulations of the district in which it is located.
8. The Planning Commission and City Council determined the special use permit criteria were met based on the following:
- a. Adequate parking is provided on site.
  - b. The property is surrounded by other industrial uses, including vehicle, truck and trailer storage.
  - c. The parking and storage of vehicles for sale will be in the rear yard, out of view from the public roadway.
  - d. The applicant does not plan to engage in gaudy or flashy display of banners or balloons that are typically associated with vehicles sales.
  - e. The sales vehicles will be limited to six to minimize impact of the operation.
  - f. The sales operation is compatible with surrounding uses and the existing truck and trailer repair use currently conducted on the property.
  - g. No unlicensed or inoperable sales vehicles will be permitted on the property.
9. The Planning Commission and City Council determined the following nonconformities exist on the site:
- a. Front yard parking lot setback less than required by code.
  - b. Rear yard parking lot setback less than required by code.
  - c. Side yard setback of accessory building less than required by code.
10. The Planning Commission and City Council considered the Nonconforming Use Permit in accordance with the following criteria of Section 8-460 (2):
- a. The total number of nonconformities is reduced.
  - b. The impact of any nonconformity upon adjacent premises is reduced to the greatest practical extent.
  - c. The extent of any nonconformity is reduced where practical.
11. The Planning Commission and City Council found the nonconforming use permit criteria are met based on the following:
- a. The applicant recently reduced the front yard parking lot setback nonconformity in 2016 associated with other improvements on the property.
  - b. The applicant will agree to not park vehicles within 5' of the rear property line.
  - c. The applicant will agree to designate the six stalls by painting lines on the recycled aggregate.
  - d. No additional reductions in nonconformities are practical without negatively impacting the applicant's ability to run his business.

- e. The type and levels of nonconformity are not out of character with the surrounding properties.

**NOW THEREFORE BE IT RESOLVED**, that based upon the above Findings of Fact the application for a Special Use Permit (PSCI18-0001) and Nonconforming Use Permit (PNCU18-0001) are hereby approved, subject to the following conditions:

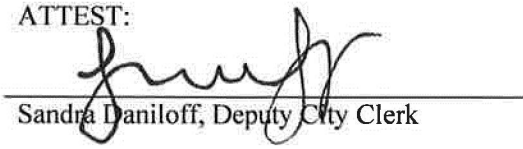
1. No more than 6 vehicles may be kept on site for vehicle sales at any given time. Semis/tractor/trailers shall not be allowed to offer for sale.
2. The sales operation office shall be located within the existing building at the northeast corner of the property.
3. Any vehicles located on the property and advertised for sale shall be operable, in good repair, and be properly licensed.
4. Inoperable and/or unlicensed vehicles for sale may not be kept on site.
5. All vehicles must be located in the six designated parking stalls in the rear of the property and at all times be out of public view from the street.
6. Applicant shall designate the six sales stalls by painting lines on the recycled aggregate.
7. No parking of vehicles is allowed within 5' of the rear property line.
8. No balloons, streamers, blow-ups, or the like shall be displayed on site.
9. Signs not exceeding 4 SF shall be allowed for driveway and building identification of the vehicle sales operation. Other permanent signage shall only be allowed if in compliance with Chapter 9 of the Zoning Code.

**Adopted** this 24<sup>th</sup> day of April, 2018 by the New Brighton City Council with a vote of **5** ayes and **0** nays.

  
Valerie Johnson, Mayor

  
Dean R. Lotter, City Manager

ATTEST:

  
Sandra Daniloff, Deputy City Clerk