



**CITY OF MAYER
REGULAR CITY COUNCIL MEETING
CITY COUNCIL CHAMBERS
TUESDAY, NOVEMBER 12, 2019
6:30 PM**

AGENDA

- 1. Call Meeting to Order**
- 2. Pledge of Allegiance**
- 3. Approval of Agenda**
- 4. Public Comment (Please limit comments to 5 minutes)**
- 5. Consent Agenda**
 - A. Minutes
 1. October 28, 2019 City Council Meeting Minutes
 - B. Claims
 - C. Request for November 29, 2019 off – Day After Thanksgiving
 - D. Liability Coverage Waiver – League of Minnesota Cities Insurance Trust – Resolution 11.12.19.40
 - E. West Ridge Parking Lot – Pay Request #1
- 6. Reports and Recommendations of City Departments, Consultants, Commissions and Committees**
 1. Administrative
 - A. MnDOT presentation – 2020 Highway 25 Project
 - B. Collective Bargaining Agreement – Local 49
 2. Planning
 - A. Site Plan Review for New Building - 185 7th Street NE & Parking Variance
 1. Resolution 11.12.19.41 – Site Plan Approval
 2. Resolution 11.12.19.42 - Parking Variance
 - B. Site Plan Review for New Building – 856 Shimmcor & Parking Variance
 1. Resolution 11.12.19.43 – Site Plan Approval
 2. Resolution 11.12.19.44 – Parking Variance
- 7. City Council Reports**
- 8. Other Business**
- 9. Upcoming Meetings & Events**

November 13, 2019 Park Commission Meeting
November 25, 2019 City Council Meeting
November 28, 2019 Thanksgiving
December 3, 2019 Planning and Zoning Commission
December 9, 2019 City Council Meeting
December 10, 2019 Park Commission Meeting

10. For Your Information

11. Adjournment

MAYER CITY COUNCIL MEETING MINUTES – OCTOBER 28, 2019

Call Regular meeting to order at 6:30 p.m. by Mayor Dodge

PRESENT: Mayor Dodge, Council Members Boder, Butterfield, McNeilly, and Stieve-McPadden

ABSENT:

STAFF: City Administrator McCallum, City Engineer Martini, City Attorney Sullivan, and Deputy Clerk Gildemeister

ALSO PRESENT: Don Wachholz

The meeting was opened with the Pledge of Allegiance.

APPROVE AGENDA

A MOTION was made by Council Member Butterfield with a second by Council Member McNeilly to approve the agenda with the addition of Resolution 10-28-19-40 Mayer Baseball Donation. Motion Carried 5/0

PUBLIC COMMENT

None

APPROVE CONSENT AGENDA

A MOTION was made by Council Member McNeilly with a second by Council Member Boder to approve the Consent Agenda with changes to the Minutes of the October 14, 2019 Regular Council Meeting.

Motion Carried 5/0.

1. Approve the Minutes of the October 14, 2019 Regular Council Meeting.
2. Approve Claims for the Month of October 2019. Check numbers 22571 to 22590. E-check numbers 5443E to 5451E. Bank check number 50101.
3. Acknowledge City Administrators Report for the Month of October 2019.
4. Acknowledge Fire Department Report for the Month of September 2019.
5. Acknowledge City Engineer Summary Report of Projects for September 2019.
6. Acknowledge Sheriff's Department Report for the Month of September 2019.
7. Acknowledge Public Works Report of Activities from September 19, 2019 to October 24, 2019.
8. Approve Resolution 10-28-19-36 2020 Election Location.
9. Approve Resolution 10-28-19-40 Mayer Baseball Temporary Permit.

PUBIC HEARING- *Opened at 6:33 p.m.*

Certification to Carver County Delinquent Utilities and Miscellaneous Fees-Resolution 10-28-19-37

McCallum explained that every year, the City prepares a roll of delinquent utilities and unpaid miscellaneous fees. She stated that all properties have been properly notified and have until November 15, 2019 to make a payment. All unpaid delinquent utility and miscellaneous fees will be assessed to the 2020 property taxes. She informed Council that the total assessment roll was \$21,344.38. Being no one present to dispute the delinquent utilities and/or miscellaneous fees, nor emailed comments received, the Public Hearing was closed at 6:36 p.m. A MOTION to Approve Resolution 10-28-19-37 Certification of Delinquent Utilities and Miscellaneous Fees to Carver County 2020 Property Taxes was made by Council Member Butterfield and seconded by Council Member McNeilly. Motion carried 5/0.

Council was concerned that the amount of unpaid utilities is considerably high than in the past and directed Staff to bring topic back for discussion at a future Workshop Meeting.

CITY ADMINISTRATOR

1. **Approve Resolution 10-28-19-38 Sheriff's Contract 2020** – After extensive discussion a MOTION to increase the Full Time Equivalent (FTE) Deputy (2080 hours) from .67 FTE to 1.0 FTE at a cost of \$137,440.00 and Council determining the flex hours at a later date was made by Council Member Butterfield and seconded by Council Member Stieve-McPadden.
Motion failed 1/4. (*Mayor Dodge, Council Members Boder, McNeilly, and Stieve-McPadden a nay*)
Being no further motions made, the discussion was Tabled.

Mayor Dodge and Council Member Stieve-McPadden could not support the increase in costs. Council Member Boder stated he still has too many questions that need answers. Council directed City Administrator to bring 2020 Sheriff's Contract back for further discussion at the next Council Work Session. Council also directs Staff to get recommendations from the Carver County Sheriff's Department and provide answers on the County model of service.

ENGINEERING

1. **Approve Resolution 10-28-19-39 Subordination of a Drainage and Utility Easement** – The City of Mayer had identified the need to improve the overall storm water conveyance and storage system in the 2005 Surface Water Management Plan. This included improvements on the storm sewer system all the way from the outlets at the Crow River, extending upstream through the City to the southern city limits. The idea being that it would reduce flooding that has historically been occurring in the City.
As part of this plan, the City constructed a wetland basin located south east of TH25 (Ash Avenue) and 1st Street. The project then turned into a wetland restoration project.
The engineer provided an update on the progress of the wetland restoration project.
As part of the plan, Bolton & Menk monitored the area and identified that a washout occurred in the southeast corner of the Wetland site which is located southeast of Highway 25 and 1st Street NE in Mayer. City Engineer Martini, Bolton & Menk, presented their observations. He indicated the wetland bank appears to be stabilized and exhibits nearly full vegetative coverage around the eroded area of the southeastern tile inlet. Signs of active management of invasive species was also observed at the site. The City already has an existing drainage and utility easement over all Parcel A of the Sell Commercial Park Plat. The BWSR requested the City pass a resolution stating the subordination of the existing drainage & utility easement to the future easement. City Engineer Martini recommended the Council approve the repair of the storm water inlet first and then the drainage easement.

A MOTION was made by Council Member Stieve-McPadden to approve the repairs (option 2) of the storm water inlet with a cost not to exceed \$25,000 and seconded by Council Member Boder. Motion carried 5/0.

A MOTION to Approve Resolution 10-28-19-39 Subordination of a Drainage and Utility Easement was made by Council Member Boder and seconded by Council Member Stieve-McPadden. Motion carried 5/0.

COUNCIL REPORTS

- Mayor Dodge reminded Council of the Watertown-Mayer School District Referendum Election is Tuesday, November 5, 2019.
- Mayor Dodge announced that the Veterans Memorial Event will be held at MLHS on Veterans Day, November 11, 2019.

CLOSED SESSION-Minn. Stat. §13D.03 7:41 p.m.

1. The meeting is closed to consider strategy for labor negotiations, including negotiation strategies or developments or discussion and review of labor negotiation proposals, pursuant to Minn. Stat. § 13D.03, subd. 1(b);
2. The specific subjects to be discussed, pursuant to Minn. Stat. § 13.01, subd. 3, may include the status of labor negotiations and negotiation strategies.

The motion for the adoption of the foregoing Motion was made by Council Member Stieve-McPadden and duly seconded by Council Member Butterfield and upon a vote being taken thereon, the following voted in favor thereof: Mayor Dodge, Council Members Boder, Butterfield, McNeilly and Stieve-McPadden. and the following voted against the same:

A MOTION to close Closed Session and reopen Regular Council Meeting at 8:05 p.m. was made by Council Member Stieve-McPadden and seconded by Council Member McNeilly. Motion carried 5/0.

ADJOURN

There being no further business, a MOTION was made by Council Member Boder and seconded by Council Member Stieve-McPadden to adjourn the meeting at 6:55 p.m. Motion Carried 5/0

Mike Dodge, Mayor

Attest: _____
Janell Gildemeister, Deputy City Clerk

ACCOUNTS PAYABLE LIST

NOVEMBER 12, 2019

Checks: 22591 - 22617, 5452E - 5468E, 50102

22591	Kliver Consulting	WWTP Contract Consultant - Second Half (Oct)	\$900.00
22592	Great America Financial Services	Copier Lease - City Hall	\$219.79
22593	City of Carver	Dias and Monitors	\$275.00
22594	Security Bank	Employee Benefits - November 2019 - H.S.A.	\$875.00
22595	Herald Journal Publishing	Newspaper	\$47.00
22596	AEM Financial Solutions	Long Term Plan Development	\$2,500.00
22597	AEM Workforce Solutions	October Payroll Prep.	\$440.00
22598	Bound Tree Medical	FD Supplies - Heartsmart Pads	\$55.99
22599	Carver County	2nd Half Police Contract - 2019	\$43,962.50
22600	Carver County Attorney	3rd Quarter Prosecution Fee	\$507.19
22601	Central Fire Protection	PW - Fire Extinguisher	\$262.85
22602	Core and Main	Water Meter Seals	\$2,322.88
22603	Delano Rental inc	Bobcat Track Loader Rental	\$234.35
22604	DPC Industries	WTP Chemicals	\$941.95
22605	Emergency Response Solutions	FD Gas Monitor Calibration	\$50.00
22606	Gopher State One Call Inc	Locates	\$62.10
22607	Grainger	WWTP - Cogged V Belts	\$54.73
22608	Herald Journal Publishing	P.H. Notices - Variances	\$128.88
22609	Jefferson Fire and Safety	FD Supplies - Rope Bag	\$219.93
22610	Kliver Consulting	WWTP Contract Consultant - First Half (Nov)	\$900.00
22611	Mayer Lumber	Clamps, misc supplies	\$391.65
22612	Metrowest Inspections	Sept Finaled Permits	\$6,846.13
22613	Nuss Truck & Equipment	2020 - Mack Truck - Snow Plow - half	\$102,255.87
22614	R Home LLC	Escrow Reimbursement	\$2,500.00
22615	Rod Maetzold	Conference, Hotel and Mileage (Duluth)	\$800.30
22616	Tom Clemensen	Meadow Park Slab and Edging	\$7,255.00
22617	Vessco	WTP Thermometer and other supplies	\$318.83
5452E	PERA	Employee Benefits - PERA	\$1,252.08
5453E	ADP LLC	Employee Payroll	\$6,532.31
5454E	ADP LLC	Employee Payroll Taxes	\$2,644.33
5455E	Centerpoint Energy	WTP	\$26.68

5456E	Centerpoint Energy	WWTP	\$146.58
5457E	Centerpoint Energy	PW	\$31.75
5458E	Centerpoint Energy	Fire Department	\$135.22
5459E	Centerpoint Energy	City Hall	\$258.71
5460E	Delta Dental of Minnesota	Employee Benefits - Dental	\$261.10
5461E	Frontier	WWTP	\$102.09
5462E	Preferred One	Employee Benefits - Health	\$4,142.35
5463E	Verizon Wireless	OSH Lift Auto Dialer	\$14.29
5464E	Verizon Wireless	Fire Department	\$41.19
5465E	Verizon Wireless	City Cells	\$246.13
5466E	Xcel Energy	WWTP	\$1,541.27
5467E	Frontier	PW Internet	\$84.33
5468E	Techstar IT Solutions	Phone and Software Support	\$390.80
50102	ADP LLC	Edholm PR	\$127.47
			<hr/>
			\$193,306.60



Request for Council Action Memorandum

Item: Authorization to Close City Hall on Friday, November 29, 2019.

Meeting Date: November 12, 2019

Presented By: Margaret McCallum, City Administrator

Recommendations/Council Action/Motion Requested:

A motion approving the closing of City Hall for the day after Thanksgiving on Friday November 23, 2018.

Details:

The City of Mayer has been closed the day after Thanksgiving for the past several years. Staff is proposing to be closed again this year on Friday, November 19, 2019.

Staff would use PTO to replace the hours. Conducting business the day after Thanksgiving is very limited because many other organizations and businesses that would utilize City services are closed.

Attachments:

None.



Request for Council Action Memorandum

Item: Liability Coverage Waiver – LMCIT - Consider monetary limits on municipal tort liability.

Meeting Date: November 12, 2019

Presented By: Margaret McCallum, City Administrator

Recommendations/Council Action/Motion Requested:

A motion to approve a resolution regarding monetary limits on municipal tort liability.

Details:

The City of Mayer purchases liability coverage through the League of Minnesota cities. All cities obtaining liability coverage from the League of Minnesota Insurance Trust must decide whether or not to waive the statutory tort liability limits to the extent of coverage purchased.

The Choices are:

1. To not waive the statutory tort limit,
2. Waive the statutory tort limit and not purchase excess liability coverage, or
3. Waive the statutory tort limit and purchase excess liability coverage.

The first option will limit an individual claimant to \$500,000 and up to \$1,500,00 for a single occurrence.

The second option will limit an individual claimant to \$1,500,000 and up to \$1,500.00 for a single occurrence.

The third option would depend on the limit of the coverage beyond \$1,500,000 if the City so chooses.

Staff recommends option 1. Not waiving the statutory tort limits.

Attachments:

Resolution 11.12.19.40

Liability Coverage Waiver Form.

CITY OF MAYER

RESOLUTION NO. 11.12.19.40

RESOLUTION ACCEPTING THE LIABILITY COVERAGE LIMITS FROM THE LEAGUE OF MINNESOTA CITIES INSURANCE TRUST.

WHEREAS, the City of Mayer purchases liability insurance through the League of Minnesota Cities (LMC); and

WHEREAS, the League of Minnesota Cities requires all entities obtaining insurance through LMC Insurance Trust to decide whether to waive or not waive the municipal tort limits.

NOW, THEREFORE BE IT RESOLVED, by that of the City Council of the City of Mayer, hereby does not waive the monetary limits on municipal tort liability established by Minnesota Statute.

BE IT FURTHER RESOLVED, that the City Council of the City of Mayer hereby accepts liability coverage of five hundred thousand/one million five hundred thousand (\$500,000/\$1,500,000) from the League of Minnesota Cities Insurance Trust (LMCIT) for the calendar year 2020.

ADOPTED BY THE MAYOR AND COUNCIL THIS 12th DAY OF NOVEMBER 2019.

Mike Dodge, Mayor

Margaret McCallum, City Administrator

LIABILITY COVERAGE – WAIVER FORM

Members who obtain liability coverage through the League of Minnesota Cities Insurance Trust (LMCIT) must complete and return this form to LMCIT before the member's effective date of coverage. Return completed form to your underwriter or email to pstech@lmc.org.

The decision to waive or not waive the statutory tort limits must be made annually by the member's governing body, in consultation with its attorney if necessary.

Members who obtain liability coverage from LMCIT must decide whether to waive the statutory tort liability limits to the extent of the coverage purchased. The decision has the following effects:

- *If the member does not waive the statutory tort limits, an individual claimant could recover no more than \$500,000 on any claim to which the statutory tort limits apply. The total all claimants could recover for a single occurrence to which the statutory tort limits apply would be limited to \$1,500,000. These statutory tort limits would apply regardless of whether the member purchases the optional LMCIT excess liability coverage.*
- *If the member waives the statutory tort limits and does not purchase excess liability coverage, a single claimant could recover up to \$2,000,000 for a single occurrence (under the waive option, the tort cap liability limits are only waived to the extent of the member's liability coverage limits, and the LMCIT per occurrence limit is \$2,000,000). The total all claimants could recover for a single occurrence to which the statutory tort limits apply would also be limited to \$2,000,000, regardless of the number of claimants.*
- *If the member waives the statutory tort limits and purchases excess liability coverage, a single claimant could potentially recover an amount up to the limit of the coverage purchased. The total all claimants could recover for a single occurrence to which the statutory tort limits apply would also be limited to the amount of coverage purchased, regardless of the number of claimants.*

Claims to which the statutory municipal tort limits do not apply are not affected by this decision.

LMCIT Member Name:

Check one:

- The member **DOES NOT WAIVE** the monetary limits on municipal tort liability established by [Minn. Stat. § 466.04](#).
- The member **WAIVES** the monetary limits on municipal tort liability established by [Minn. Stat. § 466.04](#), to the extent of the limits of the liability coverage obtained from LMCIT.

Date of member's governing body meeting: _____

Signature: _____ Position: _____



**BOLTON
& MENK**

Real People. Real Solutions.

2638 Shadow Lane
Suite 200
Chaska, MN 55318-1172

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

November 6, 2019

City of Mayer
Attn: Ms. Margaret McCallum
413 Bluejay Ave
Mayer, MN 55360

Re: West Ridge Park Parking Improvements

Dear Ms. McCallum:

Enclosed is Payment Request No. 1 from Valley Paving, Inc. for work completed on the West Ridge Park Parking Improvements Project through November 6, 2019. This estimate includes common borrow, aggregate base, trail paving, turf establishment and other related work.

We have reviewed the estimate, verified the quantities, and recommend payment in the amount of **\$59,726.22**, which includes a retained percentage of 5%.

Please contact me if you have any questions or need additional information.

Sincerely,
BOLTON & MENK, INC.

David P. Martini
Principal Engineer

Partial Pay Estimate No.:

1

WEST RIDGE PARK IMPROVEMENTS

MAYER, MINNESOTA

BMI PROJECT NO. C13.118569

WORK COMPLETED THROUGH 11/06/2019

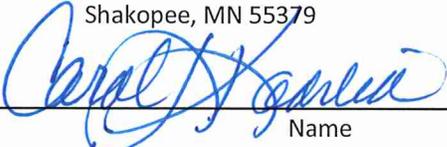
ITEM NO.	ITEM	UNIT PRICE	AS BID		PREVIOUS ESTIMATE		COMPLETED TO DATE			
			ESTIMATED QUANTITY	ESTIMATED AMOUNT	ESTIMATED QUANTITY	ESTIMATED AMOUNT	ESTIMATED QUANTITY	ESTIMATED AMOUNT		
1	0 MOBILIZATION	\$7,100.00	1	LS	\$7,100.00	LS	\$0.00	1.00	LS	\$7,100.00
2	0 TRAFFIC CONTROL	\$300.00	1	LS	\$300.00	LS	\$0.00	1.00	LS	\$300.00
3	0 TRANSPLANT TREE (ANY SIZE)	\$280.00	4	EACH	\$1,120.00	EACH	\$0.00	4.00	EACH	\$1,120.00
4	0 REMOVE BITUMINOUS PAVEMENT (ANY THICKNESS)	\$9.00	165	SQ YD	\$1,485.00	SQ YD	\$0.00	158.00	SQ YD	\$1,422.00
5	0 ADJUST FRAME & RING CASTING	\$1,650.00	1	EACH	\$1,650.00	EACH	\$0.00	0.00	EACH	\$0.00
6	0 COMMON EXCAVATION - SITE GRADING	\$10,000.00	1	LUMP SUM	\$10,000.00	LUMP SUM	\$0.00	1.00	LUMP SUM	\$10,000.00
7	0 COMMON BORROW (LV) (2105)	\$30.00	150	CU YD	\$4,500.00	CU YD	\$0.00	280.00	CU YD	\$8,400.00
8	0 TYPE SP 9.5 WEARING COURSE MIXTURE (2,B) (2360)	\$135.00	130	TON	\$17,550.00	TON	\$0.00	131.80	TON	\$17,793.00
9	0 AGGREGATE BASE CLASS 5 (2211)	\$25.00	220	TON	\$5,500.00	TON	\$0.00	319.72	TON	\$7,993.00
10	0 COMMON TOPSOIL BORROW (LV)	\$41.00	230	CU YD	\$9,430.00	CU YD	\$0.00	41.50	CU YD	\$1,701.50
11	0 4" SOLID WHITE PAINT	\$0.45	625	LIN FT	\$281.25	LIN FT	\$0.00	625.00	LIN FT	\$281.25
12	0 PAVEMENT MSSG PAINT (HANDICAPPED SYMBOL)	\$170.00	1	EACH	\$170.00	EACH	\$0.00	2.00	EACH	\$340.00
13	0 SIGN TYPE C AND POST	\$224.00	2	EACH	\$448.00	EACH	\$0.00	0.00	EACH	\$0.00
14	0 INLET PROTECTION	\$415.00	1	EACH	\$415.00	EACH	\$0.00	1.00	EACH	\$415.00
15	0 SILT FENCE, MACHINE SLICED	\$4.50	375	LIN FT	\$1,687.50	LIN FT	\$0.00	375.00	LIN FT	\$1,687.50
16	0 BIOLOG	\$6.75	100	LIN FT	\$675.00	LIN FT	\$0.00	100.00	LIN FT	\$675.00
17	0 HYDROMULCH SEED MIX 25-151, TYPE 3 FERTILIZER	\$3.35	1725	SQ YD	\$5,778.75	SQ YD	\$0.00	1,087.00	SQ YD	\$3,641.45
TOTAL AMOUNT:					\$68,090.50		\$0.00			\$62,869.70

CONTRACTOR'S PAY REQUEST		DISTRIBUTION:
WEST RIDGE PARK IMPROVEMENTS		CONTRACTOR (1)
MAYER, MINNESOTA		OWNER (1)
BMI PROJECT NO. C13.118569		ENGINEER (1)
		BONDING CO. (1)
TOTAL AMOUNT BID PLUS APPROVED CHANGE ORDERS		\$68,090.50
TOTAL, COMPLETED WORK TO DATE		\$62,869.70
TOTAL, STORED MATERIALS TO DATE		\$0.00
DEDUCTION FOR STORED MATERIALS USED IN WORK COMPLETED		\$0.00
TOTAL, COMPLETED WORK & STORED MATERIALS		\$62,869.70
RETAINED PERCENTAGE (5%)		\$3,143.49
TOTAL AMOUNT OF OTHER PAYMENTS OR (DEDUCTIONS)		\$0.00
NET AMOUNT DUE TO CONTRACTOR TO DATE		\$59,726.22
TOTAL AMOUNT PAID ON PREVIOUS ESTIMATES		\$0.00
PAY CONTRACTOR AS ESTIMATE NO. 1		\$59,726.22

Certificate for Partial Payment

I hereby certify that, to the best of my knowledge and belief, all items quantities and prices of work and material shown on this Estimate are correct and that all work has been performed in full accordance with the terms and conditions of the Contract for this project between the Owner and the undersigned Contractor, and as amended by any authorized changes, and that the foregoing is a true and correct statement of the contract amount for the period covered by this Estimate.

Contractor: Valley Paving, Inc.
8800 13th Avenue East
Shakopee, MN 55379

By  Name  Title

Date 11/6/19

CHECKED AND APPROVED AS TO QUANTITIES AND AMOUNT:

ENGINEER: BOLTON & MENK, INC., 2638 Shadow Lane, Suite 200, Chaska, MN 55318-1172

By _____, CITY ENGINEER

Date _____

APPROVED FOR PAYMENT:

OWNER:

By _____
Name Title Date

And _____
Name Title Date



Request for Council Action Memorandum

Item: Collective Bargaining Agreement – Local 49

Meeting Date: November 12, 2019

Presented By: Margaret McCallum, City Administrator

Recommendations/Council Action/Motion Requested:

A motion to approve the Collective Bargaining Agreement between the City of Mayer and International Union of Operating Engineers, Local 49.

To direct the Mayor and City Administrator to sign the same on behalf of the City of Mayer.

Details:

Over the past several months, the City of Mayer has been negotiating a Collective Bargaining Agreement with the International Union of Operating Engineers, Local 49.

A final contract has been approved by the those who are represented by the Union.

The City Council must do a final review of the Collective Bargaining Agreement and finalize it by moving to approve the Agreement between the period of January 1, 2020 through July 31, 2021.

Attachments:

Collective Bargaining Agreement.

AGREEMENT

Between

THE CITY OF MAYER

And

**INTERNATIONAL UNION OF OPERATING
ENGINEERS, LOCAL NO. 49
AFL-CIO**



January 1, 2020 – July 31, 2021

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ARTICLE 1 – PURPOSE OF AGREEMENT

- 1.1 **Agreement.** This Agreement is entered into between the City of Mayer (hereinafter called the EMPLOYER), and Local 49 International Union of Operating Engineers, AFL-CIO (hereinafter called the UNION).
- 1.2 **Scope.** This Agreement constitutes the entire Agreement between the parties and no verbal statements shall supersede any of its provisions. Any amendment or agreement supplemental hereto shall not be binding upon either party unless executed in writing by the parties hereto.
- 1.3 **Purpose.** This Agreement is entered into by the parties for the general purpose of promoting the mutual interests of the City and its employees; to maintain cooperation and understanding between the parties; improve employee efficiency and improve the quality of services rendered to the City and the public; establish certain hours, wages, and other conditions of employment; establish procedures for the resolution of disputes concerning this Agreement’s interpretation and/or other application. In the spirit of existing harmonious relations, the parties to this Agreement shall cooperate fully to secure the advancement and achievement of these purposes.

ARTICLE 2 – RECOGNITION

- 2.1 The EMPLOYER recognizes the Union as the exclusive bargaining representative, under Minnesota Statutes, Section 179A.03, Subdivision 8, as certified by the Bureau of Mediation Services on March 22, 2019, BMS Case No. 19PCE0729, and described as:

All employees, employed by the City of Mayer, Minnesota who are public employees within the meaning of Minn. Stat. 179A.03, subd. 14, excluding supervisory and confidential employees.

The parties agree that temporary/seasonal employees are excluded from the bargaining unit.

- 2.2 In the event that the Employer and the Union are unable to agree as to the inclusion or exclusion of a new or modified job class the issue shall be submitted to the Bureau of Mediation Services for determination.

ARTICLE 3 – DEFINITIONS

- 3.1 UNION: The International Union of Operating Engineers, Local No. 49, AFL-CIO.

- 3.2 EMPLOYER: The City of Mayer, Minnesota.
- 3.3 UNION MEMBERS: Members of the International Union of Operating Engineers, Local No. 49, AFL-CIO.
- 3.4 EMPLOYEE: A member of the exclusively recognized bargaining unit.
- 3.5 BASE PAY RATE: The Employee's hourly rate exclusive of any special allowances.
- 3.6 OVERTIME: All hours worked in excess of forty (40) hours in an Employee's work week.
- 3.7 CALL-BACK: Return of an Employee to a specified work site to perform assigned duties at the express authorization of the Employer at a time other than a scheduled shift. An extension of or an early report to a scheduled shift is not a call back.
- 3.8 DAYS: Unless otherwise indicated, means the Employer's regular business days.
- 3.9 PROMOTION: A permanent change of an Employee from a position in one (1) work classification to a position in another work classification within the bargaining unit with more responsibility or duties and higher compensation.
- 3.10 TRANSFER: A change of Employee from one (1) position to another position in the same work classification or to another work classification, in the same compensation range within the bargaining unit, usually involving the performance of similar duties and requiring essentially the same basic qualifications.
- 3.11 PROBATION PERIOD: Means six (6) months of continuous service from the Employee's start of employment with the Employer. The probation period may be extended due to an employee's sickness or a leave of absence.
- 3.12 TRAINING PERIOD: Means six (6) months of continuous service from the date of promotion/reassignment/transfer that is designated as a reasonable time period to learn the job. The training period may be extended due to an employee's sickness or leave of absence.
- 3.13 SEPARATION IN GOOD STANDING: An Employee leaving service with the Employer after giving two weeks' advance notice, providing the Employee has not been discharged for misconduct.

- 3.14 WORK WEEK: Sunday through the following Saturday.
- 3.15 TEMPORARY/SEASONAL EMPLOYEE: An Employee who is not in a classified bargaining unit position because the employment is limited by duration or a specific project or task not to exceed one hundred and fifty (150) working days per calendar year. Temporary/Seasonal employees are not included in the bargaining unit.
- 3.16 SEVERANCE PAY: Payment made to an Employee upon separation of employment in good standing.
- 3.17 SENIORITY: Length of continuous service in any of the job classifications covered by Article 2 – Recognition.

ARTICLE 4 – UNION SECURITY

In recognition of the Union as the exclusive representative:

- 4.1 The Employer shall deduct from the wages of Employees, who authorize such a deduction in writing, an amount necessary to cover monthly union dues as established by the Union and remit such deduction to the appropriate designated officer of the Union with a list of the names of the Employees from whose wages deductions were made. The Union shall certify to the Employer, in writing, the current amount of regular dues to be withheld.
- 4.2 The Union agrees to indemnify and hold harmless the Employer against any claims, suits, order, or judgments brought or issued against the Employer under the provisions of this Article.
- 4.3 The Union may designate one (1) Employee from the bargaining unit to act as Steward and shall inform the Employer in writing of such choice.
- 4.4 A non-employee business representative of the Union, previously certified to the Employer as provided herein may, with the prior approval of the Employer, come on the premises of the Employer for the purpose of bargaining and processing grievances.

ARTICLE 5 – EMPLOYER AUTHORITY

- 5.1 The Union recognizes the right and authority of the Employer to operate and manage its affairs in all respects in accordance with its management rights, existing and future laws and regulations of the appropriate authorities. The rights

or authority which the Employer has not officially abridged, delegated or modified by this Agreement are retained by the Employer.

- 5.2 Except as limited by specific provisions of this Agreement, the Employer shall retain whatever rights and authority are necessary for it to operate and direct the affairs of the Employer in all of its various aspects, including but not limited to the right to operate and manage facilities and equipment; to establish and discontinue functions and programs; to set and amend budgets; to determine the utilization of technology; to establish and modify the organizational structure, to schedule working hours and assign overtime, to select, direct, and determine the number of personnel; to hire, promote, suspend, discipline or discharge for just cause; to lay off or relieve Employees due to lack of work or other reasons; to make and enforce reasonable rules and regulations; to contract with vendors or others for goods and/or services including the right to subcontract or contract out any or all functions performed by members of this bargaining unit; to take any and all actions necessary to carry out the operations of the employer in situations involving a disaster or emergency consistent with the terms and conditions listed in this agreement to the extent practicable; to assign duties, tasks, and to perform such other inherent managerial function set forth in the Minnesota Public Employee Labor Relations Act of 1971, as amended.
- 5.3 The Employer's failure to exercise any right, prerogative, or function hereby reserved to it, or the Employer's exercise of any such right, prerogative, or function in a particular way, shall not be considered a waiver of the Employer's right to exercise such right, prerogative, or function or preclude it from exercising the same in some other way not in conflict with the express provisions of this Agreement.
- 5.4 The parties recognize that all Employees covered by this Agreement shall perform the services and duties prescribed by the Employer and shall be governed by Employer rules, policies, regulations, directives and orders, provided that such rules, regulations and orders are not inconsistent with the provisions of this Agreement or state or federal laws. As a matter of courtesy, the Employer agrees to notify the Union prior to major changes in the Employer's personnel policies. Provided, however, that nothing in this Article, other than Notice to the Union, shall bind the Employer in its action.

ARTICLE 6 – EMPLOYER SECURITY

- 6.1 Neither the Union, its officers or agents, nor any of the Employees covered by this Agreement will engage in, encourage, sanction, support or suggest any strike, slowdowns, mass resignations, mass absenteeism, the willful absence from one's position, the stoppage of work or the abstinence in whole or in part of the full,

faithful and proper performance of the duties of employment for the purpose of inducing, influencing or coercing a change in the conditions or compensation of the rights, privileges or obligations of employment, during the life of this Agreement.

- 6.2 In the event that any Employee violates this article, the Union shall immediately notify any such Employee in writing to cease and desist from such action and shall instruct them to immediately return to their normal duties. Any or all Employees who violate any of the provisions of this article may be discharged or otherwise disciplined.

ARTICLE 7 – EMPLOYEE RIGHTS – GRIEVANCE PROCEDURE

- 7.1 **Grievance:** Any dispute or disagreement as to the interpretation or application of the specific terms and conditions of this Agreement.
- 7.2 **Contents of a Grievance.** All grievances shall be in writing. Only one subject matter or incident shall be covered in any one grievance. The written grievance shall contain the name and position of the grievant, a clear and concise statement of the grievance, the issue involved, the relief sought, the date and time (if known) the alleged violation took place, and the specific section of the Agreement alleged to have been violated. All grievances shall be signed and dated.
- 7.3 **Processing of a Grievance.** It is recognized and accepted by the Union and the Employer that the processing of grievances as hereinafter provided is limited by the job duties and responsibilities of the steward and grievant Employee(s) and shall therefore be accomplished during normal working hours only when consistent with such Employee's duties and responsibilities. The aggrieved Employee(s) and the steward shall be allowed a reasonable amount of time-for the investigation and presentation of grievances during normal working hours provided the aggrieved Employee(s) and the steward have previously notified and received the approval of the designated supervisor where the designated supervisor has determined that such absence is reasonable and would not be detrimental to the work programs of the Employer. Up to two (2) hours per grievance shall be with pay. The designated supervisor will be notified when the steward or grievant employee(s) returns to the work station and resumes duties.
- 7.4 **Waiver:** If a grievance does not comply with any of the procedural requirements set forth in Section 7.5, it shall be considered "waived." If a grievance is not appealed in conformance with any of the procedural requirements in Section 7.5 or any agreed waiver of the requirements thereof, it shall be considered settled on the basis of the Employer's last answer. If the Employer does not answer a grievance or an appeal thereof within the specified times limits, the Union may elect to treat

the grievance as denied at that step and immediately appeal the grievance to the next step. The time limit in each Step may be extended by mutual written agreement of the Employer and the Union at each step. In addition, the Employer and Union may mutually agree to extend the timelines and mediate the grievance following the Step 3 final answer from the Employer prior to appealing the matter to Step 4.

7.5 **Procedure.** Grievances, as defined by Section 7.1, shall be resolved in conformance with the following procedure:

Step 1. An Employee claiming a violation concerning the interpretation or application of this Agreement shall, within fourteen (14) calendar days after such alleged violation has occurred, present such grievance to the department head or designee. The department head or designee will discuss the matter with the grievant and Union representative and give an answer to such Step 1 grievance to the Union representative within seven (7) calendar days after receipt.

A grievance not resolved in Step 1 shall be appealed to Step 2 within seven (7) calendar days after the department head or designee's final answer in Step 1. Any grievance not appealed in writing to Step 2 by the Union within seven (7) calendar days shall be considered waived.

Step 2. If appealed to Step 2, the grievance shall be presented by the Union and discussed with the City Administrator or designee. The City Administrator or designee shall give the Union representative the Employer's Step 2 answer in writing within seven (7) calendar days after receipt of such Step 2 grievance.

A grievance not resolved in Step 2 may be appealed to Step 3 within seven (7) calendar days following the City Administrator or designee's final Step 2 answer. Any grievance not appealed in writing to Step 3 by the Union within seven (7) calendar days shall be considered waived.

Step 3. If appealed to Step 3, the grievance shall be presented to the Employer-designated Step 3 representative within seven (7) calendar days following the City Administrator or designee's final answer in Step 2. The Employer-designated Step 3 representative shall give the Union the Employer's Step 3 answer in writing within seven (7) calendar days after receipt of such Step 3 grievance.

A grievance not resolved in Step 3 may be appealed to Step 4 within seven (7) calendar days following the Employer-designated Step 3 representative's final Step 3 answer. Any grievance not appealed in writing to Step 4 by the Union within seven (7) calendar days shall be considered waived.

Step 4. A grievance unresolved in Step 3 and appealed to Step 4 shall be submitted to Arbitration. The parties shall attempt to agree upon an arbitrator within seven (7) calendar days after receipt or notice of referral and, in the event the parties are unable to agree upon an arbitrator within said seven (7) calendar day period, either party may request the Bureau of Mediation Services to submit a panel of five (5) arbitrators. The Employer, or its representative, and the Union shall have the right to alternately strike two names from the panel. The party striking the first name shall be determined by procedures established by the Commissioner of the Bureau of Mediation Services. The remaining person shall be the arbitrator. Failure to select an arbitrator within ninety (90) days of the Employer's answer in Step 3, shall be considered a "waiver" of the grievance; unless the delay in selection is caused by the Employer, or the delay is mutually agreed upon by the parties in writing.

7.6 **Arbitrator's Authority**

The arbitrator shall have no right to amend, modify, nullify, ignore, add to, or subtract from the terms and conditions of this Agreement. The arbitrator shall consider and decide only the issue(s) submitted by the Employer and the Union in writing and shall have no authority to make a decision on any other issue not so submitted.

The arbitrator shall be without power to make decisions contrary to, or inconsistent with, or modifying or varying in any way the application of laws, rules or regulations having the force and effect of law. The arbitrator's decision shall be submitted to both parties in writing within thirty (30) days following the close of the hearing or the submission of briefs by the parties, whichever be later, unless the parties agree to an extension. The decision shall be binding on both the Employer and the Union and shall be based solely on the arbitrator's interpretation or application of the express terms of this Agreement and to the facts of the grievance presented. If the grievance is covered by law or statute, or not covered by the express provisions of this Agreement, the arbitrator shall refer the grievance back to the parties without decision or recommendation.

The fees and expenses for the arbitrator's services and proceedings shall be borne equally by the Employer and the Union provided that each party shall be responsible for compensating its own representatives and witnesses. If either party desires a verbatim record of the proceedings, it may cause such a record to be made, providing it pays for the record. If both parties desire a verbatim record of the proceedings the cost shall be shared equally.

- 7.7. **Grievance Mediation.** After completion of Step 3, the parties may jointly agree to participate in mediation for the purpose of compromising, settling, or resolving a grievance pursuant to the following procedures:
- A. *Request.* A request to submit a grievance to mediation must be made in writing, signed by the grievant(s) or the Employer, and delivered to the designee of the other party. The other party shall respond within five (5) calendar days to accept or deny the submission of a grievance to mediation.
 - B. *Selection of Mediator.* A joint request for mediation shall be submitted to the Bureau of Mediation Services to assign a mediator.
 - C. *Mediation.* The assigned mediator shall schedule one (1) or more mediation sessions. The mediation shall be conducted in accordance with Bureau of Mediation Services Policies and Procedures III.03 regarding Grievance Mediation. The mediator does not have the authority to order discovery.
 - D. *Costs of Mediation.* The costs of mediation shall be borne equally by both parties. Each party shall bear its own costs related to representation during the mediation process.
 - E. *Recommendation.* The recommendations of the mediator, if any, shall be advisory only and shall not be binding on either party. No reference to the mediation or any recommendation therefrom may be used in any subsequent proceeding.
- 7.8 Class action grievances are not permitted pursuant to this collective bargaining agreement. Grievances must personally affect the named grievant(s).
- 7.9 **Choice of Remedy.** It is specifically understood that any matters governed by statutory or regulatory provisions, except as expressly provided for in this Agreement, shall not be considered grievances under this Agreement. In the event more than one procedure is available for resolution of a dispute arising from any provisions covered by this Agreement, the aggrieved employee(s) shall be limited to one procedure through which remedy may be sought. If the aggrieved Employee(s) utilizes a procedure other than the grievance procedure herein, then the employee is precluded from appealing under this procedure. If the Employee utilizes this procedure, then the Employee is precluded from appealing under another procedure. Employees may use both this grievance procedure and a statutory procedure to the extent that it is required by state or federal law.

ARTICLE 8 –DISCIPLINE

- 8.1 The Employer will discipline Employees for just cause only. Discipline will be in one (1) or more of the following forms:
- A. Oral reprimand
 - B. Written reprimand
 - C. Suspension (with or without pay)
 - D. Demotion, or
 - E. Discharge
- 8.2 Written reprimands, notices of suspensions, notices of demotion, and notices of discharge which are to become part of an Employee's personnel file shall be read and acknowledged by signature of the Employee. Employees will receive a copy of such reprimands and/or notices.
- 8.3 Oral reprimands may only be grieved through Step 3 of the Grievance Procedure.

ARTICLE 9 – WORK SCHEDULES

- 9.1 The Employer is the sole authority in establishing work schedules.
- 9.2 The normal work day shall be eight and one-half (8 ½) hours with a thirty (30) minute unpaid lunch for full-time Employees. The normal work week shall be forty (40) hours for full-time Employees, 7:00 a.m. to 3:30 p.m. for Public Works Employees and 8 a.m. to 4:30 p.m. for City Hall Employees Monday through Friday.
- 9.3 Service to the public may require the establishment of regular shifts for some Employees on a daily, weekly, seasonal, or annual basis other than the normal work day. The Employer shall give ten (10) calendar days advance notice to the Employees affected by the establishment of work shifts different from the Employee's normal Monday through Friday work day.
- 9.4 In the event that work is required because of unusual circumstances such as (but not limited to) fire, flood, snow, sleet or breakdown of municipal equipment or facilities, no advance notice need be given.
- 9.5 A paid fifteen (15) minute break is allowed within four (4) consecutive hours of work. An unpaid thirty (30) minute lunch period is provided when an Employee works eight (8) or more consecutive hours. Employees are expected to use these breaks as intended and will not be permitted to adjust work start time or end time, however, breaks may be taken at the end of the first four hours of the work day

and at the beginning of the last four hours of the work day, thus creating a one (1) hour lunch period for Employees who so wish to do so.

- 9.6 Upon prior approval by the City Administrator, City Hall Employees may be allowed flex scheduling on Council meeting days; to accommodate special appointments as requested by residents; or the day immediately preceding or immediately following an election day.

ARTICLE 10 – OVERTIME PAY

- 10.1 Overtime shall be paid at the rate of one and one-half (1 ½) times the Employee's regular base pay rate.
- 10.2 For the purposes of computing overtime compensation, overtime hours worked shall not be pyramided, compounded, or paid twice for the same hours worked.
- 10.3 Overtime will be distributed as equally as practicable. Overtime refused will be considered overtime offered.

ARTICLE 11 – COMPENSATORY TIME

- 11.1 Employees may accumulate compensatory time in lieu of overtime compensation at the rate of one and one half (1 ½) times the overtime hours worked. Overtime hours not specified as compensatory time on the Employee's timesheet will be paid as overtime compensation.
- 11.2 Employees may accumulate and "bank" up to forty (40) hours of compensatory time per calendar year. Once an Employee has earned forty (40) hours of compensatory time in a calendar year, no further compensatory time may accrue in that calendar year. All banked compensatory time shall be paid out in the last pay period of each calendar year.
- 11.3 Employees may use compensatory time at their discretion, subject to prior approval of the Employer.
- 11.4 When an Employee receives a pay increase because of promotion, general adjustment, or other reason, compensatory time hours shall be computed into dollars at the old rate then recomputed into hours at the new rate.
- 11.5 Compensatory time taken shall not be considered as time worked.

11.6 All compensatory time accrued will be paid when the Employee separates from the Employer’s employment at the base rate of pay the Employee is earning at the time of separation.

ARTICLE 12 – ON-CALL DUTY, WEEKEND DUTY, AND CALL-BACK DUTY

- 12.1 **On-Call Duty.** Employees designated by their supervisor to serve in an “On-Call” status on behalf of the City shall receive a stipend of twenty-five dollars (\$25.00) per day.
- 12.2 **Weekend Duty.** On-Call Employees will also be responsible for Weekend Duty. Weekend duty shall consist of performing routine work such as, but not limited to, city lift stations, compost site, and duties within the wastewater and water treatment plants. Employees shall be compensated for hours worked while performing Weekend Duty on weekends and holidays at the Employee’s regular rate of pay. Under normal circumstances and conditions, Weekend Duty shall require approximately two (2) hours of work per day on weekends and holidays. However, this is not a minimum requirement or limit to the hours of work but rather a benchmark. Additionally, an Employee who has completed the assigned Weekend Duty and is called back to the City for additional work shall be compensated in the amount specified for Call-Back Duty within this Article.
- 12.3 **Call-Back Duty.** An Employee called in for work at a time other than the Employee’s normal scheduled shift will be compensated for a minimum of two (2) hours pay at the Employee’s base rate of pay for each Call-Back. The Call-Back period may extend beyond two (2) hours if the work requires. Employees have a reasonable obligation to work Call-Backs if requested unless unusual circumstances prevent the Employee from so working.
- 12.4 Employer will provide a City cell phone for public works employees who the City has designated by their supervisor to serve in an “On-Call” status on behalf of the City.
- 12.5 **System Monitoring and Operations Pay.** When Employees respond to an alarm from a remote location apart from the Employee’s regularly scheduled shift, the Employee shall be paid twenty-five dollars (\$25.00) per week night or weekend day and fifty dollars (\$50.00) per holiday as system monitoring and operations pay. If an alarm requires an Employee to report to the Public Works facility, Waste Water facility, or other Employer facility, Section 12.3 will apply.

ARTICLE 13 – SENIORITY

- 13.1 **Probationary Employees:** During the probationary period, an Employee may be discharged at the sole discretion of the Employer.
- 13.2 **Layoff:** If the Employer should layoff any bargaining unit Employee(s), for any reason, the following conditions shall apply:
- A. The Employer shall determine the position(s) in the classification, which are to be eliminated, provided however, that all Employees in temporary and part-time positions shall be laid off before regular Employees.
 - B. Seniority shall govern the order in which Employees are laid off. In the event that a layoff should become necessary, the Employer shall lay off Employees in reverse order of their seniority. The Employer shall give written notice to the Employee(s) to be laid off with a copy provided to the Union, at least fourteen (14) calendar days prior to the effective date of the layoff whenever practicable.
 - C. In the event a position of a higher class is eliminated and layoffs become necessary, Employees may exercise their seniority to displace (“bump”) less senior Employees of a lower class in which the Employee is qualified.
- 13.3 **Recall:** Employees, who have been laid off, shall be recalled in the order of their seniority to the highest employment conditions and wages that their seniority as regular full time Employees would entitle them to receive.
- A. An Employee on lay-off shall be notified of recall by certified mail (return receipt requested) sent to the Employee’s last known address at least seven (7) calendar days prior to the reporting date. The Employee shall notify the Employer of their intent to return to work and shall report to work on the reporting date specified by the Employer unless other arrangements have been agreed to by the Employer and Employee in writing. If the Employee does not return to work under the terms of recall mutually agreed to by the parties, the Employee shall be deemed to have terminated employment with the Employer. Employees shall remain on a recall list for twelve (12) months.
- 13.4 **Temporary Call Back:** Employer may call back laid off Employees to perform available work that is of a temporary nature.

- A. Employees, who have been laid off, shall be recalled in the order of their seniority to the highest employment conditions and wages that their seniority as regular full time Employees would entitle them to receive.
- B. Refusal by an Employee to accept a temporary call back, or the Employer's inability to contact an Employee shall not be considered a refusal to accept recall from layoff.
- C. Time worked during a temporary call back shall extend the Employees status on the recall list referred to in Article 13.3 (A) an amount of time equal to the temporary call back.

ARTICLE 14 – COMPENSATION

- 14.1 **Rates of Pay:** Employees covered by this Agreement shall be compensated in accordance with the Salary Schedule marked “Appendix A” attached hereto and made a part of this Agreement.
- 14.2 Employer shall provide Employees with a pay stub or access to an online pay stub showing Employee earnings, PTO, and compensatory time and shall be paid bi-weekly by automatic deposit. When a payday falls on a holiday, Employees shall receive pay the preceding workday.
- 14.3 **Pay Day:** Employees shall be paid biweekly by automatic deposit or paycheck for the prior two (2) work weeks on alternating Thursdays. When a payday falls on a holiday, shall receive pay the preceding workday.
- 14.4 **Pay Period:** A fourteen (14) day period beginning at 12:00 a.m. (midnight) on Sunday through 11:59 p.m. on Saturday, fourteen (14) days later.

ARTICLE 15 – PAID TIME OFF (PTO)

- 15.1 All Regular Employees are entitled to paid time off (PTO). Employees may use earned PTO leave any time for any reason subject to approval by the City Administrator or other authorized supervisor. Paid holidays that occur during PTO leave shall not be counted as days of PTO leave.

<u>YEARS OF SERVICE</u>	<u>ACCRUAL RATE</u>
0-1 year	10 working days
1-4 years	18 working days
5-9 years	21 working days
10-15 years	26 working days
15-20 years	31 working days

20 plus years

36 working days

Years of service shall mean consecutive employment as a full-time employee or 2,080 hours of service as an eligible part-time employee. The Employer, in its sole discretion, may credit rehired employees or newly hired but experienced employees with additional years of experience.

15.2 PTO will not accrue during unpaid leaves. PTO will accrue on a pay-period basis up to a maximum of one and one-half (1 ½) the employee's maximum annual accrual rate. Employees may carry over any annual PTO that does not exceed the stated cap. No additional accrual will occur above the cap.

15.3 PTO Conversion: PTO will be eligible to be paid out annually, the second payroll of the following year with specific dates to be determined by accounting each year. Employees may convert up to forty percent (40%) of their PTO balance, not to exceed eighty (80) hours, provided the employee has used at least thirty percent (30%) of their annual accrual during the current calendar year and has a balance of at least one hundred seventy six (176) hours. The minimum balance requirement will be determined as of the first payroll in December. Payment will be based on the employee's current base pay rate on December 1. The conversion will be part of regular payroll and will not be paid in a separate check.

15.4 An Employee using PTO shall accrue PTO during such use.

15.5 PTO hours used shall not be counted as "hours worked."

ARTICLE 16 – BEREAVEMENT LEAVE

16.1 Employees will be permitted to use up to three (3) working days with pay in the case of the death of any Employee's immediate family. Immediate family includes: Spouse, partner, children, grandchildren, parents, grandparents, siblings (including any step-or in-law in the preceding list).

ARTICLE 17 – INSURANCE

17.1 **Health Insurance.** The City offers health insurance through the City's Insurance provider for eligible full-time Employees and their spouse/partner and/or their dependents.

A. Effective January 1, 2020, the Employer shall contribute up to \$1,265.00 per month towards Employee health insurance premiums, not to exceed one-hundred percent (100%) of the health insurance premium costs for Employee-only coverage and, in the event the cost of family coverage

exceeds Employee-only coverage, not to exceed eighty percent (80%) of health insurance premium costs for family coverage.

- B. Effective January 1, 2021, any determined premium increase for 2021 will be calculated using the following formula:

The first five percent (5%) of the premium increase is covered by the Employer; The second five percent (5%) of the premium increase is covered by the Employee; Any increase above a ten percent (10%) increase will be split 50/50 by Employer and Employee.

- C. To be eligible for health insurance, an Employee must work a minimum of thirty (30) hours per week.
- D. The Employer shall have the right to select the insurance carrier and the policy.
- E. It shall be understood that the Employer's only obligation is to purchase an insurance policy and pay the amounts above agreed to and no claim shall be made against the Employer as a result of any denial of any insurance benefits by any insurance carrier.

17.2 **Dental Insurance.** The City offers dental insurance through the City's Insurance provider for eligible full time Employees and their spouse/partner and/or their dependents.

- A. The Employer shall contribute one hundred percent (100%) of the dental premium for Employee only coverage and, in the event the cost of family coverage exceeds Employee only coverage, eighty percent (80%) of the dental premium for family coverage.
- B. To be eligible for health insurance, an Employee must work a minimum of thirty (30) hours per week.
- C. The Employer shall have the right to select the insurance carrier and the policy.
- D. It shall be understood that the Employer's only obligation is to purchase an insurance policy and pay the amounts above agreed to and no claim shall be made against the Employer as a result of any denial of any insurance benefits by any insurance carrier.

17.3 **Disability Insurance.** The Employer shall contribute one hundred percent (100%) towards, and provide Employees with, long-term and short-term disability insurance.

- 17.4 **Life Insurance.** Employer shall contribute one hundred percent (100%) towards and provide Employees with a life insurance policy.
- 17.5 **Health Reimbursement Arrangement.** Employer shall contribute and provide Employees with forty-two dollars (\$42.00) per month towards a Health Reimbursement Arrangement.

ARTICLE 18 – HOLIDAYS

18.1 **Recognized Holidays.** Include the following:

- | | |
|-----------------------------|---------------------------|
| ➤ New Year’s Day | January 1 |
| ➤ Martin Luther King Day | Third Monday, January |
| ➤ President’s Day | Third Monday, February |
| ➤ Memorial Day | Last Monday, May |
| ➤ Independence Day | July 4 |
| ➤ Labor Day | First Monday, September |
| ➤ Veteran’s Day | November 11 |
| ➤ Thanksgiving Day | Fourth Thursday, November |
| ➤ Christmas Day | December 25 |
| ➤ Two (2) Floating holidays | Employee choice |

18.2 Holidays occurring on a Saturday shall be observed the preceding Friday and holidays occurring on Sunday shall be observed the following Monday.

18.3 Employees called in to work the actual holiday listed above, as opposed to the observed holiday, shall be compensated at one and one half (1 ½) times the Employee’s rate of pay in addition to holiday pay.

18.4 All holidays shall be counted as “hours worked.”

ARTICLE 19 – UNIFORMS, SAFETY AND CLOTHING ALLOWANCE

19.1 The Employer shall provide Public Works Employees with uniforms as it deems appropriate.

19.2 In order to encourage employee safety, Public Works Employees shall receive an annual safety footwear allowance for reimbursement of up to two hundred and twenty-five dollars (\$225.00) for the purchase of approved safety boots upon presentation of a receipt.

- 19.3 Employees covered under this agreement shall receive an annual uniform allowance for reimbursement of one hundred dollars (\$100.00) for the purchase of work-related clothing containing the Employer's logo, such as a sweatshirt, polo or t-shirt, upon presentation of a receipt.
- 19.4 Employer shall provide Public Works Employees with safety glasses, safety vests, and gloves as needed to perform job functions.

ARTICLE 20 – CONFERENCES, TRAINING AND DEVELOPMENT

- 20.1 Employees may be reimbursed for educational expenses when the education is relevant to the position of employment and the Employee has been employed by the Employer for at least one (1) year and is in "good standing" with the Employer. To be eligible for reimbursement, the Employee must first have prior approval by the City Council. Employees must reimburse the City if they leave employment within twelve (12) months of receiving reimbursement under this paragraph from the City. After six (6) months, such reimbursement shall be prorated to the date of separation of employment.
- 20.2 The Employer shall pay for the cost of an Employee's participation in training and attendance at professional conferences or meetings, provided that the Employer has approved attendance in advance by their Supervisor or the City Administrator and the conference is relevant to the position of employment. Employees under this agreement will be reimbursed for expenses incurred during conference attendance including travel, meals and registration fees.
- 20.3 The time an Employee spends attending training during their scheduled shift, approved by the Employer shall be considered working hours for the purpose of computing wages and other benefits provided by this Agreement.

ARTICLE 21 – JOB POSTING

- 21.1 Job vacancies within the bargaining unit shall be posted for five (5) working days so that members of the bargaining unit can be considered for such vacancies. An employee must apply for the position within the five (5) working days after such notice is posted.
- 21.2 The Employer retains the right to final decision in the selection of Employees to fill posted jobs based on qualifications, experience and abilities. Whenever all relevant qualifications, abilities and experience are equal, then seniority as outlined in Article 13 will prevail. Nothing in this Article prevents the Employer from hiring qualified outside applicants.

21.3 Employees filling a job vacancy within the bargaining unit based on the provisions of this Article shall be subject to the conditions of the training period as defined by Article 3.12. During the training period, the Employer may return an Employee to their former position at the sole discretion of the Employer.

ARTICLE 22 – SEVERANCE

22.1 Employees separating from employment in good standing shall be compensated at their regular rate of pay for all hours of accrued and unused PTO as of the date of separation. For purposes of this section, good standing means that an Employee is resigning with two (2) weeks advance notice. The Employer may authorize exceptions to these requirements in its discretion.

ARTICLE 23 – WAIVER

23.1 Any and all prior agreements, resolutions, practices, policies, rules and regulations regarding terms and conditions of employment, to the extent inconsistent with the provisions of this Agreement, are hereby superseded.

23.2 The parties mutually acknowledge that during the negotiations which resulted in this Agreement, each had the unlimited right and opportunity to make demands with respect to any term or condition of employment not removed by law from bargaining. All agreements and understandings arrived at by the parties are set forth in writing in this Agreement for the stipulated duration of this Agreement. The Employer and the Union each voluntarily and unqualifiedly waives the right to meet and negotiate regarding any and all terms and conditions of employment referred to or covered by this Agreement or with respect to any term or condition of employment not specifically referred to or covered by this Agreement, even though such terms or conditions may not have been within the knowledge or contemplation of either or both of the parties at the time that this contract was negotiated or executed.

ARTICLE 24 – SAVINGS CLAUSE

24.1 This Agreement is subject to the laws of the United States, the state of Minnesota, and the City of Mayer. In the event that any provision of this Agreement shall be held to be contrary to the law by a Court of competent jurisdiction, or administrative ruling or is in violation of legislation or administrative regulations, such provision shall be voided. All other provisions of this Agreement shall continue in full force and effect. The parties agree to immediately meet and negotiate a substitute for the invalidated provision.

ARTICLE 25 – DURATION

25.1 This Agreement shall be in effect from and shall remain in effect from January 1, 2020 through July 31, 2021 and thereafter unless either party hereto shall give notice sixty (60) days prior to the annual expiration date of their desire to terminate or modify this Agreement.

IN WITNESS WHEREOF, the parties hereto have set their signatures.

CITY OF MAYER

**INTERNATIONAL UNION OF
OPERATING ENGINEERS, LOCAL NO.
49**

Business Manager

Date: _____

Date: _____

Area Business Representative

Date: _____

Date: _____

Appendix “A”
Wage and Classification Rates

2019 Wage Range

Effective Upon Ratification

Public Works I	\$21.25 -- \$28.05
Public Works II	\$18.50 -- \$25.20
Deputy Clerk	\$17.88 -- \$23.60
City Clerk	\$20.63 -- \$27.23

2020 Wage Range

Effective 1/1/2020 (reflects 5% increase to current wages)

Public Works I	\$22.31 -- \$29.48
Public Works II	\$19.43 -- \$26.46
Deputy Clerk	\$18.77 -- \$24.78
City Clerk	\$21.66 -- \$28.59

2021 Wage Range

Effective 1/1/2021 (reflects 3% increase to current wages)

Public Works I	\$22.98 -- \$30.37
Public Works II	\$20.01 -- \$27.25
Deputy Clerk	\$19.34 -- \$25.52
City Clerk	\$22.31 -- \$29.45

Assignment of Utility Lead: Employees who meet the qualifications for and are appointed by the Employer to assume the full responsibilities and duties of the Utility Lead shall receive a stipend of five-thousand dollars (\$5,000.00), payable in twenty-six (26) equal payments. The Employer reserves the right to make changes to or eliminate the assignment as needed based on needs of the City.



Site Plan Review for New Building 185 7th Street NE & Parking Variance

APPLICATION DATA

Meeting Date: November 12, 2019

Applicant/Owner: Jeremy Scheuble of Minnwest Rentals, LLC

Address & PID Number: 185 7th Street NE - 50.03101.00

Legal Description: That part of the Southwest Quarter of Section 31, Township 117, Range 25, Carver County, Minnesota, described as beginning on the south line of said Southwest Quarter 398.4 feet East of the northwest corner of Section 6, Township 116, Range 25; thence North 200.00 feet parallel with the West line thereof; thence West 217.8 feet parallel to the South line thereof; thence South 200.00 feet parallel with the West line thereof to the South line; thence East along said South line 217.80 feet to the point of beginning.

ACTION REQUESTED

To approve or deny a site plan review for a new commercial building and parking lot for Excel Mechanical at 185 7th Street NE and to approve or deny a variance request to reduce the off-street parking requirement for the new building.

BACKGROUND DATA

Future Land Use

Classification: The property is designated Commercial on the current future land use map and Commercial on the proposed 2040 Future Land Use Map. The proposed use of a office and accessory storage is consistent with this designation.

Zoning

Classification: The property is zoned C-1 General Commerce District and offices and accessory storage are permitted in that district.

Comments

Received: No comments from the public have been received as of the date of the this memo.

Background:

The applicant has submitted a application for site plan review for a new commercial building and a application for a variance request to reduce the required number of off-street parking stalls.

The property is approximately 0.83 acres in size and is zoned C-1. Properties adjacent to the site consist of the following.

North: Agricultural property located in Watertown Township and is guided for commercial on the current 2030 Future Land Use Map and proposed 2040 Future Land Use Map.

West: A city owned parcel that consists of wetland and a stormwater holding pond. This property is zoned P/I Public Institutional and is guided for commercial on the current

2030 Future Land Use Map and open space on the proposed 2040 Future Land Use Map.

East: An existing commercial business that is zoned C-1 General Commerce and guided for commercial on the current 2030 Future Land Use Map and proposed 2040 Future Land Use Map.

South: Across 7th Street NE to the south are two existing single family detached dwelling units that are zoned C-1 General Commerce and are considered legal non-conforming uses. Both of these properties are guided for commercial on the current 2030 Future Land Use Map and proposed 2040 Future Land Use Map.

The site plan review requirements are listed under Section 152.031 of the zoning ordinance. Site plan review requires the following submittal requirements.

- (1) *Boundary survey of parcel including identification of all monuments.*
- (2) *Scaled location of all buildings, structures, driveways, sidewalks, trails, parking stalls, and curbing.*
- (3) *Scaled identification of all setback dimensions from property lines.*
- (4) *Scaled locations of all existing and proposed utilities and easements.*
- (5) *Scaled depictions of floor plans for each story.*
- (6) *Scaled depictions of each building elevation and descriptions of exterior building materials and color schemes.*
- (7) *Scaled site grading plans, including erosion and sedimentation control mechanisms and procedures.*
- (8) *Scaled delineations of any shoreland, floodplain, or wetland areas on the site.*
- (9) *Identification of any floodplain or wetland encroachments and detailed mitigation plans.*
- (10) *Detailed landscape plans, illustrating size, types, and locations of all materials, a description of site seeding or sodding, a description of the timetable for site landscaping, and the identification of any irrigation systems.*
- (11) *Detailed descriptions of any site fencing, including type, location and height.*
- (12) *All plans shall be dated and shall bear the name(s) of the preparer(s), including professional registrations or certifications when appropriate or required.*

As part of this application a site plan, grading plan, and building plans were submitted for review. The building itself is 4,960 square feet in size and approximately 960 square feet will be office space with the remaining 4,000 square feet consisting of accessory storage for the business, a customary accessory use incidental to the principal use.

Access to the site will come from 7th Street NE, which is a city street and all accessing spacing and width requirements are met. Off-street parking is also shown but the number of proposed off-street parking stalls is less than the required number for a building of this size so a variance to reduce the number of required off-street parking stalls is requested. The following criteria are typically considered when reviewing a variance request.

- A. *Granting a variance will not adversely affect the public health, welfare and safety and will not be detrimental and injurious to property or improvements in the neighborhood.*
- B. *Strict interpretation or enforcement of the provisions of this Ordinance would result in a practical difficulty or unnecessary hardship that is not self-created, nor inconsistent with the intent of this Ordinance and the Comprehensive Plan.*
- C. *There are exceptional or extraordinary circumstances or conditions applicable to the property, use, or facilities that do not apply generally to other properties in the same district.*
- D. *Strict or literal interpretation of this Ordinance would deprive the applicant of the use and enjoyment of his or her property in a manner similar to others in the same district.*
- E. *Granting of the variance will not allow a use which is otherwise not a permitted use in the zoning district in question.*

At the November 6, 2019 Planning Commission meeting, the Planning Commission voted 6-0 to recommend approval of the site plan and voted 6-0 to recommend approval of a variance to reduce the off-street parking requirement to allow for a new commercial building at 185 7th Street.

**Off-Street
Parking:**

The applicant has submitted a site plan that shows seven off-street parking stalls (one handicapped) to be constructed and spaces for twelve future off-street parking stalls. The off-street parking requirement for office space is five spaces for every 1,000 square feet of gross floor area and three spaces for every 1,000 square feet of gross floor area for other industry/business. The building is 4,960 square feet in size and the office space consists of 960 square feet so five off-street parking spaces would be required for that use and the other industry/business is 4,000 square feet so twelve off-street parking spaces would be required for that use for a total of seventeen required off-street parking spaces.

The applicant has proposed seven off-street parking spaces meaning they are ten spaces short and therefore have applied for the variance. The applicant has demonstrated on the site plan that the additional required off-street parking spaces can be accommodated on the lot if needed in the future. At this time the applicant does not need these additional spaces for the proposed use and therefore the variance request.

The parking stalls size, drive lanes and turnaround areas are sufficient and meet city requirements and parking lot is proposed to be paved with curbs being used on the edge of the parking area. On the west side of the building, where the parking area could be expanded to the north, no curb is proposed on the north side of the pavement where the drive lane is, since this is proposed to be potentially expanded to the north at some point in time in the future. This area and areas around the rear of the building are proposed to be gravel surfaces.

**Building
Materials:**

The purpose of establishing building design standards is to encourage development of aesthetically pleasing structures, to create minimum standards for non-residential design, and to protect the investments of non-residential building owners. Buildings located in the C-1, district shall include combinations of exterior building materials that achieve a higher standard of design and aesthetic appearance. Architectural controls, including but not limited to steep-pitch roofs, window and door treatments, awnings, wainscoting, and color bands, are encouraged in all buildings and may be considered in lieu of combinations of exterior materials.

The proposed building is to be a sided and roofed with steel siding and roofing material and a light gray in color. The roof and bottom band will be a darker gray in color. The front of the building facing 7th Street NE will have two larger over head garage doors with one service door in between them. The office portion of the building will be located on the west side of the building with the main access point to the building located on the west side of the building. It should be noted that the building plans show a six foot overhang to the posts on the front entrance but the sidewalk proposed here is only five feet. A condition should be to widen the sidewalk to the edge of the posts for the overhang.

A picture showing a illustration of the how the building will look is included below.



Landscaping: In the C-1 district, one over-story tree is required for every 30 feet of street frontage. This lot has 217.9 feet of street frontage on 7th Street NE so eight overstory trees are required. Minimum requirements for deciduous trees are 2.5 inch caliper trees for planting size. Any foundation plantings need to be a minimum five-gallon size per planting. All required landscape material shall be warranted for growth for a minimum of two years after planting.

This lot already contains multiple trees that meet the requirements for the eight trees that are required. These trees are primarily along the east, north and west property lines. It is expected a tree or two may be removed during construction but enough trees exist on the site so the requirement would still be satisfied. At this time no trees exist along the front property line adjacent to 7th Street NE. It should be determined if any additional trees should be required to be planted in the front yard between the parking area the front property line. This would be at the discretion of the Planning Commission and City Council if this will be required.

Outdoor Storage:

All materials, supplies, merchandise or other similar matter not on display for direct sale, rental or lease to the ultimate consumer or user, except those items exempt under section 152.090 of the zoning ordinance, shall be stored within a completely enclosed building or within the confines of a 100% opaque wall or fence not less than six feet or more than eight feet in height. Such a screen wall or fence shall be designed and constructed as to be architecturally harmonious with the principal structure and located so as to not extend within twenty-five feet of any street. Landscaping (trees, shrubs, grass and other plantings) shall be on the right-of-way side of any screening or fencing. A screen planting may be substituted for a screen wall or fence at the discretion of the City Council, provided that any such screen planting shall fulfill the foregoing height and opacity requirements throughout each season of the year within 24 months after date of planting, and that no such screen planting shall be located across any existing easements.

The applicant has stated he will not have a dumpster on site but if in the future a dumpster is used, a trash enclosure of some kind will be needed. It will have to be discussed where this trash enclosure will be located and how it will be accessed.

Surface Water Management:

Stormwater management for the site will be reviewed by the City Engineer. If required the City Engineer will comment on any surface water management items.

City Engineer Review:

Any comments or conditions from the City Engineer will need to be satisfied by the applicant as part of this site plan review. The City Engineer has provided a comment letter dated October 30, 2019, which is attached to this memo.

Signage:

No signage is being proposed at this time. If signage is proposed it would have to meet the requirements of the sections of the zoning ordinance related to signs, which are sections 152.120 through 152.133.

Miscellaneous Provisions:

All general lighting employed on site must be directed away from adjoining properties. Direct or reflected glare from flood lights and spot lights, as differentiated from general illumination on the site, shall not be visible beyond the subject parcel. Noise and vibration generated from any use shall be in compliance with MPCA rules.

CONDITIONS

Site Plan Review

The following conditions are recommended to be included if the City Council approves the site plan review for a new commercial building to be located in the C-1 General Commerce District at 185 7th Street NE. These conditions may be subject to modification depending upon the outcome at the City Council meeting.

1. Signage. That any proposed signage meet the standards set forth in Sections 152.120 through 152.133 of Title XV: Land Usage, Chapter 152 Zoning of the City of Mayer Municipal code and that all required sign permits are issued prior to installation of any signage.
2. Lighting. All general lighting employed on site must be directed away from adjoining properties. Direct or reflected glare from flood lights and spot lights, as differentiated from general illumination on the site, shall not be visible beyond the subject parcel.
3. Noise and Vibration. Noise and vibration generated from any use shall be in compliance with and regulated by the MPCA rules.
4. Outdoor Storage. Any outdoor storage shall meet the requirements of section 152.090 Outdoor Storage and section 152.091 Screening the Zoning Ordinance.
5. Off-street Parking. That a variance is approved to reduce the required number of off-street parking stalls from seventeen to seven.
6. Trash Enclosure. A trash enclosure or screening will be required to be located on the property if a dumpster is planned on being used for trash pickup. A location will need to be proposed and access to the location will need to be reviewed.
7. City Engineer Review. Any comments or conditions from the City Engineer in a letter dated October 30, 2019 will need to be satisfied by the applicant as part of this site plan review.
8. Stormwater Management. If any stormwater management is required, stormwater shall be managed in accordance with the National Urban Runoff Program (NURP) standards for the design of new

stormwater ponds. The provisions of the Minnesota Pollution Control Agency's urban "best management practices," titled "Protecting Water Quality in Urban Areas," shall be used to review any proposed development in order to reduce non-point source pollutant loadings in stormwater runoff.

9. Building Permit. All building permits that are required, shall be approved, paid for and issued prior to construction of the building.

Variance Request

The following conditions are recommended to be included if the City Council approves the variance request to reduce the required number of off-street parking spaces required for a new commercial building in the C-1 General Commerce District from seventeen off-street parking spaces to seven off-street parking spaces. These conditions may be subject to modification depending upon the outcome at the City Council meeting.

1. Variance Expiration. The variance shall become void one year after the approval date if the applicant has not commenced construction on the improvement, unless an extension is granted by the City Council.
2. Future Off-street Parking. If it is determined that the additional ten off-street parking spaces are needed in the future, the applicant/owner shall be required to improve those additional off-street parking spaces as shown on the site plan dated October 16, 2019 at that time.

CITY COUNCIL ACTION REQUIRED

After review and discussion by the members of the City Council, a motion is in order to approve, deny or to table the site plan review request and a motion is in order to approve, deny or to table the variance request reducing the number of required off-street parking spaces.

Possible action items - Site Plan Review

1. Approve the site plan review subject to conditions.
2. Table the site plan review to a date specific, and provide the applicant with direction on the issues that have been discussed.
3. Deny the site plan review.

Possible action items - Variance

1. Approve the variance request subject to conditions.
2. Table the variance request to a date specific, and provide the applicant with direction on the issues that have been discussed.
3. Deny the variance request.

If you have any questions relating to the site plan review and variance reducing the number of required off-street parking space for the new commercial building to be located at 185 7th Street NE prior to the City Council meeting, please feel free to contact me at: jandersonmdg@gmail.com or call direct at 952-855-4596.

Sincerely,

MUNICIPAL DEVELOPMENT GROUP, LLC

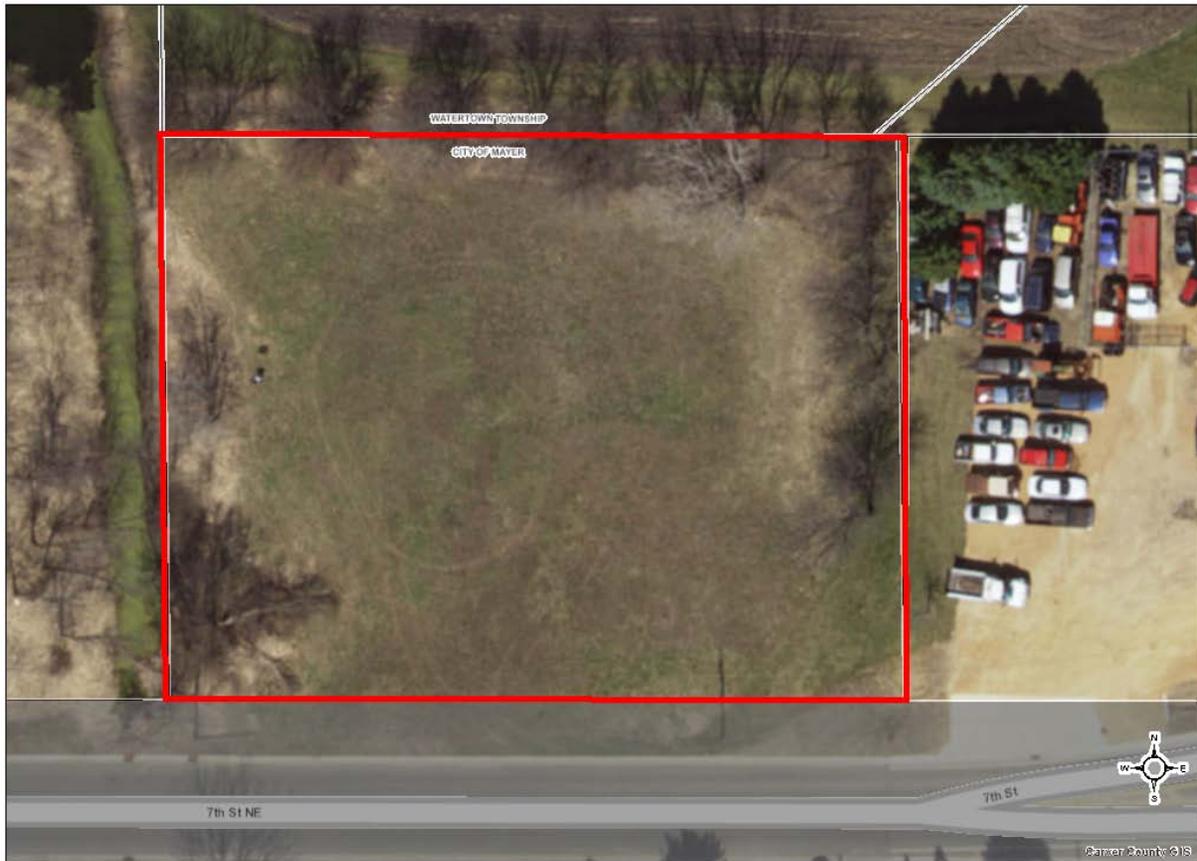
John Anderson

John Anderson, Associate
Consulting Planner, City of Mayer

LIST OF ATTACHMENTS

- Exhibit A - Aerial Location Map
- Exhibit B - Site Plan dated October 16, 2019
- Exhibit C - Grading Plan October 16, 2019
- Exhibit D - Engineering Comments dated October 30, 2019
- Exhibit E - Building Plans

Exhibit A - Aerial Location Map



This map was created using Carver County's Geographic Information Systems (GIS), it is a compilation of information and data from various City, County, State, and Federal offices. This map is not a surveyed or legally recorded map and is intended to be used as a reference. Carver County is not responsible for any inaccuracies contained herein.

Map Date: 9/11/2019

Exhibit B - Site Plan dated October 16, 2019

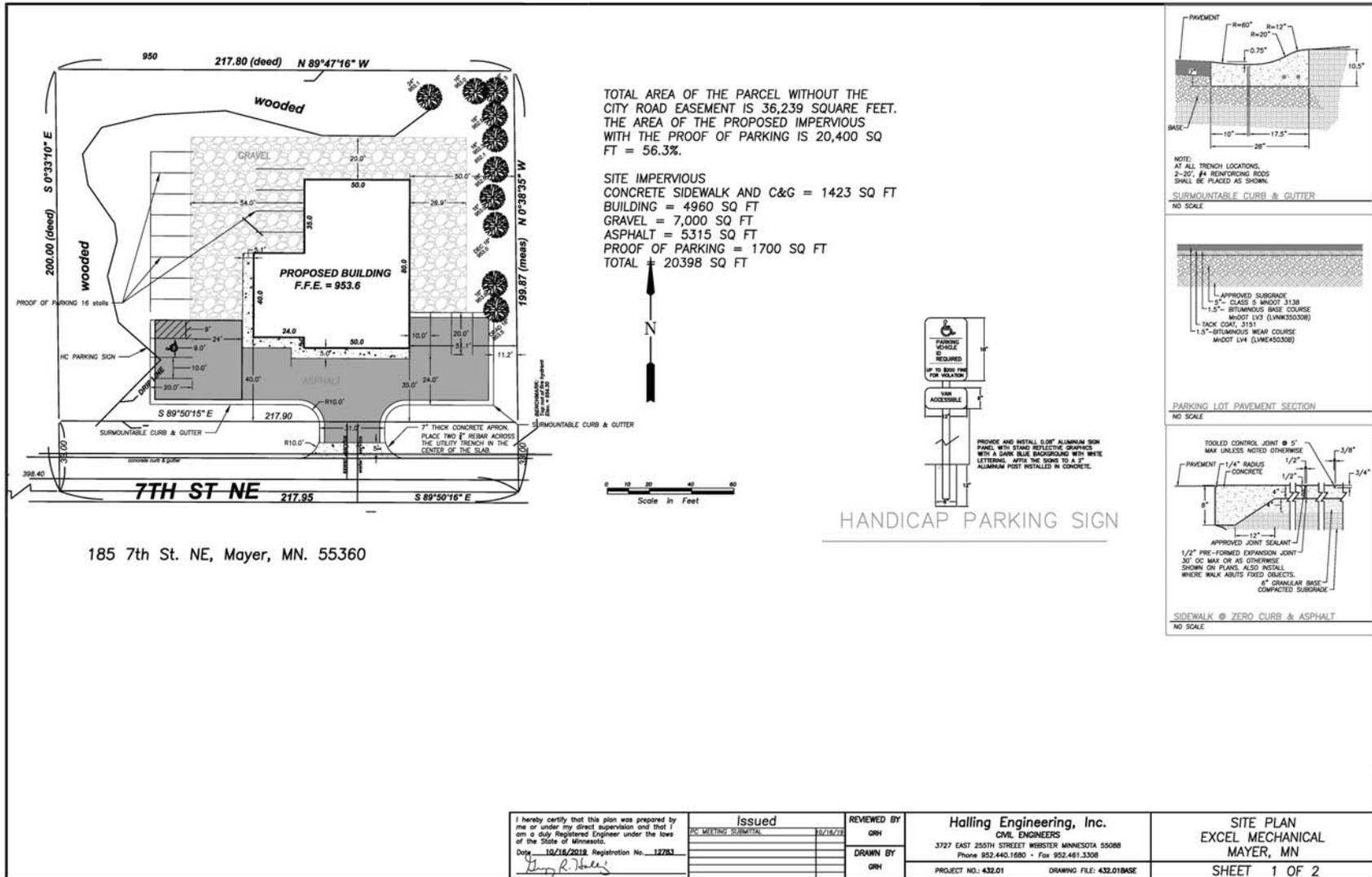
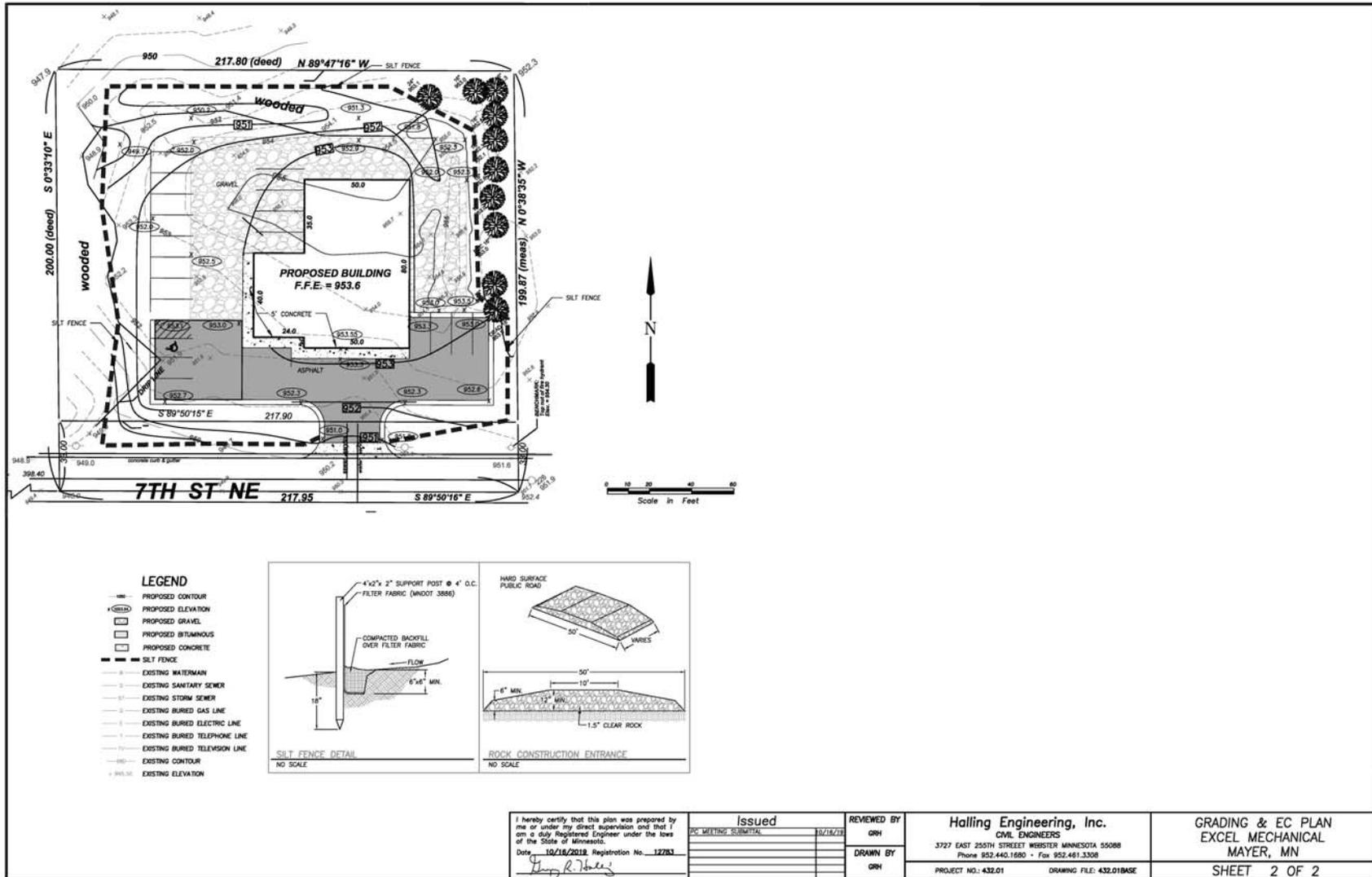


Exhibit C - Grading Plan dated October 16, 2019





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2638 Shadow Lane
Suite 200
Chaska, MN 55318-1172

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

October 30, 2019

City of Mayer
Attn: Margaret McCallum
413 Bluejay Avenue
Mayer, MN 55360

RE: Site Plan Application
Excel Mechanical
Engineering Review #1

Dear Ms. McCallum:

As requested, I have completed an engineering review of the documents submitted for the above referenced project (plans dated 10-16-19). I offer the following observations, comments, and recommendations for your consideration:

1. The applicant will be required to obtain Carver County Watershed Management Organization (CCWMO) approval and permitting. A copy of any approvals or permits required should be submitted prior to Final Site Plan approval.
2. Work within public right-of-way or connection to public utilities must be coordinated with the Public Works Department. Contractor must provide a minimum 48-hour notice prior to any work being performed. Notes should be revised accordingly.
3. A Landscape Plan should be submitted for review and approval to ensure adequate restoration after construction is complete. The plan should include the following:
 - a. Areas to be seeded with corresponding seed mix, including seeding rate, mulching, and fertilizer.
 - b. Areas to be sodded.
 - c. Trees to be removed vs saved. Protection fencing should be provided around trees to be preserved.
 - d. Additional trees to be installed after improvements are completed.
 - e. Sod or seed with blanket should be indicated for disturbed areas within the right-of-way.
 - f. Blanket and/or biologs should be installed in swales after grading is completed.
4. A Traffic Control Plan must be provided prior to any construction. Clear drive lanes must be maintained on 7th Street NE at all times.
5. The existing curb and gutter should be preserved and protected. The existing condition should be documented with pictures, and the Contractor should be responsible for any repairs deemed necessary by the City and due to damage caused during construction.
6. Connections to the sanitary and water services should be depicted on the plans, and notes should be included as necessary to detail connections (i.e. invert elevations, pipe material and diameter, and slope).
7. Perimeter erosion control measures should be installed by the Contractor and inspected by the City prior to any other work. Contractor must provide a minimum 24-hour notice prior to inspection.

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Site Plan Application
Excel Mechanical
Page 2

8. Silt fence location on the northwest side of the site should be adjusted as necessary to be down gradient from all proposed work and minimize impact to trees.
9. The rock construction entrance location should be indicated on the plans, and traffic should be directed through it during construction.
10. It appears the tree on the northeast corner of the front parking lot will be impacted by proposed improvements. This tree should be indicated for removal on the Landscape Plan.
11. Slopes should be included on the Grading Plan as necessary to define slopes. A minimum slope of 2% and maximum of 10% are recommended for parking lots.
12. Additional detail should be provided for the proposed grading on the east side of the building. Spot elevations and contours should be included as necessary to adequately define proposed grades in this area.
13. The proposed spot elevations in the gravel area do not match proposed curb elevations for the front parking lot on the east side of the building. Since surmountable curb is proposed, the gravel area at the back of curb should be approximately 0.33' higher than the flow line elevations indicated.
14. A slope of 4:1 is indicated near the northeast corner of the building in the gravel lot, which could create difficulties traversing with vehicles. The applicant should consider revising proposed grades on the east and northeast side of the building in the gravel parking lot area to maintain slopes between recommended minimums and maximums. Also, the applicant should consider moving the swale in this area to the east edge of the lot to minimize slopes.
15. Record drawings must be submitted upon completion of the project. Two hard copies and an electronic copy should be provided.

If you have any questions or comments, please contact me to discuss.

Sincerely,

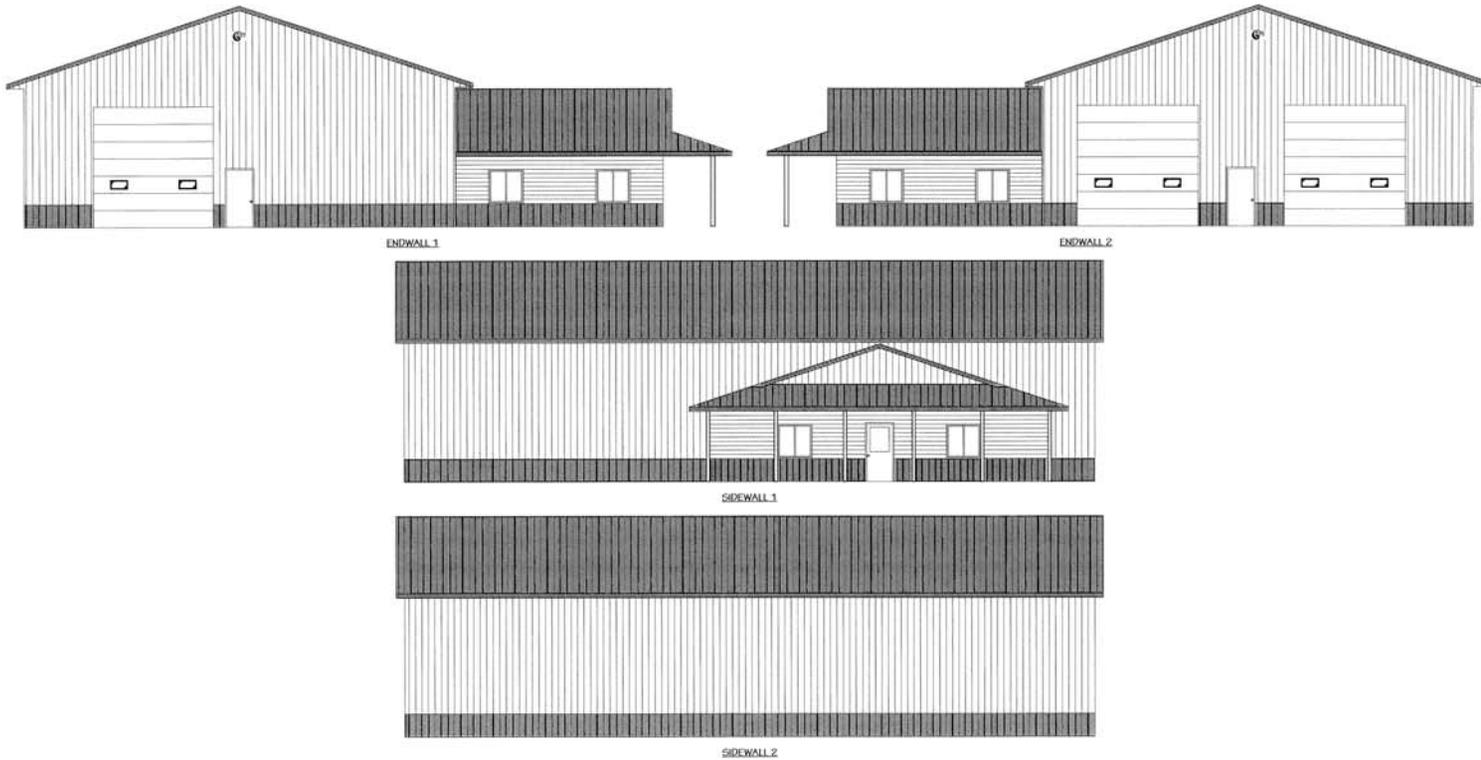
Bolton & Menk, Inc.



Robert E. Bean, Jr., P.E.
Water Resources Engineer

CC: John Anderson, Municipal Development Group
David Martini, Bolton & Menk

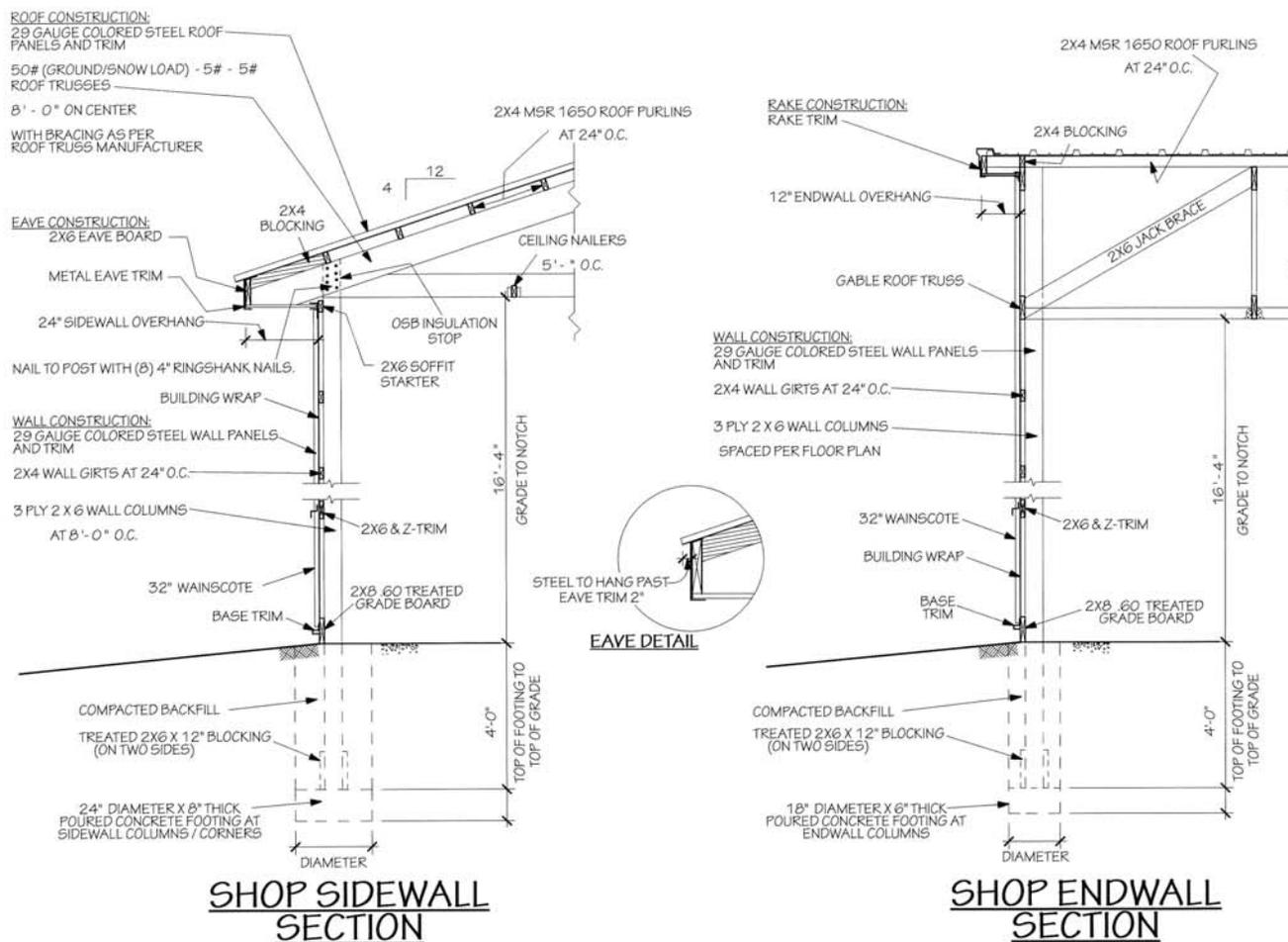
Exhibit E - Building Plans Page 1



<p>599 Industrial Drive P.O. Box 660 Winnet, Minnesota 55395 308-482-2644 800-710-4726 www.rambuildings.com Contractor License Number 20171976</p> <p>RAM Buildings Inc.</p>	<p>PROJECT NAME: EXCEL MECHANICAL (JEREMY SCHEUBLE)</p> <p>PROJECT NUMBER: (19-605)</p> <p>BUILDING DESCRIPTION: 50'-0" X 80'-0" X 16'-0" SHOP W/ 40' X 24' X 8' OFFICE</p> <p>DESIGN NUMBER: P19296</p>	<p>DRAWN BY: JEREMY S. DATE: 10/7/2019 SHEET 1 OF 6</p>
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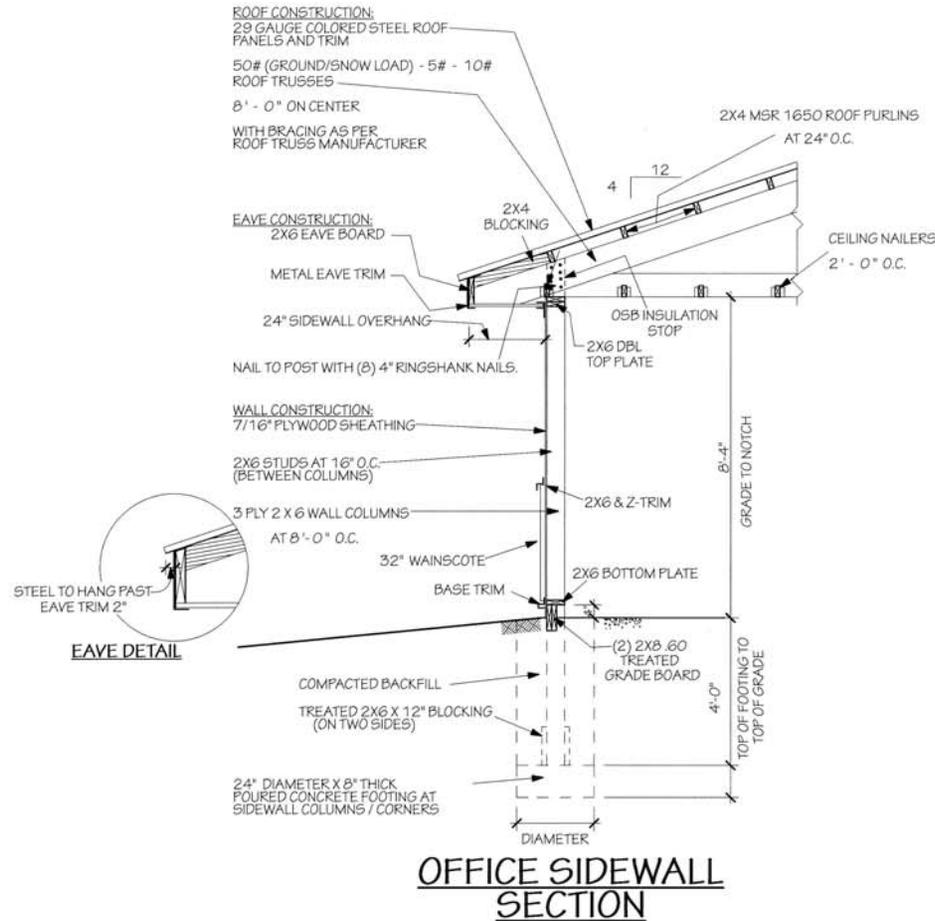
Exhibit E - Building Plans Page 3



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DRAWN BY: JEREMY S. DATE: 10/7/2019 SHEET: 3 OF 6
PROJECT NAME: EXCEL MECHANICAL (JEREMY SCHEUBLE) PROJECT NUMBER: (19-605) BUILDING DESCRIPTION: 50'-0" X 80'-0" X 16'-0" SHOP W/ 40' X 24' X 8' OFFICE DESIGN NUMBER: P19296
692 Industrial Drive Woodland, Minnesota 55395 320-482-2444 800-710-4726 www.rambuildings.com Contractor License Number 20171976

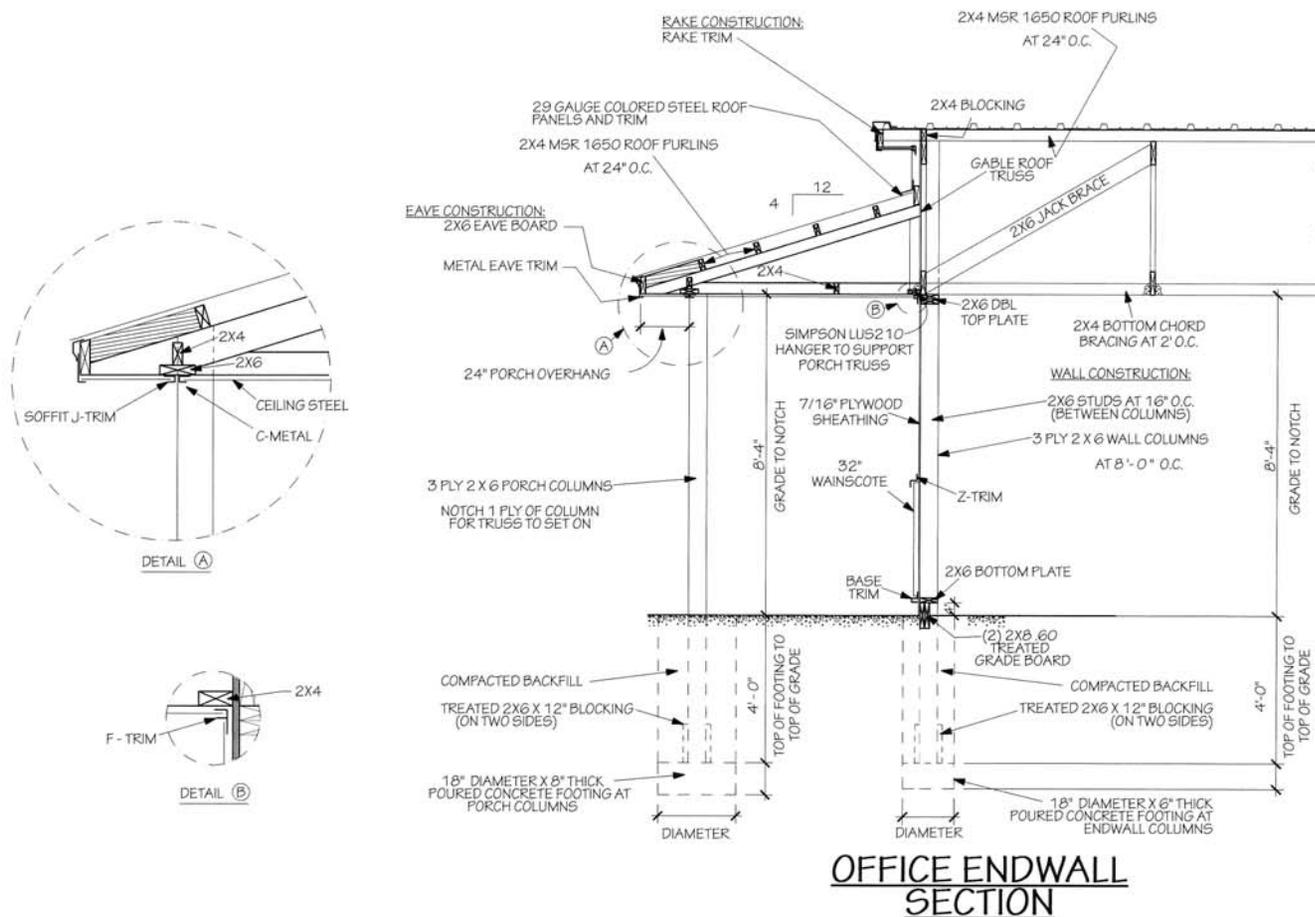
Exhibit E - Building Plans Page 4



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<p>DRAWN BY: JEREMY S. DATE: 10/7/2019 SHEET: 4 OF 6</p>	<p style="text-align: center;">EXCEL MECHANICAL (JEREMY SCHEUBLE)</p> <p>PROJECT NAME: _____ PROJECT NUMBER: (19-605) BUILDING DESCRIPTION: 50'-0" X 80'-0" X 16'-0" SHOP W/ 40' X 24' X 8' OFFICE DESIGN NUMBER: P19296</p>
<p>589 Industrial Drive P.O. Box 400 Winnetka, Minnesota 55395 305-482-2641 800-710-4726 305-482-2642 305-482-2643 www.rambuildings.com Contractor License Number 20171176</p>	

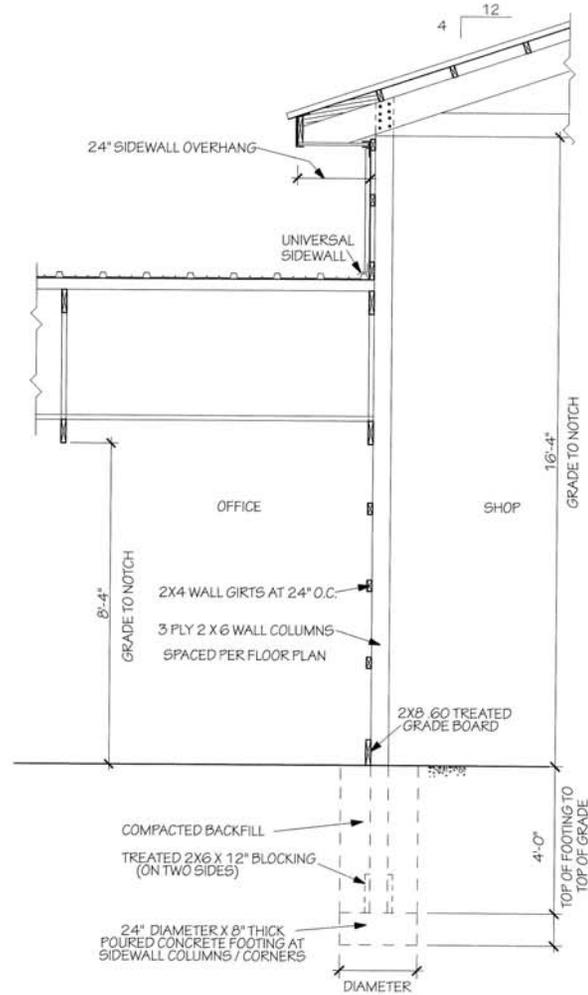
Exhibit E - Building Plans Page 5



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DRAWN BY: JEREMY B.	DATE: 10/7/2019	SHEET 5 OF 8
PROJECT NAME: EXCEL MECHANICAL (JEREMY SCHEUBLE)		
PROJECT NUMBER: (19-605)		
BUILDING DESCRIPTION: 50'-0" X 80'-0" X 16'-0" SHOP		
DESIGN NUMBER: P19286		
599 Industrial Circle P.O. Box 600 Winnetka, Minnesota 55395 308-485-2624 Fax: 308-70-4728 www.rambuildings.com Contractor License Number: 20171978		

Exhibit E - Building Plans Page 6



COMMON WALL SECTION

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 <p>583 Lakeland Drive P.O. Box 460 Winnetka, Minnesota 55395 320-485-2544 • 800-710-4728 www.rambuildings.com Contractor License Number 20111976</p>	PROJECT NAME: EXCEL MECHANICAL (JEREMY SCHEUBLE)	DRAWN BY: JEREMY B.
	PROJECT NUMBER: (19-609)	DATE: 10/7/2019
BUILDING DESCRIPTION: 50'-0" X 80'-0" X 16'-0" SHOP W/ 40' X 24' X 8' OFFICE	DESIGN NUMBER: P19296	SHEET: 6 OF 6

**CITY OF MAYER
CITY COUNCIL RESOLUTION 11.12.19.41**

**RESOLUTION APPROVING THE SITE PLAN FOR A NEW COMMERCIAL BUILDING TO BE
LOCATED AT 185 7TH STREET IN THE C-1 GENERAL COMMERCE DISTRICT**

WHEREAS, Jeremy Scheuble of Minnwest Rentals, LLC (the "Applicant" and "Owner"), has submitted a request for site plan approval for a new commercial building in conformance with Section 152.031 of the Zoning Ordinance relating to site plan review on property located at 185 7th Street NE, with a PID number of 50.03101.00 (the "Property"); and

WHEREAS, the Property is zoned C-1 General Commerce District and a office is a permitted use in that district; and

WHEREAS, the Property is designated Commercial on the future land use map and no permit shall be issued until a site plan has been reviewed and approved by the City; and

WHEREAS, a copy of the proposed site plan materials and application were available at the City Offices for public viewing; and

WHEREAS, section 152.031 of the Zoning Ordinance outlines Information Requirements and Procedure for site plan approval; and

WHEREAS, the Planning Commission reviewed the site plan at the November 6, 2019 Planning Commission meeting at which time they recommended approval of the site plan, subject to conditions, on a 6-0 vote; and

WHEREAS, the City Council reviewed the site plan on November 12, 2019; and

WHEREAS, the City Council makes the following findings of fact in support of granting approval of the site plan:

- A. The legal description of the subject properties is: That part of the Southwest Quarter of Section 31, Township 117, Range 25, Carver County, Minnesota, described as beginning on the south line of said Southwest Quarter 398.4 feet East of the northwest corner of Section 6, Township 116, Range 25; thence North 200.00 feet parallel with the West line thereof; thence West 217.8 feet parallel to the South line thereof; thence South 200.00 feet parallel with the West line thereof to the South line; thence East along said South line 217.80 feet to the point of beginning.
- B. The Planning Report dated November 7, 2019 shall be the governing document which includes the following exhibits:
 - Exhibit A - Aerial Location Map
 - Exhibit B - Site Plan dated October 16, 2019
 - Exhibit C - Grading Plan dated October 16, 2019
 - Exhibit D - Engineering Comments dated October 30, 2019
 - Exhibit E - Building Plans
- C. The aerial location map is attached as Exhibit A.
- D. The site plan dated October 16, 2019 is attached as Exhibit B.
- E. The grading plan dated October 16, 2019 is attached as Exhibit C.
- F. The engineering comments dated October 30, 2019 are attached as Exhibit D.

G. The Building Plans are attached as Exhibit E.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Mayer, Minnesota, that it hereby approves the site plan for a new commercial building to be located at 185 7th Street NE in the C-1 General Commerce District, subject to the following conditions:

1. Signage. That any proposed signage meet the standards set forth in Sections 152.120 through 152.133 of Title XV: Land Usage, Chapter 152 Zoning of the City of Mayer Municipal code and that all required sign permits are issued prior to installation of any signage.
2. Lighting. All general lighting employed on site must be directed away from adjoining properties. Direct or reflected glare from flood lights and spot lights, as differentiated from general illumination on the site, shall not be visible beyond the subject parcel.
3. Noise and Vibration. Noise and vibration generated from any use shall be in compliance with and regulated by the MPCA rules.
4. Outdoor Storage. Any outdoor storage shall meet the requirements of section 152.090 Outdoor Storage and section 152.091 Screening the Zoning Ordinance.
5. Off-street Parking. That a variance is approved to reduce the required number of off-street parking stalls from seventeen to seven.
6. Trash Enclosure. A trash enclosure or screening will be required to be located on the property if a dumpster is planned on being used for trash pickup. A location will need to be proposed and access to the location will need to be reviewed.
7. City Engineer Review. Any comments or conditions from the City Engineer in a letter dated October 30, 2019 will need to be satisfied by the applicant as part of this site plan review.
8. Stormwater Management. If any stormwater management is required, stormwater shall be managed in accordance with the National Urban Runoff Program (NURP) standards for the design of new stormwater ponds. The provisions of the Minnesota Pollution Control Agency's urban "best management practices," titled "Protecting Water Quality in Urban Areas," shall be used to review any proposed development in order to reduce non-point source pollutant loadings in stormwater runoff.
9. Building Permit. All building permits that are required, shall be approved, paid for and issued prior to construction of the building.

Adopted by the Mayer City Council this 12th day of November, 2019.

Mayor Mike Dodge

Attest:

Margaret McCallum, City Administrator

The following Council Members voted in favor:

The following Council Members voted against or abstained:

Whereupon the motion was duly passed and executed.

Published:

Filed with Carver County:

Attachments:

Exhibit A - Aerial Location Map

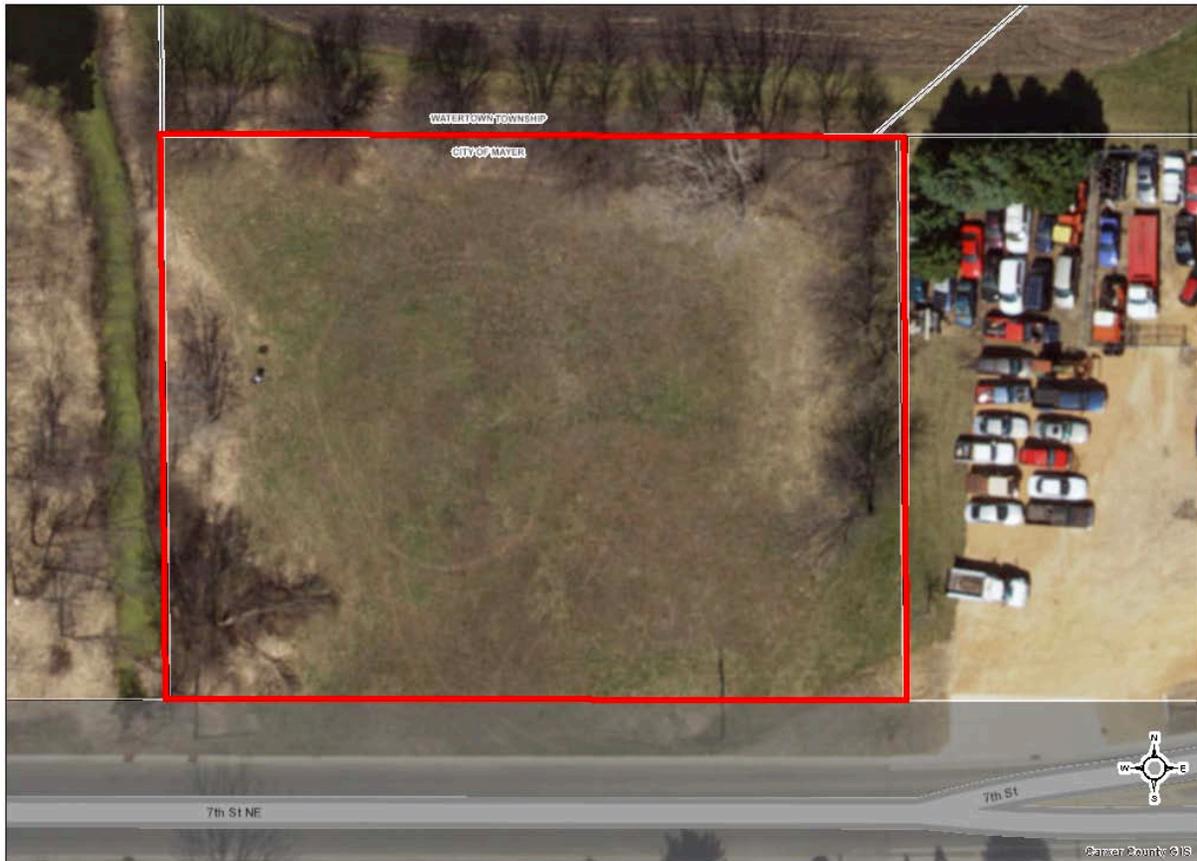
Exhibit B - Site Plan dated October 16, 2019

Exhibit C - Grading Plan dated October 16, 2019

Exhibit D - Engineering Comments dated October 30, 2019

Exhibit E - Building Plans

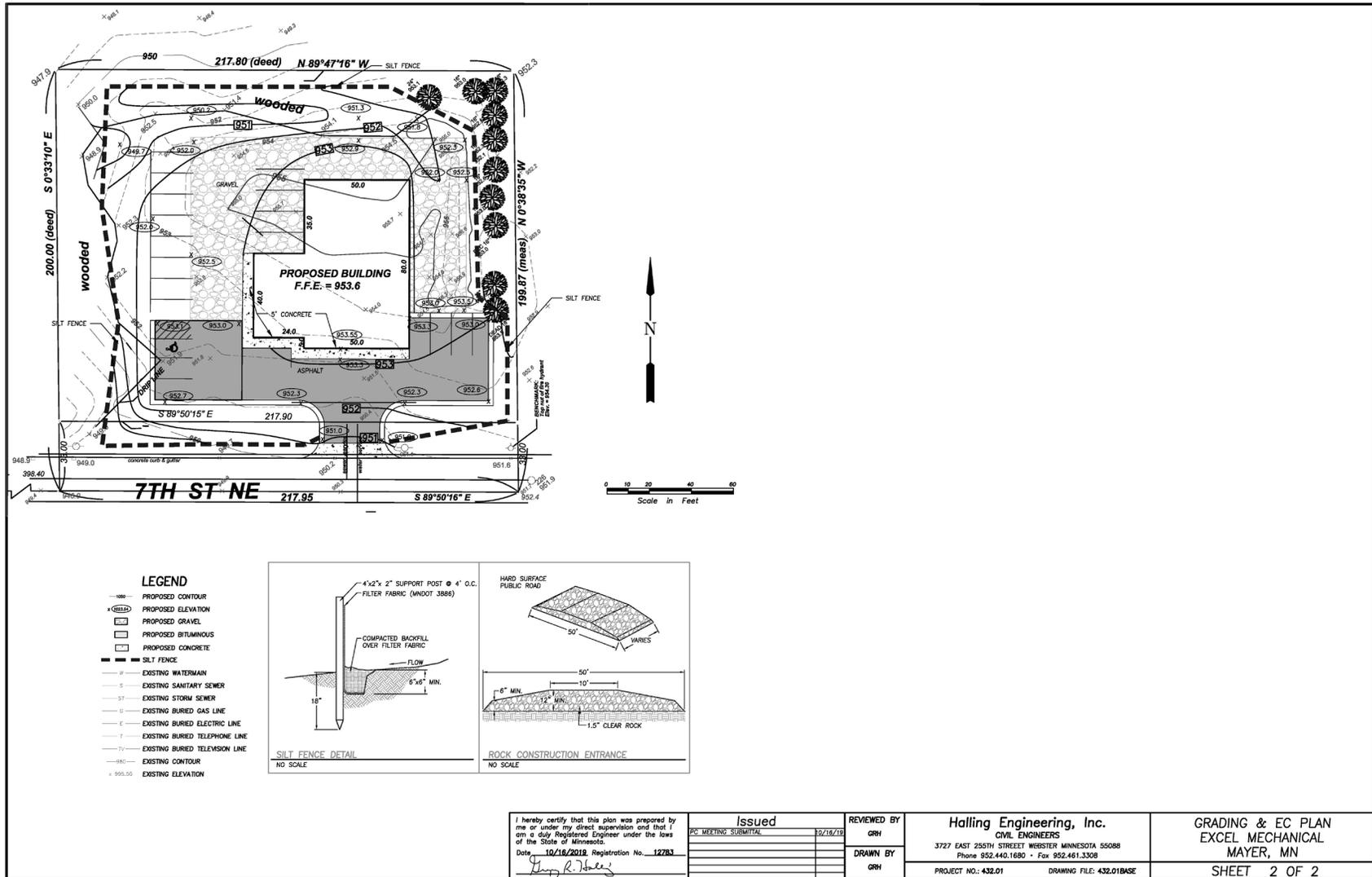
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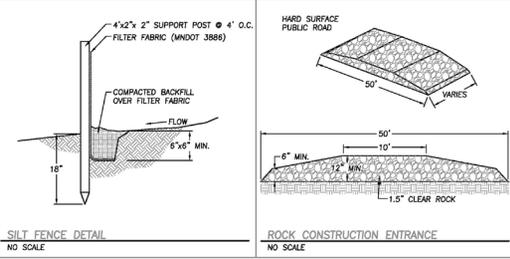
This map was created using Carver County's Geographic Information Systems (GIS), it is a compilation of information and data from various City, County, State, and Federal offices. This map is not a surveyed or legally recorded map and is intended to be used as a reference. Carver County is not responsible for any inaccuracies contained herein.

Map Date: 9/11/2019

Exhibit C - Grading Plan dated October 16, 2019



- LEGEND**
- 1000 --- PROPOSED CONTOUR
 - x (953.2) PROPOSED ELEVATION
 - ▨ PROPOSED GRAVEL
 - ▩ PROPOSED BITUMINOUS
 - ▭ PROPOSED CONCRETE
 - SILT FENCE
 - W EXISTING WATERMAIN
 - S EXISTING SANITARY SEWER
 - ST EXISTING STORM SEWER
 - G EXISTING BURIED GAS LINE
 - E EXISTING BURIED ELECTRIC LINE
 - T EXISTING BURIED TELEPHONE LINE
 - TV EXISTING BURIED TELEVISION LINE
 - 950 --- EXISTING CONTOUR
 - x 955.50 EXISTING ELEVATION



I hereby certify that this plan was prepared by me or under my direct supervision and that I am a duly Registered Engineer under the laws of the State of Minnesota. Dated <u>10/16/2019</u> Registration No. <u>12783</u> 	Issued PG MEETING SUBMITTAL 10/16/19	REVIEWED BY GRH	Halling Engineering, Inc. CIVIL ENGINEERS 3727 EAST 255TH STREET WESTMINSTER MINNESOTA 55088 Phone 952.440.1680 • Fax 952.461.3308	GRADING & EC PLAN EXCEL MECHANICAL MAYER, MN SHEET 2 OF 2
	DRAWN BY GRH	PROJECT NO.: 432.01 DRAWING FILE: 432.01BASE		
	PROJECT NO.: 432.01 DRAWING FILE: 432.01BASE	PROJECT NO.: 432.01 DRAWING FILE: 432.01BASE		
	PROJECT NO.: 432.01 DRAWING FILE: 432.01BASE	PROJECT NO.: 432.01 DRAWING FILE: 432.01BASE		



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2638 Shadow Lane
Suite 200
Chaska, MN 55318-1172

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

October 30, 2019

City of Mayer
Attn: Margaret McCallum
413 Bluejay Avenue
Mayer, MN 55360

RE: Site Plan Application
Excel Mechanical
Engineering Review #1

Dear Ms. McCallum:

As requested, I have completed an engineering review of the documents submitted for the above referenced project (plans dated 10-16-19). I offer the following observations, comments, and recommendations for your consideration:

1. The applicant will be required to obtain Carver County Watershed Management Organization (CCWMO) approval and permitting. A copy of any approvals or permits required should be submitted prior to Final Site Plan approval.
2. Work within public right-of-way or connection to public utilities must be coordinated with the Public Works Department. Contractor must provide a minimum 48-hour notice prior to any work being performed. Notes should be revised accordingly.
3. A Landscape Plan should be submitted for review and approval to ensure adequate restoration after construction is complete. The plan should include the following:
 - a. Areas to be seeded with corresponding seed mix, including seeding rate, mulching, and fertilizer.
 - b. Areas to be sodded.
 - c. Trees to be removed vs saved. Protection fencing should be provided around trees to be preserved.
 - d. Additional trees to be installed after improvements are completed.
 - e. Sod or seed with blanket should be indicated for disturbed areas within the right-of-way.
 - f. Blanket and/or biologs should be installed in swales after grading is completed.
4. A Traffic Control Plan must be provided prior to any construction. Clear drive lanes must be maintained on 7th Street NE at all times.
5. The existing curb and gutter should be preserved and protected. The existing condition should be documented with pictures, and the Contractor should be responsible for any repairs deemed necessary by the City and due to damage caused during construction.
6. Connections to the sanitary and water services should be depicted on the plans, and notes should be included as necessary to detail connections (i.e. invert elevations, pipe material and diameter, and slope).
7. Perimeter erosion control measures should be installed by the Contractor and inspected by the City prior to any other work. Contractor must provide a minimum 24-hour notice prior to inspection.

H:\MAYR\C13117842\z_Excel Mechanical\ExcelMechanical_SitePlanReview-1_2019-10-30.docx

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Site Plan Application
Excel Mechanical
Page 2

8. Silt fence location on the northwest side of the site should be adjusted as necessary to be down gradient from all proposed work and minimize impact to trees.
9. The rock construction entrance location should be indicated on the plans, and traffic should be directed through it during construction.
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11. Slopes should be included on the Grading Plan as necessary to define slopes. A minimum slope of 2% and maximum of 10% are recommended for parking lots.
12. Additional detail should be provided for the proposed grading on the east side of the building. Spot elevations and contours should be included as necessary to adequately define proposed grades in this area.
13. The proposed spot elevations in the gravel area do not match proposed curb elevations for the front parking lot on the east side of the building. Since surmountable curb is proposed, the gravel area at the back of curb should be approximately 0.33' higher than the flow line elevations indicated.
14. A slope of 4:1 is indicated near the northeast corner of the building in the gravel lot, which could create difficulties traversing with vehicles. The applicant should consider revising proposed grades on the east and northeast side of the building in the gravel parking lot area to maintain slopes between recommended minimums and maximums. Also, the applicant should consider moving the swale in this area to the east edge of the lot to minimize slopes.
15. Record drawings must be submitted upon completion of the project. Two hard copies and an electronic copy should be provided.

If you have any questions or comments, please contact me to discuss.

Sincerely,

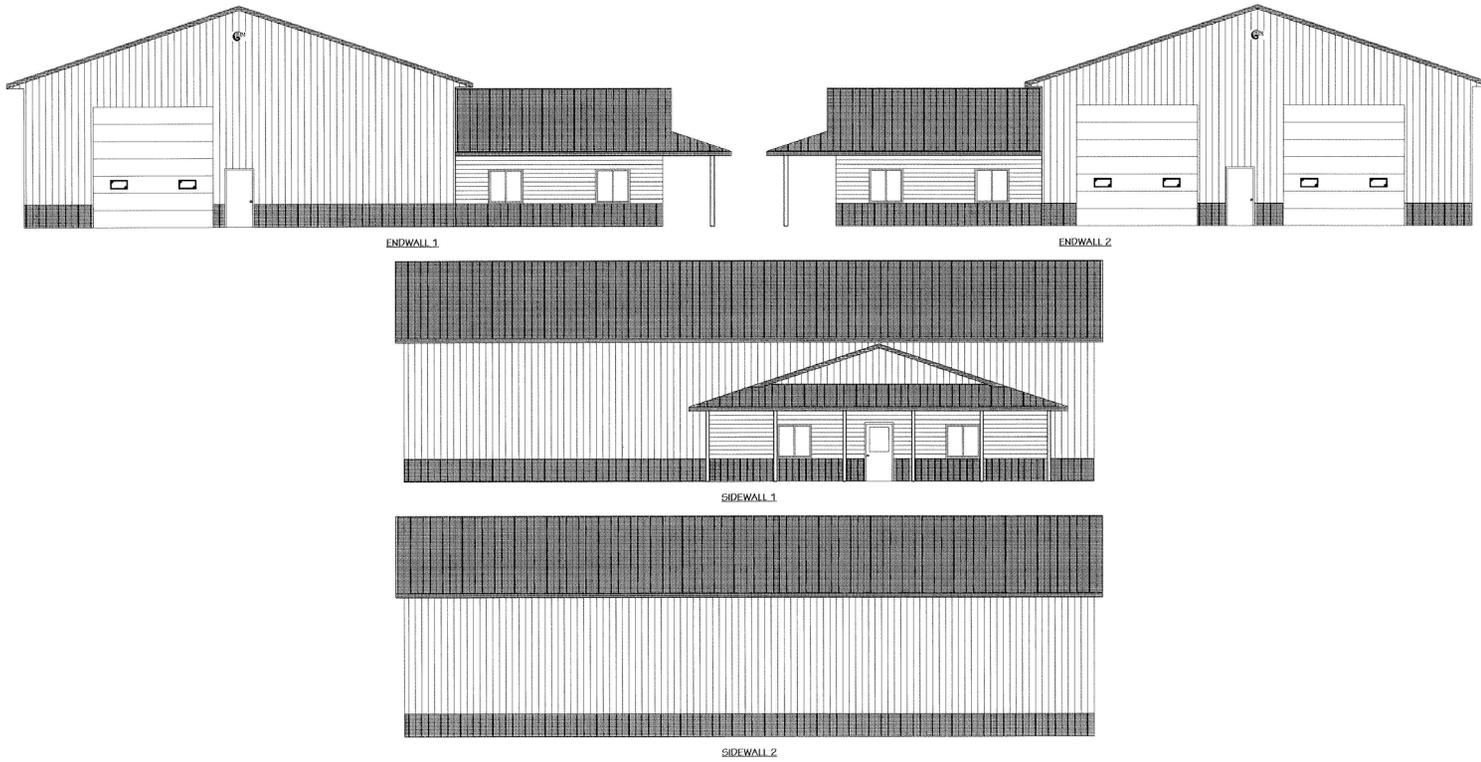
Bolton & Menk, Inc.



Robert E. Bean, Jr., P.E.
Water Resources Engineer

CC: John Anderson, Municipal Development Group
David Martini, Bolton & Menk

Exhibit E - Building Plans Page 1



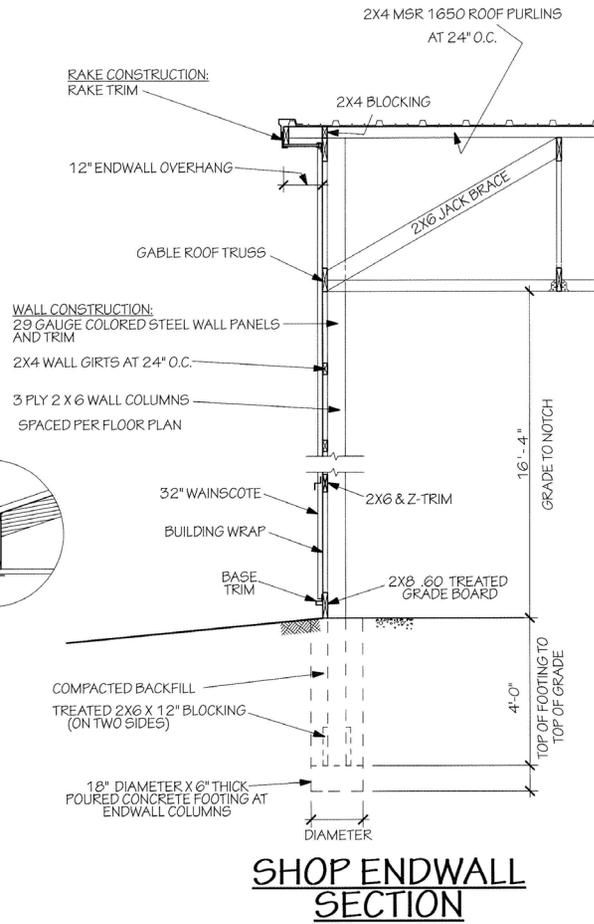
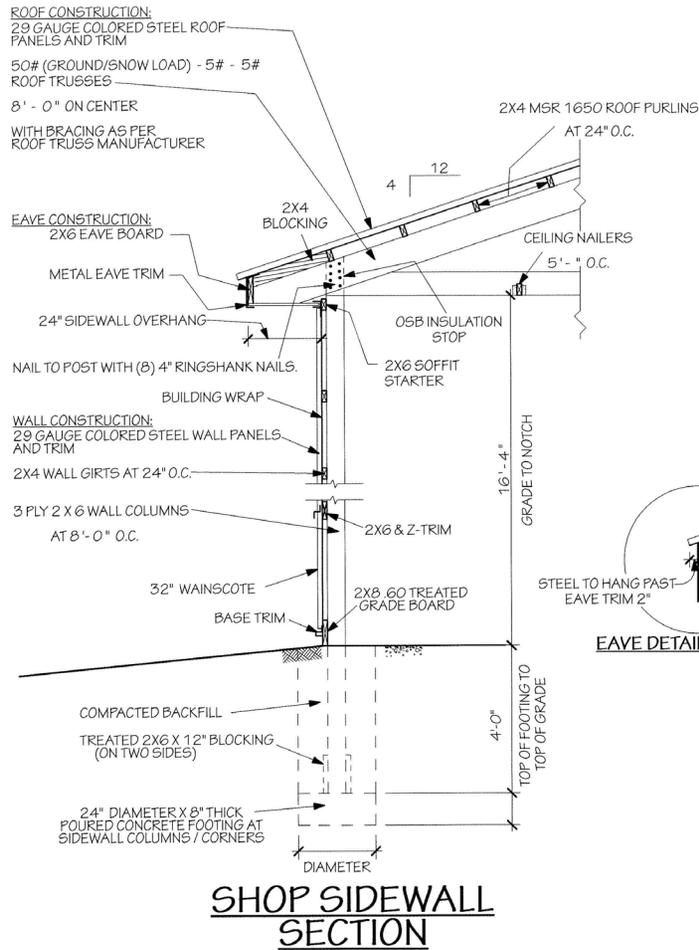
DRAWN BY: JEREMY B.
 DATE: 10/7/2019
 SHEET 1 OF 6

PROJECT NAME: EXCEL MECHANICAL
 (JEREMY SCHEUBLE)
 PROJECT NUMBER: (19-605)
 BUILDING DESCRIPTION: 50'-0" X 80'-0" X 16'-0" SHOP
 W/ 40' X 24' X 8' OFFICE
 DESIGN NUMBER: F19296

593 Federal Drive
 P.O. Box 660
 Winnetka, Minnesota 55395
 308-482-2614 503-710-4726
 www.rambuildings.com
 Contractor License Number: 20171878

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Exhibit E - Building Plans Page 3



DRAWN BY: JEREMY B.
 DATE: 10/7/2019
 SHEET 3 OF 6

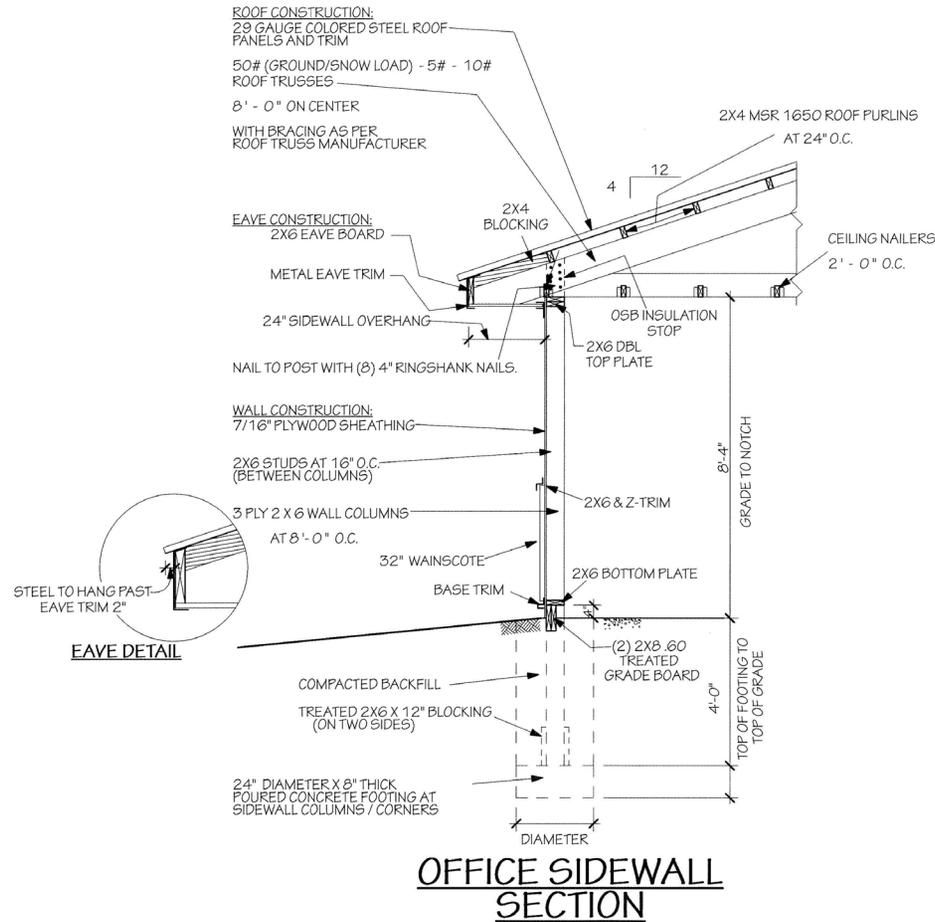
EXCEL MECHANICAL
 (JEREMY SCHEUBLE)
 50'-0" X 80'-0" X 16'-0" SHOP
 W/ 40' X 24' X 8' OFFICE

PROJECT NAME:
 PROJECT NUMBER: (19-605)
 BUILDING DESCRIPTION:
 DESIGN NUMBER: P19296

525 Industrial Drive
 P.O. Box 100
 Winsted, Minnesota 55395
 320-485-2844 800-710-4726
 www.rambuildings.com
 Contractor License Number: 20171078

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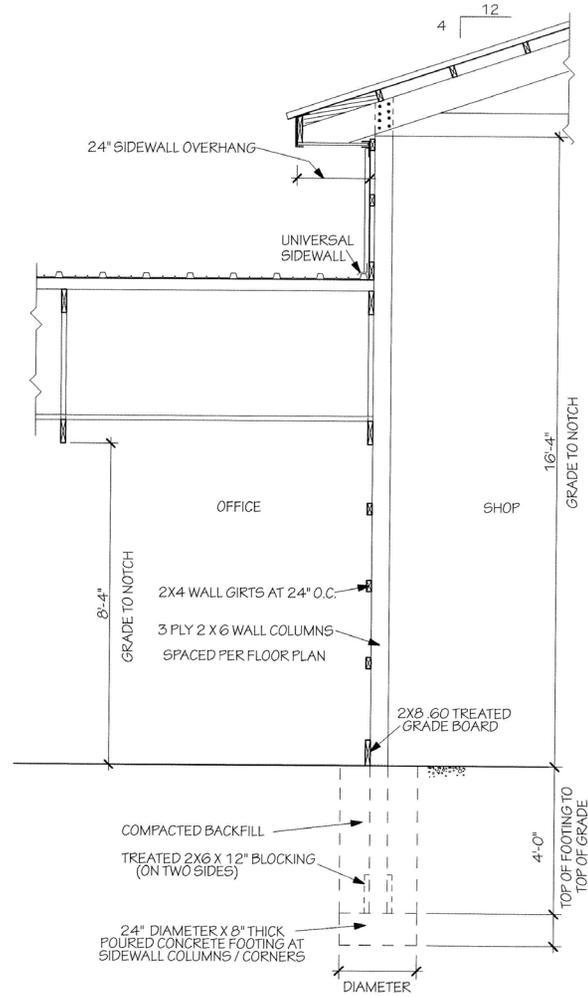
Exhibit E - Building Plans Page 4



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DRAWN BY: JEREMY B. DATE: 10/7/2019 SHEET 4 OF 6	PROJECT NAME: EXCEL MECHANICAL (JEREMY SCHEUBLE) PROJECT NUMBER: (19-605) BUILDING DESCRIPTION: 50'-0" X 80'-0" X 16'-0" SHOP W/ 40' X 24' X 8' OFFICE DESIGN NUMBER: P19296
592 Industrial Drive P.O. Box 600 Winnetka, Minnesota 55385 320-485-2414 815-710-1726 www.rambuildings.com Contractor License Number 20171876	
	

Exhibit E - Building Plans Page 6



COMMON WALL SECTION

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 <p>597 Jackson Drive P.O. Box 690 Winnetka, Minnesota 55395 326-485-2644 652-710-4726 Fax: 326-485-5625 www.rambuildings.com Contractor License Number: 20171076</p>	PROJECT NAME: EXCEL MECHANICAL (JEREMY SCHEUBLE)	DRAWN BY: JEREMY B.
	BUILDING DESCRIPTION: 50'-0" X 80'-0" X 16'-0" SHOP W/ 40' X 24' X 8' OFFICE	PROJECT NUMBER: (19-605) DESIGN NUMBER: P19296

**CITY OF MAYER
CITY COUNCIL RESOLUTION 11.12.19.42**

**RESOLUTION GRANTING A VARIANCE TO ALLOW TO REDUCE THE REQUIRED NUMBER OF
OFF-STREET PARKING FROM SEVENTEEN STALLS TO SEVEN STALLS TO ALLOW FOR THE
CONSTRUCTION OF A NEW COMMERCIAL BUILDING IN THE C-1 GENERAL COMMERCE
DISTRICT AT 185 7TH STREET NE**

WHEREAS, Jeremy Scheuble of Minnwest Rentals, LLC (the "Applicant" and "Owner"), has submitted a request for a variance to reduce the required number of off-street parking spaces from seventeen to seven stalls in the C-1 General Commerce District on property located at 185 7th Street NE, with a PID number of 50.03101.00 (the "Property"); and

WHEREAS, the property is zoned C-1 General Commerce District and is designated Commercial on the future land use map; and,

WHEREAS, before approving the variance request, at least one public hearing thereon shall be held; and

WHEREAS, a notice of public hearing for the variance request was published and posted in accordance with the applicable Minnesota Statutes, setting the hearing before the Planning Commission on November 6, 2019 at 6:30 pm or as soon thereafter as reasonably possible at the Mayer City Council Chambers, located at 413 Bluejay Avenue in the City of Mayer, Minnesota to consider the request and hear testimony from all interested persons wishing to speak on the matter; and

WHEREAS, a copy of the proposed variance request materials and application were available at the City Offices for public viewing; and

WHEREAS, the Planning Commission reviewed the variance request and held a public hearing on November 6, 2019, at which time proceeded to hear all persons interested in said application and persons interested were afforded the opportunity to present their views and objections to the granting of said application; and

WHEREAS, the Planning Commission considered the variance request in accordance with the following standards:

- a. Granting a variance will not adversely affect the public health, welfare and safety and will not be detrimental and injurious to property or improvements in the neighborhood.
- b. Strict interpretation or enforcement of the provisions of this Ordinance would result in a practical difficulty or unnecessary hardship that is not self-created, nor inconsistent with the intent of this Ordinance and the Comprehensive Plan.
- c. There are exceptional or extraordinary circumstances or conditions applicable to the property, use, or facilities that do not apply generally to other properties in the same district.
- d. Strict or literal interpretation of this Ordinance would deprive the applicant of the use and enjoyment of his or her property in a manner similar to others in the same district.
- e. Granting of the variance will not allow a use which is otherwise not a permitted use in the zoning district in question; and

WHEREAS, the Planning Commission has recommended to the City Council approval of the variance request with conditions on a 6-0 vote; and

WHEREAS, the City Council reviewed the variance request on November 12, 2019; and

WHEREAS, the City Council makes the following findings of fact in support of granting approval:

- A. The legal description of the subject properties is: That part of the Southwest Quarter of Section 31, Township 117, Range 25, Carver County, Minnesota, described as beginning on the south line of said Southwest Quarter 398.4 feet East of the northwest corner of Section 6, Township 116, Range 25; thence North 200.00 feet parallel with the West line thereof; thence West 217.8 feet parallel to the South line thereof; thence South 200.00 feet parallel with the West line thereof to the South line; thence East along said South line 217.80 feet to the point of beginning.
- B. The Planning Report dated November 7, 2019 shall be the governing document which includes the following exhibits:
 - Exhibit A - Aerial Location Map
 - Exhibit B - Site Plan dated October 16, 2019
 - Exhibit C - Grading Plan dated October 16, 2019
 - Exhibit D - Engineering Comments dated October 30, 2019
- C. The aerial location map is attached as Exhibit A.
- D. The site plan dated October 16, 2019 is attached as Exhibit B.
- E. The grading plan dated October 16, 2019 is attached as Exhibit C.
- F. The Engineering Comments dated October 30, 2019 is attached as Exhibit D.
- G. The City council approved the site plan for the property at the November 12, 2019 city Council meeting under City of Mayer Resolution 11.12.19.41.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Mayer, Minnesota, that it hereby approves the variance request subject to the following conditions:

- 1. Variance Expiration. The variance shall become void one year after the approval date if the applicant has not commenced construction on the improvement, unless an extension is granted by the City Council.
- 2. Future Off-street Parking. If it is determined that the additional ten off-street parking spaces are needed in the future, the applicant/owner shall be required to improve those additional off-street parking spaces as shown on the site plan dated October 16, 2019 at that time.

Adopted by the Mayer City Council this 12th day of November, 2019.

Mayor Mike Dodge

Attest:

Margaret McCallum, City Administrator

The following Council Members voted in favor:
The following Council Members voted against or abstained:

Whereupon the motion was duly passed and executed.

Published:
Filed with Carver County:

Attachments:

Exhibit A - Aerial Location Map
Exhibit B - Site Plan dated October 16, 2019
Exhibit C - Grading Plan dated October 16, 2019
Exhibit D - Engineering Comments dated October 30, 2019

Exhibit A - Aerial Location Map for 421 Ash Avenue



This map was created using Carver County's Geographic Information Systems (GIS), it is a compilation of information and data from various City, County, State, and Federal offices. This map is not a surveyed or legally recorded map and is intended to be used as a reference. Carver County is not responsible for any inaccuracies contained herein.

Map Date: 9/11/2019

Exhibit B - Site Plan dated October 16, 2019

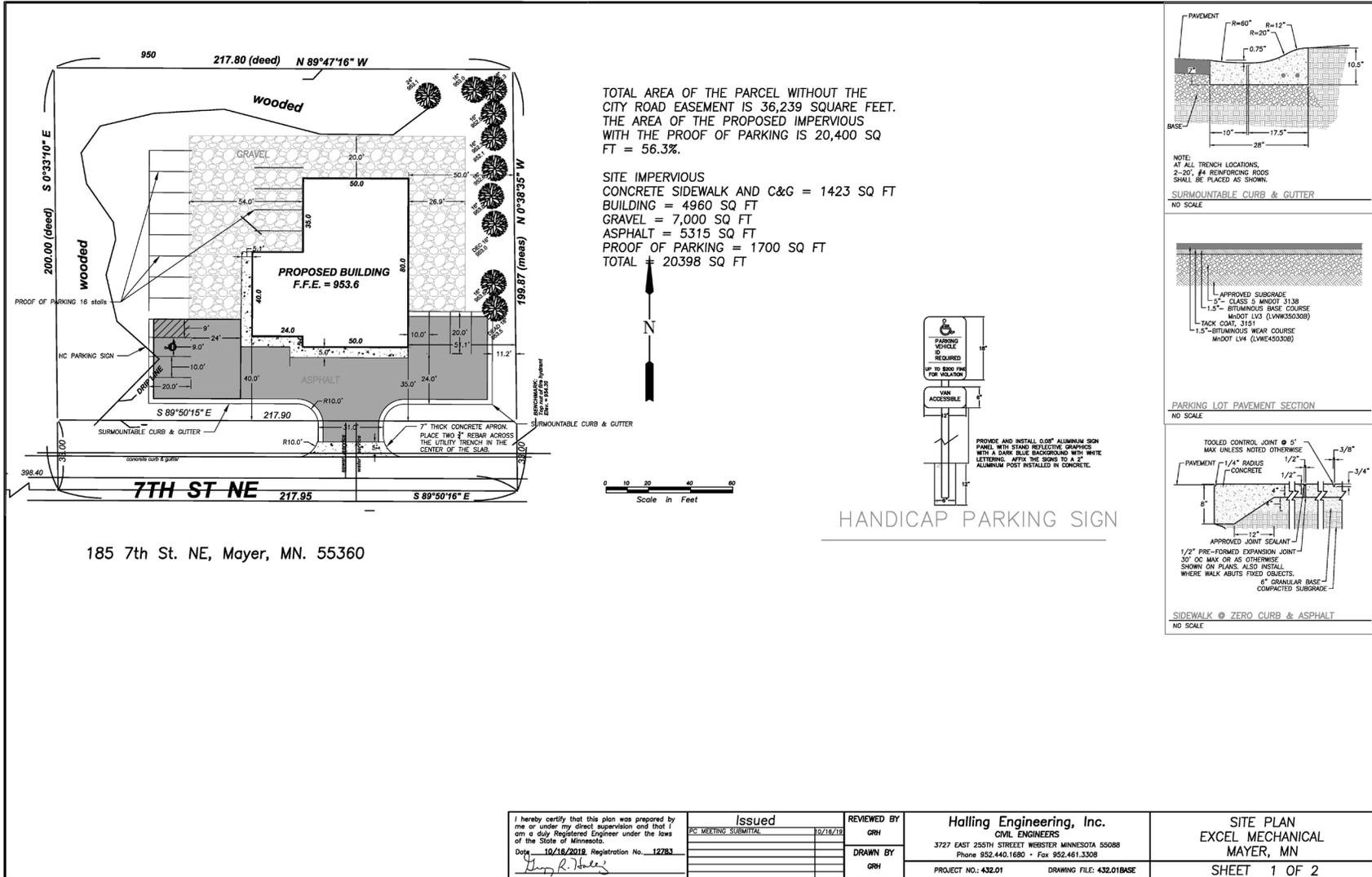
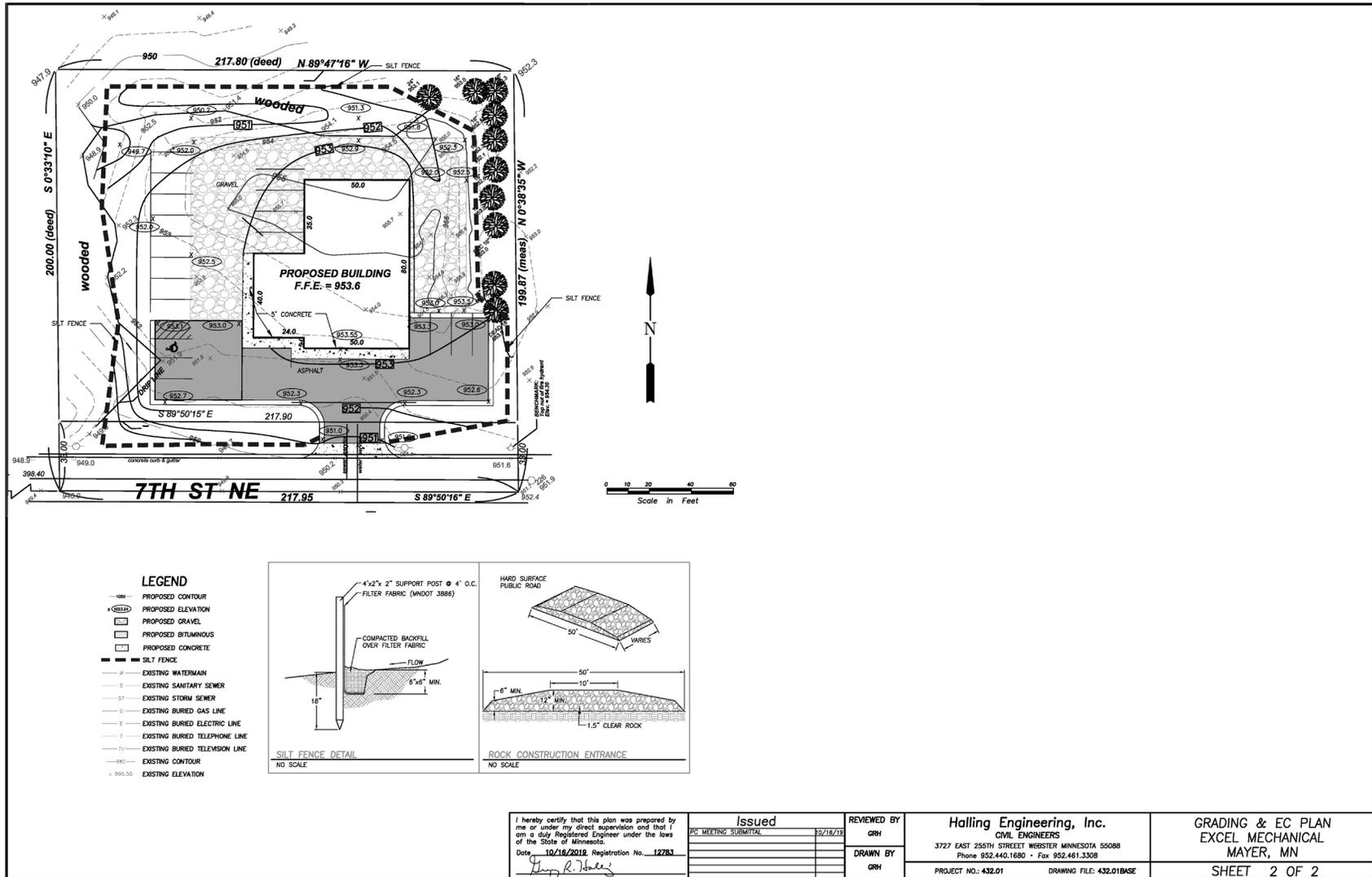


Exhibit C - Grading Plan dated October 16, 2019





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Fax: (952) 448-8805
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October 30, 2019

City of Mayer
Attn: Margaret McCallum
413 Bluejay Avenue
Mayer, MN 55360

RE: Site Plan Application
Excel Mechanical
Engineering Review #1

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Site Plan Application
Excel Mechanical
Page 2

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15. Record drawings must be submitted upon completion of the project. Two hard copies and an electronic copy should be provided.

If you have any questions or comments, please contact me to discuss.

Sincerely,

Bolton & Menk, Inc.



Robert E. Bean, Jr., P.E.
Water Resources Engineer

CC: John Anderson, Municipal Development Group
David Martini, Bolton & Menk



APPLICATION DATA

Meeting Date: November 12, 2019
Applicant: 4 Square Builders, Inc.
Owner: Waconia Roll-off (Randy Peitz)
Address & PID Number: 856 Shimmcor Street - 50.70100.40
Legal Description: Lot 4, Block 1, Sell Commercial Industrial Park 2nd Addition

ACTION REQUESTED

To approve or deny a site plan review for a new industrial building and parking lot for Waconia Roll-off at 856 Shimmcor Street and to approve or deny a variance request to reduce the off-street parking requirement for the new building.

BACKGROUND DATA

Future Land Use

Classification: The property is designated Existing MUSA Infill/Redevelopment on the current future land use map and Commercial/Industrial on the proposed 2040 Future Land Use Map. The proposed use of a office and warehousing facilities are consistent with this designation.

Zoning

Classification: The property is zoned C/I Commercial/Industrial District and offices and warehousing facilities are a permitted use in that district.

Comments

Received: Comments were received from Brad Quaas who owns 571 Shimmcor Street and are attached to this memo.

Background:

The applicant has submitted a application for site plan review for a new industrial building and a application for a variance request to reduce the required number of off-street parking stalls.

The property is approximately 1.116 acres or 48,596 square feet in size and is zoned C/I. Properties adjacent to the site consist of the following.

North: Vacant commercial/industrial lots and other industrial uses further to the north and the property is guided for Existing MUSA Infill/Redevelopment on the current 2030 Future Land Use Map and Commercial/Industrial on the proposed 2040 Future Land Use Map.

West: A city owned parcel that consists of a stormwater holding pond and a vacant commercial/industrial lot. This property is zoned C/I Commercial/Industrial and is guided for Existing MUSA Infill/Redevelopment on the current 2030 Future Land Use

Map and Open Space (stormwater pond lot) and Commercial/Industrial (vacant lot) on the proposed 2040 Future Land Use Map.

East: Existing commercial/industrial business (storage facility) that is zoned C/ Commercial/Industrial District and is guided for Existing MUSA Infill/Redevelopment on the current 2030 Future Land Use Map and Commercial/Industrial on the proposed 2040 Future Land Use Map.

South: Across County Road 30 to the south is open space with a single family detached dwelling and agricultural land beyond that. This land is located in Camden Township and is not guided anything on the current 2030 Future Land Use Map and proposed 2040 Future Land Use Map but is considered a potential property for early annexation prior to 2040 for future commercial of industrial development.

The site plan review requirements are listed under Section 152.031 of the zoning ordinance. Site plan review requires the following submittal requirements.

- (1) *Boundary survey of parcel including identification of all monuments.*
- (2) *Scaled location of all buildings, structures, driveways, sidewalks, trails, parking stalls, and curbing.*
- (3) *Scaled identification of all setback dimensions from property lines.*
- (4) *Scaled locations of all existing and proposed utilities and easements.*
- (5) *Scaled depictions of floor plans for each story.*
- (6) *Scaled depictions of each building elevation and descriptions of exterior building materials and color schemes.*
- (7) *Scaled site grading plans, including erosion and sedimentation control mechanisms and procedures.*
- (8) *Scaled delineations of any shoreland, floodplain, or wetland areas on the site.*
- (9) *Identification of any floodplain or wetland encroachments and detailed mitigation plans.*
- (10) *Detailed landscape plans, illustrating size, types, and locations of all materials, a description of site seeding or sodding, a description of the timetable for site landscaping, and the identification of any irrigation systems.*
- (11) *Detailed descriptions of any site fencing, including type, location and height.*
- (12) *All plans shall be dated and shall bear the name(s) of the preparer(s), including professional registrations or certifications when appropriate or required.*

As part of this application a construction plans, including a landscaping plan, and building plans were submitted for review. The building itself is 4,500 square feet in size. There will be a 160 square foot office area with a 36 square foot restroom. The remainder of the building will be storage space. Two overhead doors will be located on the west side of the building and one overhead door on the south side of the building.

Access to the site will come from Shimmcor Street, which is a city street and all accessing spacing and width requirements are met. Off-street parking is also shown but the number of proposed off-street parking stalls is less than the required number for a building of this size so a variance to reduce the number of required off-street parking stalls is requested. The following criteria are typically considered when reviewing a variance request.

- A. *Granting a variance will not adversely affect the public health, welfare and safety and will not be detrimental and injurious to property or improvements in the neighborhood.*
- B. *Strict interpretation or enforcement of the provisions of this Ordinance would result in a practical difficulty or unnecessary hardship that is not self-created, nor inconsistent with the intent of this Ordinance and the Comprehensive Plan.*
- C. *There are exceptional or extraordinary circumstances or conditions applicable to the property, use, or facilities that do not apply generally to other properties in the same district.*

- D. *Strict or literal interpretation of this Ordinance would deprive the applicant of the use and enjoyment of his or her property in a manner similar to others in the same district.*
- E. *Granting of the variance will not allow a use which is otherwise not a permitted use in the zoning district in question.*

At the November 6, 2019 Planning Commission meeting, the Planning Commission voted 6-0 to recommend approval of the site plan and voted 6-0 to recommend approval of a variance to reduce the off-street parking requirement to allow for a new industrial building at 886 Shimmcor Street.

**Off-Street
Parking:**

The applicant has submitted a site plan that shows four off-street parking stalls (one handicapped) to be constructed and spaces for ten future off-street parking stalls. The off-street parking requirement for office space is five spaces for every 1,000 square feet of gross floor area and three spaces for every 1,000 square feet of gross floor area for other industry/business. The building is 4,500 square feet in size and the office space consists of 160 square feet so one off-street parking spaces would be required for that use and the other industry/business is 4,340 square feet so thirteen off-street parking spaces would be required for that use for a total of fourteen required off-street parking spaces.

The applicant has proposed four off-street parking spaces meaning they are ten spaces short and therefore have applied for the variance. The applicant has demonstrated on the site plan that the additional off-street parking spaces can be accommodated on the lot if needed in the future. At this time the applicant does not need these additional spaces for the proposed use.

The parking stalls size, drive lanes and turnaround areas are sufficient and meet city requirements and parking lot is proposed to paved with surmountable curb being used on the edge of the parking area. On the south and west side of the building, where the parking area could be expanded, no curb is proposed at this time and the area is to be a gravel surface for outside storage.

**Building
Materials:**

The purpose of establishing building design standards is to encourage development of aesthetically pleasing structures, to create minimum standards for non-residential design, and to protect the investments of non-residential building owners. Buildings located in the C/I, district must include design treatments to all metal exterior structures. Such treatments include but are not limited to steep-pitch roofs, awnings, wainscoting, color bands, shutters, extra windows, and combinations of other building materials. Structural systems of all buildings shall be in compliance with the Uniform Building Code as adopted and in effect in the City of Mayer at the time of application for a building permit. The lower thirty percent of the exterior front of all buildings, as measured from ground elevation, facing the main access street shall consist of materials comparable in grade and quality to the following:

- (a) *Brick;*
- (b) *Natural stone;*
- (c) *Pre-cast concrete units and concrete block, provided that surfaces are molded, serrated or treated with a textured material in order to give the wall surface a three-dimensional character;*
- (d) *Wood, provided surfaces are finished for exterior use and only woods of proven exterior durability such as cedar, redwood and cypress.*

The thirty percent requirement listed above may be varied as determined appropriate to accommodate taller buildings or new buildings constructed next to or in the immediate vicinity of other buildings in order to provide a uniform and consistent effect for the

area. If material other than those listed above or a variance for the 30% requirement is proposed, it shall be subject to review and approval by the Planning Commission.

The proposed building will be a post frame building with concrete footings and floor and is to be a sided and roofed with steel siding and roofing material. The front of the building facing Shimmcor Street will have a Versetta Stone four feet high across the front of the building. The height of the building to the peak will be twenty-three feet and one half inch high. The office portion of the building will be located on the east side of the building. Primary colors consist of Burnished Slate for the roof, Lite Stone for the sidewalls, Clay for the wainscoting and trim and Plum Creek for the front accent stone.

**Outdoor
Storage:**

All materials, supplies, merchandise or other similar matter not on display for direct sale, rental or lease to the ultimate consumer or user, except those items exempt under section 152.090 of the zoning ordinance, shall be stored within a completely enclosed building or within the confines of a 100% opaque wall or fence not less than six feet or more than eight feet in height. Such a screen wall or fence shall be designed and constructed as to be architecturally harmonious with the principal structure and located so as to not extend within twenty-five feet of any street. Landscaping (trees, shrubs, grass and other plantings) shall be on the right-of-way side of any screening or fencing. A screen planting may be substituted for a screen wall or fence at the discretion of the City Council, provided that any such screen planting shall fulfill the foregoing height and opacity requirements throughout each season of the year within 24 months after date of planting, and that no such screen planting shall be located across any existing easements.

The applicant has proposed to store roll-off dumpsters on the site on the gravel area. These will need to be screened according to the requirements listed above. Under section 152.060 (F) it states the following:

Storage and screening. All materials, supplies, merchandise or other similar matter not on display for direct sale, rental or lease to the ultimate consumer or user, except those items exempt in § 152.090, shall be stored within a completely enclosed building or within the confines of a 100% opaque wall or fence eight feet in height. Merchandise that is offered for sale as described heretofore may be displayed beyond the confines of a building, but the area occupied by such outdoor display shall not constitute a greater number of square feet than 10% of the ground floor area of the building housing the principal use, unless such merchandise is of a type customarily displayed outdoors, such as garden supplies.

This means any outdoor storage on this property will have to be screened within the confines of a 100% opaque wall, fence, berm, plantings or combination of those items. The applicant has proposed a four foot minimum high chain link fence around the gravel area. This fence would have two inch mesh fabric installed on the interior side for screening purposes. The fence would extend west from the northwest corner of the building then turn south and then southeast, eventually running east along the CSAH 30 right of way and finally turning north and ending at the paved drive lane entrance off of Shimmcor Street. This fence will need to be six feet high and 100% opaque to meet the screening requirements.

One item that needs to be addressed is if a trash enclosure will be needed or is proposed. The site plan does not show a trash enclosure on the property, but if the applicant is going to have a dumpster on site it will need to be screened from the public right of way. It will have to be discussed if a trash enclosure will be located on the property and how it will be accessed. If one is to be proposed on the gravel area somewhere, it would be screened, along with the rest of the outdoor storage by the proposed fence.

Landscaping: In the C/I district, one over-story tree is required for every 30 feet of street frontage. This lot has 334.95 feet of street frontage on Shimmcor Street and CSAH 30 so twelve overstory trees are required. Minimum requirements for deciduous trees are 2.5 inch caliper trees for planting size. Any foundation plantings need to be a minimum five-gallon size per planting. All required landscape material shall be warranted for growth for a minimum of two years after planting.

The applicant has proposed twelve over-story trees along the north, west and south property lines. Five Pacific Sunset Maples and seven Sentry Linden's are proposed and these trees will meet the landscaping requirements for this lot.

Surface Water Management: Stormwater management for the site will be reviewed by the City Engineer. If required the City Engineer will comment on any surface water management items.

City Engineer Review: Any comments or conditions from the City Engineer will need to be satisfied by the applicant as part of this site plan review. The City Engineer has provided a comment letter dated October 30, 2019, which is attached to this memo.

Carver County Review: So the plans were sent to Carver County for review since the property abuts CSAH 30 on the south property line. Any comments or concerns of the County will have to be satisfied as part of the approval.

Signage: No signage is being proposed at this time. If signage is proposed it would have to meet the requirements of the sections of the zoning ordinance related to signs, which are sections 152.120 through 152.133.

Miscellaneous Provisions: All general lighting employed on site must be directed away from adjoining properties. Direct or reflected glare from flood lights and spot lights, as differentiated from general illumination on the site, shall not be visible beyond the subject parcel. Noise and vibration generated from any use shall be in compliance with and regulated by the MPCA rules.

CONDITIONS

Site Plan Review

The following conditions are recommended to be included if the City Council approves the site plan review for a new industrial building to be located in the C/I Commercial/Industrial District at 856 Shimmcor Street. These conditions may be subject to modification depending upon the outcome at the City Council meeting.

1. Signage. That any proposed signage meet the standards set forth in Sections 152.120 through 152.133 of Title XV: Land Usage, Chapter 152 Zoning of the City of Mayer Municipal code and that all required sign permits are issued prior to installation of any signage.
2. Lighting. All general lighting employed on site must be directed away from adjoining properties. Direct or reflected glare from flood lights and spot lights, as differentiated from general illumination on the site, shall not be visible beyond the subject parcel.
3. Noise and Vibration. Noise and vibration generated from any use shall be in compliance with and regulated by the MPCA rules.
4. Outdoor Storage. Any outdoor storage shall meet the requirements of section 152.090 Outdoor

Storage and section 152.091 Screening the Zoning Ordinance.

5. Fence. The proposed fence shall be six feet in height and 100% opaque to meet the screening requirements for outdoor storage.
6. Off-street Parking. That a variance is approved to reduce the required number of off-street parking stalls from fourteen to four.
7. Trash Enclosure. A trash enclosure or screening will be required to be located on the property if a dumpster is planned on being used for trash pickup. A location will need to be proposed and access to the location will need to be reviewed.
8. City Engineer Review. Any comments or conditions from the City Engineer listed in a letter dated October 30, 2019 will need to be satisfied by the applicant as part of this site plan review.
9. Carver County Review. Any comments or conditions from the Carver County will need to be satisfied by the applicant as part of this site plan review.
10. Stormwater Management. If any stormwater management is required, stormwater shall be managed in accordance with the National Urban Runoff Program (NURP) standards for the design of new stormwater ponds. The provisions of the Minnesota Pollution Control Agency's urban "best management practices," titled "Protecting Water Quality in Urban Areas," shall be used to review any proposed development in order to reduce non-point source pollutant loadings in stormwater runoff.
11. Building Permit. All building permits that are required, shall be approved, paid for and issued prior to construction of the building.

Variance Request

The following conditions are recommended to be included if the City Council approves the variance request to reduce the required number of off-street parking spaces required for a new industrial building in the C/I Commercial/Industrial District. These conditions may be subject to modification depending upon the outcome at the City Council meeting.

1. Variance Expiration. The variance shall become void one year after the approval date if the applicant has not commenced construction on the improvement, unless an extension is granted by the City Council.
2. Future Off-street Parking. If it is determined that the additional ten off-street parking spaces are needed in the future, the applicant/owner shall be required to improve those additional off-street parking spaces as shown on the site plan dated October 25, 2019 at that time.

CITY COUNCIL ACTION REQUIRED

After review and discussion by the members of the City Council, a motion is in order approve, deny or to table the site plan review request and a motion is in order to approve, deny or to table the variance request reducing the number of required off-street parking spaces.

Possible action items - Site Plan Review

1. Approve the site plan review subject to conditions.
2. Table the site plan review to a date specific, and provide the applicant with direction on the issues that have been discussed.
3. Deny the site plan review.

Possible action items - Variance

1. Approve the variance request subject to conditions.
2. Table the variance request to a date specific, and provide the applicant with direction on the issues that have been discussed.

3. Deny the variance request.

If you have any questions relating to the site plan review and variance reducing the number of required off-street parking space for the new industrial building to be located at 856 Shimmcor Street prior to the City Council meeting, please feel free to contact me at: jandersonmdg@gmail.com or call direct at 952-855-4596.

Sincerely,

MUNICIPAL DEVELOPMENT GROUP, LLC

John Anderson

John Anderson, Associate
Consulting Planner, City of Mayer

LIST OF ATTACHMENTS

Exhibit A - Aerial Location Map
Exhibit B - Certificate of Survey dated October 22, 2019
Exhibit C - Construction Plans dated October 25, 2019
Exhibit D - Engineering Comments dated October 30, 2019
Exhibit E - Building Plans
Exhibit F - Public Comments

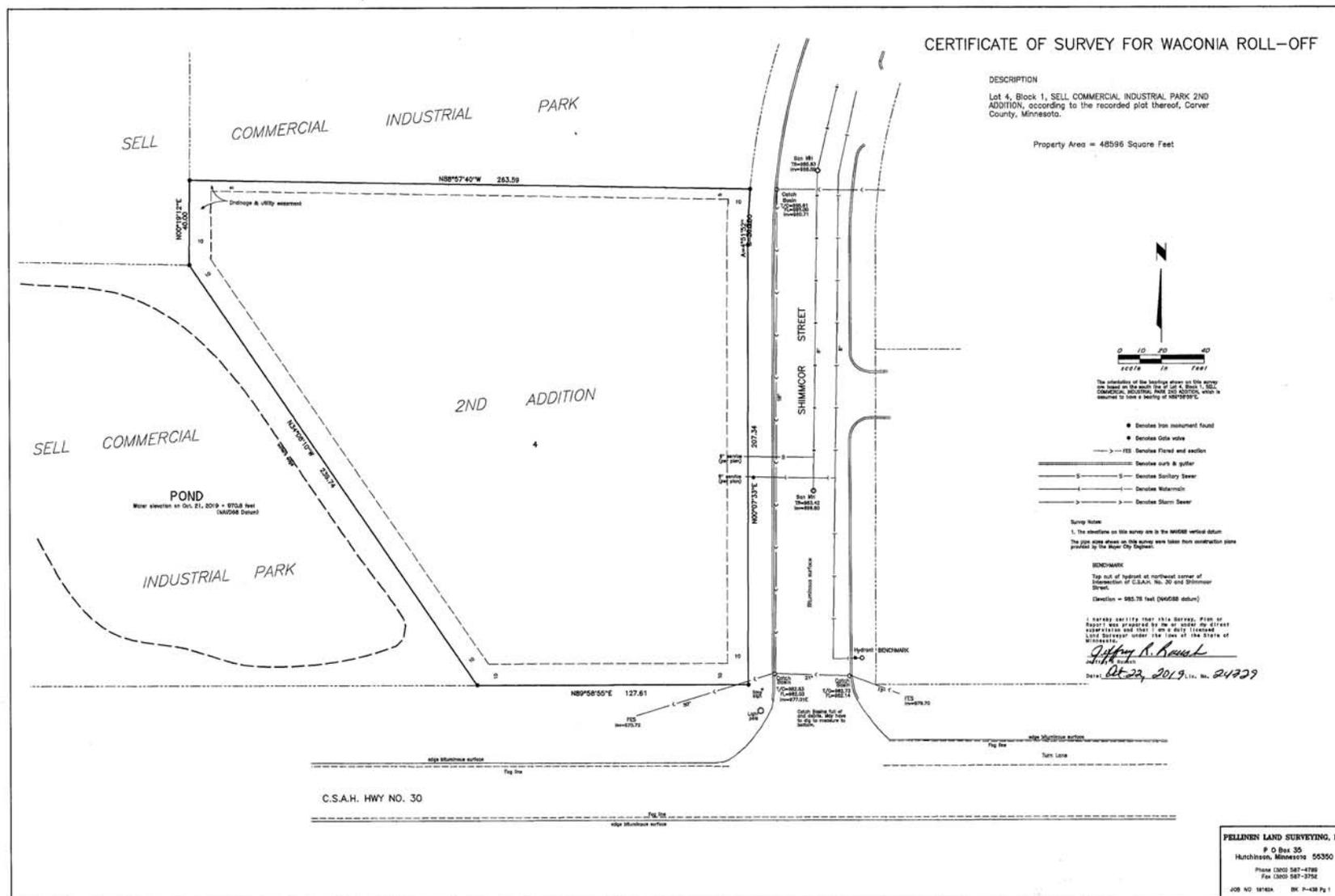
Exhibit A - Aerial Location Map

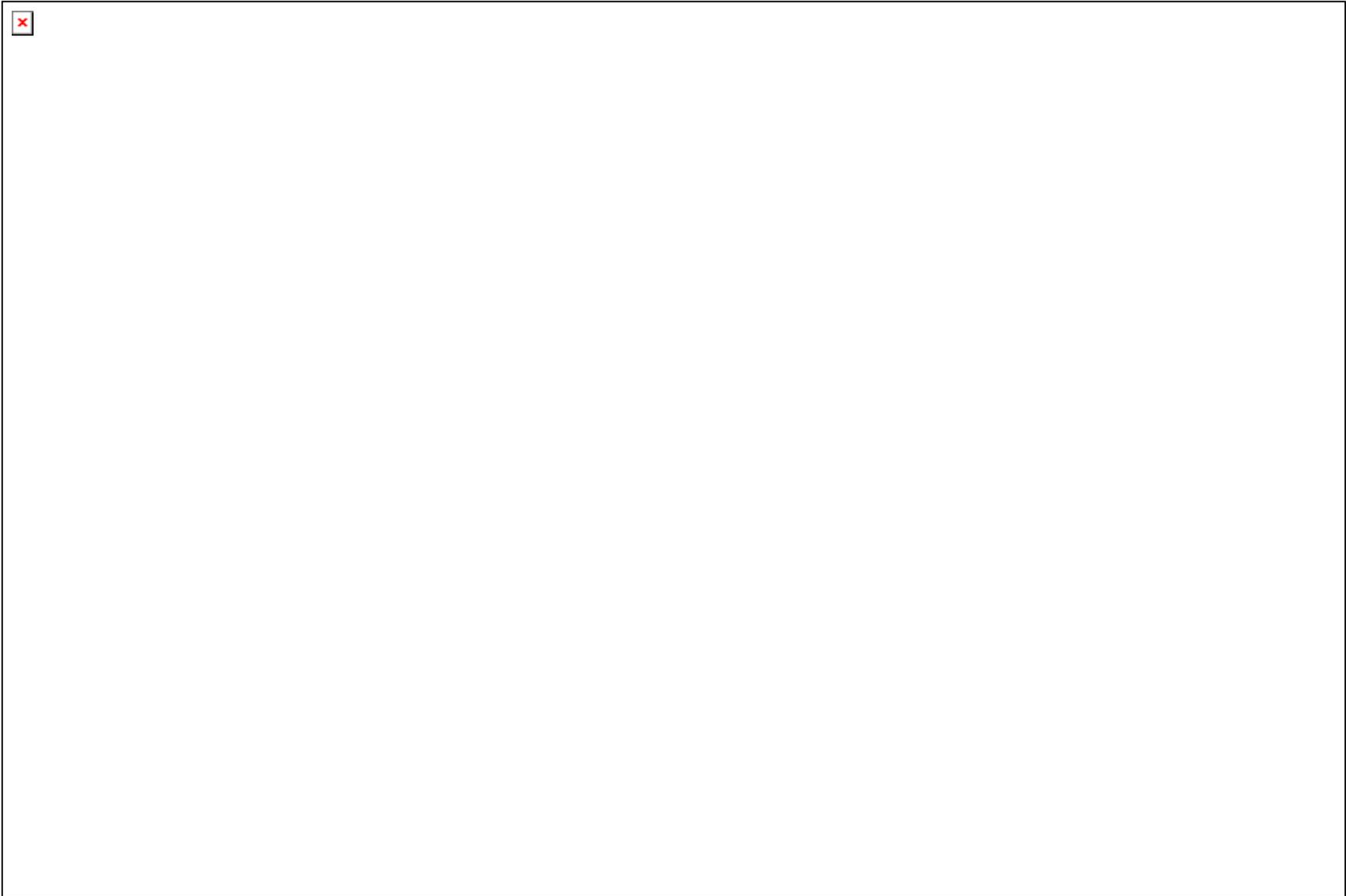


This map was created using Carver County's Geographic Information Systems (GIS), it is a compilation of information and data from various City, County, State, and Federal offices. This map is not a surveyed or legally recorded map and is intended to be used as a reference. Carver County is not responsible for any inaccuracies contained herein.

Map Date: 10/15/2019

Exhibit B - Certificate of Survey dated October 22, 2019









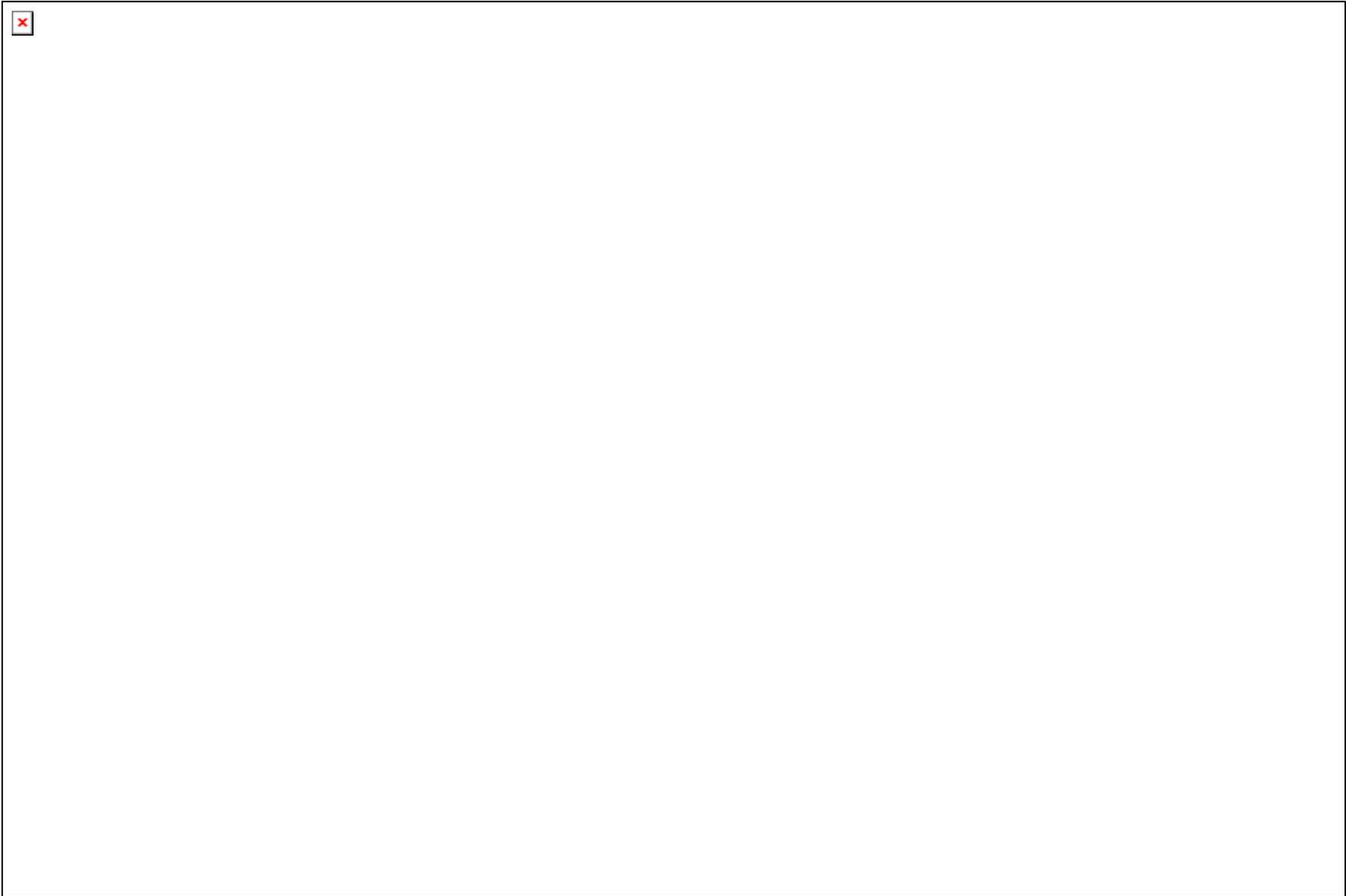
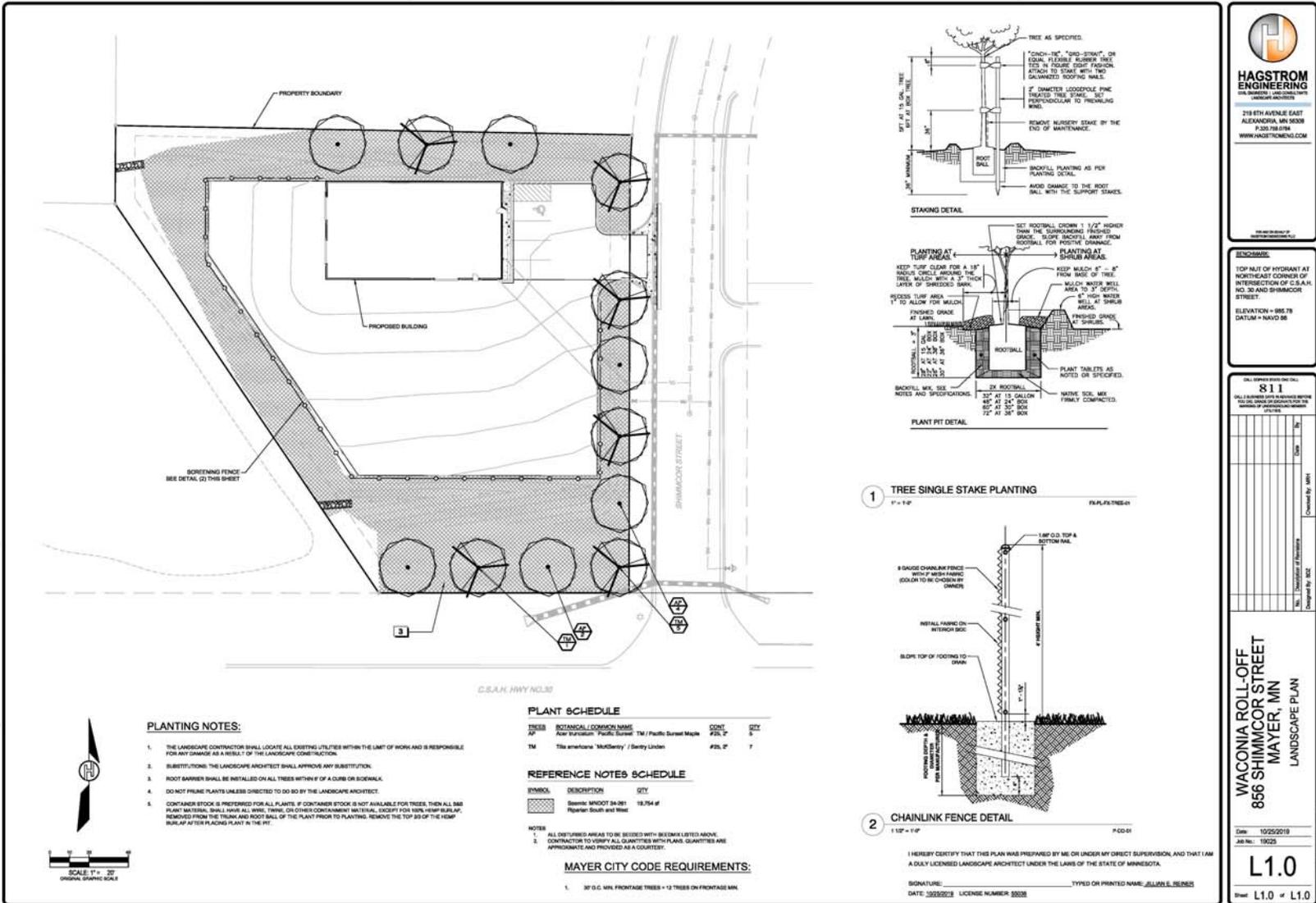


Exhibit C - Construction Plans dated October 25, 2019 page 6



HAGSTROM ENGINEERING
219 6TH AVENUE EAST
ALEXANDRIA, MN 56308
P.330.384.8194
WWW.HAGSTROMENG.COM

811
CALL BEFORE YOU DIG
TOP-NUT OF HYDRANT AT
NORTHEAST CORNER OF
INTERSECTION OF C.S.A.H. RD. 30 AND SHIMMOCOR
STREET.
ELEVATION = 586.78
DATUM = NAVD 83

**WAGONIA ROLL-OFF
856 SHIMMOCOR STREET
MAYER, MN
LANDSCAPE PLAN**

Date: 10/25/2019
Job No.: 19023
L1.0
Sheet: L1.0 of L1.0



Real People. Real Solutions.

2638 Shadow Lane
Suite 200
Chaska, MN 55318-1172

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

October 30, 2019

City of Mayer
Attn: Margaret McCallum
413 Bluejay Avenue
Mayer, MN 55360

RE: Site Plan Application
Waconia Roll-off
Engineering Review #1

Dear Ms. McCallum:

As requested, I have completed an engineering review of the documents submitted for the above referenced project (plans dated 10-25-19). I offer the following observations, comments, and recommendations for your consideration:

1. The applicant will be required to obtain Carver County Watershed Management Organization (CCWMO) approval and permitting. A copy of any approvals or permits required should be submitted prior to Final Site Plan approval.
2. Work within public right-of-way or connection to public utilities must be coordinated with the Public Works Department. Contractor must provide a minimum 48-hour notice prior to any work being performed. Notes should be revised accordingly.
3. Limits of removals at connection to the street should be coordinated with the City prior to any work. Notes should be revised accordingly.
4. A Traffic Control Plan must be provided prior to any construction. Clear drive lanes must be maintained on Shimmcor Street at all times.
5. Perimeter erosion control measures should be installed by the Contractor and inspected by the City prior to any other work. Contractor must provide a minimum 24-hour notice prior to inspection.
6. Record drawings must be submitted upon completion of the project. Two hard copies and an electronic copy should be provided.

If you have any questions or comments, please contact me to discuss.

Sincerely,

Bolton & Menk, Inc.

A handwritten signature in black ink that reads 'Robert E. Bean, Jr.'.

Robert E. Bean, Jr., P.E.
Water Resources Engineer

CC: John Anderson, Municipal Development Group
David Martini, Bolton & Menk

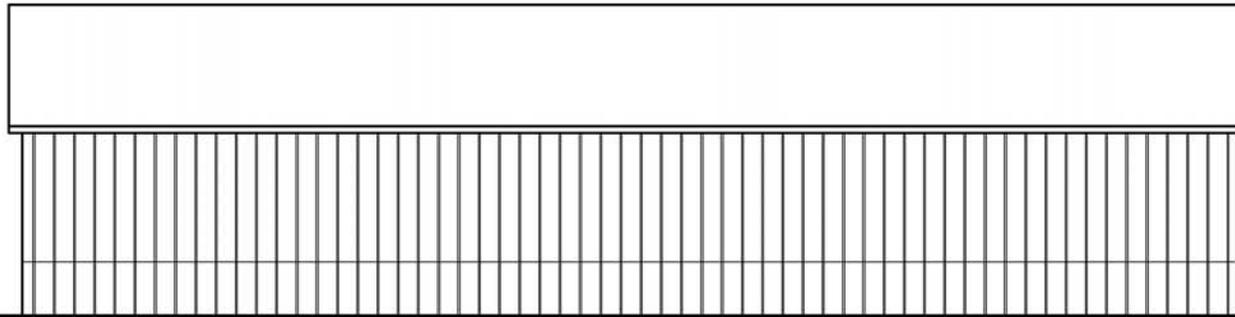
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Bolton & Menk is an equal opportunity employer.

Exhibit E - Building Plans Page 1

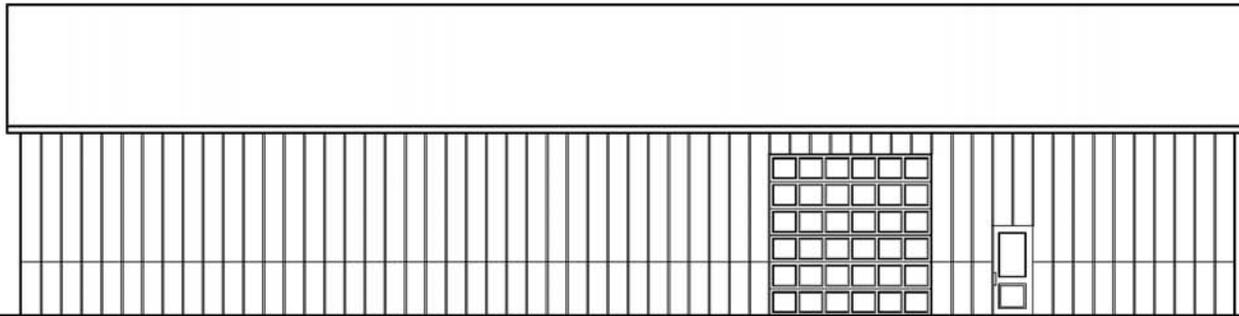


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MLITTFIN@HOTMAIL.COM
320-224-7844



1 PROPOSED RIGHT SIDE

EXTERIOR MATERIAL KEY	
	F-FABRGA MATERIAL: STEEL, VERT V W SPEC.
	METAL STEEL PANELS MATERIAL: POLY GALV STEEL, VERT V W SPEC.
	ASPHL FLOOR MATERIAL: CONCRETE FABRICATED, VERT V W SPEC.



2 PROPOSED LEFT SIDE

EXTERIOR MATERIAL KEY	
	F-FABRGA MATERIAL: STEEL, VERT V W SPEC.
	METAL STEEL PANELS MATERIAL: POLY GALV STEEL, VERT V W SPEC.
	ASPHL FLOOR MATERIAL: CONCRETE FABRICATED, VERT V W SPEC.

Exhibit E - Building Plans Page 2



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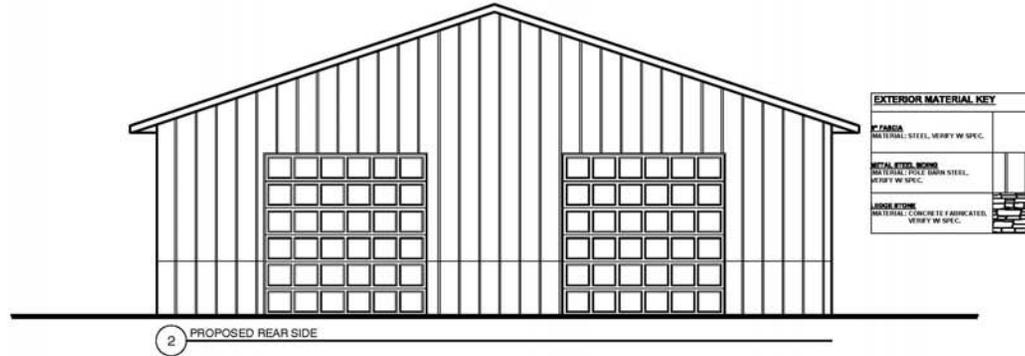
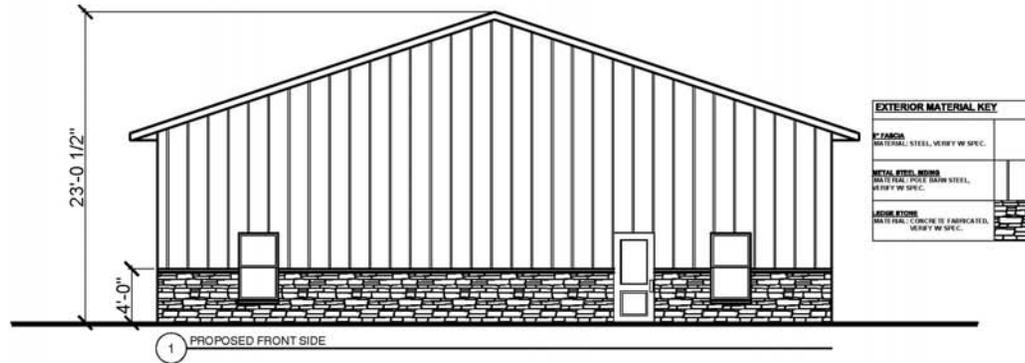


Exhibit E - Building Plans Page 3



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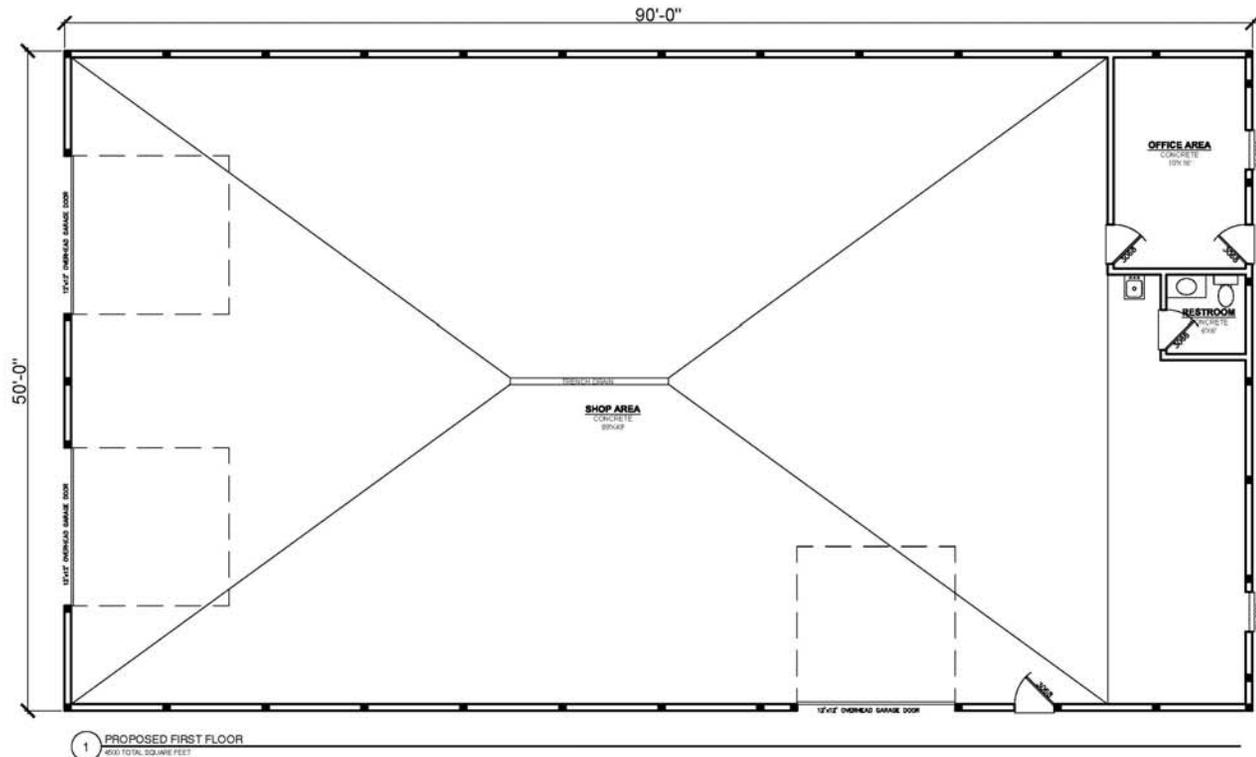


Exhibit F - Public Comments



CITY OF MAYER
NOTICE OF PUBLIC HEARING

The Mayer Planning Commission will conduct a public hearing for a variance request at 856 Shimmer Street. The public hearing will be held on Wednesday, November 6, 2019 at 6:30 p.m. or as soon thereafter as persons may reasonably be heard, at Mayer City Hall, 413 Bluejay Avenue.

The purpose of the variance request is to reduce the number of required off-street parking spaces for a new industrial building that would require a total of fourteen off-street parking spaces. The property is located in the C/I Commercial/Industrial District and the applicant has requested to defer the construction of some of the required off-street parking spaces at this time.

A copy of the proposed variance request, in its entirety, is available at City Hall for review. Any person desiring to comment on this matter is invited to do so in writing prior to or at the hearing or orally at the time of the public hearing. Written comments may be mailed or delivered to: City of Mayer, 413 Bluejay Avenue, Mayer, MN 55360.

Dated this 18th day of October, 2019.

Margaret McCallum
City Administrator

Post and Publish

Brad Quas / Bradleys Collision

PID- 567000110 - 871 Shimmer St.

I'm OK with the variance if your confident that any future use of the building will not require those parking spaces.

Would not like to see what we have going on down the street. fenced in stuff, mud & gravel on street every spring because no asphalt driveway and parking on the street year around.

**CITY OF MAYER
CITY COUNCIL RESOLUTION 11.12.19.43**

**RESOLUTION APPROVING THE SITE PLAN FOR A NEW INDUSTRIAL BUILDING TO BE LOCATED
AT 856 SHIMMCOR STREET THE C/I COMMERCIAL/INDUSTRIAL DISTRICT**

WHEREAS, 4 Square Builders, Inc. (the "Applicant") and Waconia Roll-off (Randy Peitz) (the "Owner"), have submitted a request for site plan approval for a new industrial building in conformance with Section 152.031 of the Zoning Ordinance relating to site plan review on property located at 856 Shimmcor Street, with a PID number of 50.70100.40 (the "Property"); and

WHEREAS, the Property is zoned C/I Commercial/Industrial District and an administrative office and warehousing facilities are a permitted uses in that district; and

WHEREAS, the Property is designated Existing MUSA Infill/Redevelopment on the future land use map and no permit shall be issued until a site plan has been reviewed and approved by the City; and

WHEREAS, a copy of the proposed site plan materials and application were available at the City Offices for public viewing; and

WHEREAS, section 152.031 of the Zoning Ordinance outlines Information Requirements and Procedure for site plan approval; and

WHEREAS, the Planning Commission reviewed the site plan at the November 6, 2019 Planning Commission meeting at which time they recommended approval of the site plan, subject to conditions, on a 6-0 vote; and

WHEREAS, the City Council reviewed the site plan on November 12, 2019; and

WHEREAS, the City Council makes the following findings of fact in support of granting approval of the site plan:

- A. Lot 4, Block 1, Sell Commercial Industrial Park 2nd Addition.
- B. The Planning Report dated November 7, 2019 shall be the governing document which includes the following exhibits:
 - Exhibit A - Aerial Location Map
 - Exhibit B - Certificate of Survey dated October 22, 2019
 - Exhibit C - Construction Plans dated October 25, 2019
 - Exhibit D - Engineering Comments dated October 30, 2019
 - Exhibit E - Building Plans
- C. The aerial location map is attached as Exhibit A.
- D. The certificate of survey dated October 22, 2019 is attached as Exhibit B
- E. The construction plans dated October 25, 2019 is attached as Exhibit C.
- F. The Engineering comments dated October 30, 2019 are attached as Exhibit D.
- G. The Building Plans are attached as Exhibit E.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Mayer, Minnesota, that it hereby approves the site plan for a new industrial building to be located at 856 Shimmcor Street in the C/I Commercial/Industrial District, subject to the following conditions:

1. Signage. That any proposed signage meet the standards set forth in Sections 152.120 through 152.133 of Title XV: Land Usage, Chapter 152 Zoning of the City of Mayer Municipal code and that all required sign permits are issued prior to installation of any signage.
2. Lighting. All general lighting employed on site must be directed away from adjoining properties. Direct or reflected glare from flood lights and spot lights, as differentiated from general illumination on the site, shall not be visible beyond the subject parcel.
3. Noise and Vibration. Noise and vibration generated from any use shall be in compliance with and regulated by the MPCA rules.
4. Outdoor Storage. Any outdoor storage shall meet the requirements of section 152.090 Outdoor Storage and section 152.091 Screening the Zoning Ordinance.
5. Fence. The proposed fence shall be six feet in height and 100% opaque to meet the screening requirements for outdoor storage.
6. Off-street Parking. That a variance is approved to reduce the required number of off-street parking stalls from fourteen to four.
7. Trash Enclosure. A trash enclosure or screening will be required to be located on the property if a dumpster is planned on being used for trash pickup. A location will need to be proposed and access to the location will need to be reviewed.
8. City Engineer Review. Any comments or conditions from the City Engineer listed in a letter dated October 30, 2019 will need to be satisfied by the applicant as part of this site plan review.
9. Carver County Review. Any comments or conditions from the Carver County will need to be satisfied by the applicant as part of this site plan review.
10. Stormwater Management. If any stormwater management is required, stormwater shall be managed in accordance with the National Urban Runoff Program (NURP) standards for the design of new stormwater ponds. The provisions of the Minnesota Pollution Control Agency's urban "best management practices," titled "Protecting Water Quality in Urban Areas," shall be used to review any proposed development in order to reduce non-point source pollutant loadings in stormwater runoff.
11. Building Permit. All building permits that are required, shall be approved, paid for and issued prior to construction of the building.

Adopted by the Mayer City Council this 12th day of November, 2019.

Mayor Mike Dodge

Attest:

Margaret McCallum, City Administrator

The following Council Members voted in favor:

The following Council Members voted against or abstained:

Whereupon the motion was duly passed and executed.

Published:

Filed with Carver County:

Attachments:

Exhibit A - Aerial Location Map

Exhibit B - Certificate of Survey dated October 22, 2019

Exhibit C - Construction Plans dated October 25, 2019

Exhibit D - Engineering Comments dated October 30, 2019

Exhibit E - Building Plans

Exhibit A - Aerial Location Map



This map was created using Carver County's Geographic Information Systems (GIS), it is a compilation of information and data from various City, County, State, and Federal offices. This map is not a surveyed or legally recorded map and is intended to be used as a reference. Carver County is not responsible for any inaccuracies contained herein.

Map Date: 10/15/2019

Exhibit B - Certificate of Survey dated October 22, 2019

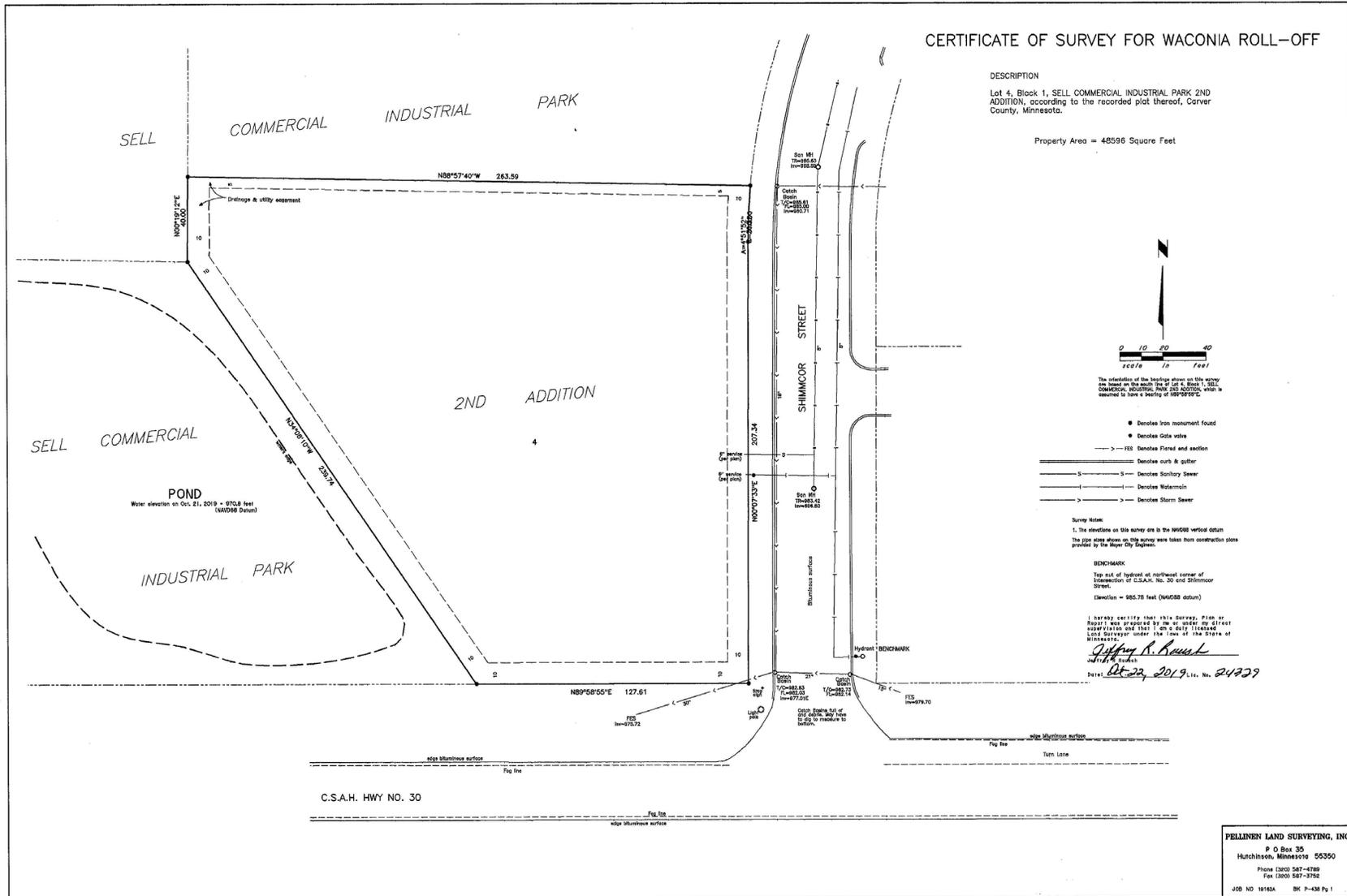
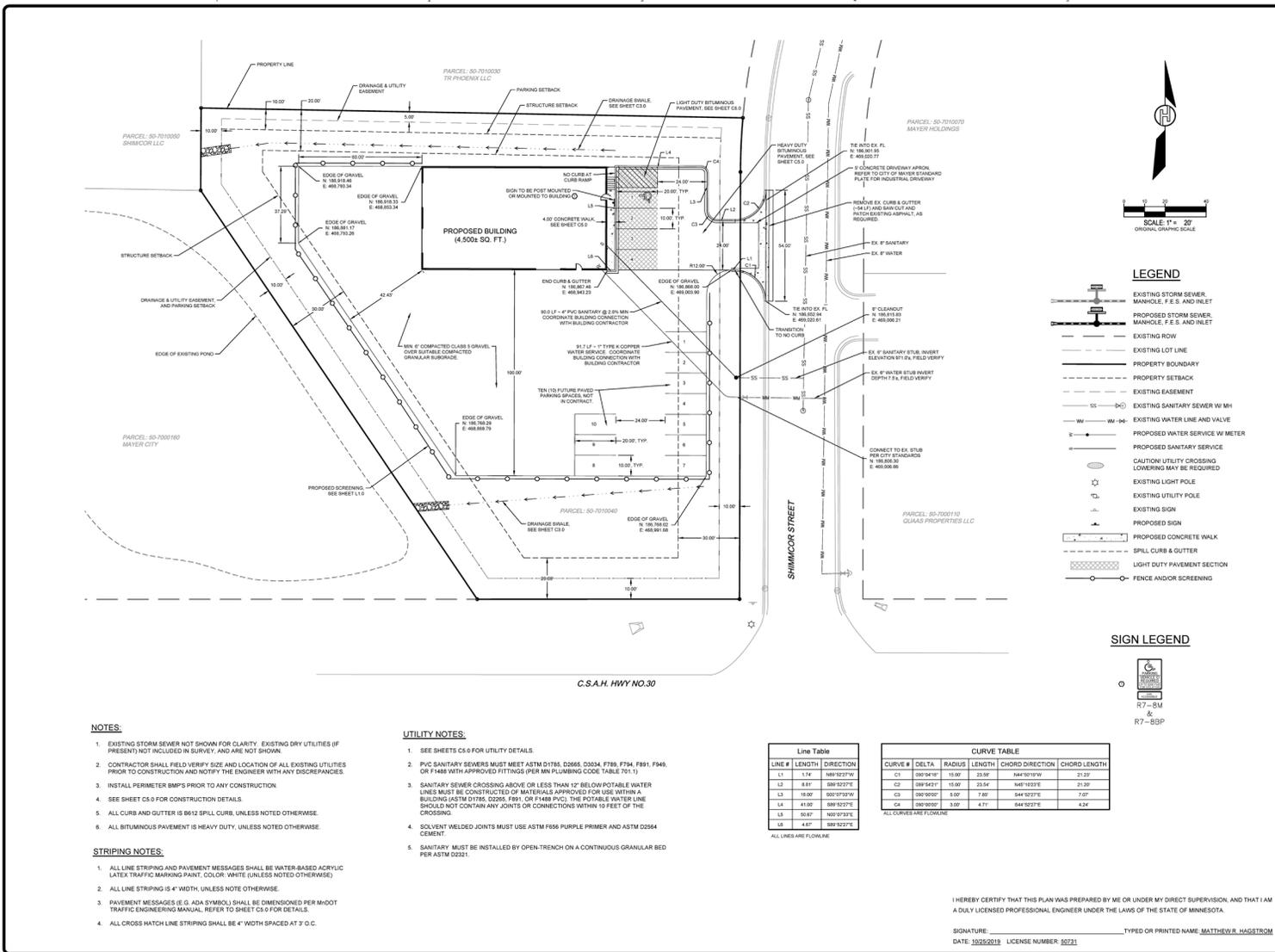


Exhibit C - Construction Plans dated October 25, 2019 page 2



HAGSTROM ENGINEERING
 CIVIL ENGINEERING - LANDSCAPE ARCHITECTURE
 219 6TH AVENUE EAST
 ALEXANDRIA, MN 56308
 P: 507-788-0984
 WWW.HAGSTROMENG.COM

BENCHMARK:
 TOP NUT OF HYDRANT AT NORTHEAST CORNER OF INTERSECTION OF C.S.A.H. RD. 30 AND SHIMMOCOR STREET.
 ELEVATION = 585.78
 DATUM = NAVD 88

CALL BEFORE YOU DIG
811
 CALL BUSINESS OPERATIONS BEFORE YOU BEGIN OR DISCONTINUE FOR THE MARKING OF UTILITIES AND RECORDING

No.	Description of Revision	Date	By

Checked By: MBH
 Designed By: HAZZ

**WACONIA ROLL-OFF
 856 SHIMMOCOR STREET
 MAYER, MN
 PROPOSED SITE & UTILITY PLAN**

Date: 10/25/2019
 Job No.: 19025

C2.0

Sheet C2.0 of C5.0

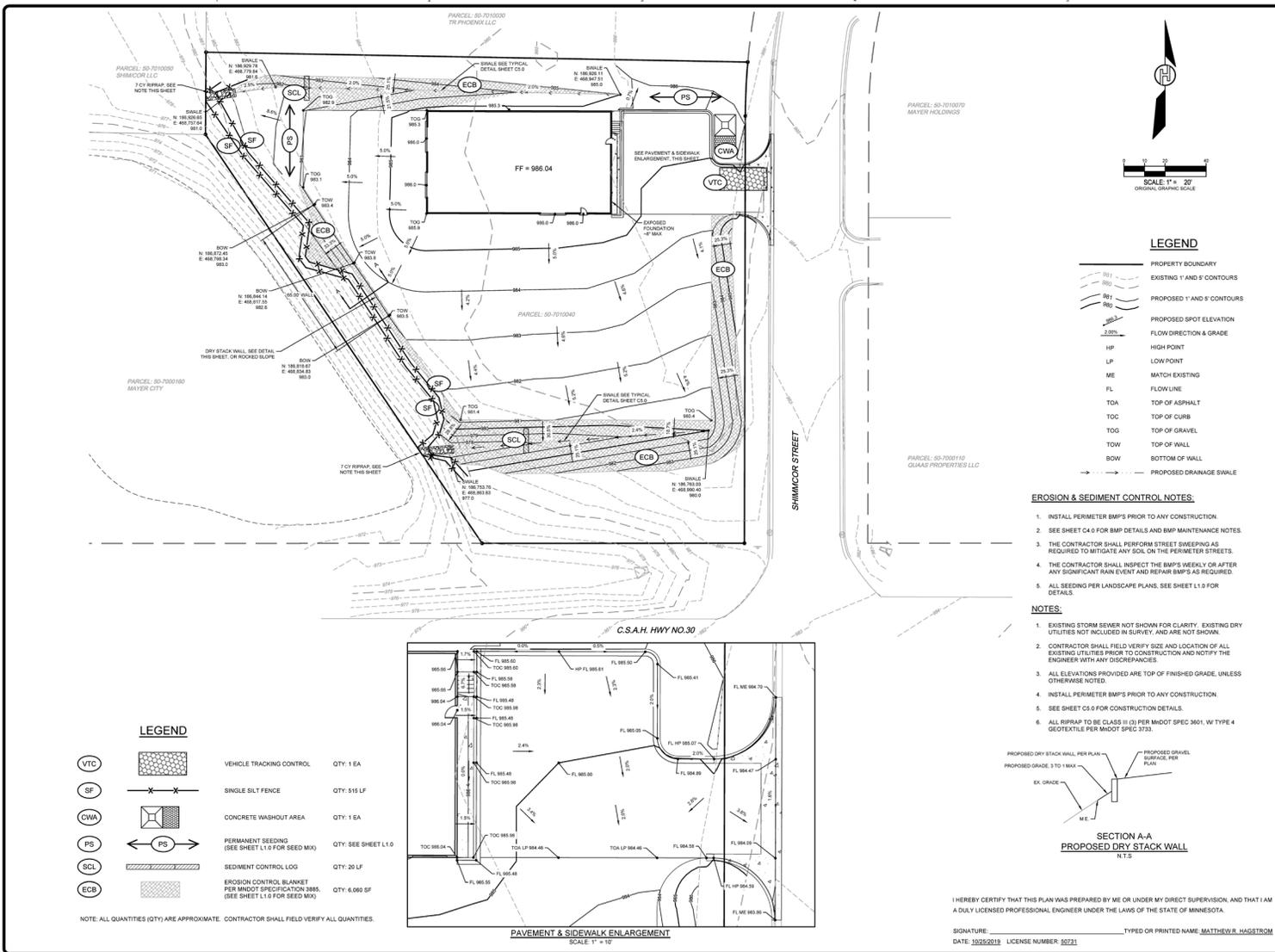
NOT FOR CONSTRUCTION

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

SIGNATURE: _____ TYPED OR PRINTED NAME: MATTHEW R. HAGSTROM
 DATE: 10/25/2019 LICENSE NUMBER: 50721

PROJECT: WACONIA ROLL-OFF, 856 SHIMMOCOR STREET, MAYER, MN 56308, 10/25/2019, 11:58 AM

Exhibit C - Construction Plans dated October 25, 2019 page 3



HAGSTROM ENGINEERING
CIVIL ENGINEERING • LANDSCAPE ARCHITECTURE
219 6TH AVENUE EAST
ALEXANDRIA, MN 56308
P: 507.788.0194
WWW.HAGSTROMENG.COM

BENCHMARK:
TOP NUT OF HYDRANT AT
NORTHEAST CORNER OF
INTERSECTION OF C.S.A.H.
NO. 32 AND SHIMMCCOR
STREET.
ELEVATION = 885.78
DATUM = NAVD 88

NO.	DESCRIPTION OF REVISION	DATE	BY

DESIGNED BY: HAZZ
CHECKED BY: WBNH

**WACONIA ROLL-OFF
856 SHIMMCCOR STREET
MAYER, MN
DETAILED GRADING &
EROSION CONTROL PLAN**

Date: 10/25/2019
Job No.: 19025

C3.0

Sheet C3.0 of C5.0

P:\2019\19025\19025.dwg, 10/25/2019 11:58 AM, 10/25/2019 11:58 AM, 10/25/2019 11:58 AM

Exhibit C - Construction Plans dated October 25, 2019 page 4

CONCRETE WASHOUT AREA

DEFINITION
A RECTANGULAR SHALLOW EXCAVATION WITH A PERIMETER BUILT SILT FENCE AND VTC DESIGNED FOR CONCRETE WASHOUT OPERATIONS.

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

VEHICLE TRACKING CONTROL

DEFINITION
A STONE STABILIZED PAD LOCATED AT POINTS OF VEHICULAR INGRESS AND EGRESS ON CONSTRUCTION SITE.

PURPOSES
TO REDUCE THE AMOUNT OF MUD TRANSPORTED ONTO PUBLIC ROADS BY MOTOR VEHICLES OR RUNOFF.
NOTE: ONLY APPLICABLE FOR SITES GREATER THAN 2 ACRES IN SIZE.

SILT FENCE

DEFINITION
A TEMPORARY SEDIMENT CONTROL CONSISTING OF A FILTER FABRIC STRETCHED ACROSS AND ATTACHED TO SUPPORTING POSTS AND ENTRENCHED.

PURPOSE
TO MINIMIZE SEDIMENT LOADED SHEET FLOW FROM LEAVING DISTURBED AREAS.

SILT FENCE INSTALLATION

SILT FENCE TRENCH SECTION

NOTES
1. TEST FENCING MUST NOT BE INSTALLED WHERE CONCENTRATED FLOWS WILL OCCUR (SUCH AS DRAINAGE CHANNELS, AROUND AREA DRAINS, OR UPSTREAM DOWNSTREAM OF CULVERTS) UNLESS PROPERLY SUPPORTED.
2. MAXIMUM DRAINAGE AREA SHALL NOT EXCEED 3.5 ACRES PER 100 FT FENCE LENGTH. MAXIMUM SLOPE LENGTH ABOVE THE FENCE SHALL NOT EXCEED 100 FT.

SEDIMENT CONTROL LOG

DEFINITION
A FILTERIC MAT (AN EXCELLENT, STRAW COMPOST OR LOGS) FULL MATERIAL, CONSTRUCTED TO CREATE A PERVIOUS FILTER, ABLE TO FACILITATE OVERTOPPING.

PURPOSE
TO PROMOTE SEDIMENTATION ON THE UPGRADIENT SIDE AND REDUCE BY 50% RUNOFF VELOCITY.

LOG#	STAKE DIMENSION
10'	1.5"x1.5"x18"
12'	1.5"x1.5"x24"
20'	1.5"x1.5"x48"

BMP Maintenance Note:
All erosion and sediment control practices and other protective measures identified in the SWMP must be maintained in effective operating condition. Proper selection and installation of BMPs and implementation of comprehensive Inspection and Maintenance procedures, in accordance with the SWMP, should be adequate to meet this condition. BMPs that are not adequately maintained in accordance with good engineering, hydrologic and pollution control practices, including removal of collected sediment outside the acceptable tolerances of the BMPs, are considered to be no longer operating effectively and must be addressed.

HAGSTROM ENGINEERING
CIVIL ENGINEERS - LANDSCAPE ARCHITECTS
219 6TH AVENUE EAST
ALEXANDRIA, MN 55308
P: 320.758.0194
WWW.HAGSTROMENG.COM

FOR A COMPLETE LIST OF SERVICES VISIT OUR WEBSITE

BENCHMARK

No.	Description of Benchmark	Established By	Date	By

Checked By: MBH

CALL BEFORE YOU DIG OR CALL 811
CALL BUSINESS OFFICE IN ADVANCE BEFORE YOU BEGIN ANY CONSTRUCTION FOR THE MARKING OF UNDERGROUND UTILITIES.

**WACONIA ROLL-OFF
856 SHIMMOR STREET
MAYER, MN**

EROSION CONTROL DETAILS

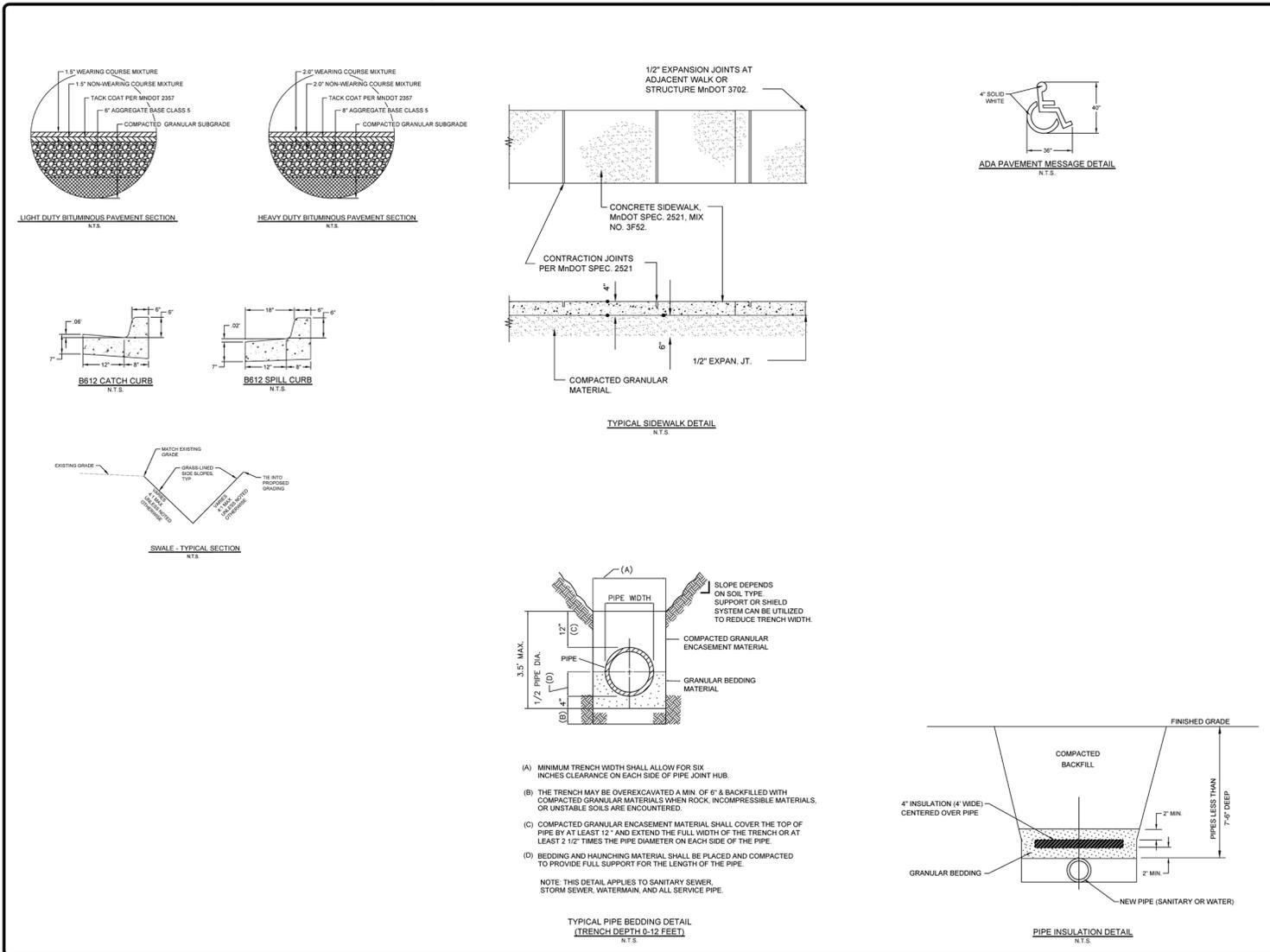
Date: 10/25/2019
Job No.: 19025

C4.0

Sheet C4.0 of C5.0

NOT FOR CONSTRUCTION

Exhibit C - Construction Plans dated October 25, 2019 page 5



HAGSTROM ENGINEERING
CIVIL ENGINEERING • LANDSCAPE ARCHITECTURE
219 6TH AVENUE EAST
ALEXANDRIA, MN 56308
P: 507-288-0784
WWW.HAGSTROMENG.COM

BENCHMARK

--	--	--	--

CALL BEFORE YOU DIG! 811
CALL BUSINESS OFFICE IN ADVANCE BEFORE YOU DIG. STAKE OR CALL 811 FOR THE MARKING OF UNDERGROUND UTILITIES.

No.	Description of Excavation	Date	By

Created By: MBH
Designed By: HAZ

**WACONIA ROLL-OFF
856 SHIMMOR STREET
MAYER, MN**

CONSTRUCTION DETAILS

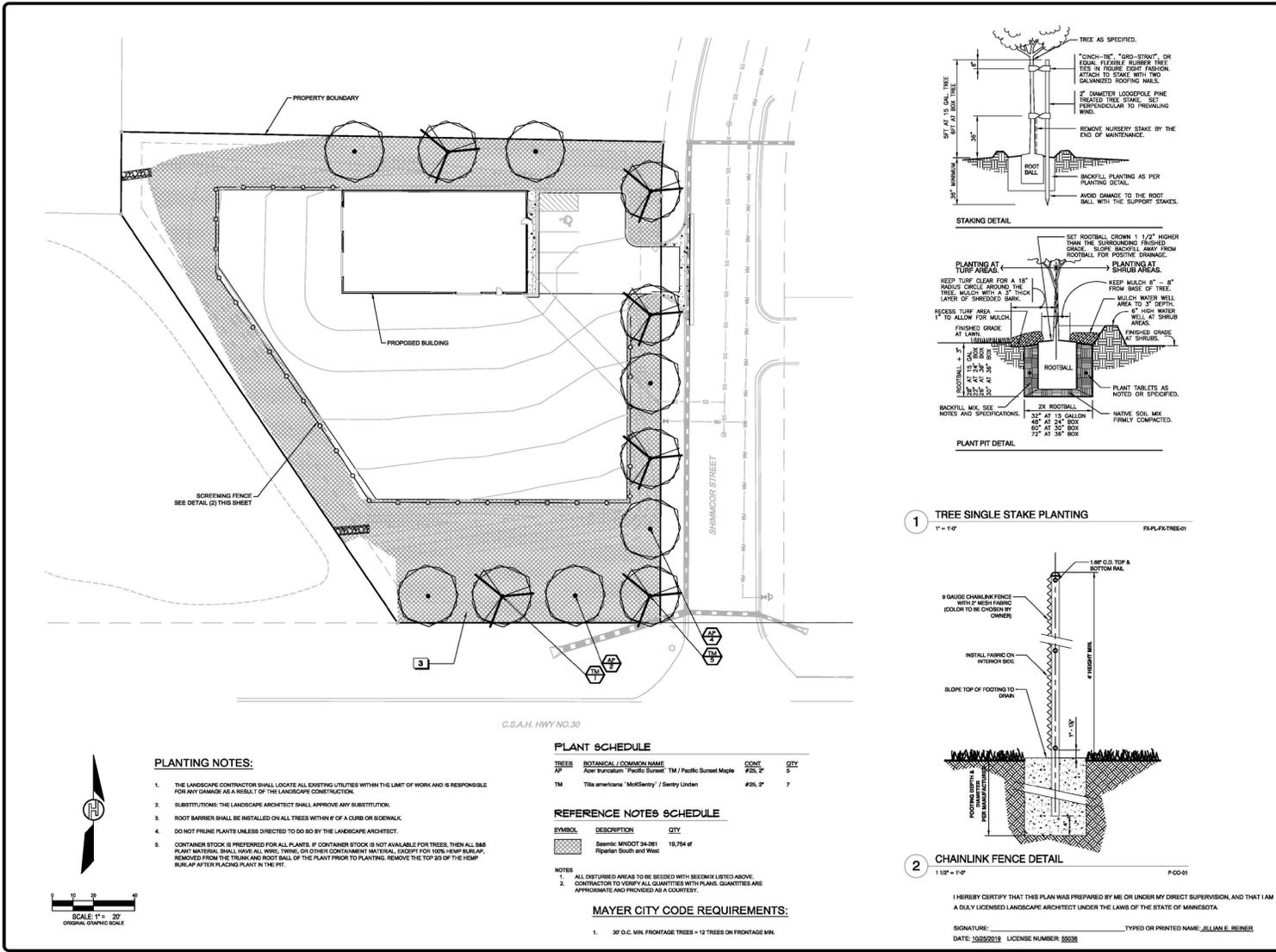
Date: 10/25/2019
Job No.: 19025

C5.0

Sheet C5.0 of C5.0

NOT FOR CONSTRUCTION

Exhibit C - Construction Plans dated October 25, 2019 page 6



HAGSTROM ENGINEERING
CIVIL ENGINEER - LANDSCAPE ARCHITECTS
 LANDSCAPE ARCHITECTS

219 6TH AVENUE EAST
 ALEXANDRIA, MN 56308
 P.320.783.0194
 WWW.HAGSTROMENG.COM

BENCHMARK:

TOP NJT OF HYDRANT AT
 NORTHEAST CORNER OF
 INTERSECTION OF C.S.A.H.
 NO. 30 AND SHIMMOCOR
 STREET.

ELEVATION = 985.78
 DATUM = NAVD 88

CALL NUMBER (SEE SHEET ONE ONLY)

811

CALLS BUSINESS OPERATIONS BEFORE
 YOU DIG. ALWAYS CALL BEFORE THE
 WORKING OF OPERATIONS AND SERVICE
 PROVIDERS.

No.	Description of Revision	Date	By

Created by: MBH
 Designed by: MBH

**WACONIA ROLL-OFF
 856 SHIMMOCOR STREET
 MAYER, MN
 LANDSCAPE PLAN**

Date: 10/25/2019
 Job No.: 10025

L1.0

Sheet L1.0 of L1.0

NOT FOR CONSTRUCTION

Exhibit D - Engineering Comments dated October 30, 2019



Real People. Real Solutions.

2638 Shadow Lane
Suite 200
Chaska, MN 55318-1172

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

October 30, 2019

City of Mayer
Attn: Margaret McCallum
413 Bluejay Avenue
Mayer, MN 55360

RE: Site Plan Application
Waconia Roll-off
Engineering Review #1

Dear Ms. McCallum:

As requested, I have completed an engineering review of the documents submitted for the above referenced project (plans dated 10-25-19). I offer the following observations, comments, and recommendations for your consideration:

1. The applicant will be required to obtain Carver County Watershed Management Organization (CCWMO) approval and permitting. A copy of any approvals or permits required should be submitted prior to Final Site Plan approval.
2. Work within public right-of-way or connection to public utilities must be coordinated with the Public Works Department. Contractor must provide a minimum 48-hour notice prior to any work being performed. Notes should be revised accordingly.
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4. A Traffic Control Plan must be provided prior to any construction. Clear drive lanes must be maintained on Shimmcor Street at all times.
5. Perimeter erosion control measures should be installed by the Contractor and inspected by the City prior to any other work. Contractor must provide a minimum 24-hour notice prior to inspection.
6. Record drawings must be submitted upon completion of the project. Two hard copies and an electronic copy should be provided.

If you have any questions or comments, please contact me to discuss.

Sincerely,

Bolton & Menk, Inc.

A handwritten signature in black ink that reads 'Robert E. Bean, Jr.'.

Robert E. Bean, Jr., P.E.
Water Resources Engineer

CC: John Anderson, Municipal Development Group
David Martini, Bolton & Menk

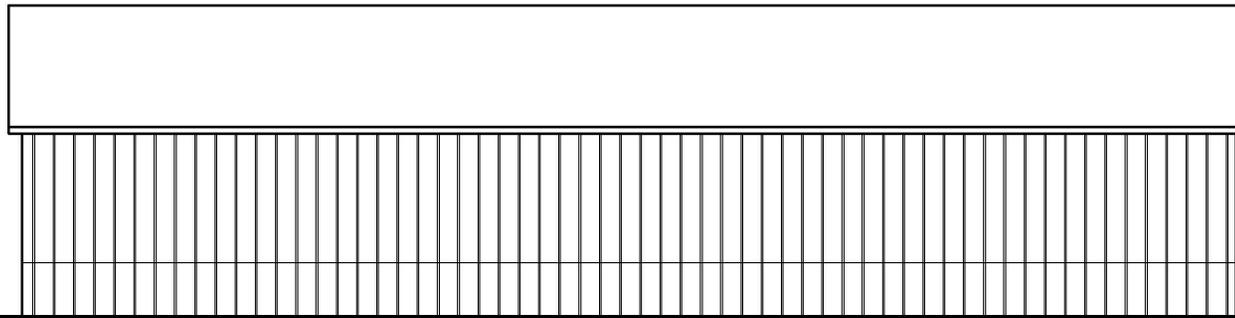
H:\MAYR\C13117842\z_Waconia Rolloff\WaconiaRolloff_SitePlanReview-1_2019-10-30.docx

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Exhibit E - Building Plans Page 1

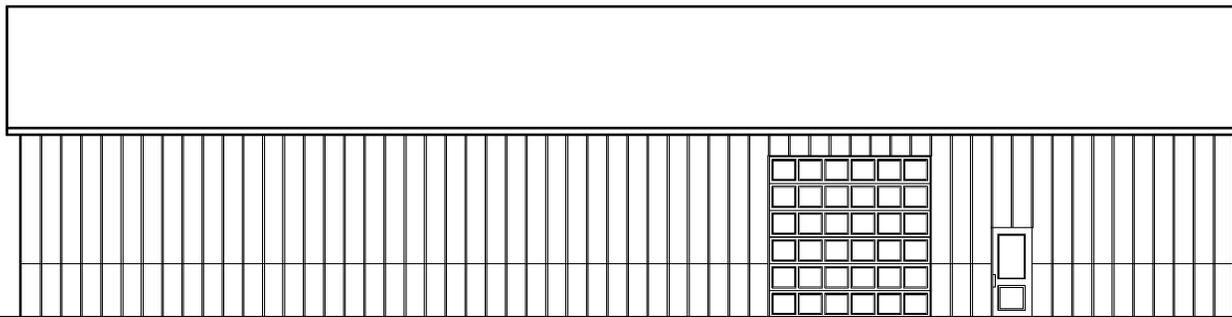


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MLITTFIN@HOTMAIL.COM
320-224-7844



1 PROPOSED RIGHT SIDE

EXTERIOR MATERIAL KEY	
F. FABRICA	
MATERIAL: STEEL, VERIFY W/ SPEC.	
METAL STEEL BOND	
MATERIAL: POLY BURN STEEL, VERIFY W/ SPEC.	
LEONOR STONE	
MATERIAL: CONCRETE FABRICATED, VERIFY W/ SPEC.	



2 PROPOSED LEFT SIDE

EXTERIOR MATERIAL KEY	
F. FABRICA	
MATERIAL: STEEL, VERIFY W/ SPEC.	
METAL STEEL BOND	
MATERIAL: POLY BURN STEEL, VERIFY W/ SPEC.	
LEONOR STONE	
MATERIAL: CONCRETE FABRICATED, VERIFY W/ SPEC.	

Exhibit E - Building Plans Page 2



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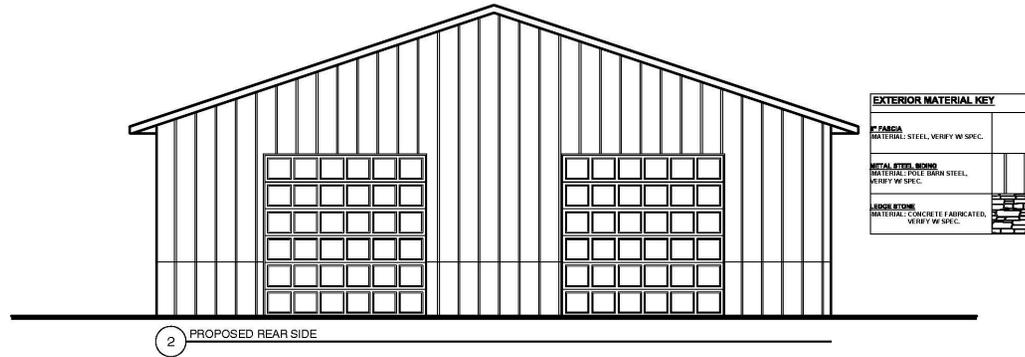
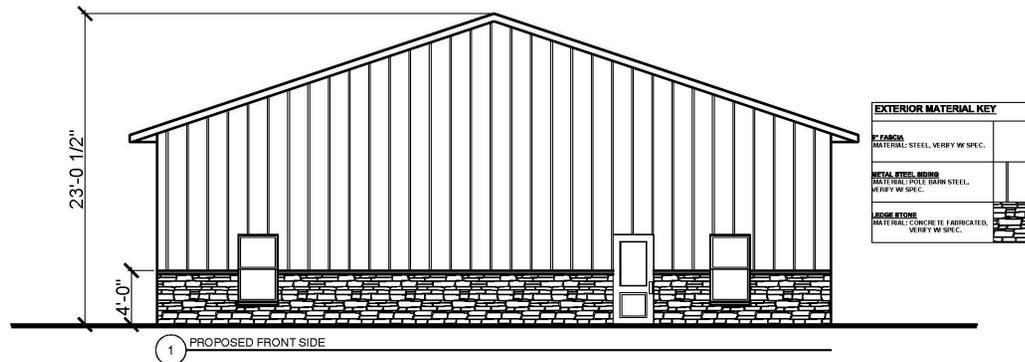
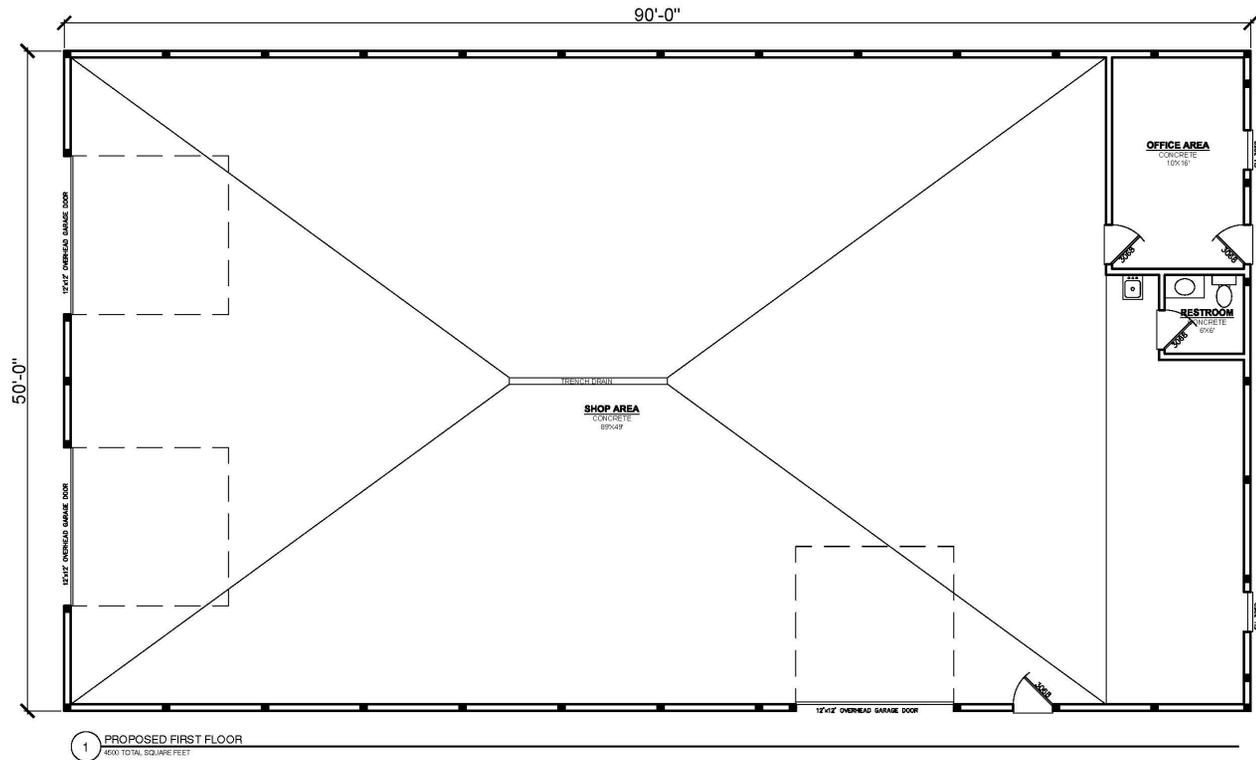


Exhibit E - Building Plans Page 3



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**CITY OF MAYER
CITY COUNCIL RESOLUTION 11.12.19.44**

**RESOLUTION GRANTING A VARIANCE TO REDUCE THE REQUIRED NUMBER OF OFF-STREET
PARKING FROM FOURTEEN STALLS TO FOUR STALLS TO ALLOW FOR THE CONSTRUCTION
OF A NEW INDUSTRIAL BUILDING IN THE C/I COMMERCIAL/INDUSTRIAL DISTRICT AT 856
SHIMMCOR STREET**

WHEREAS, 4 Square Builders, Inc. (the "Applicant") and Waconia Roll-off (Randy Peitz) (the "Owner"), have submitted a request for a variance to reduce the required number of off-street parking spaces from fourteen stalls to four stalls in the C/I Commercial/Industrial District on property located at 856 Shimmcor Street, with a PID number of 50.70100.40 (the "Property"); and

WHEREAS, the property is zoned C/I Commercial/Industrial District and is designated Existing MUSA Infill/Redevelopment on the future land use map; and,

WHEREAS, before approving the variance request, at least one public hearing thereon shall be held; and

WHEREAS, a notice of public hearing for the variance request was published and posted in accordance with the applicable Minnesota Statutes, setting the hearing before the Planning Commission on November 6, 2019 at 6:30 pm or as soon thereafter as reasonably possible at the Mayer City Council Chambers, located at 413 Bluejay Avenue in the City of Mayer, Minnesota to consider the request and hear testimony from all interested persons wishing to speak on the matter; and

WHEREAS, a copy of the proposed variance request materials and application were available at the City Offices for public viewing; and

WHEREAS, the Planning Commission reviewed the variance request and held a public hearing on November 6, 2019, at which time proceeded to hear all persons interested in said application and persons interested were afforded the opportunity to present their views and objections to the granting of said application; and

WHEREAS, the Planning Commission considered the variance request in accordance with the following standards:

- a. Granting a variance will not adversely affect the public health, welfare and safety and will not be detrimental and injurious to property or improvements in the neighborhood.
- b. Strict interpretation or enforcement of the provisions of this Ordinance would result in a practical difficulty or unnecessary hardship that is not self-created, nor inconsistent with the intent of this Ordinance and the Comprehensive Plan.
- c. There are exceptional or extraordinary circumstances or conditions applicable to the property, use, or facilities that do not apply generally to other properties in the same district.
- d. Strict or literal interpretation of this Ordinance would deprive the applicant of the use and enjoyment of his or her property in a manner similar to others in the same district.
- e. Granting of the variance will not allow a use which is otherwise not a permitted use in the zoning district in question; and

WHEREAS, the Planning Commission has recommended to the City Council approval of the variance request with conditions on a 6-0 vote; and

WHEREAS, the City Council reviewed the variance request on November 12, 2019; and

WHEREAS, the City Council makes the following findings of fact in support of granting approval:

- A. Lot 4, Block 1, Sell Commercial Industrial Park 2nd Addition.
- B. The Planning Report dated November 7, 2019 shall be the governing document which includes the following exhibits:
 - Exhibit A - Aerial Location Map
 - Exhibit B - Certificate of Survey dated October 22, 2019
 - Exhibit C - Construction Plans dated October 25, 2019
 - Exhibit D - Engineering Comments dated October 30, 2019
- C. The aerial location map is attached as Exhibit A.
- D. The certificate of survey dated October 22, 2019 is attached as Exhibit B
- E. The construction plans dated October 25, 2019 is attached as Exhibit C.
- F. The Engineering comments dated October 30, 2019 are attached as Exhibit D.
- G. The City council approved the site plan for the property at the November 12, 2019 city Council meeting under City of Mayer Resolution 11.12.19.43.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Mayer, Minnesota, that it hereby approves the variance request subject to the following conditions:

1. Variance Expiration. The variance shall become void one year after the approval date if the applicant has not commenced construction on the improvement, unless an extension is granted by the City Council.
2. Future Off-street Parking. If it is determined that the additional ten off-street parking spaces are needed in the future, the applicant/owner shall be required to improve those additional off-street parking spaces as shown on the site plan dated October 25, 2019 at that time.

Adopted by the Mayer City Council this 12th day of November, 2019.

Mayor Mike Dodge

Attest:

Margaret McCallum, City Administrator

The following Council Members voted in favor:
The following Council Members voted against or abstained:

Whereupon the motion was duly passed and executed.

Published:
Filed with Carver County:

Attachments:

Exhibit A - Aerial Location Map

Exhibit B - Certificate of Survey dated October 22, 2019

Exhibit C - Construction Plans dated October 25, 2019

Exhibit D - Engineering Comments dated October 30, 2019

Exhibit A - Aerial Location Map



This map was created using Carver County's Geographic Information Systems (GIS), it is a compilation of information and data from various City, County, State, and Federal offices. This map is not a surveyed or legally recorded map and is intended to be used as a reference. Carver County is not responsible for any inaccuracies contained herein.

Map Date: 10/15/2019

Exhibit B - Certificate of Survey dated October 22, 2019

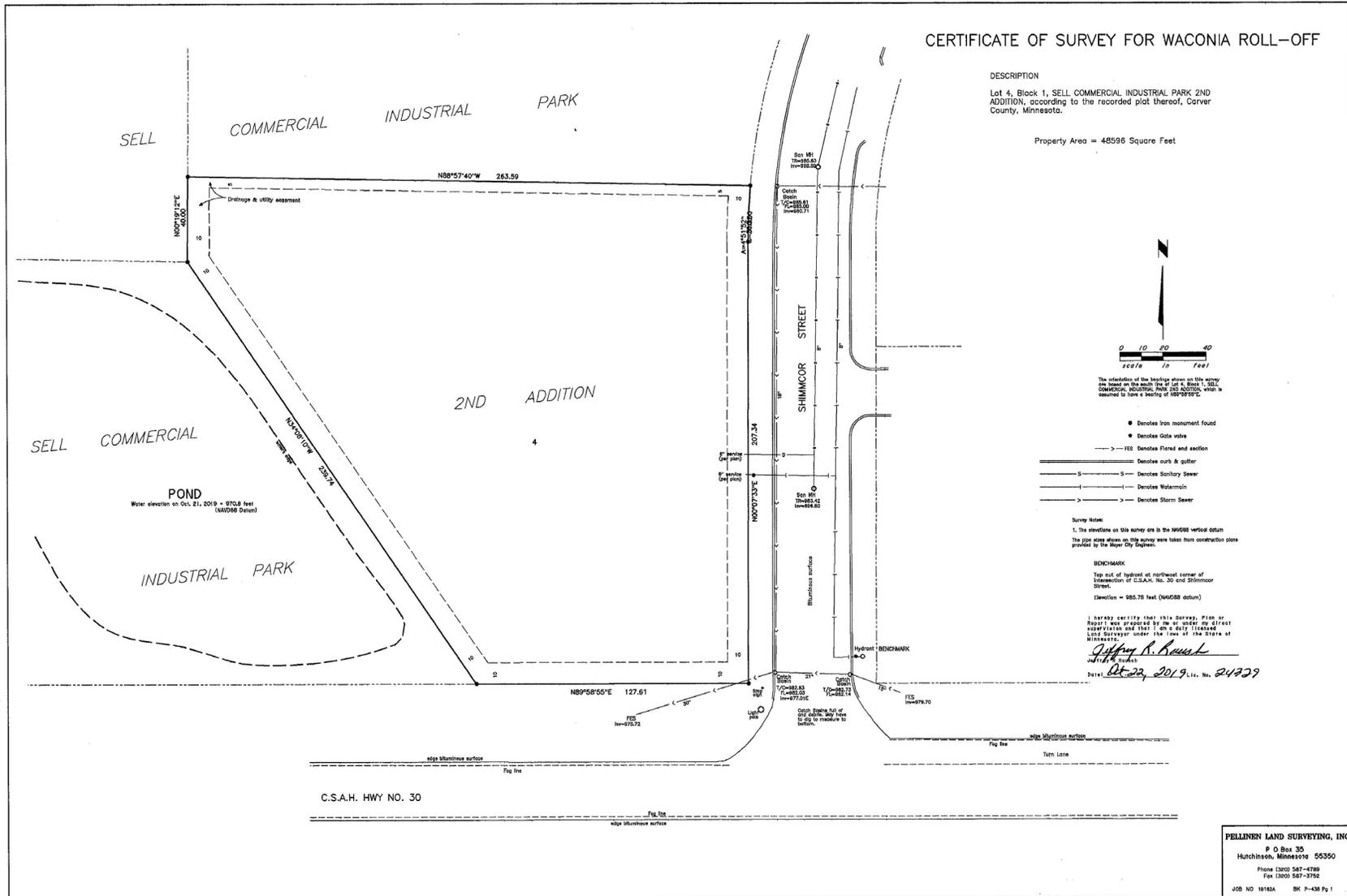
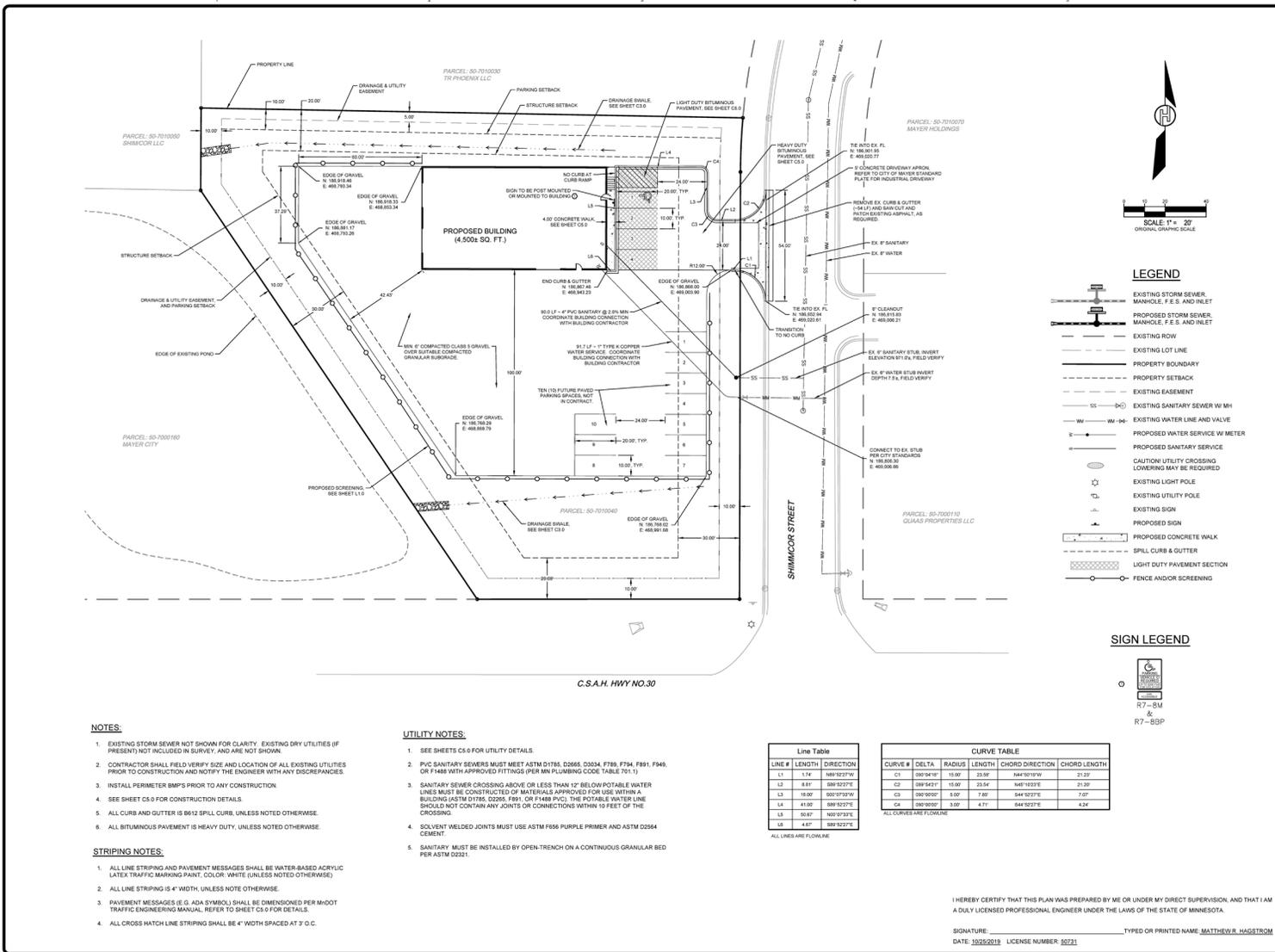


Exhibit C - Construction Plans dated October 25, 2019 page 2



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 CIVIL ENGINEERS - LANDSCAPE ARCHITECTS
 219 6TH AVENUE EAST
 ALEXANDRIA, MN 56308
 P: 507-788-0984
 WWW.HAGSTROMENG.COM

BENCHMARK:
 TOP NUT OF HYDRANT AT NORTHEAST CORNER OF INTERSECTION OF C.S.A.H. RD. 32 AND SHIMMOCOR STREET.
 ELEVATION = 585.78
 DATUM = NAVD 88

CALL BEFORE YOU DIG
811
 CALL BUSINESS OPERATIONS BEFORE YOU BEGIN OR PROCEED WITH THE MARKING OR EXCAVATION WORK

No.	Description of Location	Date	By

Checked By: MBH
 Designed By: HAZZ

**WACONIA ROLL-OFF
 856 SHIMMOCOR STREET
 MAYER, MN**

PROPOSED SITE & UTILITY PLAN

Date: 10/25/2019
 Job No.: 19025

C2.0

Sheet C2.0 of C5.0

- NOTES:**
- EXISTING STORM SEWER NOT SHOWN FOR CLARITY. EXISTING DRY UTILITIES (IF PRESENT) NOT INCLUDED IN SURVEY, AND ARE NOT SHOWN.
 - CONTRACTOR SHALL FIELD VERIFY SIZE AND LOCATION OF ALL EXISTING UTILITIES PRIOR TO CONSTRUCTION AND NOTIFY THE ENGINEER WITH ANY DISCREPANCIES.
 - INSTALL PERIMETER BMP'S PRIOR TO ANY CONSTRUCTION.
 - SEE SHEET C5.0 FOR CONSTRUCTION DETAILS.
 - ALL CURB AND GUTTER IS 8612 SPILL CURB, UNLESS NOTED OTHERWISE.
 - ALL BITUMINOUS PAVEMENT IS HEAVY DUTY, UNLESS NOTED OTHERWISE.
- STRIPING NOTES:**
- ALL LINE STRIPING AND PAVEMENT MESSAGES SHALL BE WATER-BASED ACRYLIC LATEX TRAFFIC MARKING PAINT, COLOR: WHITE (UNLESS NOTED OTHERWISE).
 - ALL LINE STRIPING IS 4" WIDTH UNLESS NOTE OTHERWISE.
 - PAVEMENT MESSAGES (E.G. ADA SYMBOL) SHALL BE DIMENSIONED PER M-2007 TRAFFIC ENGINEERING MANUAL, REFER TO SHEET C5.0 FOR DETAILS.
 - ALL CROSS HATCH LINE STRIPING SHALL BE 4" WIDTH SPACED AT 3' O.C.

- UTILITY NOTES:**
- SEE SHEETS C5.0 FOR UTILITY DETAILS.
 - PVC SANITARY SEWERS MUST MEET ASTM D1785, D2665, D3034, F799, F794, F891, F948, OR F1488 WITH APPROVED FITTINGS (PER MN PLUMBING CODE TABLE 701.1)
 - SANITARY SEWER CROSSING ABOVE OR LESS THAN 12" BELOW POTABLE WATER LINES MUST BE CONSTRUCTED OF MATERIALS APPROVED FOR USE WITHIN A BUILDING (ASTM D1785, D2265, F891, OR F1488 PVC). THE POTABLE WATER LINE SHOULD NOT CONTAIN ANY JOINTS OR CONNECTORS WITHIN 10 FEET OF THE CROSSING.
 - SOLENT WELDED JOINTS MUST USE ASTM F666 PURPLE PRIMER AND ASTM D2554 CEMENT.
 - SANITARY MUST BE INSTALLED BY OPEN-TRENCH ON A CONTINUOUS GRANULAR BED PER ASTM D2221.

Line Table

LINE #	LENGTH	DIRECTION
L1	1.74	N89°22'W
L2	8.81	S89°22'E
L3	15.00	S00°00'W
L4	41.00	S89°22'E
L5	50.67	N00°00'E
L6	4.87	S89°22'E

ALL LINES ARE FLOWLINE

CURVE TABLE

CURVE #	DELTA	RADIUS	LENGTH	CHORD	CHORD DIRECTION	CHORD LENGTH
C1	300°54'18"	15.00	23.58	8.64	S44°30'18"W	21.29
C2	288°54'18"	15.00	23.54	8.60	S44°30'18"E	21.29
C3	300°00'00"	5.00	7.85	4.44	S44°32'18"E	7.87
C4	300°00'00"	3.00	4.71	2.44	S44°32'18"E	4.24

ALL CURVES ARE FLOWLINE

LEGEND

- EXISTING STORM SEWER MANHOLE, F.E.S. AND INLET
- PROPOSED STORM SEWER MANHOLE, F.E.S. AND INLET
- EXISTING ROW
- EXISTING LOT LINE
- PROPERTY BOUNDARY
- PROPERTY SETBACK
- EXISTING EASEMENT
- EXISTING SANITARY SEWER W/ MH
- EXISTING WATER LINE AND VALVE
- PROPOSED WATER SERVICE W METER
- PROPOSED SANITARY SERVICE
- CAUTION UTILITY CROSSING LOWERING MAY BE REQUIRED
- EXISTING LIGHT POLE
- EXISTING UTILITY POLE
- EXISTING SIGN
- PROPOSED SIGN
- PROPOSED CONCRETE WALK
- SPILL CURB & GUTTER
- LIGHT DUTY PAVEMENT SECTION
- FENCE AND/OR SCREENING

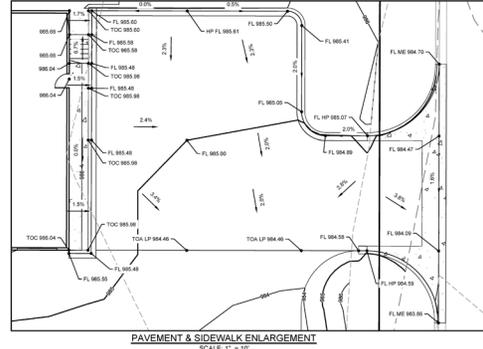
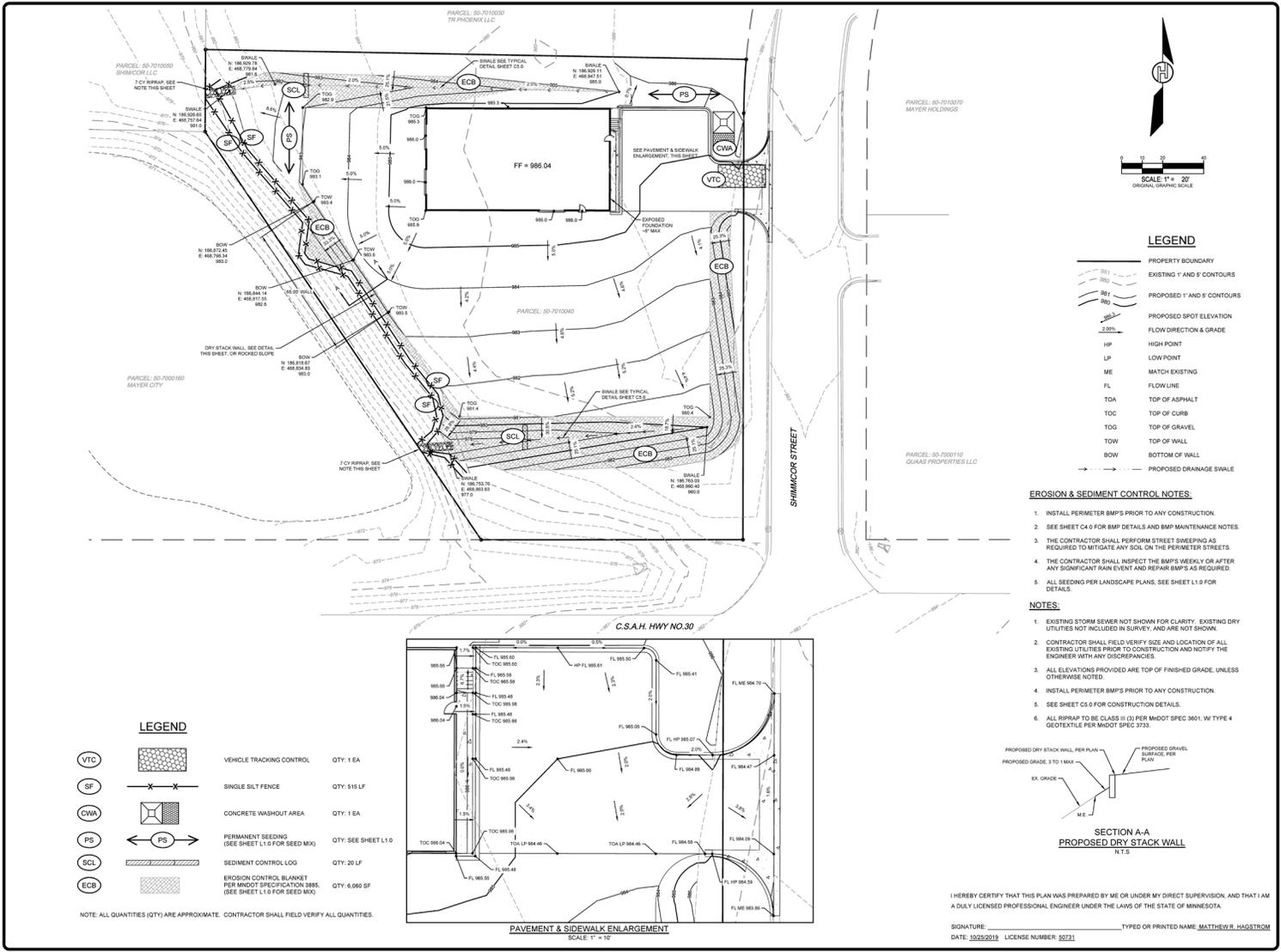
SIGN LEGEND

- R7-BM
- R7-B8P

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

SIGNATURE: _____ TYPED OR PRINTED NAME: MATTHEW R. HAGSTROM
 DATE: 10/25/2019 LICENSE NUMBER: 56721

Exhibit C - Construction Plans dated October 25, 2019 page 3



- EROSION & SEDIMENT CONTROL NOTES:**
- INSTALL PERIMETER BMP'S PRIOR TO ANY CONSTRUCTION.
 - SEE SHEET C4.0 FOR BMP DETAILS AND BMP MAINTENANCE NOTES.
 - THE CONTRACTOR SHALL PERFORM STREET SWEEPING AS REQUIRED TO MITIGATE ANY SOIL ON THE PERIMETER STREETS.
 - THE CONTRACTOR SHALL INSPECT THE BMP'S WEEKLY OR AFTER ANY SIGNIFICANT RAIN EVENT AND REPAIR BMP'S AS REQUIRED.
 - ALL SEEDING PER LANDSCAPE PLANS. SEE SHEET L1.0 FOR DETAILS.
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 - SEE SHEET C5.0 FOR CONSTRUCTION DETAILS.
 - ALL RIRRAP TO BE CLASS III (3) PER MNDOT SPEC 3601, W TYPE 4 GEOTEXTILE PER MNDOT SPEC 3733.

HAGSTROM ENGINEERING
CIVIL ENGINEERING • LANDSCAPE ARCHITECTURE
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ALEXANDRIA, MN 56308
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BENCHMARK:
TOP NUT OF HYDRANT AT
NORTHEAST CORNER OF
INTERSECTION OF C.S.A.H.
NO. 32 AND SHIMMOCOR
STREET.
ELEVATION = 885.78
DATUM = NAVD 88

SCALE: 1" = 20'
ORIGINAL DRAWING SCALE

LEGEND

- PROPERTY BOUNDARY
- EXISTING 1' AND 5' CONTOURS
- PROPOSED 1' AND 5' CONTOURS
- PROPOSED SPOT ELEVATION
- FLOW DIRECTION & GRADE
- HP HIGH POINT
- LP LOW POINT
- ME MATCH EXISTING
- FL FLOW LINE
- TDA TOP OF ASPHALT
- TOC TOP OF CURB
- TOG TOP OF GRAVEL
- TOW TOP OF WALL
- BOW BOTTOM OF WALL
- PROPOSED DRAINAGE SWALE

EROSION & SEDIMENT CONTROL NOTES:

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**WACONIA ROLL-OFF
856 SHIMMOCOR STREET
MAYER, MN
DETAILED GRADING &
EROSION CONTROL PLAN**

Date: 10/25/2019
Job No.: 19025
C3.0
Sheet C3.0 of C5.0

Exhibit C - Construction Plans dated October 25, 2019 page 4

CONCRETE WASHOUT AREA

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

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

VEHICLE TRACKING CONTROL

DEFINITION
A STONE STABILIZED PAD LOCATED AT POINTS OF VEHICULAR INGRESS AND EGRESS ON CONSTRUCTION SITE.

PURPOSES
TO REDUCE THE AMOUNT OF MUD TRANSPORTED ONTO PUBLIC ROADS BY MOTOR VEHICLES OR RUNOFF.
NOTE: ONLY APPLICABLE FOR SITES GREATER THAN 2 ACRES IN SIZE.

SILT FENCE

DEFINITION
A TEMPORARY SEDIMENT CONTROL CONSISTING OF A FILTER FABRIC STRETCHED ACROSS AND ATTACHED TO SUPPORTING POSTS AND ENTRENCHED.

PURPOSE
TO MINIMIZE SEDIMENT LOADED SHEET FLOW FROM LEAVING DISTURBED AREAS.

SILT FENCE TRENCH SECTION

NOTES
1. TEST FENCING MUST NOT BE INSTALLED WHERE CONCENTRATED FLOWS WILL OCCUR (SUCH AS DRAINAGE CHANNELS, AROUND AREA DRAINS, OR UPSTREAM DOWNSTREAM OF CULVERTS UNLESS PROPERLY SUPPORTED).
2. MAXIMUM DRAINAGE AREA SHALL NOT EXCEED 3.5 ACRES PER 100 FT FENCE LENGTH. MAXIMUM SLOPE LENGTH ABOVE THE FENCE SHALL NOT EXCEED 100 FT.

SEDIMENT CONTROL LOG

DEFINITION
A FILTERING MAT (AN EXCELLOID, STRAW COMPOST, OR LOGS) FULLY SUBMERGED TO CREATE A PERVIOUS FILTER, ABLE TO FACILITATE OVERTOPPING.

PURPOSE
TO PROMOTE SEDIMENTATION ON THE UPGRADIENT SIDE AND REDUCE BY 50% RUNOFF VELOCITY.

LOG#	STAKE DIMENSION
10'	1.5"x1.5"x10"
12'	1.5"x1.5"x12"
20'	1.5"x1.5"x20"

BMP Maintenance Note:
All erosion and sediment control practices and other protective measures identified in the SWMP must be maintained in effective operating condition. Proper selection and installation of BMPs and implementation of comprehensive Inspection and Maintenance procedures, in accordance with the SWMP, should be adequate to meet this condition. BMPs that are not adequately maintained in accordance with good engineering, hydrologic and pollution control practices, including removal of collected sediment outside the acceptable tolerances of the BMPs, are considered to be no longer operating effectively and must be addressed.

HAGSTROM ENGINEERING
CIVIL ENGINEERS - LANDSCAPE ARCHITECTS
219 6TH AVENUE EAST
ALEXANDRIA, MN 55308
P: 320-785-0194
WWW.HAGSTROMENG.COM

FOR A COMPLETE LIST OF SERVICES VISIT OUR WEBSITE

BENCHMARK

No.	Description of Benchmark	Established By	Checked By	Date

Checked By: MBH

811

CALL BEFORE YOU DIG
FOR A COMPLETE LIST OF SERVICES VISIT OUR WEBSITE

**WACONIA ROLL-OFF
856 SHIMMOR STREET
MAYER, MN**

EROSION CONTROL DETAILS

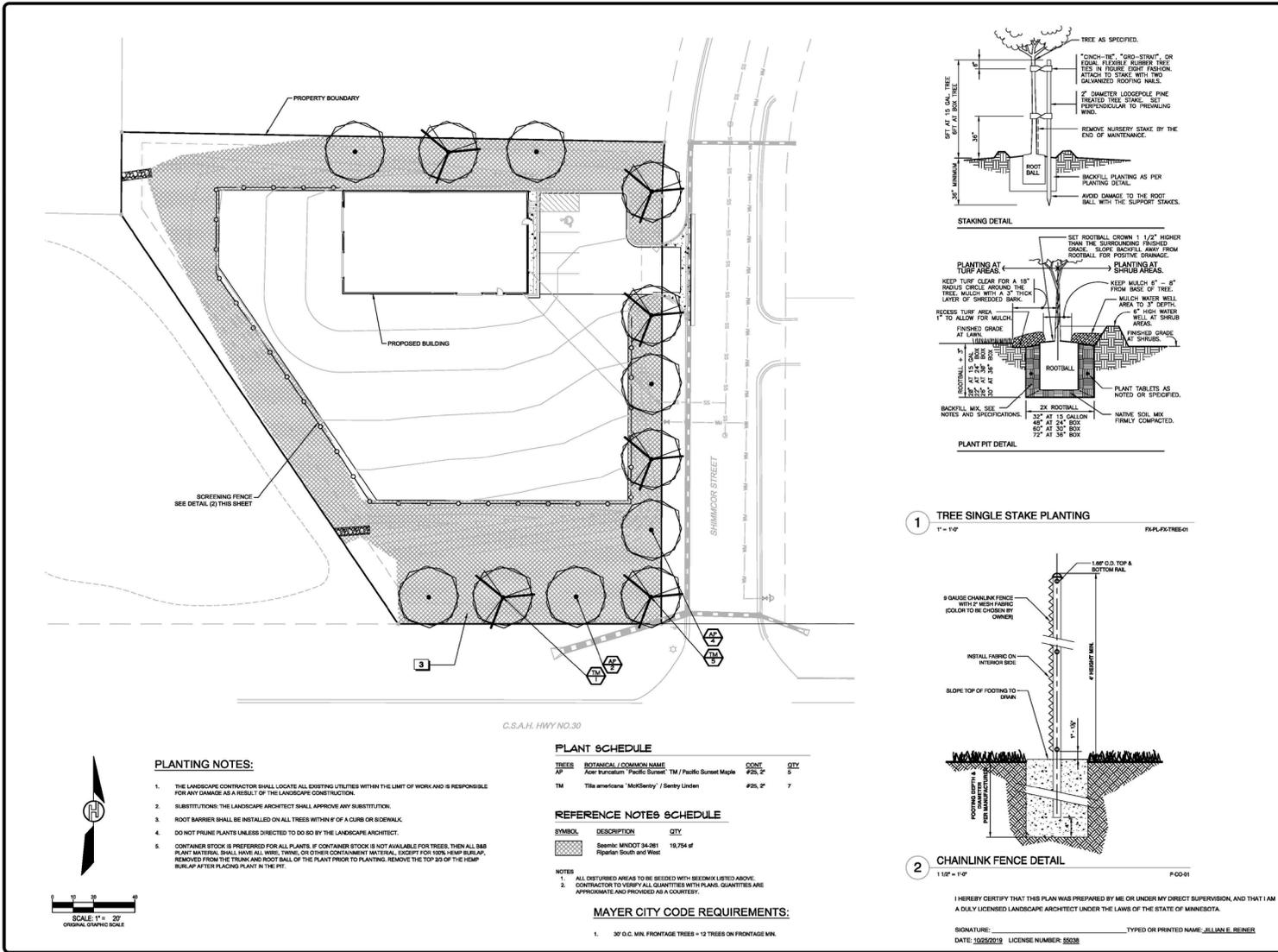
Date: 10/25/2019
Job No.: 19025

C4.0

Sheet C4.0 of C5.0

NOT FOR CONSTRUCTION

Exhibit C - Construction Plans dated October 25, 2019 page 6





HAGSTROM ENGINEERING
CIVIL ENGINEER - LICENSED CONTRACTOR
 LANDSCAPE ARCHITECT

219 6TH AVENUE EAST
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 P.320.783.0194
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BENCHMARK:

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 INTERSECTION OF C.S.A.H.
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 STREET.

ELEVATION = 885.78
 DATUM = NAVD 88

CALL FOR BIDDING AND DATE:

8 1

CALL BUSINESS OFFICE 48 HOURS BEFORE
 YOU GO TO BIDDING OR CONSTRUCTION FOR THE
 WORKING OF CHANGES AND BIDDING
 AT THE BIDDING.

No.	Description of Revision	Date	By

Created by: MBH
 Checked by: MBH
 No. _____
 Designed by: MBH

WACONIA ROLL-OFF
856 SHIMMOCOR STREET
MAYER, MN
LANDSCAPE PLAN

Date: 10/25/2019
 Job No.: 10025

L1.0

Sheet L1.0 of L1.0

NOT FOR CONSTRUCTION

Exhibit D - Engineering Comments dated October 30, 2019



Real People. Real Solutions.

2638 Shadow Lane
Suite 200
Chaska, MN 55318-1172

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

October 30, 2019

City of Mayer
Attn: Margaret McCallum
413 Bluejay Avenue
Mayer, MN 55360

RE: Site Plan Application
Waconia Roll-off
Engineering Review #1

Dear Ms. McCallum:

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Sincerely,

Bolton & Menk, Inc.

Robert E. Bean, Jr., P.E.
Water Resources Engineer

CC: John Anderson, Municipal Development Group
David Martini, Bolton & Menk

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