EMPIRE CITY COUNCIL AGENDA
January 27, 2026 - 7:00 PM, Empire City Hall

A. Call Meeting to Order and Flag Pledge

B. Roll Call

C. Approve the Agenda

D. Consent Agenda
- D.1 Minutes of the 1/13/2026 City Council Meeting; 1/20/2026 Planning Commission Meeting
- D.2 Bill List as of 1/27/2026
- D.3 Profit & Loss / Budget Comparison as of 1/27/2026
- D.4 Consider Liability Coverage Waiver Form for Liability Coverage from LMCIT

E. Visitors

The Visitors Forum is intended to afford the public the opportunity to address concerns to the City Council. Each presenter will have no more than five (5) minutes to speak. Topics of discussion are restricted to local governmental topics rather than private agendas. The Council may discuss but will not take formal action on visitors' forum presentations.

F. Committee Reports:

Maintenance / Sewer and Water / Road and Bridges

Law Enforcement

Park & Rec

Engineering

Planning

1. Consider Approving IUP for McNamara Contracting Inc. Road Construction Business
2. Consider Approving Metes and Bounds Subdivision Application for Parcel at 3095 170th Street East

G. Old Business

H. New Business
- H.1 Information on Private Wells on Chippendale Ave.
- H.2 Information & Discussion on Donation of AED Units from Farmington Fire Dept.
- H.3 Update on Franchise Fee Ordinances

I. Meetings: Planning Commission Meeting 2/3/2026, 8PM; Park & Rec. Commission Meeting 2/9/2026, 7PM; City Council Meeting 2/10/2026, 7PM; President's Day Holiday 2/16/2026

J. FYI
- J.1 Charter Communications - Upcoming Channel Lineup Changes

K. Adjournment

MEMORANDUM

Date:	January 27, 2026
To:	Empire City Council
From:	Charles Seipel-Teng, Clerk-Administrator
RE:	Minutes of the 1/13/2026 City Council Meeting; 1/20/2026 Planning Commission Meeting

Attachment(s): *1 13 26 Council Minutes.pdf*
1 20 26 PC Minutes.pdf

CITY OF EMPIRE

Empire City Council Meeting Minutes
January 13, 2026, Empire City Hall

The meeting of the Empire City Council was called to order by Mayor Melanie Lee at 7:00 PM.

Present were: Council Members: Eric Hanson; Danny Rubio; Marla Vagts; Mark Page. Also present were Brian Hilgardner, Consulting Engineer with Bolton & Menk; Jenni Faulkner, Consulting Planner with Bolton & Menk; Hanah Martin, Dakota County Sheriff's Deputy; Jerod Waltman, Maintenance Supervisor; Charles Seipel-Teng, Clerk-Administrator.

A. Call Meeting to Order and Flag Pledge

B. Roll Call

C. Approve the Agenda

Marla Vagts made a motion to approve. Eric Hanson seconded. Motion carried 5-0

D. Consent Agenda

D.1 Minutes of the 12/9/2025 City Council Meeting; 12/16/2025 Planning Commission Meeting; 1/12/2026 Park & Rec. Commission Meeting

D.2 Year End Cash Balance Report as of 12/31/2025

D.3 Year End Profit & Loss / Budget Comparison for Year 2025

D.4 Bill List - As of 12/31/2025

D.5 Bill List as of 1/13/2026

D.6 Cash Balance Report as of 1/13/2026

Eric Hanson made a motion to approve. Danny Rubio seconded. Motion carried 5-0

E. Visitors

None.

F. Committee Reports:

Maintenance / Sewer and Water / Road and Bridges

Jerod Waltman reported that the freeze and thaw cycle has been making snow removal more difficult. Staff are trying to limit chloride use on the roads. Empire no longer has access to Dakota County's shop for acquiring road salt. It is difficult to make an appointment to acquire

salt. Jerod is working on a plan to construct a salt storage basin at the shop that meets MS4 requirements in hopes of storing salt at the Empire shop next year. He has been talking with the City of Farmington about also purchasing salt from them. Council asked staff to contact management at Dakota County to see if a system of procurement for salt can be established.

Well #3 is now on quarterly testing for radium residual and gross alpha while the testing average remains below the established threshold.

Law Enforcement

Deputy Martin presented the December statistics reports as well as information on incidents that have occurred since the last City Council meeting. She will work on obtaining an annual statistics report for 2025.

Park & Rec

Eric Hanson reported that Park & Rec. set the Hop With a Cop spring event for April 4th. The Commission discussed receiving AED units from the Farmington Fire Department. Staff will have a memo on that at the next City Council Meeting. Dates for summer entertainment and Empire Celebration were also set.

Engineering

1. Engineering Report / Request for Letter of Credit Reduction for Deer Creek - Phase 1

Brian Hilgardner reported that the developer for Deer Creek 1st Addition is seeking a reduction in the security for public infrastructure improvements from $302,626 to $196,710. This satisfies the 10% retainage required until the final lift on the street is constructed and includes $69,210 for grading security. The City has received the two-year maintenance bond for the improvements that have been made in the development.

Marla Vagts made a motion to approve. Eric Hanson seconded. Motion carried 5-0

Brian noted that the City of Empire will be hosting the Dakota County CONDAC meeting on January 23rd at the Maintenance Facility.

Planning

1. Retrofit Environmental Discussion

Jenni Faulkner reported the Planning Commission discussed the request from Retrofit Environmental for information on their possible relocation to Empire from their current leased location in Little Canada, MN. The Company is looking for space in the Light Industrial District to open a company owned facility. The proposed use consists of collecting, storing, and sending hazardous waste items such as batteries, fluorescent lamps, chemicals, and electronic waste.

The Planning Commission indicated that while this type of facility is not a permitted use in the Light Industrial District, the Commission expressed support of the Company submitting an application to amend the Zoning Ordinance to permit the use through the issuance of an Interim Use Permit (IUP).

Nick Dryden and Wendy Fry from Retrofit Environmental provided information on their business and answered questions from the City Council. The company is seeking expansion not because they want to handle more waste, but to be more efficient and have space for its electronic transfer operations. The facility does not process waste but accepts material that has been sealed at the

customer site and then transfers it out. The facility does accept some household electronics that the general public drops off. The truck fleet consists of six straight trucks and once class A truck. They would be open to the public and currently have 19 full-time employees. They would be looking to expand to a maximum of 25 employees. They host a residential drop off in Little Canada and operate Monday-Friday.

The City Council discussed options for the business in regard to zoning. Amending the L-I District to allow facilities that handle hazardous waste as an IUP would open the district to other such businesses. The City could consider items such as lot size in the L-I District to meet criteria for these types of businesses or consider creating a new heavy industrial district. The City Council was supportive of Retrofit Environmental to begin the process to request an amendment to the Zoning Ordinance that can then be evaluated and considered by the City.

2. Consider Approving Development Contract and PUD Agreement for Deer Creek 2nd Addition

Charles Seipel-Teng reported that Item 7 of the agreement pertaining to the dedication of temporary drainage, utility and trial easements has been updated to the satisfaction of the City's attorney and the developer.

Marla Vagts made a motion to approve. Eric Hanson seconded. Motion carried 5-0

3. Consider Adopting Resolution 2026-1B, Adopting the Northwest Empire AUAR

Jenni Faulkner reported that notice of the final plan was published in the EQB on December 23, 2025. The City did receive comments from the Vermillion River Watershed and the Metropolitan Council. The comments from the watershed were minor and have been addressed. The comments from the Metropolitan Council will not result in changes to the AUAR document.

Eric Hanson made a motion to adopt Resolution 2026-1B. Danny Rubio seconded. Motion carried 5-0

4. Consider Approving Minor Subdivision and Variance Request for Proposed Water Tower Parcel (Resolution No. 2026-1C)

Jenni Faulkner reported that after a public hearing on the variance request, the Planning Commission did recommend approval of the variance and related subdivision.

Eric Hanson made a motion to adopt Resolution 2026-1C Mark Page seconded. Motion carried 5-0

G. Old Business

G.1 Consider Adopting Ordinance No. 210 (City of Empire Animal Control Ordinance) and its Summary for Publication

Charles Seipel-Teng reported that the Planning Commission recommended that an exception for hunting dogs be included under the definition of "under restraint".

Marla Vagts made a motion to Adopt Ordinance No. 210 and its summary for publication. Eric Hanson seconded. Motion carried 5-0

G.2 Consider Adopting the Following Ordinances to Grant Nonexclusive Franchises to Operate in City of Empire ROW and their Summaries for Publication;
Ordinance No. 2026-1 Minnesota Energy Resources
Ordinance No. 2026-2 Dakota Electric Association
Ordinance No. 2026-3 Northern States Power Company (Xcel Energy)

Charles Seipel-Teng reported that the agreements with Minnesota Energy Resources and Dakota Electric were finalized by the end of 2025.

There was additional discussion with Xcel Energy regarding some items in that agreement. Xcel Energy has agreed to allow the City to continue to collect fees from ROW permit applications in addition to franchise fees. In return, the Company requested that the agreement contain language that seeks reimbursement from the City should a second relocation of utilities in the ROW be ordered within 5 years of a previous request for relocation. The agreements with the other two utilities require 3 years. The agreement also does not indicate what reports must be made to the City regarding service and disruptions. It is the understanding of the City and Company that publicly available reports will be provided to the City upon request.

Staff and the City's attorney are comfortable with the proposed language in the agreements.

Erik Simonson, Community Relations Manager with Xcel Energy, stated that it has been great working with the City in preparing this agreement and looks forward to future collaboration.

Danny Rubio made a motion to adopt Ordinance No. 2026-1 and its summary for publication. Mark Page seconded. Motion carried 5-0
Mark Page made a motion to adopt Ordinance No. 2026-2 and its summary for publication. Marla Vagts seconded. Motion carried 5-0
Marla Vagts made a motion to adopt Ordinance No. 2026-3 and its summary for publication. Mark Page seconded. Motion carried 5-0

H. New Business

H.1 Information on Minnesota Municipal Money Market Fund (4M Fund); Consider Adopting Resolution 2026-1D, Authorizing Membership in the 4M Fund

Charles Seipel-Teng presented an updated memo on the 4M Fund. The memo included comment from the City's financial advisor, George Eilertson. Mr. Eilertson is supportive of participation in the 4M Fund as an additional investment option for the City.

Marla Vagts made a motion to adopt Resolution 2026-1D. Danny Rubio seconded. Motion carried 5-0

H.2 Consider Appointments to City Council Committees for 2026

The City Council recommended no changes to the City Council Committees for 2026.

Marla Vagts made a motion to approve the Committee appointments for 2026. Danny Rubio seconded. Motion carried 5-0

H.3 Consider Adopting Resolution 2026-1A, Appointments to Certain Offices and Positions

Eric Hanson made a motion to adopt Resolution 2026-1A. Danny Rubio seconded. Motion carried 5-0

I. Meetings: Martin Luther King Jr. Holiday 1/19/2026; Planning Commission Meeting 1/20/2026, 8PM; City Council Meeting 1/27/2026, 7PM

J. FYI

J.1 Charter Communications - Programing Package and Cable Lineup Changes

J.2 Dakota County Environmental Services Quarterly Update

K. Adjournment

Marla Vagts made a motion to adjourn. Mark Page seconded. Motion carried 5-0. The City Council Meeting ended at 8:47 PM.

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Melanie Lee, Mayor

_____

Charles Seipel-Teng, Clerk - Administrator

CITY OF EMPIRE

Empire Planning Commission Meeting Minutes
January 20, 2026, Empire City Hall

Present were: Jared Sachs, Elizabeth Haas, Doug Clark, Gina Maunu. Also present were City Councilmember Marla Vagts; Clerk-Administrator, Charles Seipel-Teng; Consulting Planner with Bolton & Menk, Madison Richard. Commission Member Julie Stulz was absent.

1. Agenda Items

1.1 Continuation of Public Hearing - Consider Issuing IUP for McNamara Contracting for a Road Construction Business

Madison Richard reported that this is a continuation of the public hearing to consider reissuing an IUP for the operation of McNamara's road construction business at Chippendale Ave. and 170th Streets. Currently the business is undertaking an interior renovation project that will add 28 workstations to the site. The current IUP allows up to 25 employees on the site. The applicant would like to request that the IUP permit up to 75 employees on the stie, both seasonal and full-time. The current IUP also limits the number of vehicles and equipment on the site to 100. The applicant would like to allow for an increase of up to 600 vehicles, including seasonal parking, on the site. A condition of the IUP will be the requirement for the applicant to submit a Site Plan for any changes to the site, excluding the interior renovations. The new IUP will run for a period of 10 years, until December 31, 2035.

Justin Zittel, with McNamara Contracting, noted that the increase in employees on site and additional vehicle parking will not result in any changes to the exterior of the building or expansion of existing parking lots. There may be some restriping of parking spaces.

Doug Clark made a motion to close the public hearing. Gina Maunu seconded. Motion carried 4-0.

Elizabeth Haas made a motion to recommend approval of the IUP for McNamara Contracting's road construction business. Doug Clark seconded. Motion carried 4-0.

1.2 Consider Metes and Bounds Subdivision Application for Parcel at 3095 170th Street East

Madison Richard presented a memo regarding the proposed subdivision at 3095 170th Street. The subdivision does not create a new parcel but adds approximately 1.66 acres an existing 2-acre rural residential parcel from a farm parcel that surrounds the existing parcel. No new structures are proposed for the rural residential parcel at this time.

Doug Clark made a motion to recommend approval of the proposed Metes and Bounds Subdivision application for a parcel at 3095 170th Street East. Elizabeth Haas seconded. Motion carried 4-0.

Doug Clark made a motion to adjourn. Elizabeth Haas seconded. The meeting ended at 8:12 PM.

Respectfully submitted, Charles Seipel-Teng
Clerk-Administrator

MEMORANDUM

Date:	January 27, 2026
To:	Empire City Council
From:	Charles Seipel-Teng, Clerk-Administrator
RE:	Bill List as of 1/27/2026

Attachment(s): *Bill List.pdf*
_Claim RegisterÂ©.pdf

City of Empire

Claims List for Approval (January 14- January 27, 2026)

Invoices Paid Previous to Claims List Batch

15-Jan-26	EFT	United States Treasury	Federal Withholding	4,254.58
15-Jan-26	EFT	Minnesota Dept. of Revenue	State Withholding	614.88
15-Jan-26	EFT	PERA	Retirement	2,457.52
16-Jan-26	6045	Charles Seipel-Teng	2025 Flex Reimbursement	31.73
26-Jan-26	012841	All American Title Co. LLC	Water Tower Parcel / Easement	203,853.55
26-Jan-26	EFT	Castle Rock Bank	Cashier's Check Fee	10.00
		SEE ATTACHED CLAIMS REGISTER REPORT		**18,839.06**

Subtotal	230,061.32
Payroll	12,289.22
Total	**242,350.54**

CITY OF EMPIRE

*Claim Register©

01272026PAY

JANUARY 2026

Claim Type

Claim#	6046 *PSN Payment Systems*		Ck# 000846E 1/21/2026			
Cash Payment	E 101-41510-433 Dues and Subscriptions		Payment Processing Services			$100.00
Invoice						
Transaction Date	1/27/2026	Due 0	Checking	10100	**Total**	$100.00
Claim#	6047 *RCM RENNOVATIONS*		Ck# 028542 1/27/2026			
Cash Payment	R 600-49400-37110 Rate Class I		W/S Overpayment			$98.66
Invoice						
Transaction Date	1/27/2026	Due 0	Checking	10100	**Total**	$98.66
Claim#	6048 *Little Blue Traveling Zoo*		Ck# 028538 1/27/2026			
Cash Payment	E 101-45000-392 Program Expenses		Deposit for 2026 Celebration			$100.00
Invoice						
Transaction Date	1/27/2026	Due 0	Checking	10100	**Total**	$100.00
Claim#	6049 *Total Entertainment/Kids Dance*		Ck# 028543 1/27/2026			
Cash Payment	E 101-45000-392 Program Expenses		Deposit for 2026 Celebration			$100.00
Invoice						
Transaction Date	1/27/2026	Due 0	Checking	10100	**Total**	$100.00
Claim#	6050 *USAble Life*		Ck# 028544 1/27/2026			
Cash Payment	E 101-41510-133 Life		Life & Disability Insurance			$207.16
Invoice	0006390884					
Cash Payment	E 101-45000-133 Life		Life & Disability Insurance			$43.44
Invoice	0006390884					
Cash Payment	E 101-43000-133 Life		Life & Disability Insurance			$43.43
Invoice	0006390884					
Cash Payment	E 600-49400-133 Life		Life & Disability Insurance			$43.43
Invoice	0006390884					
Transaction Date	1/27/2026	Due 0	Checking	10100	**Total**	$337.46
Claim#	6051 *Delta Dental of Minnesota*		Ck# 028535 1/27/2026			
Cash Payment	E 101-41510-132 Dental		Admin Dental			$81.32
Invoice						
Cash Payment	E 101-45000-132 Dental		Parks Dental			$74.23
Invoice						
Cash Payment	E 101-43000-132 Dental		Roads Dental			$74.23
Invoice						
Cash Payment	E 600-49400-132 Dental		Water Dental			$74.24
Invoice						
Cash Payment	G 101-21026 Dental Insurance		Dental Withholding			$96.20
Invoice						
Transaction Date	1/27/2026	Due 0	Checking	10100	**Total**	$400.22
Claim#	6052 *Xcel Energy*		Ck# 028547 1/27/2026			
Cash Payment	E 101-41000-381 Electric Utilities		51-6291687-0 Town Hall			$0.00
Invoice						
Cash Payment	E 101-41000-381 Electric Utilities		51-9344076-7 Maint. Bldg.			$465.26
Invoice						
Cash Payment	E 101-45000-381 Electric Utilities		51-0203701-8 Ballfield			$166.93
Invoice						
Cash Payment	E 101-43000-381 Electric Utilities		51-6005472-6 Street Lgt.			$0.00
Invoice						

CITY OF EMPIRE

*Claim Register©

01272026PAY

JANUARY 2026

Cash Payment Invoice	E 101-43000-381 Electric Utilities	51-8372975-3 Street Lgt.				$10.21
Cash Payment Invoice	E 600-49400-381 Electric Utilities	51-7928991-1 Well				$0.00
Cash Payment Invoice	E 600-49400-381 Electric Utilities	51-5015068-6 Well				$173.90
Cash Payment Invoice	E 600-49400-381 Electric Utilities	51-4664833-7 Tower				$1,003.67
Cash Payment Invoice	E 600-49450-381 Electric Utilities	51-6960047-5 Lift Station				$37.40
Cash Payment Invoice	E 101-43000-381 Electric Utilities	51-001330188-0 170th St. Roundabout				$100.75
Transaction Date	1/27/2026	Due 0	Checking	10100	**Total**	$1,958.12
Claim#	6053 *MINNESOTA DNR - OMB*	Ck# 028539 1/27/2026				
Cash Payment Invoice	E 600-49400-386 State Surcharge	2026 Water Use Surcharge				$1,621.65
Transaction Date	1/27/2026	Due 0	Checking	10100	**Total**	$1,621.65
Claim#	6054 *CIT*	Ck# 028533 1/27/2026				
Cash Payment Invoice 508727	E 101-41000-300 Professional Services	February Service Contract				$153.60
Cash Payment Invoice 508296	E 101-41000-300 Professional Services	Micosoft agreement				$214.20
Cash Payment Invoice 509292	E 101-41000-300 Professional Services	Text support				$82.33
Transaction Date	1/27/2026	Due 0	Checking	10100	**Total**	$450.13
Claim#	6055 *Carquest Auto Parts Stores*	Ck# 028532 1/27/2026				
Cash Payment Invoice	E 101-43000-221 Equipment Parts	Road Equip. Parts				$546.41
Cash Payment Invoice	E 101-45000-221 Equipment Parts	Park Equip. Parts				$12.13
Transaction Date	1/27/2026	Due 0	Checking	10100	**Total**	$558.54
Claim#	6057 *Graphic Design Inc.*	Ck# 028536 1/27/2026				
Cash Payment Invoice QB62154	E 600-49400-203 Forms and Paper	Water Bill Forms				$338.00
Cash Payment Invoice QB62153	E 101-41410-203 Forms and Paper	Golf Cart Permit Stickers				$135.00
Transaction Date	1/27/2026	Due 0	Checking	10100	**Total**	$473.00
Claim#	6058 *Minnesota Dept. of Revenue*	Ck# 000847E 1/20/2026				
Cash Payment Invoice	E 600-49400-438 (Other) State Tax	2025 Sales & Use Tax (Water)				$483.00
Transaction Date	1/27/2026	Due 0	Checking	10100	**Total**	$483.00
Claim#	6059 *Bolton & Menk*	Ck# 028531 1/27/2026				
Cash Payment Invoice	E 600-49450-303 Engineering Fees	Water Tower Site				$2,475.00
Cash Payment Invoice	E 101-41000-303 Engineering Fees	Engineering-General				$2,837.00
Cash Payment Invoice	E 101-43000-303 Engineering Fees	Engineering-Streets & Stormwater				$721.50

CITY OF EMPIRE

*Claim Register©

01272026PAY

JANUARY 2026

Cash Payment	E 101-41000-303 Engineering Fees		GIS Updates			$1,160.00
Invoice						
Transaction Date	1/27/2026	Due 0	Checking	10100	**Total**	$7,193.50
Claim#	6064 *Dakota County Finance*		Ck# 028534 1/27/2026			
Cash Payment	E 101-43000-224 Street Maintenance Materi		December 2025 Road Salt			$3,816.97
Invoice						
Cash Payment	E 101-43000-381 Electric Utilities		Q4 2025 Street Lights			$34.76
Invoice						
Transaction Date	1/27/2026	Due 0	Checking	10100	**Total**	$3,851.73
Claim#	6067 *Wex Bank*		Ck# 028546 1/27/2026			
Cash Payment	E 101-43000-212 Motor Fuels		Fuel Card			$684.61
Invoice						
Transaction Date	1/27/2026	Due 0	Checking	10100	**Total**	$684.61
Claim#	6068 *Hawkins Water Treatment*		Ck# 028537 1/27/2026			
Cash Payment	E 600-49400-216 Chemical Products		Chlorine Cylinder			$40.00
Invoice	7307123					
Transaction Date	1/27/2026	Due 0	Checking	10100	**Total**	$40.00
Claim#	6069 *Werner Implement Co., Inc.*		Ck# 028545 1/27/2026			
Cash Payment	E 101-45000-221 Equipment Parts		Parks Equip. Parts			$70.99
Invoice	48732					
Transaction Date	1/27/2026	Due 0	Checking	10100	**Total**	$70.99
Claim#	6070 *R.J. Sayers*		Ck# 028541 1/27/2026			
Cash Payment	E 101-41000-215 Shop Materials		Shop Supplies			$227.45
Invoice	0029045					
Transaction Date	1/27/2026	Due 0	Checking	10100	**Total**	$227.45
Claim#	6071 *Popp Stacey*		Ck# 028540 1/27/2026			
Cash Payment	E 101-45000-392 Program Expenses		January Yoga			$90.00
Invoice						
Transaction Date	1/27/2026	Due 0	Checking	10100	**Total**	$90.00

Claim Type	**Total**	**$18,839.06**

Pre-Written Checks	$18,839.06
Checks to be Generated by the Compute	$0.00
Total	$18,839.06

MEMORANDUM

Date:	January 27, 2026
To:	Empire City Council
From:	Charles Seipel-Teng, Clerk-Administrator
RE:	Profit & Loss / Budget Comparison as of 1/27/2026

Attachment(s): Profit & Loss - Budget Comparison.pdf

	AMOUNT	ACTUAL	VARIANCE
1/27/2026			
GENERAL REVENUE			
R 101-41000-31010 Ad Valorem Property Tax Revenu	$984,122.60	$6,116.61	*-$978,005.99*
R 101-41000-31020 Delinquent Ad Valorem Taxes	$0.00	$0.00	*$0.00*
R 101-41000-31030 Mobile Home Tax Revenue	$12.00	$20.88	*$8.88*
R 101-41000-31040 Fiscal Disparities Tax	$125,000.00	$53,357.30	*-$71,642.70*
R 101-41000-31702 Solar Production Tax	$0.00	$0.00	*$0.00*
R 101-41000-32100 Business License and Permits	$5,000.00	$0.00	*-$5,000.00*
R 101-41000-32200 Non Business License - Permits	0.00	$0.00	*$0.00*
R 101-41000-32211 Permit Fee / New Construction	75,000.00	$4,355.95	*-$70,644.05*
R 101-41000-32212 Remodel	500.00	$0.00	*-$500.00*
R 101-41000-32213 Mechanical	2,500.00	$425.00	*-$2,075.00*
R 101-41000-32214 Repair	500.00	$0.00	*-$500.00*
R 101-41000-32215 Plumbing	2,500.00	$250.00	*-$2,250.00*
R 101-41000-32216 Demolition	0.00	$0.00	*$0.00*
R 101-41000-32217 Septic	0.00	$0.00	*$0.00*
R 101-41000-32260 Driveway Permit	200.00	$0.00	*-$200.00*
R 101-41000-32261 Right of Way Permit	1,500.00	$0.00	*-$1,500.00*
R 101-41000-32262 Mining Permit	50,000.00	$0.00	*-$50,000.00*
R 101-41000-32263 Grading Permit	750.00	$0.00	*-$750.00*
R 101-41000-32265 Other Permits	$350.00	$0.00	*-$350.00*
R 101-41000-33100 Federal Grants and Aids	$0.00	$0.00	*$0.00*
R 101-41000-33400 State Grants and Aids	$66,554.00	$0.00	*-$66,554.00*
R 101-41000-33426 Argicultural Market Value Cred	$5,000.00	$0.00	*-$5,000.00*
R 101-41000-33428 State-Payments in Lieu of Tax	$5,000.00	$0.00	*-$5,000.00*
R 101-41000-33429 State PERA Aid	$0.00	$0.00	*$0.00*
R 101-41000-33600 Grants and Aids From Local Gov	$1,000.00	$0.00	*-$1,000.00*
R 101-41000-33640 Other Grant	$0.00	$0.00	*$0.00*
R 101-41000-34000 Charges for Services	$0.00	$0.00	*$0.00*
R 101-41000-34103 Zoning and Subdivision Fees	$85,000.00	$406.00	*-$84,594.00*
R 101-41000-34107 Assessment Searches	$0.00	$0.00	*$0.00*

	AMOUNT	ACTUAL	VARIANCE
R 101-41000-34108 Admin. Charges to Other Funds	$0.00	$0.00	*$0.00*
R 101-41000-34109 Franchise Fees	$87,500.00	$0.00	*-$87,500.00*
R 101-41000-34110 Developer Fees	$5,000.00	$0.00	*-$5,000.00*
R 101-41000-34111 Bldg. Inspection / Plan Review	$50,000.00	$2,701.37	*-$47,298.63*
R 101-41000-34200 Public Safety	$0.00	$0.00	*$0.00*
R 101-41000-34202 Special Fire Protection Servic	$0.00	$0.00	*$0.00*
R 101-41000-34950 State Surcharge (Bldg. Permits	$2,500.00	$240.83	*-$2,259.17*
R 101-41000-35101 Court Fines	$23,000.00	$2,577.68	*-$20,422.32*
R 101-41000-35102 Parking Fines	$0.00	$0.00	*$0.00*
R 101-41000-35104 Other Fines	$0.00	$0.00	*$0.00*
R 101-41000-35105 Administrative Penalties	$0.00	$0.00	*$0.00*
R 101-41000-35200 Forfeits	$0.00	$0.00	*$0.00*
R 101-41000-36100 Special Assessments	$0.00	$0.00	*$0.00*
R 101-41000-36101 Principal	$0.00	$0.00	*$0.00*
R 101-41000-36102 Penalties and Interest	$0.00	$0.00	*$0.00*
R 101-41000-36200 Miscellaneous Revenues	$0.00	$0.00	*$0.00*
R 101-41000-36210 Interest Earnings	$175,000.00	$0.00	*-$175,000.00*
R 101-41000-36220 Rents and Royalties	$20,000.00	$1,100.00	*-$18,900.00*
R 101-41000-36230 Contributions and Donations (P	$0.00	$0.00	*$0.00*
	$1,773,488.60	**$71,551.62**	***-$1,701,936.98***
ROAD & BRIDGE REVENUE			
R 101-43000-31701 Gravel Tax	$130,000.00	$0.00	*-$130,000.00*
R 101-43000-34304 Public Lighting	$23,500.00	$2,041.48	*-$21,458.52*
R 101-43000-34305 Storm Water Management	$18,500.00	$1,884.97	*-$16,615.03*
R 101-43000-34306 Storm Wtr/ Street Lgt Penalty	$0.00	$0.11	*$0.11*
R 101-43000-36200 Miscellaneous Revenues	$0.00	$0.00	*$0.00*
	$172,000.00	**$3,926.56**	***-$168,073.44***
PARK & RECREATION REVENUE			
R 101-45000-34740 Park and Recreation Concession	$0.00	$0.00	*$0.00*

	AMOUNT	ACTUAL	VARIANCE
R 101-45000-34780 Park & Trail Fees	$0.00	$0.00	*$0.00*
R 101-45000-34790 Program Fees	$2,500.00	$210.00	*-$2,290.00*
R 101-45000-36220 Rents and Royalties	$13,000.00	$0.00	*-$13,000.00*
R 101-45000-36230 Contributions and Donations (P	$3,500.00	$0.00	*-$3,500.00*
	$19,000.00	**$210.00**	***-$18,790.00***
DEBT SERVICE FUND REVENUE			
R 301-47100-31010 Ad Valorem Property Tax Revenu	$341,670.00	$1,883.83	*-$339,786.17*
R 301-47100-36210 Interest Earnings	$0.00	$0.00	*$0.00*
	$341,670.00	**$1,883.83**	***-$339,786.17***
CAPITAL IMPROVEMENT FUND			
R 450-41000-31010 Ad Valorem Property Tax Revenu	$310,000.00	$1,710.01	*-$308,289.99*
Sale of Investments	$0.00	$0.00	*$0.00*
	$310,000.00	**$1,710.01**	***-$308,289.99***
TOTAL GENERAL FUND REVENUE	**$2,616,158.60**	**$75,355.46**	***-$2,368,803.14***
WATER FUND REVENUE			
R 600-49400-31300 Sales & Use Tax	$0.00	$6.94	*$6.94*
R 600-49400-36210 Interest Earnings	$60,000.00	$0.00	*-$60,000.00*
R 600-49400-37110 Rate Class I	$358,900.00	$24,228.52	*-$334,671.48*
R 600-49400-37150 Connection/Reconnection Fees	$35,000.00	$0.00	*-$35,000.00*
R 600-49400-37160 Penalties and Forfeited Discou	$4,500.00	$247.70	*-$4,252.30*
R 600-49400-37170 New Water Meter Charge	$2,800.00	$0.00	*-$2,800.00*
Sale of Investments	$137,000.00	$0.00	*-$137,000.00*
	$598,200.00	**$24,483.16**	***-$436,716.84***
SEWER FUND REVENUE			
R 600-49450-37210 Rate Class 1	$196,800.00	$18,082.32	*-$178,717.68*
R 600-49450-37250 Connection/Reconnection Fees	$28,000.00	$0.00	*-$28,000.00*
R 600-49450-37260 Penalties and Forfeited Discou	$4,000.00	$247.61	*-$3,752.39*

	AMOUNT	ACTUAL	VARIANCE
R 600-49450-37270 Sewer Inspection Fee	$50.00	$0.00	*-$50.00*
R 600-49450-37290 SAC Charges	$0.00	-$7,380.45	*-$7,380.45*
	$228,850.00	**$10,949.48**	***-$217,900.52***
TOTAL ENTERPRISE FUND REVENUE	**$827,050.00**	**$35,432.64**	***-$654,617.36***
TOTAL ENTERPRISE & GENERAL FUND	**$3,443,208.60**	**$110,788.10**	***-$3,023,420.50***

1/27/2026

GENERAL EXPENDITURE

E 101-41000-106 City Council / Committee Wages	$16,000.00	$0.00	*$16,000.00*
E 101-41000-121 PERA Contributions	$900.00	$0.00	*$900.00*
E 101-41000-122 FICA Contributions	$1,100.00	$0.00	*$1,100.00*
	$145.00	$0.00	*$145.00*
E 101-41000-211 Cleaning Supplies	$700.00	$0.00	*$700.00*
E 101-41000-215 Shop Materials	$8,500.00	$261.42	*$8,238.58*
E 101-41000-221 Equipment Parts	$3,500.00	$0.00	*$3,500.00*
E 101-41000-223 Building Repair Supplies	$2,500.00	$1,550.61	*$949.39*
E 101-41000-300 Professional Services	$105,000.00	$13,737.91	*$91,262.09*
E 101-41000-303 Engineering Fees	$82,000.00	$3,997.00	*$78,003.00*
E 101-41000-307 Management Fees	$700.00	$27.75	*$672.25*
E 101-41000-310 Planner Fees	$150,000.00	$14,933.50	*$135,066.50*
E 101-41000-312 Fire Contract	$445,112.60	$0.00	*$445,112.60*
E 101-41000-313 Ambulance Contract	$500.00	$0.00	*$500.00*
E 101-41000-321 Telephone	$4,500.00	$242.31	*$4,257.69*
E 101-41000-351 Legal Notices Publishing	$3,100.00	$103.95	*$2,996.05*
E 101-41000-362 Property Insurance	$19,166.00	$0.00	*$19,166.00*
E 101-41000-381 Electric Utilities	$7,000.00	$465.26	*$6,534.74*
E 101-41000-383 Gas Utilities	$7,500.00	$1,149.24	*$6,350.76*
E 101-41000-437 Other (State Surcharge)	$5,000.00	$1,507.20	*$3,492.80*
E 101-41000-490 Donations to Civic Organizatio	$1,000.00	$0.00	*$1,000.00*

	AMOUNT	ACTUAL	VARIANCE
E 101-41120-107 Legislative Committees	$8,500.00	$0.00	*$8,500.00*
E 101-41120-143 MN Paid Leave Insurance	$0.00	$0.00	*$0.00*
E 101-41410-104 Wages-temp	$3,500.00	$0.00	*$3,500.00*
E 101-41410-143 MN Paid Leave Insurance	$31.00	$0.00	*$31.00*
E 101-41410-203 Forms and Paper	$650.00	$0.00	*$650.00*
E 101-41410-208 Other Supplies	$1,000.00	$0.00	*$1,000.00*
E 101-41410-203 Professional Services	$1,200.00	$0.00	*$1,200.00*
E 101-41410-331 Travel Expense	$300.00	$0.00	*$300.00*
E 101-41410-351 Legal Notices Publishing	$200.00	$0.00	*$200.00*
E 101-41410-580 Other Equipment	$2,100.00	$0.00	*$2,100.00*
E 101-41510-101 Full-time Wages	$165,000.00	$6,948.40	*$158,051.60*
E 101-41510-121 PERA Contributions	$12,000.00	$521.13	*$11,478.87*
E 101-41510-122 FICA Contributions	$12,000.00	$517.86	*$11,482.14*
E 101-41510-131 Health	$26,000.00	$2,132.08	*$23,867.92*
E 101-41510-132 Dental	$1,000.00	$81.32	*$918.68*
E 101-41510-133 Life	$2,000.00	$207.16	*$1,792.84*
E 101-41510-143 MN Paid Leave Insurance	$326.00	$15.28	*$310.72*
E 101-41510-151 Workers Comp Insurance	$3,000.00	$0.00	*$3,000.00*
E 101-41510-201 Accessories	$2,000.00	$0.00	*$2,000.00*
E 101-41510-203 Forms and Paper	$900.00	$135.00	*$765.00*
E 101-41510-208 Other Supplies	$500.00	$8.76	*$491.24*
E 101-41510-308 Instructors' Fees	$500.00	$0.00	*$500.00*
E 101-41510-309 EDP, Software and Design	$11,000.00	$0.00	*$11,000.00*
E 101-41510-322 Postage	$2,100.00	$0.00	*$2,100.00*
E 101-41510-331 Travel Expense	$800.00	$171.09	*$628.91*
E 101-41510-433 Dues and Subscriptions	$16,000.00	$5,914.00	*$10,086.00*
E 101-41510-570 Office Equipment and Furnishin	$4,000.00	$34.82	*$3,965.18*
E 101-41530-301 Auditing and Accounting Servic	$20,000.00	$4,800.00	*$15,200.00*
E 101-41610-304 Legal Fees	$35,000.00	$5,299.08	*$29,700.92*
E 101-42000-317 Law Enforcement Contract	$171,330.00	$34,961.00	*$136,369.00*
	$1,366,860.60	**$99,723.13**	***$1,267,137.47***

		AMOUNT	ACTUAL	VARIANCE
ROAD & BRIDGE EXPENDITURE				
E 101-43000-101	Full-time Wages	$75,000.00	$3,055.36	*$71,944.64*
E 101-43000-121	PERA Contributions	$5,000.00	$229.15	*$4,770.85*
E 101-43000-122	FICA Contributions	$5,000.00	$232.62	*$4,767.38*
E 101-43000-131	Health	$15,500.00	$2,437.55	*$13,062.45*
E 101-43000-132	Dental	$1,000.00	$74.23	*$925.77*
E 101-43000-133	Life	$1,200.00	$43.43	*$1,156.57*
E 101-43000-143	MN Paid Leave Insurance	$726.00	$6.72	*$719.28*
E 101-43000-151	Workers Comp Insurance	$2,800.00	$0.00	*$2,800.00*
E 101-43000-212	Motor Fuels	$19,000.00	$684.61	*$18,315.39*
E 101-43000-221	Equipment Parts	$6,500.00	$1,596.41	*$4,903.59*
E 101-43000-224	Street Maintenance Materials	$95,000.00	$3,816.97	*$91,183.03*
E 101-43000-303	Engineering Fees	$20,000.00	$721.50	*$19,278.50*
E 101-43000-308	Instructors' Fees	$400.00	$0.00	*$400.00*
E 101-43000-321	Telephone	$500.00	$25.57	*$474.43*
E 101-43000-362	Property Insurance	$1,000.00	$0.00	*$1,000.00*
E 101-43000-381	Electric Utilities	$23,000.00	$1,820.26	*$21,179.74*
E 101-43000-384	Refuse Disposal	$1,650.00	$11.77	*$1,638.23*
E 101-43000-402	Repair & Maintenance	$130,000.00	$0.00	*$130,000.00*
E 101-43000-404	Equipment Repairs	$10,000.00	$0.00	*$10,000.00*
E 101-43000-417	Uniforms	$1,500.00	$150.00	*$1,350.00*
E 101-43000-433	Dues and Subscriptions	$1,500.00	$810.00	*$690.00*
E 101-43000-580	Other Equipment	$5,000.00	$0.00	*$5,000.00*
		$421,276.00	**$15,716.15**	***$405,559.85***
PARK & RECREATION EXPENDITURE				
E 101-45000-101	Full-time Wages	$74,000.00	$3,442.16	*$70,557.84*
E 101-45000-121	PERA Contributions	$5,500.00	$258.16	*$5,241.84*
E 101-45000-122	FICA Contributions	$5,500.00	$260.67	*$5,239.33*
E 101-45000-131	Health	$15,500.00	$2,437.55	*$13,062.45*

	AMOUNT	ACTUAL	VARIANCE
E 101-45000-132 Dental	$1,000.00	$74.23	*$925.77*
E 101-45000-133 Life	$1,000.00	$43.44	*$956.56*
E 101-45000-143 MN Paid Leave Insurance	$330.00	$7.57	*$322.43*
E 101-45000-151 Workers Comp Insurance	$3,000.00	$0.00	*$3,000.00*
E 101-45000-208 Other Supplies	$11,000.00	$0.00	*$11,000.00*
E 101-45000-221 Equipment Parts	$5,000.00	$83.12	*$4,916.88*
E 101-45000-225 Landscaping Materials	$5,000.00	$0.00	*$5,000.00*
E 101-45000-362 Property Insurance	$8,279.00	$0.00	*$8,279.00*
E 101-45000-381 Electric Utilities	$4,000.00	$166.93	*$3,833.07*
E 101-45000-384 Refuse Disposal	$3,500.00	$0.00	*$3,500.00*
E 101-45000-392 Program Expenses	$15,000.00	$530.00	*$14,470.00*
E 101-45000-403 Improvements Other Than Buildi	$9,000.00	$0.00	*$9,000.00*
E 101-45000-404 Equipment Repairs	$4,000.00	$0.00	*$4,000.00*
E 101-45000-415 Rental - Other	$4,500.00	$183.81	*$4,316.19*
E 101-45000-580 Other Equipment	$1,000.00	$0.00	*$1,000.00*
	$176,109.00	**$7,487.64**	***$168,621.36***
OTHER			
E 101-49200-141 Insurance Premiums (Work Comp)	$0.00	$0.00	*$0.00*
	$0.00	**$0.00**	***$0.00***
DEBT SERVICE FUND EXPENDITURE			
E 301-47100-601 Bond Principal	$285,000.00	$285,000.00	*$0.00*
E 301-47100-611 Bond Interest	$36,100.00	$20,900.00	*$15,200.00*
E 301-47100-620 Fiscal Agents Fees	$1,000.00	$550.00	*$450.00*
	$322,100.00	**$306,450.00**	***$15,650.00***
CAPITAL OUTLAY EXPENDITURE			
E 450-43000-402 Repair & Maintenance	$0.00	$0.00	*$0.00*
E 450-43000-416 Machinery	$12,500.00	$0.00	*$12,500.00*
E 450-43000-540 Heavy Machinery	$0.00	$0.00	*$0.00*
E 450-45000-403 Improvements Other Than Buildings	$0.00	$0.00	*$0.00*

	AMOUNT	ACTUAL	VARIANCE
E 450-45000-416 Machinery	$62,500.00	$46,156.85	*$16,343.15*
E 450-45000-580 Other Equipment	$0.00	$0.00	*$0.00*
Purchase of Investments	$235,000.00	$0.00	*$235,000.00*
	$310,000.00	**$46,156.85**	***$263,843.15***
TOTAL GENERAL FUND EXPENDITURE	**$2,596,345.60**	**$475,533.77**	**$2,120,811.83**
WATER FUND EXPENDITURE			
E 600-49400-101 Full-time Wages	$87,000.00	$4,107.84	*$82,892.16*
E 600-49400-121 PERA Contributions	$7,300.00	$308.09	*$6,991.91*
E 600-49400-122 FICA Contributions	$7,300.00	$294.77	*$7,005.23*
E 600-49400-131 Health	$15,500.00	$2,437.55	*$13,062.45*
E 600-49400-132 Dental	$1,000.00	$74.24	*$925.76*
E 600-49400-133 Life	$1,100.00	$43.43	*$1,056.57*
E 600-49400-143 MN Paid Leave Insurance	$383.00	$9.04	*$373.96*
E 600-49400-151 Workers Comp Insurance	$3,000.00	$9.04	*$2,990.96*
E 600-49400-203 Forms and Paper	$400.00	$338.00	*$62.00*
E 600-49400-216 Chemical Products	$20,000.00	$40.00	*$19,960.00*
E 600-49400-221 Equipment Parts	$16,000.00	$0.00	*$16,000.00*
E 600-49400-240 Small Tools & Minor	$4,000.00	$0.00	*$4,000.00*
E 600-49400-300 Professional Services	$500.00	$2,200.50	*-$1,700.50*
E 600-49400-303 Engineering Fees	$150,000.00	$0.00	*$150,000.00*
E 600-49400-309 EDP, Software and Design	$4,000.00	$0.00	*$4,000.00*
E 600-49400-314 Water Testing	$1,500.00	$112.00	*$1,388.00*
E 600-49400-315 Locates	$1,000.00	$17.55	*$982.45*
E 600-49400-316 Licenes & Permits	$5,000.00	$0.00	*$5,000.00*
E 600-49400-321 Telephone	$2,000.00	$25.58	*$1,974.42*
E 600-49400-322 Postage	$3,100.00	$0.00	*$3,100.00*
E 600-49400-362 Property Insurance	$3,116.00	$0.00	*$3,116.00*
E 600-49400-381 Electric Utilities	$25,000.00	$1,284.25	*$23,715.75*
E 600-49400-383 Gas Utilities	$2,000.00	$245.54	*$1,754.46*

	AMOUNT	ACTUAL	VARIANCE
E 600-49400-386 State Surcharge	$11,500.00	$1,621.65	*$9,878.35*
E 600-49400-402 Repair & Maintenance	$150,000.00	$0.00	*$150,000.00*
E 600-49400-411 Land	$0.00	$290,863.05	*-$290,863.05*
E 600-49400-433 Dues and Subscriptions	$1,500.00	$0.00	*$1,500.00*
E 600-49400-438 (Other) State Tax	$0.00	$483.00	*-$483.00*
E 600-49400-580 Other Equipment	$1,000.00	$0.00	*$1,000.00*
	$524,199.00	**$304,515.12**	***$219,683.88***
SEWER FUND EXPENDITURE			
E 600-49450-303 Engineering Fees	$0.00	$0.00	*$0.00*
E 600-49450-308 Instructors' Fees	$500.00	$0.00	*$500.00*
E 600-49450-331 Travel Expense	$0.00	$0.00	*$0.00*
E 600-49450-362 Property Insurance	$50.00	$0.00	*$50.00*
E 600-49450-381 Electric Utilities	$400.00	$37.40	*$362.60*
E 600-49450-385 Sewer Service	$226,853.00	$18,904.45	*$207,948.55*
E 600-49450-402 Repair & Maintenance	$75,000.00	$0.00	*$75,000.00*
E 600-49450-420 Depreciation Expense	$0.00	$0.00	*$0.00*
	$302,803.00	**$18,941.85**	***$283,861.15***
TOTAL ENTERPRISE FUND EXPENDITURE	**$827,002.00**	**$323,456.97**	***$503,545.03***
TOTAL ENTERPRISE & GENERAL FUND EXP.	**$3,423,347.60**	**$798,990.74**	***$2,624,356.86***

TOTAL ENTERPRISE FUND REVENUE	**$35,432.64**
TOTAL ENTERPRISE FUND EXPENDITURE	**$323,456.97**
BALANCE TO INVEST ENTERPRISE FUND	($288,024.33)

TOTAL GENERAL REVENUE	**$75,355.46**
TOTAL GENERAL EXPENDITURE	**$475,533.77**
BALANCE TO INVEST GENERAL FUND	($400,178.31)

Less Amount Invested in Budget	$0.00	Investments Purchased
	($400,178.31)	
Total Balance to Invest	**$0.00**	

MEMORANDUM

Date:	January 27, 2026
To:	Empire City Council
From:	Charles Seipel-Teng, Clerk-Administrator
RE:	Consider Liability Coverage Waiver Form for Liability Coverage from LMCIT

As in the past, the City's insurance agent recommends not waiving the statutory tort limits. This action needs to be taken by the City Council and is supplemental to the City's annual renewal for coverage.

Attachment(s): Liability Tort.pdf

LEAGUE of MINNESOTA CITIES

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 their effective date of coverage. Email completed form to your city's underwriter, to pstech@lmc.org, or fax to 651.281.1298.

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 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.* 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: _____

MEMORANDUM

Date:	January 27, 2026
To:	Empire City Council
From:	Jenni Faulkner, Consulting Planner
RE:	1. Consider Approving IUP for McNamara Contracting Inc. Road Construction Business

Attachment(s): McNamara IUP Memo.pdf

MEMORANDUM

Date: January 27, 2026

To: City of Empire City Council

From: Madison Richard, Consulting Planner
Jenni Faulkner, Consulting Planner

Hearing: An application for an Interim Use Permit to Allow the continuation of a Road Construction Business

Property Location: 16700 and 16680 Chippendale Avenue, 3499 170th Street W, and PID 12-00500-50-030

Action Requested

The City Council is asked to make a determination on the request for an Interim Use Permit (IUP) renewal to allow the continuation of a road construction business in the Agricultural Preservation (AG) district and Mineral Extraction Overlay Area.

Background

McNamara Contracting, Inc. operates the existing site as a road construction business, utilizing the existing office space and storage buildings on site. The use supports the surrounding Mineral Extraction use, operating under a separate IUP.

The original permit for operating a road construction business was approved on November 22, 2005. The original approval included a maximum use period of ten (10) years. In November 2015, Empire approved a ten-year renewal of the IUP, terminating December 31, 2025.

On the December 16, 2025, Planning Commission meeting, the Commission held a public hearing and discussed the application, noting the growth of the business and potential need for additional parking or employees on the site. The applicant, Jamin Anderson, noted it was likely they would need to amend the permit to include additional parking and employees, and they may be interesting in amending the permit to accommodate this. The application was tabled to provide the applicant with additional time to provide the additional information to amend the permit, as needed.

There are no known issues or violations with the existing IUP, and there is no history of complaints about noise, odors, or with how McNamara is utilizing the property.

Analysis

The applicant, McNamara Contracting Inc., is requesting an extension to the existing IUP to continue the road construction business, with amendments to the maximum number of permitted employees and vehicles on site.

Existing Conditions

Lot Size:	~150 acres (majority of use is on ~9.67 acres)
Existing Land Use:	Road construction business
2040 Future Land Use:	Agricultural
Zoning:	Agricultural Preservation (AG) & Mineral Extraction Overlay Area

Existing Use

The applicant is proposing to continue operations of a road construction business and contracting yard, which have existed at the site for the past 20 years. The property is zoned Agriculture (AG) and within the Mineral Extraction Overlay Area, which permits road construction businesses with an IUP.

On site, there is an existing office building that performs the logistical facets of the work on the property and is where most of the employees reside while on the property. There are separate storage facilities and an open contracting yard on the site that stores equipment for McNamara subcontractors and facilitates the road construction business. Other than routine maintenance of the facilities, no new buildings or additions are planned at this time. The existing single-family home will continue to be occupied by a manager and/or staff of the facility.

Attached is the existing IUP. It contains many conditions that are not proposed to change including:

- The use of the property includes the single-family occupancy of the existing residence.
- Truck and equipment access is limited to the entrance on 170th Street. Employee and visitor access is permitted on TH3.
- Information on fencing, landscaping, and signage requirements.

Proposed Use

The maximum personnel on site are limited to 25 employees, with adequate parking for a minimum of 15 visitors. The maximum number of personnel is proposed to increase to a maximum of 75 employees (both seasonal and full-time) to accommodate growth over the next 10 years. The applicant has stated that there are no expected changes in frequency or volume of visitors expected.

Additionally, the site is currently limited to 100 vehicles and equipment on the property. The applicant is proposing an increase to a limit of up to 600 vehicles and equipment over the next 10 years. This increase will accommodate the existing vehicles being stored on site, those vehicles stored in off-season periods, mining vehicles being stored, and the potential for future growth.

The applicant has been approved for a Building Permit that will convert existing storage space into approximately 28 employee workstations, of which 8–9 will be offices and the remainder will be cubicle style stations. Staff have added a condition that the applicant submit an updated site plan to staff, to ensure there remains adequate parking on site for the employees and visitors. If there is not adequate parking, the applicant shall pursue a Site Plan review and approval. Additionally, staff are recommending a condition that the applicant shall receive approval of a Site Plan review for the vehicle and storage area, to ensure the site can accommodate the increase in vehicles (screening, base, number and location of spots, etc.).

Duration

The existing IUP has a duration of ten (10) years, which expires on December 31, 2025. The application submission prior to the duration will allow the IUP to continue operations until a determination is made by the City Council.

The applicant is requesting an extension for a duration of 10 years, to align with the previous approvals. This is within the AUAR Study area where future development is anticipated to occur. However, at this time, development is thought to not reach this area for at least 10 years. Staff recommend a duration of 10 years, with the expiration of this IUP as December 31, 2035. At that time, the applicant can request an extension of the IUP for further operation of this site and use, if needed, and an evaluation based on development patterns and timelines in the AUAR Study area can be reviewed.

Interim Use Permit

Interim uses are intended to allow uses that may be appropriate in certain zoning districts on a temporary basis, provided specific conditions are placed upon the use to guarantee compatibility with other uses and to guarantee compliance with specific performance standards. This site has an existing IUP for a road construction business.

In making a recommendation to the City Council, the Planning Commission must consider the findings listed in Section 7.06, D of the Zoning Ordinance. Suggested findings are included in ***bold italics***, as follows:

1. The proposed use is temporary in nature.

   The term of the IUP will be valid for approximately ten (10) years, until December 31, 2035. This term is consistent with the previously approved IUP termination date.

2. The proposed use will not negatively impact the public health, safety and welfare.

   The proposed use is in conformance to applicable ordinances and will not negatively impact the public health, safety or welfare.

3. The proposed use is consistent with the Comprehensive Plan and this Ordinance.

   This property is identified for Agricultural uses on the Comprehensive Plan. The AG district permits Road Construction Businesses within the Mineral Extraction Overlay as an IUP.

4. The proposed use can be adequately served by utilities and essential services, including fire and police protection.

   Public utilities are not hindered from serving this facility. The use will not increase the need for fire and police protection.

5. The proposed use will be harmonious with surrounding uses.

   The use has existed for two decades as a Road Construction Business. There have been no recorded complaints about noise or odor. The facilities are located in a farming and rural area and as such are harmonious with the surrounding uses.

6. The proposed use can be adequately served by the existing transportation system or mitigated effectively by the applicant.

   Ingress and Egress to the office and storage areas will occur off of Chippendale Avenue W. This does not cause any issue to the existing transportation system.

7. The proposed use will meet all relevant performance standards of this Ordinance.

   The proposed use will be consistent with the standards of the Zoning Ordinance.

8. The potential for any impacts on adjacent properties or the environment can be fully mitigated by conditions of the permit.

   Conditions of approval include requirements for nuisance mitigation, and limits on the number of employees and vehicles/equipment on the property. These conditions will effectively mitigate any potential negative impacts.

9. Activities within proposed use will not create a public nuisance.

   The use will not create a public nuisance.

10. The applicant agrees to the conditions the Township deems appropriate for issuance of the interim use permit.

    The applicant must agree to and comply with conditions of approval.

Planning Commission Discussion

The Planning Commission held a public hearing at the January 20, 2026 regular meeting. The Planning Commission had questions on whether there was a need for additional parking with the request for an increase in vehicles on site. The applicant representative, Justin Zittel, was present and noted that they will likely re-stripe the parking area but the existing site has space to accommodate the increase. No members of the public were present or submitted public comments.

IUP Recommendation

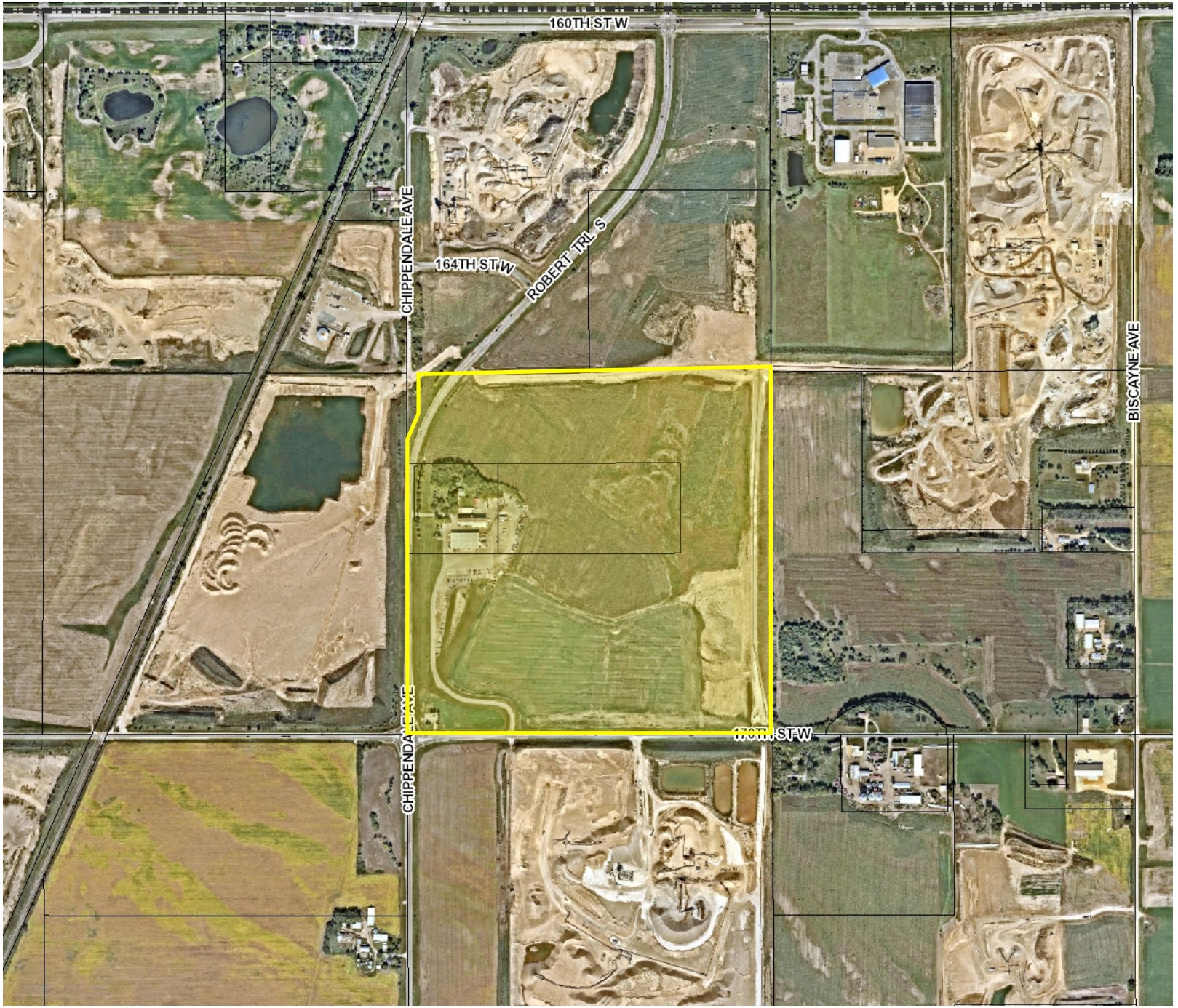
The proposed IUP extension would permit the continuation of the existing road construction business use. Approval of the current IUP should be subject to the following conditions:

1. Previous IUP dated November 2005 and Renewed November 2015 shall remain in effect.
2. Approval of the IUP does not eliminate the requirement for obtaining any other subsequent permits and approvals as may be required by City, watershed, county, state, or federal laws, rules, ordinances, and policies, including but not limited to building permits, plumbing permits, electrical permits, stormwater permits, sign permits, and site plan approval.
3. The IUP renewal is valid upon approval by the City of Empire City Council and shall remain in effect until December 31, 2035, except the IUP shall terminate upon failure to remedy default in any of the conditions of the IUP, provided Empire first served reasonable notice of the default and reasonable opportunity to remedy the default.

4. The updated Condition #4 in the attached IUP is amended to read "The office use will remain at a maximum of 75 employees. Vehicle and equipment storage and operations will be limited to 600 vehicles and equipment, including but not limited to pickup trucks, dump trucks, trailers, and trailer-tractor rigs. Any major company-owned vehicle or equipment repair on the subject property must be conducted within existing structures."
5. The updated Condition #5 in the attached IUP is amended to read "A paved and striped parking area for employees and visitors shall be maintained to accommodate 75 employees and 15 visitors, including mandatory ADA parking spaces."
6. The updated Condition #9 in the attached IUP is amended to include "The IUP is not assignable or transferable to any other individual or party."
7. The applicant shall provide an updated site plan for the City to confirm there is enough parking on site for visitors and employees. If the parking on site is not able to accommodate the increased need for parking, the Applicant shall receive Site Plan review and approval.
8. The Applicant shall receive Site Plan review and approval from the City for the vehicle and storage area, to ensure the site can accommodate the increase in vehicles (screening, parking base, number and location of spots, etc.). The vehicle and equipment storage area must be improved with adequate base for the use and adequate dust control. The Applicant shall only be permitted 100 vehicles and equipment on the site, until receiving Site Plan review approval.
9. The Applicant shall hold the City harmless against all claims or liability in the conduct of the road construction businesses or resulting from the issuance of the IUP.

Attachments

A. Location Map
B. Application Materials
C. Site Survey
D. 2015 IUP
E. Draft IUP



Empire

Legend

- City Limits
- Parcels 06/27/2024

McNamara Contracting IUP

Disclaimer:

This drawing is neither a legally recorded map nor a survey and is not intended to be used as one. This drawing is a compilation of records, information, and data located in various city, county, and state offices, and other sources affecting the area shown, and is to be used for reference purposes only. Empire Township is not responsible for any inaccuracies herein contained.

0 1,000 Feet

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PD 11/12/25
Ck# 69285
CS.T

INTERIM USE PERMIT APPLICATION
The City of Empire
Dakota County, MN

Applicant: Anderson Jamin R./ McNamara Contracting Inc **Phone:** (952)292.5766

Last Name **First** **MI**

Address: 16700 Chippendale Ave W, Rosemount, MN 55068

Owner (If different from applicant): Michael McNamara / Shamrock Land Holding LLC

Legal Description of Property: **Section:** 5 **City:** 114 **Range:** 19

Lot: 5 **Block:** 114 **Addition:** 19

Metes and bounds description attached: Yes, see site plan.

Parcel size: 9.67 acres

Existing Zoning Classification: Commercial-Preferred **Current Use of Site:** Road Construction Business

Please describe the nature of the Interim Use Permit Request (Description and Purpose):

The nature of this request is a proposal to extend the current IUP for a ten-year term, to operate a road construction business within existing office and storage buildings on the Property. No material changes at the site are being proposed at this time with the reissuance of the IUP.

In considering the issuance of an Interim Use Permit, the City of Empire will review all relevant regulations in the City Zoning Ordinance and evaluate the Interim Use Permit request in terms of the following considerations.

1) **The maintenance of safe and healthful conditions;**
2) **The prevention and control of water pollution, potential disease, contamination, and unsanitary conditions created by proposed water, sanitation or other treatment systems;**
3) **The natural features of the site, including but not limited to, the erosion potential of the site based upon the degree and direction of slope, soil type, vegetative cover, and wetlands;**
4) **The effect on existing and anticipated traffic conditions and road access;**
5) **The compatibility of the proposed use with existing and anticipated development of adjacent lands;**
6) **The availability of reasonable alternative locations for the proposed use, other than the proposed property;**
7) **Consistency with established standards, regulations, or ordinances of other governmental agencies.**

Please describe actions to be taken in regard to the siting, design, construction, and operation of the proposed development to reduce or eliminate the concerns expressed in the above criteria.

1) The McNamara safety department targets safe operations, standards, and protocols for all operations, including those located at 16700 Chippendale Ave W, Rosemount. The safety department maintains consistent objectives with current safety and health protocol standards and related compliance measures.

2) McNamara follows all local and state requirements for sanitation and water systems. McNamara maintains current NPDES/SDS permits with associated monitoring/reporting. Compliance is maintained with operational, inspection, and repair requirements for individual sewage treatment systems.

3) McNamara follows and implements best practices in consideration of erosion control measures.

4) Truck and equipment access is limitted to the existing facility entrance on 170th, and is unchanged from the previous IUP.

5) The proposed use is compatible with adjacent land which is agricultural or mining related.

6) No material changes are being proposed at the site in consideration of the proposed reissuance of the IUP.

7)

SITE PLAN:

Attach 12 sets of detailed plans to illustrate the proposed use including but not limited to the following:

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 bear the preparer(s) name(s), including professional registrations or certifications when appropriate or required.

The Planning Commission may waive certain submittal requirements based upon information that may be on file in the City of Empire or is determined unnecessary for consideration of the CUP.

Non-refundable Application Fee: **$250.00**
Consultant Escrow: **$1200.00**
Total: **$1450.00**

AGREEMENT: I hereby certify that the information contained herein is correct, and if granted the Interim Use Permit, agree to perform the proposed work in accordance with the description set forth in this Application and according to the additional provisions of the Ordinances of the City of Empire. I further agree that: 1) any plans and specifications submitted herewith shall become a part of the Interim Use Permit Applications, and 2) all permit fees and other costs to review the applications that are incurred by the City of Empire for professional consultants will be paid prior to issuance of the Interim Use Permit.

Dated: 11/11/2025 **Signature of Applicant:** _____

Signature of Owner (If different from applicant): _____

Application and Fee Received: 11/12/2025

DESCRIPTION OF PROPERTY SURVEYED
(Per Schedule A of the herein referenced Title Commitment)

PARCEL 1: TITLE COMMITMENT #57654

The Land referred to in this commitment is Abstract Property, situated in the County of Dakota, State of Minnesota, and is described as follows:

The Southeast 1/4 of the Northwest 1/4 of the Southwest 1/4 and the Southwest 1/4 of the Northeast 1/4 of the Southwest 1/4, all in Section 5, Township 114, Range 19, Dakota County, Minnesota.

Abstract Property.

PARCEL 2: TITLE COMMITMENT #57655

The Land referred to in this commitment is Abstract Property, situated in the County of Dakota, State of Minnesota, and is described as follows:

The Southwest Quarter of the Northwest Quarter of the Southwest Quarter of Section 5, Township 114, Range 19, except Parcel 2A of Dakota County Right of Way Map 260, Dakota County, Minnesota.

Abstract Property.

PARCEL 3: TITLE COMMITMENT #57656

The South ½ of the Southwest ¼;

The North ½ of the Northwest ¼ of the Southwest ¼;

The North ½ of the Northeast ¼ of the Southwest ¼;

The Southeast ¼ of the Northeast ¼ of the Southwest ¼;

The Southeast ¼ of the Northwest ¼;

All in section 5, Township 114, Range 19, Dakota County, Minnesota

EXCEPT Parcel 1, Dakota County Road Right of Way Map No. 260.

Abstract Property

PARCEL 4: TITLE COMMITMENT #57657

The West ½ of the Northwest ¼ and the Northeast ¼ of the Northwest ¼, Section 5, Township 114, Range 19, Dakota County, Minnesota.

EXCEPT that part thereof taken for Railroad

AND EXCEPT Parcel 6B of Dakota County Road Right of Way Map No. 259.

AND EXCEPT Parcel 1, Dakota County Road Right of Way Map No. 260.

Abstract Property

PARCEL 5: TITLE COMMITMENT #57658

That part of the Southeast Quarter of the Northeast Quarter, lying East of Railroad, and West of State Trunk Highway No. 3, except the North 213 feet thereof, in Section 6, Township 114, Range 19, Dakota County, Minnesota.

Abstract Property

PARCEL 6: TITLE COMMITMENT #57659

The North 213.00 feet of the Southeast Quarter of the Northeast Quarter of Section 6, Township 114, Range 19, Dakota County, Minnesota lying East of the right-of-way of the Chicago, Milwaukee, St. Paul and Pacific Railroad and West of the Westerly right-of-way line of State Highway No. 3; except that part described as beginning at the intersection of the West right-of-way line of said Highway No. 3 and the North line of said Southeast Quarter of the Northeast Quarter; thence South 89 degrees 38 minutes 27 seconds West, assumed bearing, along said North line 190.21 feet; thence South 0 degrees 03 minutes 26 seconds East 73.93 feet; thence North 89 degrees 56 minutes 34 seconds East 190.50 feet to the West right-of-way of said highway; thence North 0 degrees 16 minutes 49 seconds West along said West highway right-of-way line 74.93 feet to the point of beginning.

Abstract Property.

PARCEL 7: TITLE COMMITMENT #57661

That part of the Southeast Quarter of the Northeast Quarter of Section 6, Township 114, Range 19, described as follows: Beginning at the intersection of the West right-of-way line of State Highway No. 3 and the North line of said Southeast Quarter of the Northeast Quarter; thence South 89 degrees 38 minutes 27 seconds West, assumed bearing, along said North line 190.21 feet; thence South 0 degrees 03 minutes 26 seconds East 73.93 feet; thence North 89 degrees 56 minutes 34 seconds East 190.50 feet to the West right-of-way line of said highway; thence North 0 degrees 16 minutes 49 seconds West along said West highway right-of-way line 74.93 feet to the point of beginning, according to the United States Government Survey thereof and situate in Dakota County, Minnesota.

AND

That part of the Northeast Quarter of the Northeast Quarter of Section 6, Township 114, Range 19, lying East of the right-of-way of the Chicago, Milwaukee, St. Paul and Pacific Railroad Company, according to the United States Government Survey thereof and situate in Dakota County, Minnesota.

Abstract Property.

a. SURVEY REPORT

This map and report was prepared with the benefit of a Commitment for Title Insurance issued by CHB Title, LLC, Title Insurance Company, File No. 57654, dated November 17th, 2022.

1) We note the following with regards to Schedule B, Part II of the herein referenced Title Commitment:
   a) Item no.'s 1-9 and 11-17 are not survey related
   b) Item no. 10 ~ Easement for pipe lines in favor of Minnesota Northern Natural Gas Company, a Minnesota corporation, as created in document filed October 26, 1932, as Document No. 131431 (Book 193 of Deeds, Page 449) and in document filed April 24, 1933, as Document No. 132517 (Book 193 of Deeds, Page 507). Conveyed to Northern Gas and Pipe Line Company, a Delaware corporation by Warranty Deed filed as Document No. 135654 (Book 44 of M.R., Page 500). Conveyed to Northern Natural Gas Company, a Delaware corporation by Supplemental Conveyance, Assignment and Bill of Sale filed as Document No. 1041084. Modification and Amendment of Easement Grant filed February 26, 1973, as Document No. 412575. Second Modification and Amendment of Easement Grant filed June 7, 2007, as Document No. 2522437. ***Shown hereon.*** (A)

This map and report was prepared with the benefit of a Commitment for Title Insurance issued by CHB Title, LLC, Title Insurance Company, File No. 57655, dated November 17th, 2022.

1) We note the following with regards to Schedule B, Part II of the herein referenced Title Commitment:
   a) Item no.'s 1-8, 12, and 16 are not survey related
   b) Item no. 9 ~ Easement for highway and to erect and maintain temporary snow fences upon lands adjacent to highway and taking of right of access to highway in favor of the State of Minnesota as created in Final Certificate dated March 31, 1953, filed October 8, 1953 in Book 62 of M.R., Page 165 as Document No. 226951. A portion of the easement is subsequently conveyed to the County of Dakota as shown in Notice of Release filed July 3, 2006, as Document No. 2442396 and Quit Claim Deed filed September 20, 2006, as Document No. 2462837. ***Shown hereon*** (B)
   c) Item no. 10 ~ Rights of Dakota County as shown in the Dakota County Road Right of Way Map No. 260 filed November 18, 1999 as Document No. 1653706. ***Shown hereon*** (C)
   d) Item no. 11 ~ Rights of Dakota County as shown in Quit Claim Deed dated May 13, 2003, filed October 22, 2003 as Document No 2128214. ***Shown hereon*** (D)
   e) Item no. 13 ~ Easement for pipe lines in favor of Minnesota Northern Natural Gas Company, a Minnesota corporation, as created in document filed October 26, 1932, as Document No. 131431 (Book 193 of Deeds, Page 449) and in document filed April 24, 1933, as Document No. 132517 (Book 193 of Deeds, Page 507). Conveyed to Northern Gas and Pipe Line Company, a Delaware corporation by Warranty Deed filed as Document No. 135654 (Book 44 of M.R., Page 500). Conveyed to Northern Natural Gas Company, a Delaware corporation by Supplemental Conveyance, Assignment and Bill of Sale filed as Document No. 1041084. Modification and Amendment of Easement Grant filed February 26, 1973, as Document No. 412575. Second Modification and Amendment of Easement Grant filed June 7, 2007, as Document No. 2522437. ***Shown hereon.*** (A)
   f) Item no. 14 ~ Easement for communications systems in favor of Northwestern Bell Telephone Company, an Iowa corporation, as created in document dated October 4, 1976, filed October 5, 1976 as Document No. 476644. ***Shown hereon*** (F)
   g) Item no. 15 ~ Easement in favor of State of Minnesota as evidenced in Quit Claim Deed dated January 25, 2002, filed August 21, 2002 as Document No. 1928025. ***Shown hereon*** (G)
   h) Item no. 17 ~ Terms and conditions of Access Easement Agreement, filed February 9, 2006, as Document No. 2404520. ***Shown hereon*** (H)
   i) Item no. 18 ~ Terms and conditions of Signage Easement Agreement, filed February 9, 2006, as Document No. 2404521. ***Shown hereon*** (I)
   j) Item no. 19 ~ Easement for pipeline in favor of Northern Natural Gas Company, a Delaware corporation, as created in document filed June 7, 2007, as Document No. 2522461. ***Shown hereon*** (J)

This map and report was prepared with the benefit of a Commitment for Title Insurance issued by CHB Title, LLC, Title Insurance Company, File No. 57656, dated November 17th, 2022.

1) We note the following with regards to Schedule B, Part II of the herein referenced Title Commitment:
   a) Item no.'s 1-8, 15-17, 24-26, 29-33, and 37-38 are not survey related
   b) Item no. 9 ~ Easement for highway and to erect and maintain temporary snow fences upon lands adjacent to highway and taking of right of access to highway in favor of the State of Minnesota as created in Final Certificate dated March 31, 1953, filed October 8, 1953 in Book 62 of M.R., Page 165 as Document No. 226951. ***Shown hereon*** (B)
   c) Item no. 10 ~ Easement for highway in favor of the County of Dakota as created in document dated July 26, 1972, filed October 31, 1975, as Document No. 458506. ***Shown hereon*** (K)
   d) Item no. 11 ~ Rights of Dakota County as shown in the Dakota County Road Right of Way Map No. 17 (County Road No. 58 / 170th Street W), filed May 5, 1987, as Document No. 780964. ***Shown hereon*** (L)
   e) Item no. 12 ~ Rights of Dakota County as shown in the Dakota County Road Right of Way Map No. 260 (County State Aid Highway No. 46 / 160th Street West and State Trunk Highway No. 3 / Chippendale Ave.), filed November 18, 1999 as Document No. 1653706. ***Shown hereon*** (C)
   f) Item no. 13 ~ Rights of Dakota County as shown in Quit Claim Deed dated May 13, 2003, filed January 7, 2004 as Document No. 2161059. ***Shown hereon*** (M)
   g) Item no. 14 ~ Rights of Dakota County as shown in Notice of Release of Trunk Highway dated May 11, 2006, filed July 3, 2006, as Document No. 2442396 and in Quit Claim Deed dated June 26, 2006, filed September 20, 2006, as Document No. 2462837. ***Shown hereon*** (B)
   h) Item no. 18 ~ Easement for pipe lines in favor of Minnesota Northern Natural Gas Company, a Minnesota corporation, as created in document filed October 26, 1932, as Document No. 131431 (Book 193 of Deeds, Page 449) and in document filed April 24, 1933, as Document No. 132517 (Book 193 of Deeds, Page 507). Conveyed to Northern Gas and Pipe Line Company, a Delaware corporation by Warranty Deed filed as Document No. 135654 (Book 44 of M.R., Page 500). Conveyed to Northern Natural Gas Company, a Delaware corporation by Supplemental Conveyance, Assignment and Bill of Sale filed as Document No. 1041084. Modification and Amendment of Easement Grant filed February 26, 1973, as Document No. 412575. Second Modification and Amendment of Easement Grant filed June 7, 2007, as Document No. 2522437. ***Shown hereon*** (A)
   i) Item no. 19 ~ Easement for a ground bed in favor of Northern Natural Gas Company, a Delaware corporation, as created in document dated November 21, 1972, filed January 2, 1973 as Document No. 410516. Partially released by Partial Release of Easement dated May 17, 1974, filed June 12, 1974 as Document No. 434826. Conveyed to Northern Natural Gas Company, a Delaware corporation by Conveyance, Assignment and Bill of Sale dated December 14, 1990, filed April 30, 1992 as Document No. 1041083. ***Shown hereon*** (N)
   j) Item no. 20 ~ Easement for cathodic unit, ground bed and appurtenances in favor of Northern Natural Gas Company, a Delaware corporation, as created in document dated April 26, 1974, filed July 1, 1974 as Document No. 435613. ***Shown hereon*** (O)
   k) Item no. 21 ~ Easement for communications systems in favor of Northwestern Bell Telephone Company, an Iowa corporation, as created in document dated October 4, 1976, filed October 5, 1976 as Document No. 476644. ***Shown hereon*** (F)
   l) Item no. 22 ~ Easement for regulating and measuring station in favor of Northern Natural Gas Company, a Division of Enron Corporation, a Delaware corporation, as created in document dated March 15, 1989, filed May 5, 1989, as Document No. 887163. ***Shown hereon*** (P)
   m) Item no. 23 ~ Easement lying within Parcel 6, Dakota County Road Right of Way Map No. 259 and also Parcels 1, 1C and 2A, Dakota County Road Right of Way Map No. 260 conveyed from Frontier Communications of Minnesota, Inc. to State of Minnesota as evidenced in Quit Claim Deed dated January 25, 2002, filed August 21, 2002 as Document No. 1928025.***Shown hereon*** (G)
   n) Item no. 27 ~ Terms and conditions of Access Easement Agreement, filed February 9, 2006, as Document No. 2404520. ***Shown hereon*** (H)
   o) Item no. 28 ~ Terms and conditions of Signage Easement Agreement, filed February 9, 2006, as Document No. 2404521. ***Shown hereon*** (I)
   p) Item no. 34 ~ Easement for pipeline in favor of Northern Natural Gas Company, a Delaware corporation, as created in document filed June 7, 2007, as Document No. 2522435. ***Shown hereon*** (Q)
   q) Item no. 35 ~ Easement for pipeline in favor of Minnesota Energy Resources Corporation, a Delaware corporation, as created in document filed December 9, 2009, as Document No. 2701257. ***Shown hereon*** (R)
   r) Item no. 36 ~ Easement for pipeline in favor of Northern Natural Gas Company, a Delaware corporation, as created in document filed January 27, 2020, as Document No. 3350980. ***Shown hereon*** (S)
   s) Item no. 39 ~ Terms and conditions of Memorandum of Easement, filed June 3, 2022, as Document No. 3542953. ***Shown hereon*** (T)

This map and report was prepared with the benefit of a Commitment for Title Insurance issued by CHB Title, LLC, Title Insurance Company, File No. 57657, dated November 17th, 2022.

1) We note the following with regards to Schedule B, Part II of the herein referenced Title Commitment:
   a) Item no.'s 1-8, 17-18, and 22-28 are not survey related
   b) Item no. 9 ~ Easement for highway and to erect and maintain temporary snow fences upon lands adjacent to highway and taking of right of access to highway in favor of the State of Minnesota as created in Final Certificate dated March 31, 1953, filed October 8, 1953 in Book 62 of M.R., Page 165 as Document No. 226951. ***Shown hereon*** (B)
   c) Item no. 10 ~ Easement for highway in favor of the State of Minnesota as created in document dated March 21, 1922, filed May 26, 1922, in Book 153 of Deeds, Page 609, as Document No. 96038. ***Shown hereon*** (U)
   d) Item no. 11 ~ Rights of Dakota County as shown in the Dakota County Road Right of Way Map No. 259 (County State Aid Highway No. 46 / 160th Street West and State Trunk Highway No. 3), filed November 18, 1999 as Document No. 1653705. ***Shown hereon*** (V)
   e) Item no. 12 ~ Rights of Dakota County as shown in the Dakota County Road Right of Way Map No. 260 (County State Aid Highway No. 46 / 160th Street West and State Trunk Highway No. 3 / Chippendale Ave.), filed November 18, 1999 as Document No. 1653706. ***Shown hereon*** (C)
   f) Item no. 13 ~ Easement for highway in favor of the County of Dakota as created in document dated May 13, 2003, filed January 7, 2004, as Document No. 2161057.
   g) Item no. 14 ~ Rights of Dakota County as shown in Quit Claim Deed dated May 13, 2003, filed January 7, 2004 as Document No. 2161059. ***Shown hereon*** (M)
   h) Item no. 15 ~ Easement for drainage and utility purposes in favor of the County of Dakota as created in document dated May 13, 2003, filed January 7, 2004, as Document No. 2161061.
   i) Item no. 16 ~ Rights of Dakota County as shown in Notice of Release of Trunk Highway dated May 11, 2006, filed July 3, 2006, as Document No. 2442396 and in Quit Claim Deed dated June 26, 2006, filed September 20, 2006, as Document No. 2462837. ***Shown hereon*** (B)
   j) Item no. 19 ~ Easement for pipe lines in favor of Minnesota Northern Natural Gas Company, a Minnesota corporation, as created in document filed October 26, 1932, as Document No. 131431 (Book 193 of Deeds, Page 449) and in document filed April 24, 1933, as Document No. 132517 (Book 193 of Deeds, Page 507). Conveyed to Northern Gas and Pipe Line Company, a Delaware corporation by Warranty Deed filed as Document No. 135654 (Book 44 of M.R., Page 500). Conveyed to Northern Natural Gas Company, a Delaware corporation by Supplemental Conveyance, Assignment and Bill of Sale filed as Document No. 1041084. Modification and Amendment of Easement Grant filed February 26, 1973, as Document No. 412575. Second Modification and Amendment of Easement Grant filed June 7, 2007, as Document No. 2522437.
   k) Item no. 20 ~ Easement for communications systems in favor of Northwestern Bell Telephone Company, an Iowa corporation, as created in document dated October 4, 1976, filed October 5, 1976 as Document No. 476644. ***Shown hereon*** (F)
   l) Item no. 21 ~ Easement lying within Parcel 6, Dakota County Road Right of Way Map No. 259 and also Parcels 1, 1C and 2A, Dakota County Road Right of Way Map No. 260 conveyed from Frontier Communications of Minnesota, Inc. to State of Minnesota as evidenced in Quit Claim Deed dated January 25, 2002, filed August 21, 2002 as Document No. 1928025.***Shown hereon*** (G)
   m) Item no. 29 ~ Easement for pipeline in favor of Northern Natural Gas Company, a Delaware corporation, as created in document filed June 7, 2007, as Document No. 2522436. ***Shown hereon*** (W)

This map and report was prepared with the benefit of a Commitment for Title Insurance issued by CHB Title, LLC, Title Insurance Company, File No. 57658, dated November 17th, 2022.

1) We note the following with regards to Schedule B, Part II of the herein referenced Title Commitment:
   a) Item no.'s 1-9 are not survey related

This map and report was prepared with the benefit of a Commitment for Title Insurance issued by CHB Title, LLC, Title Insurance Company, File No. 57659, dated November 17th, 2022.

1) We note the following with regards to Schedule B, Part II of the herein referenced Title Commitment:
   a) Item no.'s 1-9 are not survey related

This map and report was prepared with the benefit of a Commitment for Title Insurance issued by CHB Title, LLC, Title Insurance Company, File No. 57661, dated November 17th, 2022.

1) We note the following with regards to Schedule B, Part II of the herein referenced Title Commitment:
   a) Item no.'s 1-13 are not survey related

FIELD CREW	NO.	BY	DATE	REVISION
DM, EJ, JS, AK +	1	EJ	7/6/2023	ADDITIONAL UTILITIES
DRAWN				
JRS/EJ				
CHECKED				
DLS				
DATE				
11/3/22				

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ENGINEERS SURVEYORS DESIGNERS PLANNERS
SATHRE BERGQUIST INC.
14000 25TH AVENUE NORTH, SUITE 120
PLYMOUTH MN 55447
(952) 476-6000 WW.SATHRE.COM

TWP:114-RGE.19-SEC.05
Dakota County
FARMINGTON, MINNESOTA

CERTIFICATE OF SURVEY
PREPARED FOR:
MCNAMARA CONTRACTING, INC.

FILE NO. 54765-001
1/10

PARCEL 7
PARCEL 6
PARCEL 5
PARCEL 4
PARCEL 3
PARCEL 2
PARCEL 1
RAILROAD TRACKS
PAGE 3
PAGE 4
PAGE 5
PAGE 6
SEC.05 TWP.114 RGE.19
SEC.06 TWP.114 RGE.19
W 1/2 OF NW 1/4
NE 1/4
SE 1/4
N 1/2 OF NW 1/4
N 1/2 OF NE 1/4
S 1/2 OF SW 1/4
SW 1/4 OF NW 1/4
SE 1/4 OF NW 1/4
SW 1/4 OF NE 1/4
SE 1/4 OF NE 1/4
NW 1/4
SW 1/4
NE 1/4
SE 1/4
NW 1/4
NE 1/4
SW 1/4
SE 1/4

ALTA/NSPS OPTIONAL TABLE A NOTES
(The following items reference Table A optional survey responsibilities and specifications)

2) **Site Address**: Parcel 1: Unassigned, Farmington, Minnesota 55024
Parcel 2: 16680 Chippendale Avenue, Farmington, Minnesota 55024
Parcel 3: 3499 170th Street W, Farmington, Minnesota 55024
Parcel 4: 16172 Chippendale Avenue, Farmington, Minnesota 55024
Parcel 5: 16387 Chippendale Avenue, Farmington, Minnesota 55024
Parcel 6: 16275 Chippendale Avenue, Farmington, Minnesota 55024
Parcel 7: 16273 Chippendale Avenue, Farmington, Minnesota 55024

3) **Flood Zone Information**: This property appears to lie in Zone X (area determined to be outside of the 0.2% annual chance floodplain) per Flood Insurance Rate Map, Community Panel No. 27037C0209E, effective date of December 2nd, 2011.

4) **Parcel Area Information**:

Gross Area:	15,101,513 s.f.	~ 346.68 acres
R/W Area:	1,707,026 s.f.	~ 39.19 acres
Net Area:	13,394,487 s.f.	~ 307.50 acres.

5) **Benchmark**: Elevations are based on MN/DOT Geodetic Station Name: 1921 R which has an elevation of: 941.205 feet (NAVD88). Topography shown hereon is a combination of field work and LiDar data. Topography over active mining areas is subject to change.

11) **Utilities**: We have shown the location of utilities to the best of our ability based on observed evidence together with evidence from the following sources: plans obtained from utility companies, plans provided by client, markings by utility companies and other appropriate sources. We have used this information to develop a view of the underground utilities for this site. However, lacking excavation, the exact location of underground features cannot be accurately, completely and reliably depicted. Where additional or more detailed information is required, the client is advised that excavation may be necessary. Also, please note that Seasonal conditions may inhibit our ability to visibly observe all the utilities located on the subject property. A Gopher State One Call was submitted for this survey. Please reference Ticket No. 231715289 for a list of utility operators in this area.

To: Empire Sand & Gravel, LLC, a Minnesota limited liability company, 3MT, LLC, a Minnesota limited liability company, Shamrock Land Holding, LLC, a Minnesota limited liability company and CHB Title, LLC, as issuing agent for Old Republice National Title Insurance Company:

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2016 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1 - 5, 7a, 8, and 11 of Table A thereof. The field work was completed on July 5th, 2023.

Date of Plat or Map: July 6th, 2023

Daniel L. Schmidt, PLS Minnesota License No. 26147

NORTH

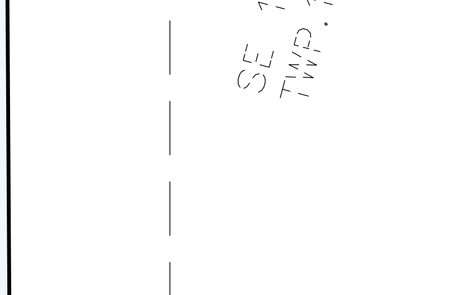
Bearings are based on the Dakota County Coordinate System (NAD 83 - 1986 adj.)

250 125 0 125 250 500

SCALE IN FEET

NO SCALE

VICINITY MAP



SURVEY LEGEND

CAST IRON MONUMENT	PIEZOMETER	WOE	WALKOUT ELEVATION
IRON PIPE MONUMENT SET	POWER POLE	FFE	FIRST FLOOR ELEVATION
IRON PIPE MONUMENT FOUND	GUY WIRE	GFE	GARAGE FLOOR ELEVATION
DRILL HOLE FOUND	ROOF DRAIN	TOF	TOP OF FOUNDATION ELEV.
CHISELED "X" MONUMENT SET	LIFT STATION	LOE	LOWEST OPENING ELEV.
CHISELED "X" MONUMENT FOUND	SANITARY MANHOLE		CONCRETE
REBAR MONUMENT FOUND	SANITARY CLEANOUT		BITUMINOUS
PK NAIL MONUMENT SET	STORM MANHOLE	BSBL	BUILDING SETBACK LINE
PK NAIL MONUMENT FOUND	STORM DRAIN	CTV	CABLE TV
PK NAIL W/ ALUMINUM DISC	CATCH BASIN		CONCRETE CURB
SURVEY CONTROL POINT	FLARED END SECTION	960	CONTOUR EXISTING
A/C UNIT	TREE CONIFEROUS	960	CONTOUR PROPOSED
CABLE TV PEDESTAL	TREE DECIDUOUS		GUARD RAIL
ELECTRIC TRANSFORMER	TREE CONIFEROUS REMOVED	DT	DRAIN TILE
ELECTRIC MANHOLE	TREE DECIDUOUS REMOVED	ELC	ELECTRIC UNDERGROUND
ELECTRIC METER	TELEPHONE MANHOLE	X	FENCE
ELECTRIC OUTLET	TELEPHONE PEDESTAL	FO	FIBER OPTIC UNDERGROUND
YARD LIGHT	UTILITY MANHOLE	GAS	GAS UNDERGROUND
LIGHT POLE	UTILITY PEDESTAL	OHU	OVERHEAD UTILITY
FIBER OPTIC MANHOLE	UTILITY VAULT		TREE LINE
FIRE DEPT. HOOK UP	WATERMAIN MANHOLE	>	SANITARY SEWER
FLAG POLE	WATER METER	>>	STORM SEWER
FUEL PUMP	WATER SPIGOT	TEL	TELEPHONE UNDERGROUND
FUEL TANK	WELL		RETAINING WALL
PROPANE TANK	MONITORING WELL	UTL	UTILITY UNDERGROUND
GAS METER	CURB STOP		WATERMAIN
GAS VALVE	GATE VALVE		TRAFFIC SIGNAL
GAS MANHOLE	HYDRANT		RAILROAD TRACKS
GENERATOR	IRRIGATION VALVE		RAILROAD SIGNAL
GUARD POST	POST INDICATOR VALVE		RAILROAD SWITCH
HAND HOLE	SIGN		SATELLITE DISH
MAIL BOX	SOIL BORING		WETLAND BUFFER SIGN

FIELD CREW	NO.	BY	DATE	REVISION
DM, EJ, JS, AK +	1	EJ	7/6/2023	ADDITIONAL UTILITIES
DRAWN				
JRS/EJ				
CHECKED				
DLS				
DATE				
11/3/22				

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TWP:114-RGE.19-SEC.05
Dakota County

FARMINGTON, MINNESOTA

CERTIFICATE OF SURVEY

PREPARED FOR:

MCNAMARA CONTRACTING, INC.

FILE NO. 54765-001

2/10

S89°40'23"W 37.85
S00°08'29"E 85.38
93.50
N23°44'18"E
1172.30
PARCEL 6 DAKOTA COUNTY ROAD RIGHT OF WAY MAP NO. 259
160TH STREET W.
50
50
RAILROAD TRACKS
HIGHWAY EASEMENT PER DOC. NO. 96038
EASEMENT FOR HIGHWAY PURPOSES PER DOC. NO. 226951, & 2462837
186.73
1076.48
N23°39'17"E 2887.30
CELL TOWER
FENCE
GATE
N89°46'09"E 362.46
172.25
190.21
74.93
232.95
138.07
N89°46'09"E 723.39
N89°39'47"E 77.81
DETAIL A (P6)
S89°46'09"W 456.48
GATE
EXISTING MISC. EQUIPMENT
MATCH LINE P4
S00°08'59"E 778.36
565.36
CHIPPENDALE AVENUE W.
EASEMENT FOR HIGHWAY PURPOSES PER DOC. NO. 226951 & 2462837
OVERHEAD GROUND GAS PIPES
DETAIL B (P7)
N89°36'55"E 512.54
PARCEL 1C DAKOTA COUNTY ROAD RIGHT OF WAY MAP NO. 260
R=404.49
Δ=44°13'33"
312.22
164TH STREET W.
DAKOTA COUNTY ROAD RIGHT OF WAY PER DOC. NO. 1653706
N89°36'55"E 513.04
R=284.49
Δ=44°13'37"
219.60
S01°16'45"E 107.72
1212.80
DETAIL C (P8)
ELEVATED GAS TANKS
EDGE OF WETLAND
POND
S89°51'01"W 20.00
N89°51'01"E 20.00
N00°08'59"W 20.00
S00°08'59"E 1032.44
295.93
1324.47
RAILROAD TRACKS
N89°54'43"E 945.99
S43°50'31"W 637.72
R=1500.52'
Δ=18°09'14"
475.44'
45.07'
S43°50'31"W
COUNTY ROAD 260
MATCH LINE P5

NORTH

Bearings are based on the Dakota County Coordinate System (NAD 83 - 1986 adj.)

100 50 0 50 100 200
SCALE IN FEET

NO SCALE

SURVEY LEGEND

- CAST IRON MONUMENT
- IRON PIPE MONUMENT SET
- IRON PIPE MONUMENT FOUND
- DRILL HOLE FOUND
- CHISELED "X" MONUMENT SET
- CHISELED "X" MONUMENT FOUND
- REBAR MONUMENT FOUND
- PK NAIL MONUMENT SET
- PK NAIL MONUMENT FOUND
- PK NAIL W/ ALUMINUM DISC
- SURVEY CONTROL POINT
- A/C UNIT
- CABLE TV PEDESTAL
- ELECTRIC TRANSFORMER
- ELECTRIC MANHOLE
- ELECTRIC METER
- PIEZOMETER
- POWER POLE
- GUY WIRE
- ROOF DRAIN
- LIFT STATION
- SANITARY MANHOLE
- SANITARY CLEANOUT
- STORM MANHOLE
- STORM DRAIN
- CATCH BASIN
- FLARED END SECTION
- TREE CONIFEROUS
- TREE DECIDUOUS
- TREE CONIFEROUS REMOVED
- TREE DECIDUOUS REMOVED
- TELEPHONE MANHOLE
- ELECTRIC OUTLET
- YARD LIGHT
- LIGHT POLE
- FIBER OPTIC MANHOLE
- FIRE DEPT. HOOK UP
- FLAG POLE
- FUEL PUMP
- FUEL TANK
- PROPANE TANK
- GAS METER
- GAS VALVE
- GAS MANHOLE
- GENERATOR
- GUARD POST
- HAND HOLE
- MAIL BOX
- TELEPHONE PEDESTAL
- UTILITY MANHOLE
- UTILITY PEDESTAL
- UTILITY VAULT
- WATERMAIN MANHOLE
- WATER METER
- WATER SPIGOT
- WELL
- MONITORING WELL
- CURB STOP
- GATE VALVE
- HYDRANT
- IRRIGATION VALVE
- POST INDICATOR VALVE
- SIGN
- SOIL BORING
- WOE WALKOUT ELEVATION
- FFE FIRST FLOOR ELEVATION
- GFE GARAGE FLOOR ELEVATION
- TOF TOP OF FOUNDATION ELEV.
- LOE LOWEST OPENING ELEV.
- CONCRETE
- BITUMINOUS
- BSBL BUILDING SETBACK LINE
- CTV CABLE TV
- CONCRETE CURB
- 960 CONTOUR EXISTING
- 960 CONTOUR PROPOSED
- GUARD RAIL
- DT DRAIN TILE
- ELC ELECTRIC UNDERGROUND
- X X FENCE
- FO FIBER OPTIC UNDERGROUND
- GAS GAS UNDERGROUND
- OHU OVERHEAD UTILITY
- TREE LINE
- SANITARY SEWER
- STORM SEWER
- TEL TELEPHONE UNDERGROUND
- RETAINING WALL
- UTL UTILITY UNDERGROUND
- WATERMAIN
- TRAFFIC SIGNAL
- RAILROAD TRACKS
- RAILROAD SIGNAL
- RAILROAD SWITCH
- SATELLITE DISH
- WETLAND BUFFER SIGN

FIELD CREW	NO.	BY	DATE	REVISION
DM, EJ, JS, AK +	1	EJ	7/6/2023	ADDITIONAL UTILITIES
DRAWN				
JRS/EJ				
CHECKED				
DLS				
DATE				
11/3/22				

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TWP:114-RGE.19-SEC.05
Dakota County

FARMINGTON, MINNESOTA

CERTIFICATE OF SURVEY

PREPARED FOR:

MCNAMARA CONTRACTING, INC.

FILE NO. 54765-001

3/10

N89°40'23"E 1489.06

N89°40'23"E 2491.91

N89°40'23"E 1319.60

N89°40'23"E 472.90

N44°39'15"E 39.59

S45°20'45"E 48.54

FND IP 1/2"

N00°20'03"E

CIM CIM

1319.60 INV= 951.9

955.4

BITUMINOUS

BITUMINOUS

PARCEL 6 DAKOTA COUNTY ROAD RIGHT OF WAY MAP NO. 259

CONC. MEDIAN

160TH STREET W.

BITUMINOUS

N89°40'23"E 1258.08

N00°21'07"W 86.77

N89°40'23"E 380.18

INV= 950.7

FND IP 42305

S45°20'45"E 139.75

N44°39'15"E 118.43

N89°40'23"E 569.83

N44°39'15"E 97.71

N00°21'52"W 99.15

FND PK NAIL

950

940

EASEMENT FOR COMMUNICATIONS PER DOC. NO. 476644

R=1527.16 Δ=33°31'07" 893.40

100' WIDE PIPELINE EASEMENT PER DOC. NO. 2522436

FND PK NAIL

N00°21'07"W 1317.34

EAST LINE OF THE NE ¼ OF THE NW ¼ OF SEC. 05 TWP. 114 RGE. 19

MATCH LINE P3

R=1352.16 Δ=38°34'47" 910.42

PARCEL 68 DAKOTA COUNTY ROAD RIGHT OF WAY MAP NO. 259

BITUMINOUS

R=1502.16 Δ=38°35'32" 1012.07

930

920

CHIPPENDALE AVENUE W.

S89°39'39"W 186.08

N89°39'44"E 1322.02

NORTH LINE OF THE SW 1/4 OF THE NW 1/4 OF SEC. 05 TWP. 114 RGE. 19

FND IP 18762

R=1352.16 Δ=5°37'36" 132.79

PARCEL 1 DAKOTA COUNTY ROAD RIGHT OF WAY MAP NO. 260

R=1502.16 Δ=10°05'17" 264.61

R=1527.16 Δ=10°41'17" 284.88

100' WIDE PIPELINE EASEMENT

UTILITY EASEMENT PER DOC NO 412575

N43°50'31"E 673.02

S43°50'31"W 361.21

N89°06'44"E 107.44

FND ALUM DISC

BITUMINOUS

S43°50'31"W 1582.33

S43°50'31"E 1176.03

100' WIDE PIPELINE EASEMENT PER DOC. NO. 2522436

940

930

950

1322.30

N00°21'07"W 5269.88

200

150

EASEMENT FOR CONVEYOR BELT PURPOSES PER DOC. NO. 3542953

GRAVEL

100

200

MATCH LINE P5

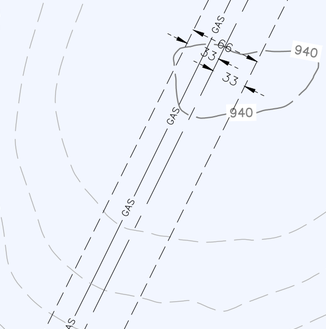
MATCH LINE P6

NORTH

Bearings are based on the Dakota County Coordinate System (NAD 83 - 1986 adj.)

100 50 0 50 100 200

SCALE IN FEET



NO SCALE

SURVEY LEGEND

- CAST IRON MONUMENT
- IRON PIPE MONUMENT SET
- IRON PIPE MONUMENT FOUND
- DRILL HOLE FOUND
- CHISELED "X" MONUMENT SET
- CHISELED "X" MONUMENT FOUND
- REBAR MONUMENT FOUND
- PK NAIL MONUMENT SET
- PK NAIL MONUMENT FOUND
- PK NAIL W/ ALUMINUM DISC
- SURVEY CONTROL POINT
- A/C UNIT
- CABLE TV PEDESTAL
- ELECTRIC TRANSFORMER
- ELECTRIC MANHOLE
- ELECTRIC METER
- PIEZOMETER
- POWER POLE
- GUY WIRE
- ROOF DRAIN
- LIFT STATION
- SANITARY MANHOLE
- SANITARY CLEANOUT
- STORM MANHOLE
- STORM DRAIN
- CATCH BASIN
- FLARED END SECTION
- TREE CONIFEROUS
- TREE DECIDUOUS
- TREE CONIFEROUS REMOVED
- TREE DECIDUOUS REMOVED
- TELEPHONE MANHOLE
- ELECTRIC OUTLET
- YARD LIGHT
- LIGHT POLE
- FIBER OPTIC MANHOLE
- FIRE DEPT. HOOK UP
- FLAG POLE
- FUEL PUMP
- FUEL TANK
- PROPANE TANK
- GAS METER
- GAS VALVE
- GAS MANHOLE
- GENERATOR
- GUARD POST
- HAND HOLE
- MAIL BOX
- TELEPHONE PEDESTAL
- UTILITY MANHOLE
- UTILITY PEDESTAL
- UTILITY VAULT
- WATERMAIN MANHOLE
- WATER METER
- WATER SPIGOT
- WELL
- MONITORING WELL
- CURB STOP
- GATE VALVE
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- POST INDICATOR VALVE
- SIGN
- SOIL BORING
- WOE WALKOUT ELEVATION
- FFE FIRST FLOOR ELEVATION
- GFE GARAGE FLOOR ELEVATION
- TOF TOP OF FOUNDATION ELEV.
- LOE LOWEST OPENING ELEV.
- CONCRETE
- BITUMINOUS
- BUILDING SETBACK LINE
- CABLE TV
- CONCRETE CURB
- CONTOUR EXISTING
- CONTOUR PROPOSED
- GUARD RAIL
- DRAIN TILE
- ELECTRIC UNDERGROUND
- FENCE
- FIBER OPTIC UNDERGROUND
- GAS UNDERGROUND
- OVERHEAD UTILITY
- TREE LINE
- SANITARY SEWER
- STORM SEWER
- TELEPHONE UNDERGROUND
- RETAINING WALL
- UTILITY UNDERGROUND
- WATERMAIN
- TRAFFIC SIGNAL
- RAILROAD TRACKS
- RAILROAD SIGNAL
- RAILROAD SWITCH
- SATELLITE DISH
- WETLAND BUFFER SIGN

FIELD CREW	NO.	BY	DATE	REVISION
DM, EJ, JS, AK +	1	EJ	7/6/2023	ADDITIONAL UTILITIES
DRAWN				
JRS/EJ				
CHECKED				
DLS				
DATE				
11/3/22				

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Dakota County

FARMINGTON, MINNESOTA

CERTIFICATE OF SURVEY

PREPARED FOR:

MCNAMARA CONTRACTING, INC.

FILE NO. 54765-001

4/10

MATCH LINE P3

MATCH LINE P4

N00°08'59"W 1606.30

S00°08'59"E 655.18

N00°08'49"W 3945.18

PARCEL 1 DAKOTA COUNTY RIGHT OF WAY MAP NO.

R=1350.52
Δ=44°09'00"
1040.66

R=1325.52
Δ=31°04'36"
718.95

100' WIDE PIPELINE EASEMENT

PARCEL 2A DAKOTA COUNTY ROAD RIGHT OF WAY MAP NO. 260

100' WIDE PIPELINE EASEMENT PER DOC. NO. 2522461

DETAIL D (P9)

EXISTING BLDG

EXISTING BLDGS

EXISTING BLDG

EXISTING BLDG

MAIL BOX

WOODS

EASEMENT FOR HIGHWAY PURPOSES PER DOC. NO. 2269951, 2442396, & 2462837

R=1325.52
Δ=11°23'49"
263.36

N00°08'59"W 239.24

N89°43'07"E 119.77

S89°43'07"W 78.00

S89°54'24"W 72.00

CHIPPENDALE AVENUE W.

BITUMINOUS

GRAVEL

EASEMENT FOR COMMUNICATIONS PER DOC. NO. 476644

ACCESS EASEMENT PER DOC. NO. 2404520

UTILITY EASEMENT PER DOC NO 412575

100' WIDE PIPELINE EASEMENT

SIGN EASEMENT PER DOC. NO. 24045214

PIPELINE EASEMENT PER DOC. NO. 2701257

STATION EASEMENT PER DOC NO 887163

PIPELINE EASEMENT PER DOC. NO. 3350980

EASEMENT FOR A GROUND BED PER DOC. NO. 410516 PARTIALLY RELEASED PER DOC. NO. 434826

HIGHWAY EASEMENT PER DOC. NO. 458506

CATHODIC EASEMENT PER DOC. NO. 435613

EASEMENT PER DOC NO 412575 APPEARS TO BE 33 FEET SHORT +/-

RAMP E

FND CM

1329.09

S89°49'17"W 2658.18
(PER DAKOTA COUNTY RIGHT OF WAY MAP 17)

170TH STREET W.

MATCH LINE P6

NORTH

Bearings are based on the Dakota County Coordinate System (NAD 83 - 1986 adj.)

100 50 0 50 100 200

SCALE IN FEET

NO SCALE

SURVEY LEGEND

- CAST IRON MONUMENT
- IRON PIPE MONUMENT SET
- IRON PIPE MONUMENT FOUND
- DRILL HOLE FOUND
- CHISELED "X" MONUMENT SET
- CHISELED "X" MONUMENT FOUND
- REBAR MONUMENT FOUND
- PK NAIL MONUMENT SET
- PK NAIL MONUMENT FOUND
- PK NAIL W/ ALUMINUM DISC
- SURVEY CONTROL POINT
- A/C UNIT
- CABLE TV PEDESTAL
- ELECTRIC TRANSFORMER
- ELECTRIC MANHOLE
- ELECTRIC METER
- PIEZOMETER
- POWER POLE
- GUY WIRE
- ROOF DRAIN
- LIFT STATION
- SANITARY MANHOLE
- SANITARY CLEANOUT
- STORM MANHOLE
- STORM DRAIN
- CATCH BASIN
- FLARED END SECTION
- TREE CONIFEROUS
- TREE DECIDUOUS
- TREE CONIFEROUS REMOVED
- TREE DECIDUOUS REMOVED
- TELEPHONE MANHOLE
- ELECTRIC OUTLET
- YARD LIGHT
- LIGHT POLE
- FIBER OPTIC MANHOLE
- FIRE DEPT. HOOK UP
- FLAG POLE
- FUEL PUMP
- FUEL TANK
- PROPANE TANK
- GAS METER
- GAS VALVE
- GAS MANHOLE
- GENERATOR
- GUARD POST
- HAND HOLE
- MAIL BOX
- TELEPHONE PEDESTAL
- UTILITY MANHOLE
- UTILITY PEDESTAL
- UTILITY VAULT
- WATERMAIN MANHOLE
- WATER METER
- WATER SPIGOT
- WELL
- MONITORING WELL
- CURB STOP
- GATE VALVE
- HYDRANT
- IRRIGATION VALVE
- POST INDICATOR VALVE
- SIGN
- SOIL BORING
- WOE WALKOUT ELEVATION
- FFE FIRST FLOOR ELEVATION
- GFE GARAGE FLOOR ELEVATION
- TOF TOP OF FOUNDATION ELEV.
- LOE LOWEST OPENING ELEV.
- CONCRETE
- BITUMINOUS
- BUILDING SETBACK LINE
- CABLE TV
- CONCRETE CURB
- CONTOUR EXISTING
- CONTOUR PROPOSED
- GUARD RAIL
- DRAIN TILE
- ELECTRIC UNDERGROUND
- FENCE
- FIBER OPTIC UNDERGROUND
- GAS UNDERGROUND
- OVERHEAD UTILITY
- TREE LINE
- SANITARY SEWER
- STORM SEWER
- TELEPHONE UNDERGROUND
- RETAINING WALL
- UTILITY UNDERGROUND
- WATERMAIN
- TRAFFIC SIGNAL
- RAILROAD TRACKS
- RAILROAD SIGNAL
- RAILROAD SWITCH
- SATELLITE DISH
- WETLAND BUFFER SIGN

FIELD CREW	NO.	BY	DATE	REVISION
DM, EJ, JS, AK +	1	EJ	7/6/2023	ADDITIONAL UTILITIES
DRAWN				
JRS/EJ				
CHECKED				
DLS				
DATE				
11/3/22				

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(952) 476-6000 WW.SATHRE.COM

TWP:114-RGE.19-SEC.05

Dakota County

FARMINGTON, MINNESOTA

CERTIFICATE OF SURVEY

PREPARED FOR:

MCNAMARA CONTRACTING, INC.

FILE NO. 54765-001

5/10

MATCH LINE P4

MATCH LINE P5

657.56

657.56

1315.12

GRAVEL

950

940

EASEMENT FOR CONVEYOR BELT
PURPOSES PER DOC. NO. 3542953

100

200

200

400

GRAVEL

HIGHWAY EASEMENT PER
DOC. NO. 458506

OHU GAS

INV= 944.9

INV= 944.1

INV= 928.2

INV= 928.5

1329.09

BITUMINOUS

FND PK NAIL MAG

GRAVEL

170TH STREET W. (PER DAKOTA COUNTY RIGHT OF WAY MAP 17)

OHO

INV= 928.1

INV= 928.1

K

T

L

NORTH

Bearings are based on the Dakota County
Coordinate System (NAD 83 - 1986 adj.)

100 50 0 50 100 200

SCALE IN FEET

NO SCALE

SURVEY LEGEND

- CAST IRON MONUMENT
- IRON PIPE MONUMENT SET
- IRON PIPE MONUMENT FOUND
- DRILL HOLE FOUND
- CHISELED "X" MONUMENT SET
- CHISELED "X" MONUMENT FOUND
- REBAR MONUMENT FOUND
- PK NAIL MONUMENT SET
- PK NAIL MONUMENT FOUND
- PK NAIL W/ ALUMINUM DISC
- SURVEY CONTROL POINT
- A/C UNIT
- CABLE TV PEDESTAL
- ELECTRIC TRANSFORMER
- ELECTRIC MANHOLE
- ELECTRIC METER
- PIEZOMETER
- POWER POLE
- GUY WIRE
- ROOF DRAIN
- LIFT STATION
- SANITARY MANHOLE
- SANITARY CLEANOUT
- STORM MANHOLE
- STORM DRAIN
- CATCH BASIN
- FLARED END SECTION
- TREE CONIFEROUS
- TREE DECIDUOUS
- TREE CONIFEROUS REMOVED
- TREE DECIDUOUS REMOVED
- TELEPHONE MANHOLE
- ELECTRIC OUTLET
- YARD LIGHT
- LIGHT POLE
- FIBER OPTIC MANHOLE
- FIRE DEPT. HOOK UP
- FLAG POLE
- FUEL PUMP
- FUEL TANK
- PROPANE TANK
- GAS METER
- GAS VALVE
- GAS MANHOLE
- GENERATOR
- GUARD POST
- HAND HOLE
- MAIL BOX
- TELEPHONE PEDESTAL
- UTILITY MANHOLE
- UTILITY PEDESTAL
- UTILITY VAULT
- WATERMAIN MANHOLE
- WATER METER
- WATER SPIGOT
- WELL
- MONITORING WELL
- CURB STOP
- GATE VALVE
- HYDRANT
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- POST INDICATOR VALVE
- SIGN
- SOIL BORING
- WOE WALKOUT ELEVATION
- FFE FIRST FLOOR ELEVATION
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- TOF TOP OF FOUNDATION ELEV.
- LOE LOWEST OPENING ELEV.
- CONCRETE
- BITUMINOUS
- BUILDING SETBACK LINE
- CABLE TV
- CONCRETE CURB
- CONTOUR EXISTING
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- GUARD RAIL
- DRAIN TILE
- ELECTRIC UNDERGROUND
- FENCE
- FIBER OPTIC UNDERGROUND
- GAS UNDERGROUND
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- TREE LINE
- SANITARY SEWER
- STORM SEWER
- TELEPHONE UNDERGROUND
- RETAINING WALL
- UTILITY UNDERGROUND
- WATERMAIN
- TRAFFIC SIGNAL
- RAILROAD TRACKS
- RAILROAD SIGNAL
- RAILROAD SWITCH
- SATELLITE DISH
- WETLAND BUFFER SIGN

FIELD CREW	NO.	BY	DATE	REVISION
DM, EJ, JS, AK +	1	EJ	7/6/2023	ADDITIONAL UTILITIES
DRAWN				
JRS/EJ				
CHECKED				
DLS				
DATE				
11/3/22				

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TWP:114-RGE.19-SEC.05

Dakota County

FARMINGTON, MINNESOTA

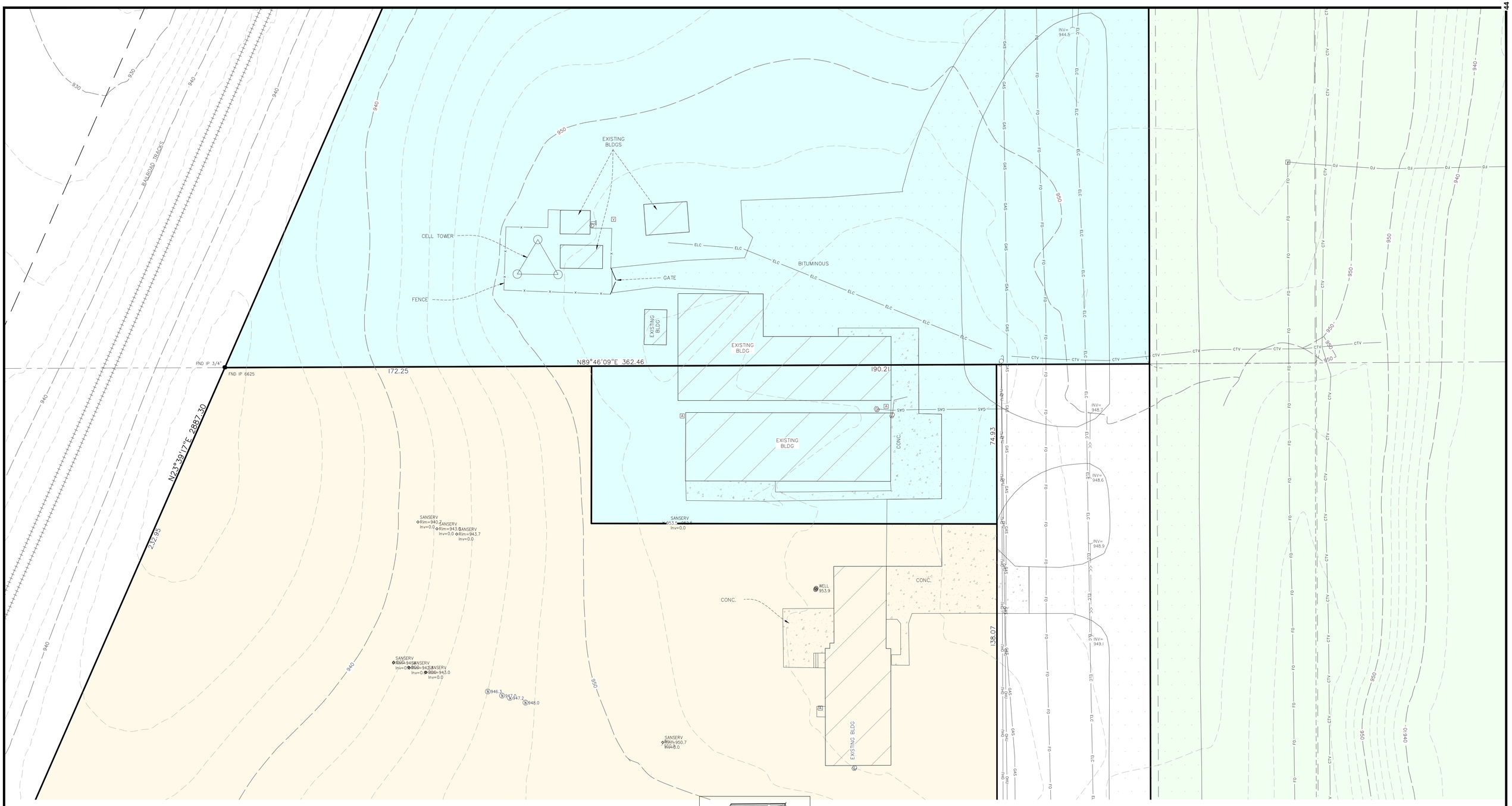
CERTIFICATE OF SURVEY

PREPARED FOR:

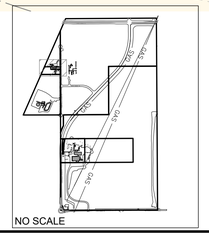
MCNAMARA CONTRACTING, INC.

FILE NO.
54765-001

6
10



DETAIL "A"



NORTH

Bearings are based on the Dakota County Coordinate System (NAD 83 - 1986 adj.)

20 10 0 10 20 40

SCALE IN FEET

SURVEY LEGEND

- CAST IRON MONUMENT
- IRON PIPE MONUMENT SET
- IRON PIPE MONUMENT FOUND
- DRILL HOLE FOUND
- CHISELED "X" MONUMENT SET
- CHISELED "X" MONUMENT FOUND
- REBAR MONUMENT FOUND
- PK NAIL MONUMENT SET
- PK NAIL MONUMENT FOUND
- PK NAIL W/ ALUMINUM DISC
- SURVEY CONTROL POINT
- A/C UNIT
- CABLE TV PEDESTAL
- ELECTRIC TRANSFORMER
- ELECTRIC MANHOLE
- ELECTRIC METER
- PIEZOMETER
- POWER POLE
- GUY WIRE
- ROOF DRAIN
- LIFT STATION
- SANITARY MANHOLE
- SANITARY CLEANOUT
- STORM MANHOLE
- STORM DRAIN
- CATCH BASIN
- FLARED END SECTION
- TREE CONIFEROUS
- TREE DECIDUOUS
- TREE CONIFEROUS REMOVED
- TREE DECIDUOUS REMOVED
- TELEPHONE MANHOLE
- ELECTRIC OUTLET
- YARD LIGHT
- LIGHT POLE
- FIBER OPTIC MANHOLE
- FIRE DEPT. HOOK UP
- FLAG POLE
- FUEL PUMP
- FUEL TANK
- PROPANE TANK
- GAS METER
- GAS VALVE
- GAS MANHOLE
- GENERATOR
- GUARD POST
- HAND HOLE
- MAIL BOX
- TELEPHONE PEDESTAL
- UTILITY MANHOLE
- UTILITY PEDESTAL
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- WATER METER
- WATER SPIGOT
- WELL
- MONITORING WELL
- CURB STOP
- GATE VALVE
- HYDRANT
- IRRIGATION VALVE
- POST INDICATOR VALVE
- SIGN
- SOIL BORING
- WOE WALKOUT ELEVATION
- FFE FIRST FLOOR ELEVATION
- GFE GARAGE FLOOR ELEVATION
- TOF TOP OF FOUNDATION ELEV.
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- CONCRETE
- BITUMINOUS
- BUILDING SETBACK LINE
- CABLE TV
- CONCRETE CURB
- CONTOUR EXISTING
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- TELEPHONE UNDERGROUND
- RETAINING WALL
- UTILITY UNDERGROUND
- WATERMAIN
- TRAFFIC SIGNAL
- RAILROAD TRACKS
- RAILROAD SIGNAL
- RAILROAD SWITCH
- SATELLITE DISH
- WETLAND BUFFER SIGN

FIELD CREW	NO.	BY	DATE	REVISION
DM, EJ, JS, AK +	1	EJ	7/6/2023	ADDITIONAL UTILITIES
DRAWN				
JRS/EJ				
CHECKED				
DLS				
DATE				
11/3/22				

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TWP:114-RGE.19-SEC.05
Dakota County

FARMINGTON, MINNESOTA

CERTIFICATE OF SURVEY

PREPARED FOR:

MCNAMARA CONTRACTING, INC.

FILE NO. 54765-001

7/10

SEPTIC MANHOLES

SOUTH LINE OF THE NW 1/4 OF THE
NW 1/4 OF SEC. 05 TWP. 114 RGE. 19

WELL
937.7

937.7
937.8
SANSERV
937.4
Inv=0.0

EXISTING
BLDGS

EXISTING
MISC. EQUIPMENT

EXISTING SILOS

EXISTING SILOS

BITUMINOUS

ABOVE GROUND
GAS PIPES

DETAIL "B"

NO SCALE

NORTH

Bearings are based on the Dakota County
Coordinate System (NAD 83 - 1986 adj.)

20 10 0 10 20 40
SCALE IN FEET

SURVEY LEGEND

- CAST IRON MONUMENT
- IRON PIPE MONUMENT SET
- IRON PIPE MONUMENT FOUND
- DRILL HOLE FOUND
- CHISELED "X" MONUMENT SET
- CHISELED "X" MONUMENT FOUND
- REBAR MONUMENT FOUND
- PK NAIL MONUMENT SET
- PK NAIL MONUMENT FOUND
- PK NAIL W/ ALUMINUM DISC
- SURVEY CONTROL POINT
- A/C UNIT
- CABLE TV PEDESTAL
- ELECTRIC TRANSFORMER
- ELECTRIC MANHOLE
- ELECTRIC METER
- PIEZOMETER
- POWER POLE
- GUY WIRE
- ROOF DRAIN
- LIFT STATION
- SANITARY MANHOLE
- SANITARY CLEANOUT
- STORM MANHOLE
- STORM DRAIN
- CATCH BASIN
- FLARED END SECTION
- TREE CONIFEROUS
- TREE DECIDUOUS
- TREE CONIFEROUS REMOVED
- TREE DECIDUOUS REMOVED
- TELEPHONE MANHOLE
- ELECTRIC OUTLET
- YARD LIGHT
- LIGHT POLE
- FIBER OPTIC MANHOLE
- FIRE DEPT. HOOK UP
- FLAG POLE
- FUEL PUMP
- FUEL TANK
- PROPANE TANK
- GAS METER
- GAS VALVE
- GAS MANHOLE
- GENERATOR
- GUARD POST
- HAND HOLE
- MAIL BOX
- TELEPHONE PEDESTAL
- UTILITY MANHOLE
- UTILITY PEDESTAL
- UTILITY VAULT
- WATERMAIN MANHOLE
- WATER METER
- WATER SPIGOT
- WELL
- MONITORING WELL
- CURB STOP
- GATE VALVE
- HYDRANT
- IRRIGATION VALVE
- POST INDICATOR VALVE
- SIGN
- SOIL BORING
- WOE WALKOUT ELEVATION
- FFE FIRST FLOOR ELEVATION
- GFE GARAGE FLOOR ELEVATION
- TOF TOP OF FOUNDATION ELEV.
- LOE LOWEST OPENING ELEV.
- CONCRETE
- BITUMINOUS
- BUILDING SETBACK LINE
- CABLE TV
- CONCRETE CURB
- CONTOUR EXISTING
- CONTOUR PROPOSED
- GUARD RAIL
- DRAIN TILE
- ELECTRIC UNDERGROUND
- FENCE
- FIBER OPTIC UNDERGROUND
- GAS UNDERGROUND
- OVERHEAD UTILITY
- TREE LINE
- SANITARY SEWER
- STORM SEWER
- TELEPHONE UNDERGROUND
- RETAINING WALL
- UTILITY UNDERGROUND
- WATERMAIN
- TRAFFIC SIGNAL
- RAILROAD TRACKS
- RAILROAD SIGNAL
- RAILROAD SWITCH
- SATELLITE DISH
- WETLAND BUFFER SIGN

FIELD CREW	NO.	BY	DATE	REVISION
DM, EJ, JS, AK +	1	EJ	7/6/2023	ADDITIONAL UTILITIES
DRAWN				
JRS/EJ				
CHECKED				
DLS				
DATE				
11/3/22				

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Dakota County

FARMINGTON, MINNESOTA

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FILE NO.
54765-001

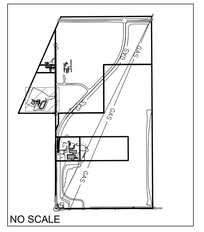
8
10



SURVEY LEGEND

- CAST IRON MONUMENT
- IRON PIPE MONUMENT SET
- IRON PIPE MONUMENT FOUND
- DRILL HOLE FOUND
- CHISELED "X" MONUMENT SET
- CHISELED "X" MONUMENT FOUND
- REBAR MONUMENT FOUND
- PK NAIL MONUMENT SET
- PK NAIL MONUMENT FOUND
- PK NAIL W/ ALUMINUM DISC
- SURVEY CONTROL POINT
- A/C UNIT
- CABLE TV PEDESTAL
- ELECTRIC TRANSFORMER
- ELECTRIC MANHOLE
- ELECTRIC METER
- ELECTRIC OUTLET
- YARD LIGHT
- LIGHT POLE
- FIBER OPTIC MANHOLE
- FIRE DEPT. HOOK UP
- FLAG POLE
- FUEL PUMP
- FUEL TANK
- PROPANE TANK
- GAS METER
- GAS VALVE
- GAS MANHOLE
- GENERATOR
- GUARD POST
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- MAIL BOX
- PIEZOMETER
- POWER POLE
- GUY WIRE
- ROOF DRAIN
- LIFT STATION
- SANITARY MANHOLE
- SANITARY CLEANOUT
- STORM MANHOLE
- STORM DRAIN
- CATCH BASIN
- FLARED END SECTION
- TREE CONIFEROUS
- TREE DECIDUOUS
- TREE CONIFEROUS REMOVED
- TREE DECIDUOUS REMOVED
- TELEPHONE MANHOLE
- TELEPHONE PEDESTAL
- UTILITY MANHOLE
- UTILITY PEDESTAL
- UTILITY VAULT
- WATERMAN MANHOLE
- WATER METER
- WATER SPIGOT
- WELL
- MONITORING WELL
- CURB STOP
- GATE VALVE
- HYDRANT
- IRRIGATION VALVE
- POST INDICATOR VALVE
- SIGN
- SOIL BORING

- FO — FIBER OPTIC UNDERGROUND
- GAS — GAS UNDERGROUND
- OHU — OVERHEAD UTILITY
- TREE LINE
- S — SANITARY SEWER
- SS — STORM SEWER
- TEL — TELEPHONE UNDERGROUND
- RETAINING WALL
- UTL — UTILITY UNDERGROUND
- WATERMAIN
- TRAFFIC SIGNAL
- RAILROAD TRACKS
- RAILROAD SIGNAL
- RAILROAD SWITCH
- SATELLITE DISH
- WETLAND BUFFER SIGN
- WOE — WALKOUT ELEVATION
- FFE — FIRST FLOOR ELEVATION
- GFE — GARAGE FLOOR ELEVATION
- TOF — TOP OF FOUNDATION ELEV.
- LOE — LOWEST OPENING ELEV.
- CONCRETE
- BITUMINOUS
- BSBL — BUILDING SETBACK LINE
- CTV — CABLE TV
- CONCRETE CURB
- 960 — CONTOUR EXISTING
- 960 — CONTOUR PROPOSED
- GUARD RAIL
- DT — DRAIN TILE
- ELC — ELECTRIC UNDERGROUND
- X — FENCE



DETAIL "C"

NORTH

Bearings are based on the Dakota County Coordinate System (NAD 83 - 1986 adj.)

30 15 0 15 30 60

SCALE IN FEET

FIELD CREW	NO.	BY	DATE	REVISION
DM, EJ, JS, AK +	1	EJ	7/6/2023	ADDITIONAL UTILITIES
DRAWN				
JRS/EJ				
CHECKED				
DLS				
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11/3/22				

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FARMINGTON, MINNESOTA

CERTIFICATE OF SURVEY
PREPARED FOR:
MCNAMARA CONTRACTING, INC.

FILE NO.
54765-001
9
10

PARCEL 2

PARCEL

EXISTING BLDG

EXISTING BLDGS

EXISTING BLDG

EXISTING BLDG

EXISTING BLDG

WOODS

WOODS

WOODS

WOODS

WOODS

WOODS

BITUMINOUS

GRAVEL

BITUMINOUS

GRAVEL

BITUMINOUS

MAIL BOX

655.18

EASEMENT FOR HIGHWAY PURPOSES PER DOC. NO. 226951, 244296, & 246283?

S00°08'59"E 355.45'

INV= 948.0

INV= 947.7

INV= 947.6

INV= 947.0

INV= 949.1

78.00

S89°43'07"W

100

950

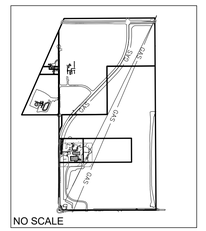
960

UTILITY EASEMENT

SURVEY LEGEND

CAST IRON MONUMENT	PIEZOMETER
IRON PIPE MONUMENT SET	POWER POLE
IRON PIPE MONUMENT FOUND	GUY WIRE
DRILL HOLE FOUND	ROOF DRAIN
CHISELED "X" MONUMENT SET	LIFT STATION
CHISELED "X" MONUMENT FOUND	SANITARY MANHOLE
REBAR MONUMENT FOUND	SANITARY CLEANOUT
PK NAIL MONUMENT SET	STORM MANHOLE
PK NAIL MONUMENT FOUND	STORM DRAIN
PK NAIL W/ ALUMINUM DISC	CATCH BASIN
SURVEY CONTROL POINT	FLARED END SECTION
A/C UNIT	TREE CONIFEROUS
CABLE TV PEDESTAL	TREE DECIDUOUS
ELECTRIC TRANSFORMER	TREE CONIFEROUS REMOVED
ELECTRIC MANHOLE	TREE DECIDUOUS REMOVED
ELECTRIC METER	TELEPHONE MANHOLE
ELECTRIC OUTLET	TELEPHONE PEDESTAL
YARD LIGHT	UTILITY MANHOLE
LIGHT POLE	UTILITY PEDESTAL
FIBER OPTIC MANHOLE	UTILITY VAULT
FIRE DEPT. HOOK UP	WATERMAIN MANHOLE
FLAG POLE	WATER METER
FUEL PUMP	WATER SPIGOT
FUEL TANK	WELL
PROPANE TANK	MONITORING WELL
GAS METER	CURB STOP
GAS VALVE	GATE VALVE
GAS MANHOLE	HYDRANT
GENERATOR	IRRIGATION VALVE
GUARD POST	POST INDICATOR VALVE
HAND HOLE	SIGN
MAIL BOX	SOIL BORING

- FO — FIBER OPTIC UNDERGROUND
- GAS — GAS UNDERGROUND
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- CONCRETE CURB
- 960 — CONTOUR EXISTING
- 960 — CONTOUR PROPOSED
- GUARD RAIL
- DT — DRAIN TILE
- ELC — ELECTRIC UNDERGROUND
- X — X — FENCE



DETAIL "D"

NORTH

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30 15 0 15 30 60

SCALE IN FEET

FIELD CREW	NO.	BY	DATE	REVISION
DM, EJ, JS, AK +	1	EJ	7/6/2023	ADDITIONAL UTILITIES
DRAWN				
JRS/EJ				
CHECKED				
DLS				
DATE				
11/3/22				

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ENGINEERS SURVEYORS DESIGNERS PLANNERS

SATHRE-BERGQUIST, INC.

14000 25TH AVENUE NORTH, SUITE 120
PLYMOUTH MN 55447 (952) 476-6000
WWW.SATHRE.COM

TWP:114-RGE:19-SEC:05
Dakota County

FARMINGTON, MINNESOTA

CERTIFICATE OF SURVEY

PREPARED FOR:

MCNAMARA CONTRACTING, INC.

FILE NO. 54765-001

10 / 10

EMPIRE TOWNSHIP
DAKOTA COUNTY, MINNESOTA

McNAMARA CONTRACTING, INC.
INTERIM USE PERMIT
November 2015

This Agreement is by and between McNamara Contracting, Inc., a Minnesota corporation ("McNamara"), 3MT, LLC, a Minnesota limited liability company ("3MT"), Empire Sand & Gravel, LLC, a Minnesota limited liability company ("Empire S&G"), collectively (the "Applicant"); and Empire Township, a Minnesota municipal corporation, (the "Township").

The parties agree as follows:

1. 3MT and Empire S&G own property, legally described as the Southwest Quarter of Section 5, Township 114, Range 19, (the "Property").

2. 3MT and Empire S&G lease a portion of the Property to McNamara for the operation of a road construction business.

3. Road construction businesses are allowed by Interim Use Permit ("IUP") in the Mineral Extraction Overlay area of the AG District.

4. McNamara received an IUP in 2005 to operate a road construction business within existing office and storage buildings on the Property.

5. The Applicant proposes to extend the IUP for a ten-year term.

6. The Planning Commission has recommended issuance of an IUP extension to the Applicant, subject to various conditions.

7. The Empire Town Board of Supervisors has accepted the recommendations of the Planning Commission and agrees to issue an IUP extension to the Applicant, subject to conformance with the following terms and conditions:

   a. The road construction business will be limited to office use and the outdoor storage of vehicles and equipment for McNamara and its subcontractor, Midwest Concrete Specialties, Inc.

   b. The road construction business off-season is generally from December to May and consists of office use and the seasonal storage of vehicles and equipment. The construction season is generally from May through December and consists of office use and the daily movement of vehicles and equipment to and from the subject property.

c. The office use will be expanded to 25 full time employees. Vehicle and equipment storage and operations will be limited to 100 vehicles and equipment, including but not limited to pickup trucks, dump trucks, trailers, and trailer-tractor rigs. Any major company-owned vehicle or equipment repair on the subject property must be conducted within existing structures.

d. A paved and striped parking area for employees and visitors shall be maintained to accommodate 25 employees and 15 visitors, including mandatory ADA parking spaces. The vehicle and equipment storage area must be improved with adequate base for the use. The area does not require surfacing but will require adequate dust control.

e. Truck and equipment access is limited to the existing facility entrance on 170th Street. Employee and visitor access may use the existing access on TH3, contingent upon requirements or restrictions of the Minnesota Department of Transportation.

f. The use of the Property also includes single family occupancy of the existing residence on the Property.

g. No other use of the property is allowed without an amendment to this IUP or the written consent of the Township.

h. The use of the Property is contingent upon compliance with operational, inspection, and repair requirements for individual sewage treatment systems.

i. All land use and business activities on the Property must be conducted in conformance with applicable State, County and Township laws, rules, regulations, and ordinances.

j. No other uses, services, unauthorized outside storage, or other activities are authorized by this permit. Any change or intensification of the authorized uses requires a reapplication for a new or amended IUP.

k. Upon reasonable notice, Township officials or representatives shall be allowed access to the Property for periodic inspections and to ensure the provisions of the IUP are met.

l. The Applicant shall pay all permit fees and shall reimburse the Township for all out of pocket expenses incurred in the review and approval of the IUP. The Applicant shall reimburse the Township for all out of pocket expenses incurred in the enforcement of the IUP.

m. The Applicant shall furnish evidence of business liability insurance, including subsequent annual renewals, associated with the road construction business.

n. Except for local contract work, construction vehicle traffic in the Township shall be limited to TH3, TH50, CSAH 46, and 170th Street between TH3 and Biscayne Avenue.

8. The IUP shall be valid until December 31, 2025.

9. The Applicant shall hold the Township harmless against all claims or liability in the conduct of the road construction businesses or resulting from the issuance of the IUP.

10. The IUP is not assignable or transferable to any other individual or party.

11. This IUP was approved by the Empire Township Board of Supervisors this 10th day of November, 2015.

EMPIRE TOWNSHIP

By: _____
Kathleen B. Krippner, Clerk-Treasurer

By: _____
Terry L. Holmes, Chair

STATE OF MINNESOTA)
) SS
COUNTY OF DAKOTA)

This agreement was executed before me this 12 day of November, 2015 by Kathleen Krippner and Terry Holmes on behalf of Empire Township.

MARGARET A. VANDALE
NOTARY PUBLIC - MINNESOTA
My Commission Expires Jan. 31, 2020

_____
Notary Public

The undersigned agrees to the conditions set forth in this Permit.

McNAMARA CONTRACTING, INC.

By: _____
Michael McNamara, President

STATE OF MINNESOTA)
) SS
COUNTY OF Dakota)

This agreement was executed before me this 5 day of November, 2015 by Michael McNamara, on behalf of the corporation.

BARBARA J BALFE
NOTARY PUBLIC
STATE OF MINNESOTA
My Commission Expires Jan. 31, 2020

_____
Notary Public

3MT, LLC

By: _____
Michael McNamara, Chief Manager

STATE OF MINNESOTA)
) SS
COUNTY OF Dakota)

This agreement was executed before me this 5 day of November, 2015 by Michael McNamara, on behalf of the company.

BARBARA J BALFE
NOTARY PUBLIC
STATE OF MINNESOTA
My Commission Expires Jan. 31, 2020

_____
Notary Public

EMPIRE SAND AND GRAVEL, LLC

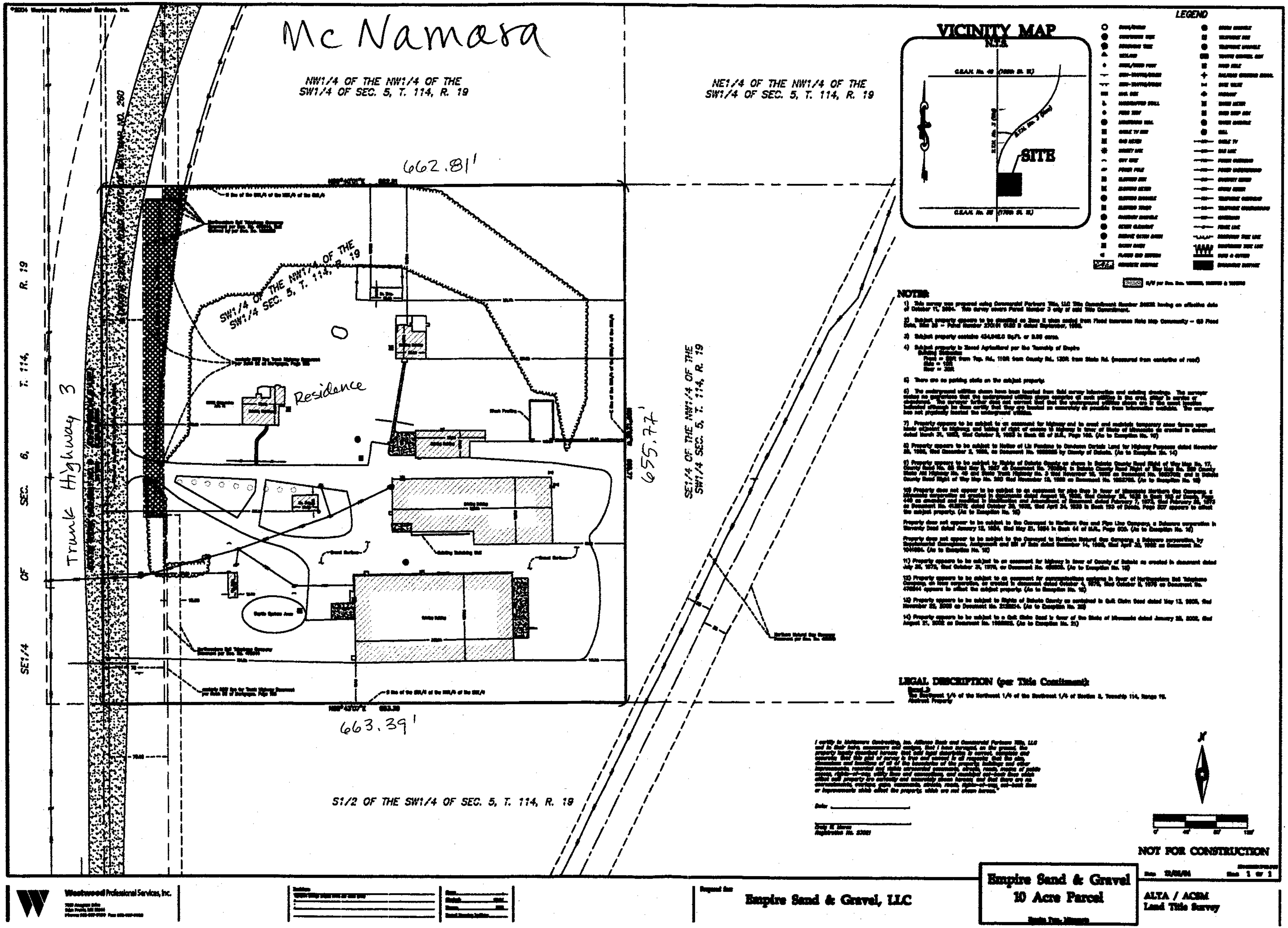
By: _____
Michael McNamara, Chief Manager

STATE OF MINNESOTA)
) SS
COUNTY OF Dakota)

This agreement was executed before me this 5 day of November, 2015 by Michael McNamara, on behalf of the company.

BARBARA J BALFE
NOTARY PUBLIC
STATE OF MINNESOTA
My Commission Expires Jan. 31, 2020

_____
Notary Public



Mc Namara
NW1/4 OF THE NW1/4 OF THE SW1/4 OF SEC. 5, T. 114, R. 19
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SE1/4 OF SEC. 6, T. 114, R. 19
662.81'
663.39'
655.77'
Residence
Trunk Highway 3
VICINITY MAP
N.T.S.
SITE
LEGEND
NOTES:
LEGAL DESCRIPTION (per Title Commitment)
NOT FOR CONSTRUCTION
Westwood Professional Services, Inc.
Empire Sand & Gravel, LLC
Empire Sand & Gravel
10 Acre Parcel
ALTA / ACSM
Land Title Survey

CITY OF EMPIRE
DAKOTA COUNTY, MINNESOTA

McNamara Contracting, Inc.

Interim Use Permit
January 27, 2026

This Agreement, dated January 27, 2026, is by and between McNamara Contracting, Inc., a Minnesota corporation ("McNamara"), 3MT, LLC, a Minnesota limited liability company ("3MT"), Empire Sand & Gravel, LLC, a Minnesota limited liability company ("Empire S&G"), collectively (the "Applicant"); and City of Empire, a Minnesota municipal corporation, (the "City").

The parties agree as follows:

1. The City of Empire, a Minnesota municipal corporation (hereafter "Empire"), received a complete application from McNamara Contracting, Inc., a Minnesota corporation ("McNamara"), 3MT, LLC, a Minnesota limited liability company ("3MT"), Empire Sand & Gravel, LLC, a Minnesota limited liability company ("Empire S&G"), collectively (the "Applicant"), dated November 12, 2025, for an extension of an Interim Use Permit (hereafter "IUP") to continue to operate a road construction business within existing office and storage buildings.
2. The application was deemed complete on November 12, 2025. The 60-day review ends on January 11, 2026. To accommodate meeting schedules, the application was extended an additional 120-days, so the review period ends on March 12, 2026.
3. 3MT and Empire S&G own property, legally described as the Southwest Quarter of Section 5, Township 114, Range 19, (the "Property").
4. 3MT and Empire S&G lease a portion of the Property to McNamara for the operation of a road construction business.
5. The Property is zoned within the Mineral Extraction Overlay area of the AG Agricultural Preservation District, and allows road construction businesses with an interim use permit.
6. Empire originally approved an IUP to operate a road construction business within existing office and storage buildings on the Property on November 22, 2005.
7. On November 10, 2015, Empire approved a ten-year renewal of the IUP, terminating December 31, 2015.
8. The Applicant is requesting the renewal of the IUP for a ten-year term, ending on December 31, 2035.
9. The Empire Planning Commission held a public hearing on December 16, 2025, to consider extending the IUP, which was tabled to request additional information from the applicant.
10. The Empire Planning Commission held a public hearing on January 20, 2026, to consider extending the IUP.
11. On January 27, 2026, the City Council considered the IUP as shown on attached Plan A, and by the recommendation of the Planning Commission.

FINDINGS OF FACT

1. The proposed use is temporary in nature. The term of the IUP will be valid for approximately ten (10) years, until December 31, 2035. This term is consistent with the previously approved IUP termination date.
2. The proposed use is in conformance to applicable ordinances and will not negatively impact the public health, safety or welfare.
3. The proposed use is consistent with the Comprehensive Plan and City Ordinances. This property is identified for Agricultural uses on the Comprehensive Plan. The AG district permits *Road Construction Businesses* within the Mineral Extraction Overlay as an IUP.
4. Public utilities are not hindered from serving this facility. The use will not increase the need for fire and police protection.
5. The proposed use will be harmonious with surrounding uses. The use has existed for two decades as a Road Construction Business. There have been no recorded complaints about noise or odor. The facilities are located in a farming and rural area and as such are harmonious with the surrounding uses.
6. The proposed use can be adequately served by the existing transportation system or mitigated effectively by the applicant. Ingress and Egress to the office and storage areas will occur off of Chippendale Avenue W. This does not cause any issue to the existing transportation system.
7. The proposed use will be consistent with the standards of the Zoning Ordinance.
8. The potential for any impacts on adjacent properties or the environment can be fully mitigated by the conditions of the permit. Conditions of approval include requirements for nuisance mitigation, and limits on the number of employees and vehicles/equipment on the property. These conditions will effectively mitigate any potential negative impacts.
9. The applicant agrees to the conditions the City deems appropriate for issuance of the interim use permit.

CONDITIONS

Based upon the above **Findings of Fact,** the Planning Commission recommends the issuance of an IUP, subject to the following Conditions which incorporate relevant prior IUP Conditions:

1. Approval of the IUP does not eliminate the requirement for obtaining any other subsequent permits and approvals as may be required by City, watershed, county, state, or federal laws, rules, ordinances, and policies, including but not limited to building permits, plumbing permits, electrical permits, stormwater permits, sign permits, and site plan approval.
2. The IUP renewal is valid upon approval by the City of Empire City Council and shall remain in effect until December 31, 2035, except the IUP shall terminate upon failure to remedy default in any of the conditions of the IUP, provided Empire first served reasonable notice of the default and reasonable opportunity to remedy the default.
3. The road construction business will be limited to office use and the outdoor storage of vehicles and equipment for McNamara and its subcontractor, Midwest Concrete Specialties, Inc.
4. The road construction business off-season is generally from December to May and consists of office use and the seasonal storage of vehicles and equipment. The construction season is generally from May through December and consists of office use and the daily movement of vehicles and equipment to and from the subject property.

5. The office use will remain at 25 full-time employees. Vehicle and equipment storage and operations will be limited to 100 vehicles and equipment, including but not limited to pickup trucks, dump trucks, trailers, and trailer-tractor rigs. Any major company-owned vehicle or equipment repair on the subject property must be conducted within existing structures.
6. A paved and striped parking area for employees and visitors shall be maintained to accommodate 25 employees and 15 visitors, including mandatory ADA parking spaces.
7. Truck and equipment access is limited to the existing facility entrance on 170th Street. Employee and visitor access may use the existing access on TH3, contingent upon requirements or restrictions of the Minnesota Department of Transportation.
8. The use of the Property also includes single family occupancy of the existing residence on the Property.
9. No other use of the property is allowed without an amendment to this IUP or the written consent of the City. The IUP is not assignable or transferable to any other individual or party.
10. No other uses, services, unauthorized outside storage, or other activities are authorized by this permit. Any change or intensification of the authorized uses requires a reapplication for a new or amended IUP.
11. The use of the Property is contingent upon compliance with operational, inspection, and repair requirements for individual sewage treatment systems.
12. All land use and business activities on the Property must be conducted in conformance with applicable State, County and City laws, rules, regulations, and ordinances.
13. Upon reasonable notice, City officials or representatives shall be allowed access to the Property for periodic inspections and to ensure the provisions of the IUP are met.
14. The Applicant shall pay all permit fees and shall reimburse the City for all out of pocket expenses incurred in the review and approval of the IUP. The Applicant shall reimburse the City for all out of pocket expenses incurred in the enforcement of the IUP.
15. The Applicant shall furnish evidence of business liability insurance, including subsequent annual renewals, associated with the road construction business.
16. Except for local contract work, construction vehicle traffic in the City shall be limited to TH3, TH50, CSAH 46, and 170th Street between TH3 and Biscayne Avenue.
17. The applicant shall provide an updated site plan for the City to confirm there is enough parking on site for visitors and employees. If the parking on site is not able to accommodate the increased need for parking, the Applicant shall receive Site Plan review and approval.
18. The Applicant shall receive Site Plan review and approval from the City for the vehicle and storage area, to ensure the site can accommodate the increase in vehicles (screening, parking base, number and location of spots, etc.). The vehicle and equipment storage area must be improved with adequate base for the use and adequate dust control. The Applicant shall only be permitted 100 vehicles and equipment on the site, until receiving Site Plan review approval.
19. The Applicant shall hold the City harmless against all claims or liability in the conduct of the road construction businesses or resulting from the issuance of the IUP.

DECISION

The City Council of Empire accepts the above Findings of Fact, recommended by the Planning Commission on January 20, 2026, and approves the IUP to McNamara Contracting, Inc., on this 27th day of January 2026, subject to the above Conditions recommended by the Planning Commission.

CITY OF EMPIRE

ATTEST:

_____

Melanie Lee, Mayor

_____

Charles Seipel-Teng, Clerk-Administrator

STATE OF MINNESOTA)
) SS
COUNTY OF DAKOTA)

This agreement was acknowledged before me this _____ day of _____, 2026, by Melanie Lee and Charles Seipel-Teng, on behalf of City of Empire, a Minnesota municipal corporation, and pursuant to the authority granted by its City Council.

_____

Notary Public

The undersigned user agrees to the conditions set forth in the permit.

MCNAMARA CONTRACTING, INC.

_____

By:

STATE OF MINNESOTA)
) SS
COUNTY OF _____)

This agreement was executed before me this ____ day of _____, 2026, by _____, on behalf of McNamara Contracting, Inc.

_____

Notary Public

The undersigned user agrees to the conditions set forth in the permit.

3MT, LLC.

_____

By:

STATE OF MINNESOTA)
) SS
COUNTY OF _____)

This agreement was executed before me this ____ day of _____, 2026, by _____, on behalf of 3MT, LLC.

_____

Notary Public

The undersigned user agrees to the conditions set forth in the permit.

EMPIRE SAND AND GRAVEL, LLC.

_____

By:

STATE OF MINNESOTA)
) SS
COUNTY OF _____)

This agreement was executed before me this ____ day of _____, 2026, by _____, on behalf of Empire Sand and Gravel, LLC.

_____

Notary Public

MEMORANDUM

Date:	January 27, 2026
To:	Empire City Council
From:	Jenni Faulkner, Consulting Planner
RE:	2. Consider Approving Metes and Bounds Subdivision Application for Parcel at 3095 170th Street East

Attachment(s): Clark Parcel Split.pdf

MEMORANDUM

Date: January 27, 2026

To: City of Empire City Council

From: Madison Richard, Consulting Planner

Items: Clark Metes and Bounds Subdivision

Property Location: 3095 170th Street W & PID 120010076012 **(**West ½ of the West ½ of the SE ¼ of Section 1, Township 114, Range 19)

Action Requested

The City Council is asked to make a determination on the submitted Metes and Bounds Subdivision application. The City Council may approve, approve with conditions, deny, or may table the action based on the need for additional information.

Analysis

The proposal is for a subdivision of 3095 170th Street W and PID 120010076012 to add an additional approximately 1.66 acres to an existing rural residential parcel. The expanding parcel, as it exists, contains one single-family home and is being expanded to accommodate a future out building. The parcel decreasing in size is currently vacant.

Dimensional Standards

	AG District Standard	Existing Lot (Parcel A)	Proposed Lot	Remaining Lot (Parcel B)
Minimum Lot Area (Single-Family Residence)	2.0 acres	2.0 acres	3.66 acres	36.0 acres
Minimum Lot Width	220 feet	306.96 feet	306.96 feet	349.88 feet
Minimum Lot Depth	220 feet	282.01 feet	516.06 feet	~2,480 feet

Density

In the Agriculture Preservation District, single-family residential dwellings shall not exceed one (1) home per quarter-quarter section. The proposed subdivision does not have an impact on the existing density, as no transfer of building rights is proposed.

Recommendation:

The Planning Commission reviewed the application on January 20, 2026, and recommended approval of the proposed minor subdivision. The Planning Commission is recommending approval of the subdivision with the following conditions:

1. The Lot Subdivision shall be filed with the Dakota County Recorder.
2. No building permits shall be issued on the site until the subdivision has been approved.
3. The Applicant shall provide the City with evidence the subdivision documents have been filed with the County Recorder's Office within one year of the approval of by the City Council or the approval shall become null and void.

Attachments:

1. Subdivision Application and Certificate of Survey

METES & BOUNDS SUBDIVISION APPLICATION
City of Empire
Dakota County, MN

Project Name Land Split

Legal Description of Property:

Section: 1 **Twp:** 114 **Range:** 19 West

Survey(s) attached: Yes

Existing Zoning: Ag **Proposed Zoning Classification:** Residential

Comprehensive Plan Designation: Future out building

General Description: (e.g. acreage, number of lots, building rights)

1.66 acres to be added to Existing 2 acre parcel

Verify that impacts to the following categories have been evaluated and management practices will be implemented according to local, state and federal requirements. Please mark each box to indicate that confirm that you, as the applicant and existing property owner (if different), have verified that all requirements in each category have been met. (Initial next to each item).

TC **Stormwater**

TC **Wetland & Shoreland**

TC **Floodplain & Buffer**

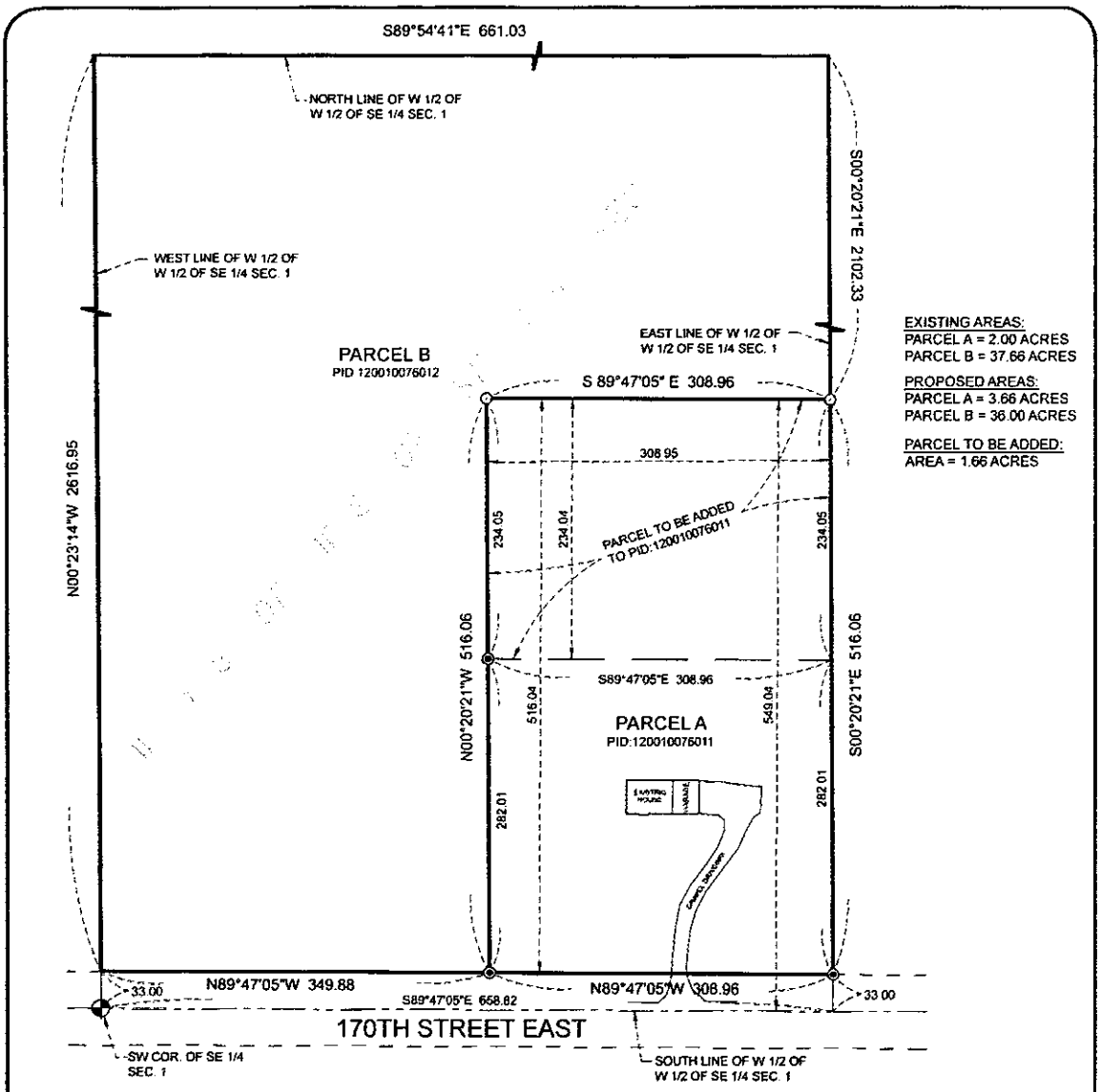
Non-refundable Application Fee:	**$250.00**
Consultant Escrow:	**$1,200.00**
Total:	**$1,450.00**

AGREEMENT: I hereby certify that the information contained herein is correct and agree to pay all reasonable costs in excess of the escrow above that are incurred by the City of Empire for professional consultants to review the application.

Dated: 12-19-25 **Signature of Applicant:** [signature]

Signature of owner if different from Applicant: [signature]

Application and Fee Received: 12/29/2025 Ck# 1015



EXISTING AREAS:
PARCEL A = 2.00 ACRES
PARCEL B = 37.66 ACRES

PROPOSED AREAS:
PARCEL A = 3.66 ACRES
PARCEL B = 36.00 ACRES

PARCEL TO BE ADDED:
AREA = 1.66 ACRES

PROPOSED PROPERTY DESCRIPTION PARCEL A

The north 516.04 feet of the south 549.04 feet of the east 308.95 feet of the West Half of the West Half of the Southeast Quarter of Section 1, Township 114 North, Range 19 West, Dakota County, Minnesota.

Subject to any easements or restrictions of record.

PROPOSED PROPERTY DESCRIPTION PARCEL B

The West Half of the West Half of the Southeast Quarter of Section 1, Township 114 North, Range 19 West, Dakota County, Minnesota.

EXCEPT:
The south 33 feet of the West Half of the West Half of the Southeast Quarter of Section 1, Township 114 North, Range 19 West, Dakota County, Minnesota.

ALSO EXCEPT:
The north 516.04 feet of the south 549.04 feet of the east 308.95 feet of the West Half of the West Half of the Southeast Quarter of Section 1, Township 114 North, Range 19 West, Dakota County, Minnesota.

Subject to any easements or restrictions of record.

PROPOSED PROPERTY DESCRIPTION PARCEL TO BE ADDED TO PID 120010076011

The north 234.04 feet of the south 594.04 feet of the east 308.95 feet of the West Half of the West Half of the Southeast Quarter of Section 1, Township 114 North, Range 19 West, Dakota County, Minnesota.

Subject to any easements or restrictions of record.

○ DENOTES A PLACED 1" BY 18" IRON PIPE HAVING A PLASTIC CAP BEARING LAND SURVEYOR LICENSE NO. 48634.

◉ DENOTES FOUND IRON MONUMENT.

⌖ DENOTES FOUND COUNTY MONUMENT.

0 100 200 300

BEARINGS SHOWN HEREON ARE ORIENTED TO THE DAKOTA COUNTY COORDINATE SYSTEM, NAD 83, 1996 ADJUSTMENT (HARN)

CERTIFICATE OF SURVEY FOR:

SAM CLARK

JOHNSON & SCOFIELD INC.
SURVEYING AND ENGINEERING
755 WESTVIEW DRIVE, HASTINGS, MN 55033
(651) 438-0000

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

Mitchell A. Scofield
Minnesota License No. 48634
Date: November 1, 2024

BK. NA	PG. NA	W.O.#	DRAWING NUMBER
SHEET 1 OF 1 SHEETS		24-930	S-11645

MEMORANDUM

Date:	January 27, 2026
To:	Empire City Council
From:	Charles Seipel-Teng, Clerk-Administrator
RE:	Information on Private Wells on Chippendale Ave.

On January 14, I met with representatives from Dakota County Environmental Resources, City of Farmington, MPCA, and WSP USA, Inc. to discuss water access concerns for the properties in the attached PDF that have high PFAS levels in the drinking water from their private well. These properties are in Empire. The MPCA does not know where the PFAS contamination is coming from or how far the PFAS plume will reach, but they are going to provide funding from their Superfund program ((https://www.pca.state.mn.us/air-water-land-climate/minnesota-superfund-sites) for sampling and water source mitigation. They have conducted testing on the wells at these locations and some of the homes received bottled water from the State.

For the mitigation piece, the MPCA and Dakota County want to explore all avenues for providing water service to that area, including having the properties be served by Empire. John from the City of Farmington and I noted that it would likely be most cost effective for water service to come from Farmington, as our watermain ends north of the river. Farmington could possibly provide city water by running a line north, along the west side of Highway 3. It may make sense for them to eventually serve all these properties. This would involve approval from Empire and a JPA to serve the area with water.

The MPCA and County are asking Farmington and Empire to provide preliminary costs estimates from each city to provide water service as part of the evaluation of potential solutions.

This is an update and staff is recommending that our engineer provide an estimate for watermain extension.

A map of the properties with wells that have tested high for PFAS is attached.

Attachment(s): Well Map.pdf



Legend

- Domestic Well With PFAS Concerns
- Parcel Boundaries

1:2,400 — 1 inch equals 200 feet

Approximate Scale in Feet

0 — 325 — 650

SITE MAP AND SAMPLE LOCATIONS

2025 Groundwater Monitoring
Farmington Groundwater Plume
Farmington, Dakota County, Minnesota

Note: 2023 Aerial Imagery courtesy of ESRI (Dakota County)

Date: 01/06/2026	PN US-EI-229109.6837	Figure: 1
Drawn: MJV		
Checked: MJV		

MEMORANDUM

Date:	January 27, 2026
To:	Empire City Council
From:	Charles Seipel-Teng, Clerk-Administrator
RE:	Information & Discussion on Donation of AED Units from Farmington Fire Dept.

This past fall, the Park & Rec. Commission discussed the possibility of getting AED units for Stelzel Fields. After reaching out to various vendors, the Farmington Fire Department has offered to provide the City with used AED units. They have a total of nine of these units available.
The units are Philips Heart Start brand units that were originally purchased in 2015. The units are still in good working order but are no longer needed by the Department as they had to get units that are compatible with Alina.
The units have instructions for when they are used by providing screen prompts and pads can be used for both children and adults.

After further discussion with staff and the Park & Rec. Commission, the recommendation stands to receive six of these units to use at the following locations: Stelzel Fields (in a cabinet), City Hall (in a cabinet), Public Works Rental (in a cabinet), Public Works Shop (in a cabinet), and both public works trucks (not in a cabinet).
By accepting the units, the City will need to make sure that staff can service the units and will need to purchase batteries, pads, and four cabinets with alarms. The units that are located outside, will need to be stored inside during the winter months. Staff is recommending that the cabinets have alarms on them.

The cabinets are approximately $210 each (indoor) and $535 each (outdoor). The batteries need to be replaced every four years and are approximately $205 each, and the pads need to be replaced every two years and are currently $70 per set. Currently, all pads need to be replaced. The batteries in five units are good until 2029. Total initial costs for 2026 (cabinets and pads) will be approximately $1,500.
City Council should discuss if it would like to accept the units and their placement, including if the unit at Stelzel Fields and City Hall should be located indoors or outdoors.

Attachment(s): *Indoor Cabinet W Alarm.pdf*
Outdoor Cabinet.pdf
Phillips AED Unit.pdf

Standard Size AED Cabinet with Advanced Alarm Options

$208.99

★★★★★ (6) **Write a Review**

Click to expand

15% Off!

Hi. Need any help?

65



(assets/images/AMP180SM-basic.jpg)

Alarmed


basic.jpg)


alarmed.jpg)


strobed.jp

15% Off!

Options

Please Choose a Style *

Alarmed (+$38.00)

Add Ons



Flat Wall Sign (aed-flat-wall-sign.html)

$10.00



Perpendicular Wall Sign (allied-medical-products-perpendicular-flange-mount-aed-wall-sign.html)

$7.18

Sig Pkg

Qty

1

Add to Cart

♡ Add To Wish List

66

Outdoor White AED Cabinet with Audible Alarm

$535.50

Write a Review



15% Off!

Hi. Need any help?

67


HEARTSTART
SMART PADS II
EXPIRATION DATE
2019-07
70124-0955
PHILIPS
ON/OFF
1
HEARTSTART FRx
2
PHILIPS
3

MEMORANDUM

Date:	January 27, 2026
To:	Empire City Council
From:	Charles Seipel-Teng, Clerk-Administrator
RE:	Update on Franchise Fee Ordinances

The adopted Franchise Agreements have been sent to all three utilities serving Empire. The City is now waiting to receive acceptance of the agreements from the companies.

Once we receive notice of acceptance, because the City has indicated its desire to impose a franchise fee per connection at a rate of $3.00 per connection, I will send certified notice of the City's intent to adopt an ordinance imposing the franchise fees.

The notice must be sent to the utility company, with a copy of the proposed ordinance, at least 60 days prior to adopting the ordinance. Once the ordinances imposing the franchise fees are adopted, the City will then send notice to the companies that the ordinances have been adopted.

As we hope to receive notices of acceptance of the franchise agreements from the utility companies over the next few weeks, I am enclosing information on the proposed franchise fee rates, including examples from other cities in the area, as well as the draft franchise fee ordinance.

City Council should discuss any proposed changes to the proposed rates and draft ordinance prior to the Clerk-Administrator sending notices with the draft ordinances.

Update: The Franchise Agreements have now been accepted by all three utility companies.

Attachment(s): *Franchise Fee Examples.pdf*
Franchise Fee Proposed.pdf
Draft Ordinance Collecting Fees.doc
MERC Acceptance Document.pdf
Empire_MNE_Acceptance.pdf

FRANCHISE FEES

	RESIDENTIAL ELECTRICITY	RESIDENTIAL NATURAL GAS	COMMERCIAL ELECTRIC	GAS
BURNSVILLE PER MONTH	$4.00	$4.00	$12-40 UP TO $180	$12-40 UP TO $180
WYOMING PER MONTH	$3.75	$1.50	$3.75-$25.00 UP TO $150	$7.50-$13.00 UP TP $95.00
NORTHFIELD PER MONTH	$3.25	$2.25	$4.00 / $32.50 demand $999 large	$12.50 / $485.00 demand up to $1,880
INVER GROVE PER MONTH	$2.75	$2.00	$13.50 to $195	$13.50 to $195
OTSEGO PER MONTH	$4.00	$4.00	$20.00 to $100.00	$5.00 to $95.00
SHAKOPEE	3%	3%	3%	3%
RAMSEY PER MONTH	$7.00	$7.00	$7.00	$7.00
NEW HOPE PER MONTH	$4.00	$4.00	$7 TO $135	$5 TO $190
FARIBAULT PER MONTH	$6.63	$6.96	$21.94 TO $438.80	$24.57 TO $426.70
PRIOR LAKE PER MONTH	$5.00	$5.00	based on usage and meter size	

EMPIRE (PROPOSED) at 3.00 Per Connection

MN Energy Resources		Fee	
Residential	2616	$7,848.00	
Commercial	247	$741.00	
AG	1	$3.00	
Per Month	**2864**	**$8,592.00**	
Per Year		**$103,104.00**	

Dakota Electric			
Residential	190	$570.00	
Commercial	32	$96.00	
AG	10	$30.00	
Per Month	**232**	**$696.00**	
Per Year		**$8,352.00**	

Xcel Energy			
Residential	900	$2,700.00	*REVISE*
Commercial	50	$150.00	
AG		$0.00	
Per Month	**950**	**$2,850.00**	
Per Year		**$34,200.00**	

Total Per Month	**$12,138.00**
Total Per Year	**$145,656.00**
2026 @ 50%	**$72,828.00**
2026 Budgeted	**$80,000.00**

CITY OF EMPIRE

ORDINANCE NO. 2026-_____

AN ORDINANCE IMPLEMENTING AN [ELECTRIC/GAS] FRANCHISE FEE
ON NORTHERN STATES POWER COMPANY

THE CITY COUNCIL OF THE CITY OF EMPIRE DOES ORDAIN:

SECTION 1. The Empire City Council has determined that it is in the best interest of the City to impose a franchise fee on those public utility companies that provide [electric/gas] services within the City. Pursuant to City Ordinance 2026-3, a Franchise Agreement between the City of Empire and Northern States Power Company, a Minnesota corporation, its successors and assigns ("Company"), the City has the right to impose a franchise fee and elects to do so in the amounts set forth in the fee schedule attached hereto as Schedule A.

SECTION 2. The fee is an account-based fee on each premise and not a meter-based fee. In the event that an entity covered by this ordinance has more than one meter at a single premise, but only one account, only one fee shall be assessed to that account. In the event any utility customers have more than one premise, each premise (address) shall be subject to the appropriate fee.

SECTION 3. The franchise fee shall be payable to the City in accordance with the terms set forth in Section 10 of the Franchise. The City acknowledges that the Minnesota Public Utilities Commission may allow Company to add a surcharge to customer rates to reimburse Company for the fee.

SECTION 4. Any dispute, including enforcement of a default regarding this ordinance will be resolved in accordance with Section 2.5 of the Franchise Agreement.

SECTION 5. Effective Date. This Ordinance shall be after its passage and publication. Collection of the fee shall commence with Company's ---- 2026 billing month.

Passed and approved: _____, 2026.

_____
Melanie Lee, Mayor

Attest:

_____
Charles Seipel, Teng, Clerk-Administrator

SEAL

SCHEDULE A

Franchise Fee Rates:

Electric Utility

The franchise fee shall be in an amount determined by applying the following schedule per customer premise/per month based on metered service to retail customers within the City:

Class	Amount per month
Residential	$ 3.00
Small C & I	$ 3.00
Large C & I	$ 3.00

Franchise fees are submitted to the City on a quarterly basis as follows:

January – March collections due by April 30.
April – June collections due by July 31.
July – September collections due by October 31.
October – December collections due by January 31.

2685 145th St W.
Rosemount, MN 55068

Acceptance by Minnesota Energy Resources, a subsidiary of WEC Energy Group,
a Wisconsin corporation,
of the terms and provisions
of Ordinance No. 2026-1
of the city of Empire, MN
granting a franchise to said company.

Minnesota Energy Resources Corporation, a Wisconsin corporation, hereby accepts for itself, its successor and assigns, all of the terms, conditions and provisions of Ordinance No. 2026-1, passed by the City Council of Empire, MN, on the 13th day of January 2026 granting a franchise to said Minnesota Energy Resources Corporation, a Wisconsin corporation.

IN WITNESS WHEREOF, Minnesota Energy Resources Corporation, a Wisconsin corporation, has caused these documents to be executed by the President, on this 26th day of January, 2026.

Minnesota Energy Resources Corporation

By Nicholas J Krzeminski
Nick Krzeminski
Vice President

Received this ____ day of _____, 20__, by the City Council, of _____ MN.

By _____
City Clerk

ACCEPTANCE OF ELECTRIC FRANCHISE

ORDINANCE NO. 2026-3

CITY OF EMPIRE, DAKOTA COUNTY, MINNESOTA

WHEREAS, the City Council of the City of Empire, Dakota County, Minnesota, on January 13, 2026, passed and adopted Ordinance No. 2026-3 entitled:

AN ORDINANCE GRANTING TO NORTHERN STATES POWER COMPANY, A MINNESOTA CORPORATION, ITS SUCCESSORS AND ASSIGNS, A FRANCHISE TO CONSTRUCT, OPERATE, REPAIR AND MAINTAIN IN THE CITY OF EMPIRE, MINNESOTA, AN ELECTRIC DISTRIBUTION SYSTEM AND TRANSMISSION LINES, INCLUDING NECESSARY POLES, LINES, FIXTURES AND APPURTENANCES, FOR THE FURNISHING OF ELECTRIC ENERGY TO THE CITY, ITS INHABITANTS, AND OTHERS, AND TO USE THE PUBLIC WAYS AND PUBLIC GROUNDS OF THE CITY FOR SUCH PURPOSES.

which Ordinance was duly published according to law on January 23, 2026, in the Dakota County Tribune, a newspaper circulated in and serving as the legal newspaper for the City of Empire, Dakota County, and State of Minnesota, and which Ordinance is not effective unless accepted in writing by Northern States Power Company, a Minnesota corporation.

NOW THEREFORE, Northern States Power Company, a Minnesota corporation, for itself and its successors and assigns, does hereby accept all the terms and conditions of said Ordinance.

IN WITNESS WHEREOF, Northern States Power Company, a Minnesota corporation has caused this document to be executed in its corporate name by its duly authorized persons and its corporate seal to be hereto affixed January 22, 2025.

Attest:

Kristin Westlund

Kristin Westlund
Assistant Secretary

Northern States Power Company, a Minnesota corporation

By:

Trisha Duncan

Trisha Duncan
Director, Minnesota Community Relations & Gas Business Development

MEMORANDUM

Date:	January 27, 2026
To:	Empire City Council
From:	Charles Seipel-Teng, Clerk-Administrator
RE:	Charter Communications - Upcoming Channel Lineup Changes

Attachment(s): Empire City, MN LT_012226.pdf

Charter COMMUNICATIONS

January 22, 2026

Mr. Charles Seipel - Teng
City of Empire
3385 197th Street
Farmington, MN 55024

Re: Spectrum Channel Lineup – Upcoming Changes

Dear Mr. Seipel - Teng:

This letter will serve as notice that on or after February 22, 2026 Spectrum Mid-America, LLC, ("Spectrum") will drop the following channel(s) from the channel lineup serving your community:

1. Canal Sur on channel 220.
2. TVV (TV Venezuela) on channel 283.
3. Tarima on channel 293.
4. Estudio 5 on channels 228 and 886.
5. Ingles Para Todos on channel 290.
6. iHola! TV on channel 288.
7. Kids Street on channel 291.
8. Ecuavisa Internacional on channel 274.

On or after February 22, 2026, a Spanish language slate message will be displayed that programming is no longer available.

Customers with Spectrum Mi Plan or Spectrum TV Select and higher can still watch similar content including original series and movies, classic and contemporary telenovelas, reality shows, live news, and sports, plus kids' channels on the ViX App, included with a customers' Spectrum TV plan at no extra cost. Customers can visit Spectrum.net/appstore to learn more.

If you have any questions about this change, please feel free to contact me at (952) 367-4263 or via email at david.larson@charter.com.

Sincerely,

David Larson
Director of State Government Affairs Minnesota
Charter Government Affairs

16900 Cedar Avenue, Rosemount, MN 55068 | O (952)-367-4263 | david.larson@charter.com