EMPIRE CITY COUNCIL AGENDA
February 24, 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 2/10/2026 City Council Meeting; 2/17/2026 Planning Commission Meeting
D.2 Bill List as of 2/24/2026
D.3 Cash Balance Report as of 2/24/2026

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 Site Plan for Co-Location on Existing Telecommunications Tower at 4272 170th St. W
2. Information on Proposed Zoning Ordinance Updates for Telecommunications Towers and Battery Energy Storage Systems

G. Old Business

H. New Business

H.1 Consider Adopting Ordinance No. 230, An Ordinance Regulating Large Assemblies in the City of Empire
H.2 Consider Agreement with Highland Sanitation for Garbage Services
H.3 Clerk-Administrator 2025 Review

I. Meetings: Planning Commission Meeting 3/3/2026, 8PM; Park & Rec. Commission Meeting 3/9/2026, 7PM; City Council Meeting 3/10/2026, 7PM

J. FYI

J.1 Save the Date- DCTOA Spring Meeting, Saturday, March 14

K. Adjournment

MEMORANDUM

Date:	February 24, 2026
To:	Empire City Council
From:	Charles Seipel-Teng, Clerk-Administrator
RE:	Minutes of the 2/10/2026 City Council Meeting; 2/17/2026 Planning Commission Meeting

Attachment(s): *2 10 2026 Council Minutes.pdf*
2 17 2026 PC Minutes.pdf

CITY OF EMPIRE

Empire City Council Meeting Minutes
February 10, 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; Hanah Martin, Dakota County Sheriff's Deputy; Dakota County Sheriff's Captain Iliff; Rachel Tierney, City Attorney (via Teams); Jerod Waltman, Maintenance Supervisor; Charles Seipel-Teng, Clerk-Administrator.

A. Call Meeting to Order and Flag Pledge

B. Roll Call

C. Approve the Agenda

Eric Hanson made a motion to pull item H.6, Highland Sanitation Service Agreement from the agenda. Marla Vagts seconded. Motion carried 5-0.

Marla Vagts made a motion to approve the agenda. Danny Rubio seconded. Motion carried 5-0

D. Consent Agenda

D.1 Minutes of the 1/27/2026 City Council Meeting; 2/9/2026 Park & Rec. Commission Meeting

D.2 Bill List as of 2/10/2026

D.3 Profit & Loss / Budget Comparison as of 1/31/2026

D.4 Consider Approving 2026 Pay Equity Report

D.5 Consider Adopting Resolution 2026-2A, Accepting Donation of Six AED Units from the Farmington Fire Department

Danny Rubio made a motion to approve. Mark Page seconded. Motion carried 5-0

E. Visitors

None.

F. Committee Reports:

Maintenance / Sewer and Water / Road and Bridges

Jerod Waltman presented information on the draft trail update plan. The plan documents existing trail conditions and when maintenance was last performed. The plan includes maps that identify the trail system in sections, year constructed or reconstructed, condition rating, and proposed replacement. The trail near Sachs Park will be the next trail to consider repairing. This is a heavily wooded section of trail and will require extensive tree removal to make sure leaning trees are removed and the issue of roots growing into the trial is mitigated. The City Council should discuss how the City would like to handle this project before the end of the year.

Jerod Waltman reported that Frontier Communications has submitted ROW permit applications for the installation of fiber optic service for large areas south of 197th Street. Staff has concerns about the proposed project and how it will be carried out after the large fiber optic installation by HBC. Staff will be meeting with Frontier Communications on February 24th to discuss the project.

Law Enforcement

Deputy Martin provided information on the statistics reports for January 2026 as well as more information on recent incidents. She attended last night's Park & Rec. Meeting to discuss the Hop with a Cop event that will be coming up in April.

Park & Rec

Mark Page reported that Farmington Girls High School Hockey Booster Club is proposing to host a 5K run that will start at City Hall on May 2nd. It is anticipated that the event will have fewer than 100 participants and will not require any street closures. The Hop with a Cop event will take place on April 4th. A Farmington resident would like to hold courses at the disc golf course this summer. The Park & Rec. Commission is proposing to charge a fee for use of the course. The Fee Schedule Ordinance does not currently charge a fee and would need to be updated to include a proposed fee. The Park & Rec. Commission is proposing to charge a food truck license fee for food trucks at this spring's food truck event.

Engineering

Brian Hilgardner provided information on proposed updates to the 2023 Pavement Management Plan. After discussing with staff, there are several recommended modifications to the plan, including combining the 2027 project with the mill and overlay of 197th Street. The proposed project would take place in 2029 and be easier to budget for as the debt service on GO Bond for the 2019 Street Project will be completed by that time. It was noted that the City Council had previously indicated that the next street reconstruction project will likely include revenue from special assessments and financing scenarios will include that as an option. The proposed 2029 project in today's dollars is estimated to be $2,786,900.

Eric Hanson made a motion to accept the proposed updates to the Pavement Management Plan. Marla Vagts seconded. Motion carried 5-0.

Brian Hilgardner also noted that there will be a required migration of the City's GIS database to one owned by the City. This migration will allow City staff to make updates to the database and staff training will be available. Total cost this year for the transition will be $15,000.

The EIS surface and groundwater monitoring will begin in the spring. Brian is recommending that the monitoring be updated annually. This will be a cost of approximately $8,000 and charged back to the mining consortium.
The infrastructure plan and AUAR update for UMore will have very little impact on Empire other than some potential ponding and stormwater recommendations near Highway 46.

George Eilertson, the City's financial advisor, will present some financing options for the proposed north end water tower at the March 10th City Council Meeting. At that time staff will discuss design and construction schedules and try to determine what information the City might need to make the decision to proceed with the project. This may include a housing market evaluation.

Planning

No Report.

G. Old Business

H. New Business

H.1 Consider Appointing Jared Sachs to serve New Term on Planning Commission

Charles Seipel-Teng reported that Jared Sachs has applied to retain his term on the Commission and the City has not received any additional applications to fill the three-year term. If appointed, the new term would expire 12/31/2028.

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

H.2 Consider Adopting Ordinance 2026-4; An Ordinance Implementing a Gas Service Franchise Fee on Minnesota Energy Resources

Charles Seipel-Teng reported that MN Energy Resources, Dakota Electric, and Northern States Power Company (Xcel Energy) have all provided acceptance of the Franchise Agreements between them and the City. The proposed ordinances implementing the franchise fee impose a $3 per account franchise fee on accounts in Empire for natural gas and electric service. If adopted tonight, the ordinances will be sent to the utility companies to start the 60-day timeline to start collecting the franchise fee. It is anticipated that the franchise fee will show up on the May billing statements for all three utilities.

Eric Hanson made a motion to adopt Ordinance 2026-4 and summary for publication. Marla Vagts seconded. Motion carried 5-0

H.3 Consider Adopting Ordinance 2026-5; An Ordinance Implementing an Electric Service Franchise Fee on Dakota Electric Association

Danny Rubio made a motion to adopt Ordinance 2026-5 and summary for publication. Mark Page seconded. Motion carried 5-0

H.4 Consider Adopting Ordinance 2026-6, An Ordinance Implementing and Electric Service Franchise Fee on Northern States Power Company (Xcel Energy)

Marla Vagts made a motion to adopt Ordinance 2026-6 and summary for publication. Danny Rubio seconded. Motion carried 5-0

H.5 Information and Discussion on Federal Immigration Enforcement Activity

Charles Seipel-Teng reported that many cities in Minnesota are having proactive discussions on how federal immigration activities might be impacting their communities and how they should handle interaction with federal agents that operate in public places and with law enforcement. Rachel Tereany, the City's attorney, has provided some information on how cities can address federal immigration enforcement presence in public places. Some cities have considered or adopted ordinances to prohibit non-city uses of parking lots, but the city can't discriminate on who it can prohibit. Enforcement of an ordinance like this also becomes problematic.

Danny Rubio stated that he is concerned about the impact that recent immigration enforcement is having on communities and families, especially children.

Captain Iliff stated that the Sheriff's Office has not seen much activity in the Empire and Farmington areas. If activity does occur, their role would be to help keep the peace in the area and try to eliminate the possibility of property damage. If interactions become a large-scale issue, the Sheriff's Office would work with the City to carry out emergency operations protocol.

Jared Sachs, Planning Commission Chair, stated that he is concerned about the impacts that current activity will have on farming and ag related businesses this spring.

Marla Vagts stated that she has concerns about the aggressive nature of recent interactions with federal immigration enforcement and does not want to see these types of interactions take place in Empire.

Rachel Tiereny noted that it might not be imperative for Council to make a decision now on how the City should react with increased federal immigration activity in Empire as the Council does not yet know what that would look like. The City has the ability to call a special meeting to discuss how to address situations should they arise.

Mayor Lee stated that she has concerns about the aggressive nature and the general lack of human respect that have been seen from recent activities around the area and wants to make sure that any situation that arises in Empire is handled respectfully.

I. Meetings: President's Day Holiday 2/16/2026; Planning Commission Meeting 2/17/2026, 8PM; City Council Meeting 2/24/2026, 7PM

J. FYI

J.1 Charter Communications - Cable Lineup Correction

K. Adjournment

Marla Vagts made a motion to adjourn. Danny Rubio seconded. Motion carried 5-0. The City Council Meeting ended at 8:12 PM.

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Melanie Lee, Mayor

_____

Charles Seipel-Teng, Clerk - Administrator

CITY OF EMPIRE

Empire Planning Commission Meeting Minutes
February 17, 2026

Present were: Jared Sachs, Elizabeth Haas, Doug Clark, Gina Maunu, Julie Stulz. Also present were City Councilmember Danny Rubio; Clerk-Administrator, Charles Seipel-Teng; Consulting Planner with Bolton & Menk, Madison Richard; Consulting Engineer with Bolton & Menk, Brad Fisher.

1. Agenda Items

1.1 Site Plan Review for Co-Location on Existing Telecommunications Tower at 4272 170th St W

Madison Richard presented a memo regarding the proposed co-location for this tower. The site is zoned AG and consists of two vacant structures and a telecommunications tower. The applicant is proposing to place equipment for a 260-foot co-location on the existing 500 ft. telecommunications pole, in addition to accessory structures to house equipment. The performance standards do not change with the proposed use as the tower exists. Per code, towers and antennae shall be located and designed to blend into the surrounding environment. Staff recommends adding the condition that antenna and equipment remain a steel color or to be painted to match the section of tower it is mounted on.

The Zoning Ordinance requires landscaping improvements to the site and the City may require that landscaping materials be provided to screen accessory structures or equipment. The current equipment cabinet on site and the surrounding fencing does not have any screening, and the area surrounding the tower is clearcut. The existing landscaping along the property boundaries is a majority deciduous and does not provide full screening during non-leafing seasons. Staff recommends adding the condition that additional landscaping be provided.

Staff recommends adding the condition that lighting specifications for any exterior lighting equipment be submitted.

Chad Skinner, on behalf of the applicant, noted that it may not be feasible to paint the structures to match. He has confirmed that the equipment will be a steel and muted white color and will be located on the side of the tower that is white. This should blend in relatively well. The Planning Commission was comfortable with the color of the existing equipment.

Mr. Skinner is requesting that no additional landscaping be required as the site is a good distance from the road and their staff will not be visiting the site very often. It was noted that this property is in the AUAR and could see development near the site in the near future. The Planning Commission recommended that an option for a slatted fence be considered. Madison Richard noted that Section 4.13, B, the Zoning Ordinance requires that a slatted fence be permitted through a Conditional Use Permit. The Planning Commission recommended that the City consider amending the Zoning Ordinance to allow slatted fences with the approval of a Site Plan and the slatted fence for this site be a conditional with the proposed Zoning Ordinance amendment.

Elizabeth Haas made a motion to recommend approval of the Site Plan with the conditions as noted. Gina Maunu seconded. Motion carried 5-0

1.2 Review Draft Amendments to the Zoning Ordinance Relating to Towers and Battery Energy Storage Systems

Madison Richard presented a memo on proposed amendments to the Zoning Ordinance regarding telecommunication towers and Battery Energy Storage Systems (BESS). The memo included setback and height requirements from neighboring cities. To help address some concerns relating to a previously approved telecommunications tower, staff recommends amendments to Section 6.17 of the Zoning Ordinance to require that towers in AG or Residential districts to be set back from the nearest residential structure a distance equal to one-and-a-half times the height of the tower and antenna. Staff also proposes adding the ability for the City to modify accessory structure requirements through the IUP process and add a requirement for radiation testing. The Planning Commission recommended that towers be set back a minimum distance of one-quarter mile from the nearest residential structure.

BESS structures can be defined in a number of ways but are generally commercial/industrial facilities that house individual groups of batteries that store large amounts of energy created to be used at a later time. They are typically used to store energy from wind or solar projects. It is an emerging technology and there are some concerns regarding health, safety and environmental impacts.

The memo included some recommendations for amendments to the Zoning Ordinance that include adding definitions of Batteries and Battery Energy Storage Systems, and the creation of a new section in the Zoning Ordinance regulating them through the issuance of an Interim Use Permit. The Planning Commission recommended keeping the proposed zoning ordinance recommendations on file for future use.

Julie Stulz made a motion to adjourn. Elizabeth Haas seconded. The meeting ended at 8:47 PM.

Respectfully submitted, Charles Seipel-Teng
Clerk-Administrator

MEMORANDUM

Date:	February 24, 2026
To:	Empire City Council
From:	Charles Seipel-Teng, Clerk-Administrator
RE:	Bill List as of 2/24/2026

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

City of Empire

Claims List for Approval (February 11- February 24, 2026)

Invoices Paid Previous to Claims List Batch

13-Feb-26	EFT	United States Treasury	Federal Withholding	3,790.56
13-Feb-26	EFT	Minnesota Dept. of Revenue	State Withholding	691.34
30-Jan-26	EFT	PERA	Retirement	2,238.67
		SEE ATTACHED CLAIMS REGISTER REPORT		**64,093.60**

Subtotal	70,814.17
Payroll	11,102.42
Total	**81,916.59**

CITY OF EMPIRE

*Claim Register©

022426PAY

FEBRUARY 2026

Claim Type

Claim# 6120 *CIT* Ck# 028590 2/24/2026

Cash Payment Invoice 510150	E 101-41000-300 Professional Services	Microsoft Subscription	$214.20
Cash Payment Invoice 510537	E 101-41000-300 Professional Services	Service Contract	$192.00
Cash Payment Invoice 511081	E 101-41000-300 Professional Services	Sonic Wall Installation	$1,580.80

Transaction Date 2/24/2026 Due 0 Checking 10100 **Total** $1,987.00

Claim# 6121 *Bolton & Menk* Ck# 028585 2/24/2026

Cash Payment Invoice	E 101-41000-303 Engineering Fees	Engineering- General	$17,408.50
Cash Payment Invoice	E 101-43000-303 Engineering Fees	Engineering-Streets & Stormwater	$1,055.00
Cash Payment Invoice	E 600-49400-303 Engineering Fees	Engineering-Water/Sewer	$3,830.00
Cash Payment Invoice	E 101-41000-310 Planner Fees	AUAR (Final)	$6,912.61

Transaction Date 2/24/2026 Due 0 Checking 10100 **Total** $29,206.11

Claim# 6124 *LAMBERT GREG* Ck# 028596 2/24/2026

Cash Payment Invoice	R 600-49400-37110 Rate Class I	W/S Overpayment	$131.59

Transaction Date 2/24/2026 Due 0 Checking 10100 **Total** $131.59

Claim# 6130 *USAble Life* Ck# 028598 2/24/2026

Cash Payment Invoice	E 101-41510-133 Life	Life & Disability Ins.	$207.16
Cash Payment Invoice	E 101-45000-133 Life		$43.43
Cash Payment Invoice	E 101-43000-133 Life		$43.43
Cash Payment Invoice	E 600-49400-133 Life		$43.44

Transaction Date 2/24/2026 Due 0 Checking 10100 **Total** $337.46

Claim# 6131 *Calibrations & Controls* Ck# 028587 2/24/2026

Cash Payment Invoice 21949	E 600-49400-402 Repair & Maintenance	Well Meter Calibration	$970.00

Transaction Date 2/24/2026 Due 0 Checking 10100 **Total** $970.00

Claim# 6132 *Campbell Knutson* Ck# 028588 2/24/2026

Cash Payment Invoice	E 101-41610-304 Legal Fees	Prosecuting Attorney	$1,193.40

Transaction Date 2/24/2026 Due 0 Checking 10100 **Total** $1,193.40

Claim# 6133 *Kennedy & Graven, Chartered* Ck# 028595 2/24/2026

Cash Payment Invoice	E 101-41610-304 Legal Fees	Legal Services	$6,443.10

Transaction Date 2/24/2026 Due 0 Checking 10100 **Total** $6,443.10

Claim# 6134 *Dakota County Finance* Ck# 028592 2/24/2026

CITY OF EMPIRE

*Claim Register©

022426PAY

FEBRUARY 2026

Cash Payment Invoice	E 101-43000-224 Street Maintenance Materi		January Road Salt			$4,214.15
Transaction Date	2/24/2026	Due 0	Checking	10100	**Total**	$4,214.15
Claim#	6135 *Automatic Systems Co.*		Ck# 028584 2/24/2026			
Cash Payment Invoice	E 600-49400-402 Repair & Maintenance		Troubleshoot Panel			$371.25
Transaction Date	2/24/2026	Due 0	Checking	10100	**Total**	$371.25
Claim#	6136 *Carquest Auto Parts Stores*		Ck# 028589 2/24/2026			
Cash Payment Invoice	E 101-45000-221 Equipment Parts		Park Equip. Parts			$702.30
Cash Payment Invoice	E 101-41000-215 Shop Materials		Shop Supply			$94.35
Cash Payment Invoice	E 101-43000-221 Equipment Parts		Shop Equip. Parts			$410.82
Transaction Date	2/24/2026	Due 0	Checking	10100	**Total**	$1,207.47
Claim#	6137 *Bolton & Menk Inc.*		Ck# 028586 2/24/2026			
Cash Payment Invoice	E 101-41000-310 Planner Fees		Planning Services 12/6-1/16			$11,648.50
Transaction Date	2/24/2026	Due 0	Checking	10100	**Total**	$11,648.50
Claim#	6138 *Xcel Energy*		Ck# 028599 2/24/2026			
Cash Payment Invoice	E 101-41000-381 Electric Utilities		51-6291687-0 Town Hall			$0.00
Cash Payment Invoice	E 101-41000-381 Electric Utilities		51-9344076-7 Maint. Bldg.			$0.00
Cash Payment Invoice	E 101-45000-381 Electric Utilities		51-0203701-8 Ballfield			$0.00
Cash Payment Invoice	E 101-43000-381 Electric Utilities		51-6005472-6 Street Lgt.			$0.00
Cash Payment Invoice	E 101-43000-381 Electric Utilities		51-8372975-3 Street Lgt.			$0.00
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			$0.00
Cash Payment Invoice	E 600-49400-381 Electric Utilities		51-4664833-7 Tower			$0.00
Cash Payment Invoice	E 600-49450-381 Electric Utilities		51-6960047-5 Lift Station			$0.00
Cash Payment Invoice	E 101-43000-381 Electric Utilities		51-001330188-0 170th St. Roundabout			$100.03
Transaction Date	2/24/2026	Due 0	Checking	10100	**Total**	$100.03
Claim#	6139 *Clark, Sam*		Ck# 028591 2/24/2026			
Cash Payment Invoice	R 101-41000-34103 Zoning and Subdivision		Subdivision Application Escrow Balance			$815.00
Transaction Date	2/24/2026	Due 0	Checking	10100	**Total**	$815.00
Claim#	6140 *Delta Dental of Minnesota*		Ck# 028593 2/24/2026			
Cash Payment Invoice	E 101-41510-132 Dental		Admin Dental			$81.32

CITY OF EMPIRE

*Claim Register©

022426PAY

FEBRUARY 2026

Cash Payment Invoice	E 101-45000-132 Dental	Parks Dental				$74.23
Cash Payment Invoice	E 101-43000-132 Dental	Roads Dental				$74.23
Cash Payment Invoice	E 600-49400-132 Dental	Water Dental				$74.24
Cash Payment Invoice	G 101-21026 Dental Insurance	Dental Withholding				$96.20
Transaction Date	2/24/2026	Due 0	Checking	10100	**Total**	$400.22
Claim#	6141 *Minnesota Dept. of Health*	Ck# 028597 2/24/2026				
Cash Payment Invoice	E 600-49400-386 State Surcharge	Q1 2026 Water Surcharge				$3,116.00
Transaction Date	2/24/2026	Due 0	Checking	10100	**Total**	$3,116.00
Claim#	6143 *Hawkins Water Treatment*	Ck# 028594 2/24/2026				
Cash Payment Invoice 7334448	E 600-49400-216 Chemical Products	Chlorine Cylinder				$40.00
Cash Payment Invoice 7339070	E 600-49400-216 Chemical Products	Chlorine Cylinder				$1,912.32
Transaction Date	2/24/2026	Due 0	Checking	10100	**Total**	$1,952.32

Claim Type	**Total**	**$64,093.60**

Pre-Written Checks	$64,093.60
Checks to be Generated by the Compute	$0.00
Total	$64,093.60

MEMORANDUM

Date:	February 24, 2026
To:	Empire City Council
From:	Charles Seipel-Teng, Clerk-Administrator
RE:	Cash Balance Report as of 2/24/2026

Attachment(s): Cash Account Balances 2026.pdf

CITY OF EMPIRE CASH BALANCES

1/1/2026

GENERAL FUND	
GENERAL CHECKING	$21,165.66
GENERAL SAVINGS	$1,699,470.40
TOTAL GENERAL	**$1,720,636.06**
ROAD & BRIDGE SAVINGS	**$255,704.50**
CERTIFICATES OF DEPOSIT (MATURITY)	
12 MONTH CD (1/24/27)	$1,723,388.67
	$1,723,388.67
	$1,723,388.67
24 MONTH CD (12/13/27)	$693,376.86
24 MONTH CD 2 (12/13/27)	$693,376.86
TOTAL CD	**$6,556,919.73**
TOTAL CHECKING & SAVINGS	**$8,533,260.29**
ESCROW CHECKING	$16,809.65
ESCROW SAVINGS	$10,108.17
TOTAL ESCROW	**$26,917.82**
FLEX CHECKING	**$1,562.71**
12 MONTH CD (SOLAR ESCROW 5	**$132,987.46**
TOTAL	**$8,694,728.28**
DEBT	
2019 STREET GO BOND	$1,200,000.00
TOTAL DEBT	**$1,200,000.00**
TOTAL EQUITY	**$7,494,728.28**

CITY OF EMPIRE CASH BALANCES

AS OF 2/24/2026

GENERAL FUND		Int. Rate
GENERAL CHECKING	$34,546.65	0.05%
GENERAL SAVINGS	$849,470.40	0.75%
TOTAL GENERAL	**$884,017.05**	
ROAD & BRIDGE SAVINGS	**$255,704.50**	0.50%
CERTIFICATES OF DEPOSIT		
12 MONTH CD	$4,725,713.86	3.90%
24 MONTH CD	$693,376.86	4.00%
24 MONTH CD 2	$693,376.86	4.00%
MN 4M FUND (1/29/31)	$500,000.00	3.90%
TOTAL CD	**$6,612,467.58**	
TOTAL CHECKING & SAVINGS	**$7,752,189.13**	
ESCROW CHECKING	$16,809.65	
ESCROW SAVINGS	$10,108.17	0.10%
TOTAL ESCROW	**$26,917.82**	
FLEX CHECKING	**$1,551.04**	0.05%
12 MONTH CD (SOLAR ESCROW	**$132,987.46**	4.10%
TOTAL	**$7,913,645.45**	
DEBT		
2019 STREET GO BOND	$915,000.00	
TOTAL DEBT	**$915,000.00**	
TOTAL EQUITY	**$6,998,645.45**	

MEMORANDUM

Date:	February 24, 2026
To:	Empire City Council
From:	Jenni Faulkner, Consulting Planner
RE:	1. Consider Approving Site Plan for Co-Location on Existing Telecommunications Tower at 4272 170th St. W

Attachment(s): *2026-02-24 CC Report.pdf*
VAF-4000-DC_1834022_1804029_E251121-1-1 (AC Unit Specs).pdf

MEMORANDUM

Date: February 24, 2026

To: City of Empire City Council

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

Item: Site Plan Review for Co-Location on an Existing Telecommunications Tower

Action Requested

The City Council is asked to make a determination on the request for a Site Plan Review to allow the construction and operation of a co-location on an existing telecommunications tower and associated equipment in the Agricultural Preservation (AG) district.

Background

The site, owned by VB Nimbus, LLC., is zoned Agricultural (AG) District and consists of two vacant structures and a telecommunications tower owned by Vertical Bridge. Staff have checked City files, and there is no record of the existing telecommunication tower.

Analysis

The applicant is requesting a site plan review to construct a 260-foot co-location on the existing 500-foot telecommunications pole at 4272 170th Street W (PID 120070025012), approximately 635 feet south of 170th Street W.

Existing Conditions

Lot Size:	10 acres (leased area is ~360 square feet)
Existing Land Use:	Telecommunications Tower
2040 Future Land Use:	Agricultural
Zoning:	Agricultural Preservation (AG)

Proposed Use

The applicant is proposing to construct and operate a telecommunications tower co-location on an existing tower in the City. All of the proposed work takes place within the lease area. The proposed plan is attached to this report.

Performance Standards
Performance standards for this use include setbacks, structure height, building materials, among other standards. Performance standards specific to the AG district are listed in Section 5.05, F. General performance standards for multiple uses are found in Chapter 6, with Communication Towers in Section 6.17.

These standards, when applied to this proposal, do not change with the proposed use as the tower exists. As noted in the table below, the standards either meet requirements or are legally non-conforming:

Standard	Ordinance Requirement	Existing	Compliance with Ordinance
Right-of-Ways	Equal to height of tower and antenna	~585 feet	Meets requirements.
Property Lines	Equal to height of tower and antenna	182 feet, 10 inches	Does not meet requirements, legally non-conforming.
Structures	Equal to height of tower and antenna	~420 feet	Does not meet requirements, legally non-conforming.
Structure Height	<200 feet	500 feet	Does not meet requirements, legally non-conforming.

Co-Location Requirements
Per Code, new towers or antennae must be co-located on existing structures in the City, unless it can be determined that it is impractical. The applicant is proposing to co-locate on an existing structure.

New antennas or towers must be designed to permit the construction of future co-locations for other wireless communications services. The number of co-locations required is dependent upon the height of the structure. With a proposed height of greater than 160 feet, one additional user is required to be accommodated in the future.

Design and Building Materials
Per Code, towers and antennae shall be located and designed to blend into the surrounding environment to the maximum extent possible and shall be painted in a color best determined by the City to blend into the particular environment. The tower is steel and alternates between a red and white color. The applicant provided that the equipment will be mounted on the white portion of the tower, and can be constructed in a combination of muted white and galvanized steel. Staff have added a condition that the antenna and equipment be muted white, when possible, and galvanized steel.

Per Code, all equipment must be enclosed within a building and designed compatible with surrounding structures of natural environment. The existing tower ground equipment are located within an enclosed equipment shelter. The application includes: 1) an approximately 83.31 square foot building on a 108 square foot concrete pad, 2) an approximately 16.25 square foot diesel generator on a 32 square foot concrete pad, 3) an approximately 6 square foot fiber vault, and 4) ice bridges connecting the equipment to the tower.

Security
There is an existing chain link fence at the site, topped with barbed wire, surrounds the tower and associated equipment, as required by Code. The entrance gate on the fence has a chain lock to prevent unauthorized access.

Signage
There is no proposed signage included within the application. The site is permitted an identification sign, providing the owner name and contact information, and two warning signs about the radio frequency at the site. Staff have added a condition that no additional signage is proposed or permitted at the site.

Landscaping
Per the Zoning Ordinance, all new development activities, including site modifications or use intensifications, shall be subject to landscaping improvements. The City may require that landscaping materials be provided to screen accessory structures or equipment. The current equipment cabinet on site and fencing does not consist of any screening, and the area surrounding the tower and the areas for the guy wires are clearcut.

The Applicant has requested no additional landscaping be required on site. Staff believe there is a need for additional landscaping or screening, as the existing landscaping along the property boundaries is a majority deciduous and does not provide full screening during the fall/winter seasons.

Lighting
No lighting specifications or photometric plan was provided by the applicant but there are lights noted on the equipment elevation. Staff have added a condition that the applicant provide lighting specifications for any exterior lighting equipment, to ensure they meet City Code.

Noise
The application must meet PCA guidelines for noise, which state during the one-hour daytime period of monitoring, noise levels cannot exceed the 65 dBA limits for more than 10 percent, or 6 minutes, of the time or 60 dBA levels for more than 50 percent, or 30 minutes, of the time. Nighttime limits are 55 dBA and 50 dBA. Staff have added a condition that the applicant provide information sheets on the amount of noise produced from the tower and associated equipment, to ensure the noise is below the permitted maximum.

Planning Commission Discussion
The Planning Commission reviewed this application at the February 17, 2026 regular meeting. The Planning Commission had questions regarding Staff's recommended conditions for color of the co-location. The applicant representative, Chad Skinner, was present and noted that the co-location and structures would be attached to the white portion of the tower and would be either a muted white or galvanized steel. The Commission noted this was acceptable, so staff have updated the recommended condition.

The Commission also discussed the landscaping and screening requirement. The Commission proposed that in lieu of landscaping, the applicant add slats to the fencing to screen the ground

equipment and accessory structures, which is permitted with a CUP or IUP. The Commission recommended staff update the City Code section to permit the Planning Commission and City Council the ability to provide relief to this requirement without an IUP or CUP. Staff have updated the condition to reflect this.

Site Plan Review

A site plan review by the City Council is required for all building permit applications, except for single family dwellings and agricultural permitted uses. Co-location uses are exempt from the IUP process, but require Planning Commission and City Council approval. The proposed use is consistent with the current use. Staff recommends approval of this request.

Approval of the site plan should be subject to the following conditions:

1. Approval of the site plan review does not eliminate the requirement for obtaining any other subsequent permits and approvals as may be required by the City, watershed, county, state, or federal laws, rules, or ordinances, and policies, including but not limited to, grading permits, building permits, electrical permits, stormwater permits, and sign permits.
2. All construction and operation of the communication facility shall require full compliance with federal, state, and local laws, rules, ordinances, and regulations.
3. The applicant shall construct the communication facility consistent with the Plans, except as modified herein or according to subsequent modifications, as approved in writing by the City.
4. The antenna and equipment shall be a galvanized steel or muted white color to match the section of the tower on which it is mounted.
5. There shall be no signage associated with the communication facility, except for identification signs, equipment signs, warning signs, and emergency information signs. No allowable sign shall exceed three square feet in area, unless required by applicable code.
6. The applicant shall provide lighting specifications for any exterior lighting equipment, meeting City Code, prior to building permitting approval.
7. Upon application and approval of a CUP or Code Amendment to allow administratively, the applicant shall provide an updated screening plan, which may include a privacy fence of slats in the fence. The screening plan shall be submitted and approved prior to receiving a building permit.
8. The applicant shall provide information sheets on the amount of noise produced from the tower and associated equipment, to ensure the noise is below the permitted maximum allowed by the PCA.
9. The applicant shall allow access to the site by Empire's representatives, or other local, state, or federal officials and agents, upon reasonable notice and in the company of a competent site representative, to inspect the site, at intervals chosen by Empire.

The City Council may recommend additional conditions designated to mitigate any adverse impacts as a result of this use. The City Council should also provide direction to staff regarding the PC recommendation for the city to amend the fencing requirements.

Attachments

1. Location Map
2. Application
3. Plans



Empire

Legend

- Township Limits
- Parcels 06/27/2024
- Site

Site Plan Review - Location Map

0 527 Feet

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BOLTON & MENK

Real People. Real Solutions.

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.

Docusign Envelope ID: AE1E2FB0-9F12-4EDF-861F-5C9827217321

SITE PLAN REVIEW APPLICATION

The City of Empire

Dakota County, MN

Project Name MIN Nowhere / US-MN-5080

Legal Description of Property:

Section: 7 **Twp:** 114 **Range:** 19

Lot: 7 **Block:** 114 **Addition:** 19

X **Metes and bounds description attached**

Existing Zoning: AG **Comprehensive Plan Designation:** _____

Briefly Describe Nature of Request:

Verizon Wireless is planning to colocate antennas and ground based equipment on the existing tower site. No extension to the tower is proposed and no expansion of the existing fencing. Verizon will be installing power and fiber optics to their equipment.

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.

Docusign Envelope ID: AE1E2FB0-9F12-4EDF-861F-5C9827217321

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.

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 agree to pay all fees and other costs to review the application that are incurred by the City of Empire for professional consultants.

Dated: 11/13/2025 **Signature of Applicant:** Chad M. Skinner

Signature of Owner (If different from applicant): DocuSigned by: Pilar Lozano A03A89BAB10F420...

Owner Printed Name: Pilar Lozano

Title: Director Leasing

Date Signed: 11/12/2025

Application and Fee Received: 11/24/25 Ck# 2290 CS-T

SCOPE OF WORK

PROJECT DESCRIPTION

PROJECT TYPE:	500' GUYED TOWER
EQUIPMENT:	9'-0" x 12'-0" CONCRETE PAD WITH WALK-IN ENCLOSURE
GENERATOR:	4'-0" x 8'-0" CONCRETE PAD WITH DIESEL GENERATOR

RF DESCRIPTION (VERIFY WITH RFDS)

PRO. ANTENNA C/L:	260' ABOVE T.O.C.
ANTENNAS:	(3) PRO. PANEL ANTENNA(S)
	(3) PRO. AIR3283 ANTENNA/RADIO(S)
	(3) PRO. AIR6419 ANTENNA/RADIO(S)
CABLES:	(2) PRO. HYBRID LINE(S)
EQUIPMENT:	(2) PRO. SURGE PROTECTOR(S)
	(3) PRO. REMOTE RADIO UNIT(S)

STRUCTURAL

TOWER ANALYSIS:
B&T GROUP
REPORT #: 25-007079
DATED: 10/09/2025
CONCLUSION: PASS

MOUNT ANALYSIS:
EDGE CONSULTING ENGINEERS
REPORT #: 44328
DATED: 09/02/2025
CONCLUSION: PASS

CONTRACTOR TO REVIEW STRUCTURAL REPORT IN ITS ENTIRETY. ANY DISCREPANCIES OR DISAGREEMENTS BETWEEN THE REPORT AND THESE PLANS SHOULD BE RESOLVED PRIOR TO CONSTRUCTION.

MIN NOWHERE (17425853)
EMPIRE, MINNESOTA
CONSTRUCTION DRAWINGS
500' GUYED TOWER

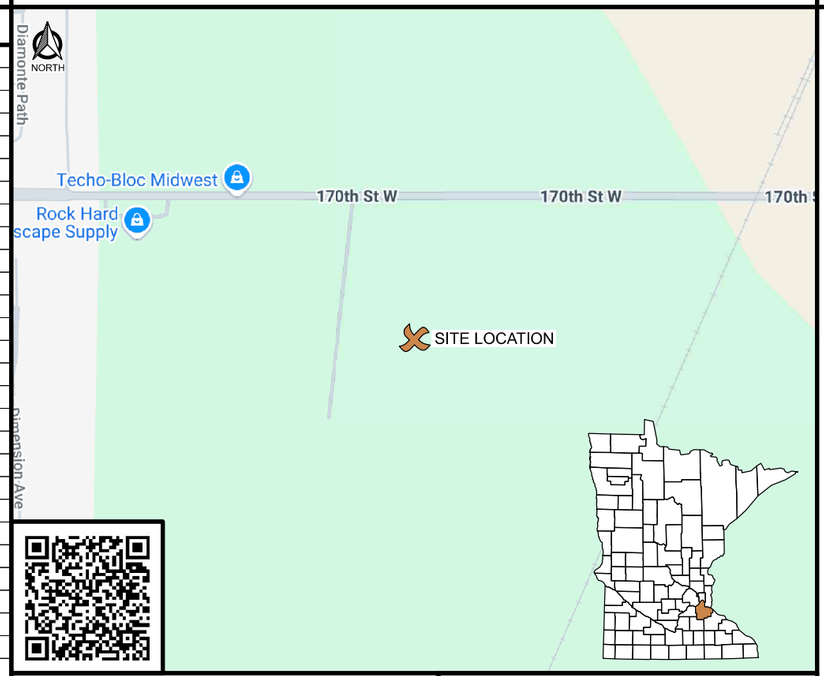
SHEET INDEX

NO.:	SHEET TITLE	REV.
G-001	TITLE SHEET	0
G-002	GENERAL SPECIFICATIONS	0
G-003	GENERAL SPECIFICATIONS	0
-	SURVEY *	-
C-101	SITE PLAN	0
C-102	ENLARGED SITE PLAN	0
C-501	ICE BRIDGE AND GPS DETAILS	0
L-101	LANDSCAPE PLAN	0
A-101	WIC PAD PLAN, ELEVATION, SECTIONS, & DETAILS	0
A-102	EQUIPMENT PAD DETAILS	0
A-103	WALK-IN ENCLOSURE LAYOUT	0
T-001	ANTENNA SPECIFICATIONS	0
T-002	EQUIPMENT SPECIFICATIONS	0
T-003	MOUNTING SPECIFICATIONS	0
T-201	TOWER ELEVATION	0
T-301	ANTENNA CONFIGURATION	0
T-501	ANTENNA AND EQUIPMENT SUMMARY	0
V-501	CABLE ROUTING	0
V-502	CABLE SUPPORT DETAILS	0
E-001	GENERATOR SPECIFICATIONS	0
E-002	GENERATOR SPECIFICATIONS	0
E-003	GENERATOR CANOPY DETAILS	0
E-101	GROUNDING PLAN	0
E-102	UTILITY PLAN	0
E-103	ENLARGED UTILITY PLAN	0
E-501	GROUNDING DETAILS	0
E-502	GROUNDING DETAILS	0
E-503	GROUNDING DETAILS	0
E-504	UTILITY DETAILS	0
E-505	ELECTRICAL DETAILS	0
E-506	UTILITY RACK DETAILS	0

* COMPLETED BY OTHERS

CONTRACTOR SHALL VERIFY ALL PLANS AND EXISTING DIMENSIONS/CONDITIONS ON SITE, IMMEDIATELY NOTIFY ENGINEER OF ANY DISCREPANCIES PRIOR TO PERFORMING ANY WORK OR BE RESPONSIBLE FOR THE SAME.

SITE LOCATION MAP



UTILITY INFORMATION

ELECTRIC SERVICE PROVIDER
XCEL ENERGY
CONTACT: TBD
PHONE: 800.628.2121
WORK ORDER #: TBD

FIBER SERVICE PROVIDER
ONEFIBER
CONTACT: TBD
PHONE:
WORK ORDER #: TBD

TO OBTAIN LOCATION OF PARTICIPANTS' UNDERGROUND FACILITIES BEFORE YOU DIG IN MINNESOTA, CALL GOPHER STATE ONE CALL

TOLL FREE: 1-800-252-1166
FAX A LOCATE: 1-800-236-4967

MN STATUTE REQUIRES MIN. OF 48 HOURS NOTICE BEFORE YOU EXCAVATE

DIRECTORY

CLIENT:
VERIZON WIRELESS
10801 BUSH LAKE ROAD
BLOOMINGTON, MN 55438
CONTACT: MARY JULIUS

ENGINEERING COMPANY:
EDGE CONSULTING ENGINEERS, INC.
2101 HIGHWAY 13 W
BURNSVILLE, MN 55337
PROJECT MANAGER: PETER ROTHMEIER
PHONE: 608.644.1449

SITE ACQUISITION:
THE GRINNELL GROUP
1515 LINDEN ST. SUITE 210
DES MOINES, IA 50309
CONTACT: CHAD SKINNER
EMAIL: CHADSKINNER@NEVCOWIRELESS.COM

SURVEYOR:
WIDSETH
610 FILLMORE ST.
ALEXANDRIA, MN 56308
CONTACT: JUERGEN BRUNKHORST
EMAIL: JUERGEN.BRUNKHORST@WIDSETH.COM

CONSTRUCTION ENGINEER:
VERIZON WIRELESS
CONTACT: BRIAN NELSEN
BRIAN.NELSEN@VERIZONWIRELESS.COM

RF ENGINEER:
VERIZON WIRELESS
CONTACT: PAUL ANDERSON
PAUL.ANDERSON@VERIZONWIRELESS.COM

PROJECT INFO

SITE LOCATION:
4272 170TH ST W
EMPIRE, MN 55068
DAKOTA COUNTY

MDG #: 5000970127

FCC #: 1025299

TOWER OWNER:
VERTICAL BRIDGE
750 PARK OF COMMERCE DRIVE, SUITE 200
BOCA RATON, FL 33487
SITE NAME: MI008 WGVX-FM
SITE NUMBER: US-MN-5080

PROPERTY OWNER:
CUMULUS MEDIA TOWER CO. LLC
780 JOHNSON FERRY RD NE, SUITE 500
ATLANTA, GA 30342

SITE COORDINATES (PER 1A CERTIFICATE):
LAT: 44° 42' 04.369" N (44.70121111°)
LONG: 93° 09' 03.288" W (93.15091111°)
GROUND ELEVATION (NAVD 88): 948'

PLSS INFORMATION:
PART OF N1/2 OF THE NW1/4,
SECTION 7, T.114N., R.19W.,
TOWN OF EMPIRE
DAKOTA COUNTY
MINNESOTA

TAX KEY NUMBER:
12-00700-25-012

CONSULTANT:
Edge
Consulting Engineers, Inc
2101 HIGHWAY 13 W
BURNSVILLE, MN 55337
608.644.1449 VOICE
608.644.1549 FAX
www.edgeconsult.com

CLIENT:
verizon
10801 BUSH LAKE RD
BLOOMINGTON, MN 55438

ENGINEER SEAL:

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

SIGNATURE: Peter E. Rothmeier

TYPED OR PRINTED NAME: PETER E. ROTHMEIER

LIS. NO.: 59940

DATE: 1/6/2026

TITLE SHEET
MIN NOWHERE (17425853)
EMPIRE, MINNESOTA

SUBMITTAL:

INT.	DATE:	DESCRIPTION:
DBS	11/05/25	REV. A
PER	11/19/25	REV. B
DBS	01/06/26	REV. 0

CHECKED BY	PER
EDGE SITE ID	S17334
EDGE PROJ. #	44328
SET TYPE	FINAL
SHEET NUMBER	G-001

L:\44300\44328\Design\CAD\CD\Plot\G-001.dgn

© EDGE CONSULTING ENGINEERS, INC

GENERAL

THE CONSTRUCTION DRAWINGS AND SPECIFICATIONS ARE INTERRELATED WHEN PERFORMING THE WORK. EACH CONTRACTOR MUST REFER TO ALL DRAWINGS. COORDINATION IS THE RESPONSIBILITY OF THE GENERAL CONTRACTOR.

DIVISION 1: GENERAL REQUIREMENTS

SECTION 01700 - PROJECT CLOSEOUT

PART 1 - GENERAL

1. OBTAIN AND SUBMIT RELEASES ENABLING THE OWNER UNRESTRICTED USE OF THE WORK AND ACCESS TO SERVICES AND UTILITIES. INCLUDE OCCUPANCY PERMITS, OPERATING CERTIFICATES, AND SIMILAR RELEASES.

2. SUBMIT RECORD DRAWINGS, DAMAGE, OR SETTLEMENT SURVEY, PROPERTY SURVEY, AND SIMILAR FINAL RECORD INFORMATION.

3. COMPLETE FINAL CLEAN-UP REQUIREMENTS, INCLUDING TOUCH-UP PAINTING. TOUCH-UP AND OTHERWISE REPAIR AND RESTORED MARRED EXPOSED FINISHES.

PART 2 - FINAL CLEANING/PROJECT CLOSEOUT

1. COMPLETE THE FOLLOWING OPERATIONS BEFORE REQUESTING INSPECTION FOR CERTIFICATE OF COMPLETION:

   A. CLEAN THE PROJECT SITE, YARD AND GROUNDS IN AREAS DISTURBED BY CONSTRUCTION ACTIVITIES, INCLUDING LANDSCAPE DEVELOPMENT, AREAS OF RUBBISH, WASTE MATERIALS, LITTER AND FOREIGN SUBSTANCES. SWEEP PAVED AREAS BROOM CLEAN. REMOVE PETRO-CHEMICAL SPILLS, STAINS AND OTHER FOREIGN DEPOSITS. RAKE GROUNDS THAT ARE NEITHER PLANTED NOR PAVED TO A SMOOTH, EVEN-TEXTURED SURFACE.

   B. REMOVE TOOLS, CONSTRUCTION EQUIPMENT, MACHINERY, AND SURPLUS MATERIAL FROM THE SITE.

   C. REMOVE SNOW AND ICE TO PROVIDE SAFE ACCESS TO THE SITE AND EQUIPMENT BUILDING.

   D. CLEAN EXPOSED EXTERIOR AND INTERIOR HARD-SURFACED FINISHES TO A DIRT-FREE CONDITION, FREE OF STAINS, FILMS AND SIMILAR FOREIGN SUBSTANCES. AVOID DISTURBING NATURAL WEATHERING OF EXTERIOR SURFACES.

   E. REMOVE DEBRIS FROM LIMITED ACCESS SPACES, INCLUDING ROOFS, EQUIPMENT BUILDING, MANHOLES AND SIMILAR SPACES.

   F. REMOVE LABELS THAT ARE NOT PERMANENT LABELS.

   G. TOUCH-UP AND OTHERWISE REPAIR AND RESTORE MARRED EXPOSED FINISHES AND SURFACES. REPLACE FINISHES AND SURFACES THAT CAN NOT BE SATISFACTORILY BE REPAIRED OR RESTORED, OR THAT SHOW EVIDENCE OF REPAIR OR RESTORATION. DO NO PAINT OVER "UL" AND SIMILAR LABELS, INCLUDING ELECTRICAL NAME PLATES.

   H. LEAVE THE PROJECT CLEAN AND READY FOR OCCUPANCY.

   I. DUST OFF ALL EQUIPMENT, INCLUDING BATTERY PACKS, WITHIN EQUIPMENT BUILDING.

   J. GENERAL CONTRACTOR TO CLEAN AND APPLY STATIC-FREE WAX TO THE FLOORS ONCE FINAL SHELTER EQUIPMENT AND ACCESSORIES ARE COMPLETED.

2. REMOVAL OF PROTECTION

   REMOVE TEMPORARY PROTECTION AND FACILITIES INSTALLED DURING CONSTRUCTION TO PROTECT PREVIOUSLY COMPLETED INSTALLATIONS DURING THE REMAINDER OF THE CONSTRUCTION PERIOD.

DIVISION 2: SITE WORK

SECTION 02200 - EARTHWORK AND DRAINAGE

PART 1 - GENERAL

1. WORK INCLUDED - SEE SITE PLAN

2. DESCRIPTIONS

   ACCESS DRIVE WITH TURN-AROUND AREA, LEASE AREA, AND, IF APPLICABLE, UNDERGROUND UTILITY EASEMENTS ARE TO BE CONSTRUCTED TO PROVIDE A WELL-DRAINED, EASILY MAINTAINED, EVEN SURFACE FOR MATERIAL AND EQUIPMENT DELIVERIES AND MAINTENANCE PERSONNEL ACCESS.

3. QUALITY ASSURANCE

   A. APPLY SOIL STERILIZER IN ACCORDANCE WITH MANUFACTURER'S RECOMMENDATIONS (AS NEEDED).

   B. APPLY AND MAINTAIN GRASS SEED AS RECOMMENDED BY THE SEED PRODUCER (AS NEEDED).

   C. PLACE AND MAINTAIN VEGETATION LANDSCAPING, IF INCLUDED WITHIN THE CONTRACT, AS RECOMMENDED BY NURSERY INDUSTRY STANDARDS.

4. SEQUENCING

   A. CONFIRM SURVEY STAKES AND SET ELEVATIONS STAKES PRIOR TO ANY CONSTRUCTION.

   B. COMPLETELY GRUB THE ACCESS DRIVE WITH TURN-AROUND, UNDERGROUND UTILITY EASEMENTS (IF APPLICABLE), AND LEASE AREA PRIOR TO FOUNDATION CONSTRUCTION, PLACEMENT OF BACKFILL AND SUB-BASE MATERIAL.

   C. CONSTRUCT TEMPORARY CONSTRUCTION AREA ALONG ACCESS DRIVE.

   D. BRING THE LEASE AREA AND ACCESS DRIVE WITH TURN-AROUND TO BASE COURSE ELEVATION PRIOR TO INSTALLING FOUNDATION.

   E. APPLY SOIL STERILIZER PRIOR TO PLACING BASE MATERIALS SUCH THAT THE STERILIZER ONLY COMES IN CONTACT WITH PROPOSED GRAVEL SURFACES

   F. GRADE, SEED, FERTILIZE, AND MULCH ALL AREAS DISTURBED BY CONSTRUCTION (INCLUDING UNDERGROUND UTILTIY EASEMENTS) IMMEDIATELY AFTER BRINGING LEASE AND ACCESS DRIVE WITH TURN-AROUND TO BASE COURSE ELEVATION. WATER TO ENSURE GROWTH.

   G. REMOVE GRAVEL FROM TEMPORARY CONSTRUCTION ZONE TO AN AUTHORIZED AREA OR AS DIRECTED BY THE PROJECT MANAGER.

   H. AFTER APPLICATIONS OF FINAL SURFACES, APPLY SOIL STERILIZER TO STONE SURFACES.

5. SUBMITTALS

   A. BEFORE CONSTRUCTION
   IF LANDSCAPING IS APPLICABLE TO THE CONTRACT, SUBMIT TWO (2) COPIES OF THE LANDSCAPE PLAN UNDER NURSERY LETTERHEAD. IF LANDSCAPE ALLOWANCE WAS INCLUDED IN THE CONTRACT, PROVIDE AN ITEMIZED LISTING OF PROPOSED COSTS ON NURSERY LETTERHEAD. REFER TO PLANS FOR LANDSCAPING REQUIREMENTS.

   G. PLACE FILL OR STONE IN SIX (6) INCH MAXIMUM LIFTS, AND COMPACT BEFORE PLACING NEXT LIFT.

   B. AFTER CONSTRUCTION

      1. MANUFACTURER'S DESCRIPTION OF PRODUCT AND WARRANTY STATEMENT ON SOIL STERILIZED.

      2. MANUFACTURER'S DESCRIPTION OF PRODUCT ON GRASS SEED AND FERTILIZER.

      3. LANDSCAPING WARRANTY STATEMENT.

6. WARRANTY

   A. IN ADDITION TO THE WARRANTY ON ALL CONSTRUCTION COVERED IN THE CONTRACT DOCUMENTS, THE CONTRACTOR SHALL REPAIR ALL DAMAGE AND RESTORE AREA AS CLOSE TO ORIGINAL CONDITION AS POSSIBLE AT SITE AND SURROUNDINGS.

   B. SOIL STERILIZATION APPLICATION TO GUARANTEE VEGETATION FREE ROAD AND SITE AREAS FOR ONE YEAR FOM DATE OF FINAL INSPECTION.

   C. DISTURBED AREAS WILL REFLECT GROWTH OF NEW GRASS PRIOR TO FINAL INSPECTION.

   D. LANDSCAPING, IF INCLUDED WITHIN THE SCOPE OF THE CONTRACT, WILL BE GUARANTEED FOR ONE YEAR FROM THE DATE OF FINAL INSPECTION.

DIVISION 2: SITE WORK (CONTINUED)

SECTION 02200 - EARTHWORK AND DRAINAGE (CONTINUED)

PART 2 - PRODUCTS

1. MATERIALS

   A. SOIL STERILIZER SHALL BE AN EPA REGISTERED, PRE-EMERGENCE LIQUID:
   TOTAL KILL
   PRODUCT 910
   EPA 10292-7
   PHASAR CORPORATION
   P.O. BOX 5123
   DEARBORN, MI 48128
   313.563.8000

   AMBUSH HERBICIDE
   EPA REGISTERED
   FRAMAR INDUSTRIAL PRODUCTS
   1435 MORRIS AVENUE
   UNION, NJ 07083
   800.526.4924

   B. ROAD AND SITE MATERIALS SHALL CONFORM TO DOT SPECIFICATIONS (UNLESS OTHERWISE NOTED). ACCEPTABLE SELECT FILL SHALL BE IN ACCORDANCE WITH STATE DEPARTMENT OF HIGHWAY AND TRANSPORTATION STANDARD SPECIFICATIONS.

   C. SOIL STABILIZED FABRIC SHALL BE MIRAFI - 500X.

PART 3 - EXECUTION

1. PREPARATION

   A. CLEAR TREES, BRUSH AND DEBRIS FROM LEASE AREA, ACCESS DRIVE WITH TURN-AROUND, AND UNDERGROUND UTILITY EASEMENTS AS REQUIRED FOR CONSTRUCTION.

   B. PRIOR TO OTHER EXCAVATION AND CONSTRUCTION, GRUB ORGANIC MATERIAL TO A MINIMUM OF SIX (6) INCHES BELOW GRADE.

   C. UNLESS OTHERWISE INSTRUCTED BY LEASEE, TRANSPORT ALL REMOVED TREES, BRUSH AND DEBRIS FROM THE PROPERTY TO AN AUTHORIZED LANDFILL.

   D. PRIOR TO PLACEMENT OF FILL OR BASE MATERIALS, ROLL THE SOIL.

   E. WHERE UNSTABLE SOIL CONDITIONS ARE ENCOUNTERED, LINE THE AREAS WITH A STABILIZED MAT PRIOR TO PLACEMENT OF FILL OR BASE MATERIAL.

   F. PRIOR TO PLACEMENT OF FILL OR BASE MATERIALS, REMOVE SOFT SPOTS, PLACE SELECT FILL, AND COMPACT TO 95% MODIFIED PROCTOR.

2. INSTALLATION

   A. GRADE OR FILL THE LEASE AREA AND ACCESS DRIVE WITH TURN-AROUND AS REQUIRED IN ORDER THAT UPON DISTRIBUTION OF SPOILS RESULTING FROM EXCAVATIONS, THE RESULTING GRADE WILL CORRESPOND WITH SAID SUB-BASE COURSE. ELEVATIONS ARE TO BE CALCULATED FROM BENCHMARK, FINISHED GRADES, OR INDICATED SLOPES.

   B. CLEAR EXCESS SPOILS, IF ANY, FROM JOB SITE AND DO NOT SPREAD BEYOND THE LIMITS OF PROJECT AREA UNLESS AUTHORIZED BY PROJECT MANAGER AND AGREED TO BY LANDOWNER.

   C. BRING THE ACCESS DRIVE WITH TURN-AROUND TO BASE COURSE ELEVATION TO FACILITATE CONSTRUCTION AND OBSERVATION DURING CONSTRUCTION OF THE SITE.

   D. AVOID CREATING DEPRESSIONS WHERE WATER MAY POND.

   E. THE CONTRACT SHALL INCLUDE GRADING, BANKING, AND DITCHING, UNLESS OTHERWISE NOTED.

   F. WHEN IMPROVING AN EXISTING ACCESS DRIVE, GRADE THE EXISTING DRIVE TO REMOVE ANY ORGANIC MATTER AND SMOOTH THE SURFACE BEFORE PLACING FILL OR STONE.

   H. THE TOP SURFACE COURSE SHALL EXTEND A MINIMUM OF ONE (1) FOOT BEYOND THE SITE FENCE, UNLESS OTHERWISE NOTED, AND SHALL COVER THE AREA AS INDICATED.

   I. NO SLOPES ARE TO BE GREATER THAN 3:1.

   J. APPLY RIP-RAP TO THE SIDES OF DITCHES AND DRAINAGE SWALES WHERE INDICATED ON THE DRAWINGS.

   K. RIP-RAP ENTIRE DITCH FOR SIX (6) FEET IN ALL DIRECTIONS AT CULVERT OPENINGS. (WHEN APPLICABLE)

   L. APPLY SEED, FERTILIZER, AND STRAW COVER TO ALL OTHER DISTURBED AREAS, DITCHES, AND DRAINAGE SWALES, NOT OTHERWISE RIP-RAPPED.

   M. UNDER NO CIRCUMSTANCES WILL DITCHES, SWALES, OR CULVERTS BE PLACED SO THAT THEY DIRECT WATER TOWARDS, OR PERMIT STANDING WATER IMMEDIATELY ADJACENT TO SHELTER OR EQUIPMENT. IF DESIGNS OR ELEVATIONS ARE IN CONFLICT WITH THIS, ADVISE CONSTRUCTION MANAGER IMMEDIATELY.

CONSULTANT:
Edge
Consulting Engineers, Inc
2101 HIGHWAY 13 W
BURNSVILLE, MN 55337
608.644.1449 VOICE
608.644.1549 FAX
www.edgeconsult.com

CLIENT:
verizon
10801 BUSH LAKE RD
BLOOMINGTON, MN 55438

ENGINEER SEAL:

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

SIGNATURE: Peter E Rothmeier

TYPED OR PRINTED NAME: PETER E. ROTHMEIER

LIS. NO.: 59940

DATE: 1/6/2026

GENERAL SPECIFICATIONS
MIN NOWHERE (17425853)
EMPIRE, MINNESOTA

SUBMITTAL:

INT.	DATE:	DESCRIPTION:
DBS	11/05/25	REV. A
PER	11/19/25	REV. B
DBS	01/06/26	REV. 0

CHECKED BY	PER
EDGE SITE ID	S17334
EDGE PROJ. #	44328
SET TYPE	FINAL
SHEET NUMBER	G-002

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DIVISION 2: SITE WORK (CONTINUED)

SECTION 02200 - EARTHWORK AND DRAINAGE (CONTINUED)

PART 2 - PRODUCTS (CONTINUED)

2. INSTALLATION (CONTINUED)

N. IN DITCHES WITH SLOPES GREATER THAN 10%, MOUND DIVERSIONARY HEADWALLS IN THE DITCH AT AN ANGLE NO GREATER THAN 60° OFF THE DITCH LINE. RIP-RAP THE UPSTREAM SIDE OF THE HEADWALL AS WELL AS THE DITCH FOR SIX (6) FEET ABOVE THE CULVERT ENTRANCE.

O. APPLY SEED AND FERTILIZER TO SURFACE CONDITIONS WHICH WILL ENCOURAGE ROOTING. RAKE AREAS TO BE SEEDED TO EVEN THE SURFACE AND LOOSEN THE SOIL.

P. SOW SEED IN TWO DIRECTIONS IN TWICE THE QUANTITY RECOMMENDED BY THE SEED PRODUCER.

Q. ENSURE GROWTH OF SEEDED AND LANDSCAPED AREAS BY WATERING UP TO THE POINT OF RELEASE FROM THE CONTRACT. CONTINUE TO REWORK THE BARE AREAS UNTIL COMPLETE COVERAGE IS OBTAINED.

3. FIELD QUALITY CONTROL

COMPACT SOILS TO MAXIMUM DENSITY IN ACCORDANCE WITH ASTM D-1557. AREAS OF SETTLEMENT WILL BE EXCAVATED AND REFILLED AT CONTRACTOR'S EXPENSE. INDICATE PERCENTAGE OF COMPACTION ACHIEVED ON AS-BUILT DRAWINGS.

4. PROTECTION

A. PROTECT SEEDED AREAS FROM EROSION BY SPREADING STRAW TO A UNIFORM LOOSE DEPTH OF 1-2 INCHES, STAKE AND TIE DOWN AS REQUIRED. USE OF EROSION CONTROL MESH OR MULCH NET WILL BE AN ACCEPTABLE ALTERNATE.

B. ALL TREES PLACED IN CONJUNCTION WITH A LANDSCAPE CONTRACT WILL BE WRAPPED, TIED WITH HOSE PROTECTED WIRE, AND SECURED TO 2" x 2" x 4' - 0" WOODEN STAKES EXTENDING TWO-FEET INTO THE GROUND ON FOUR SIDES OF THE TREE.

C. PROTECT ALL EXPOSED AREAS AGAINST WASHOUTS AND SOIL EROSION. ALL EROSION CONTROL METHODS SHALL CONFORM TO APPLICABLE BUILDING CODE REQUIREMENTS.

DIVISION 16: UTILITY

SECTION 16050 - BASIC UTILITY MATERIALS AND METHODS

1. CONTRACTOR SHALL REVIEW THE CONTRACT DOCUMENTS PRIOR TO ORDERING THE UTILITY EQUIPMENT AND STARTING THE ACTUAL CONSTRUCTION. CONTRACTOR SHALL ISSUE A WRITTEN NOTICE OF ALL FINDINGS TO THE ARCHITECT/ENGINEER LISTING ANY DISCREPANCIES OR CONFLICTING INFORMATION.

2. UTILITY PLANS, DETAILS AND DIAGRAMS ARE DIAGRAMMATIC ONLY. VERIFY EXACT LOCATIONS AND MOUNTING HEIGHTS OF UTILITY EQUIPMENT WITH OWNER PRIOR TO INSTALLATION.

3. EACH CONDUCTOR OF EVERY SYSTEM SHALL BE PERMANENTLY TAGGED IN EACH PANELBOARD, PULLBOX, JUNCTION BOX, SWITCH BOX, ETC. THE TYPE OF TAGGING METHODS SHALL BE IN COMPLIANCE WITH OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION (O.S.H.A.).

4. ALL MATERIALS AND EQUIPMENT SHALL BE NEW AND IN GOOD WORKING CONDITION WHEN INSTALLED AND SHALL BE OF THE BEST GRADE AND OF THE SAME MANUFACTURER THROUGHOUT FOR EACH CLASS OR GROUP OF EQUIPMENT. MATERIALS SHALL BE LISTED "J" WHERE APPLICABLE. MATERIALS SHALL MEET WITH APPROVAL OF ALL GOVERNING BODIES HAVING JURISDICTION. MATERIALS SHALL BE MANUFACTURED IN ACCORDANCE WITH APPLICABLE STANDARDS ESTABLISHED BY ANSI, NEMA, NBFU AND "UL" LISTED.

5. ALL CONDUIT SHALL HAVE A PULL CORD.

6. PROVIDE PROJECT MANAGER WITH ONE SET OF COMPLETE UTILITY "AS INSTALLED" DRAWINGS AT THE COMPLETION OF THE JOB, SHOWING ACTUAL DIMENSIONS, ROUTINGS, AND CIRCUITS.

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CONSULTANT:
Edge
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2101 HIGHWAY 13 W
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608.644.1549 FAX
www.edgeconsult.com

CLIENT:
verizon
10801 BUSH LAKE RD
BLOOMINGTON, MN 55438

ENGINEER SEAL:

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

SIGNATURE: Peter E. Rothmeier

TYPED OR PRINTED NAME: PETER E. ROTHMEIER

LIS. NO.: 59940

DATE: 1/6/2026

GENERAL SPECIFICATIONS
MIN NOWHERE (17425853)
EMPIRE, MINNESOTA

SUBMITTAL:

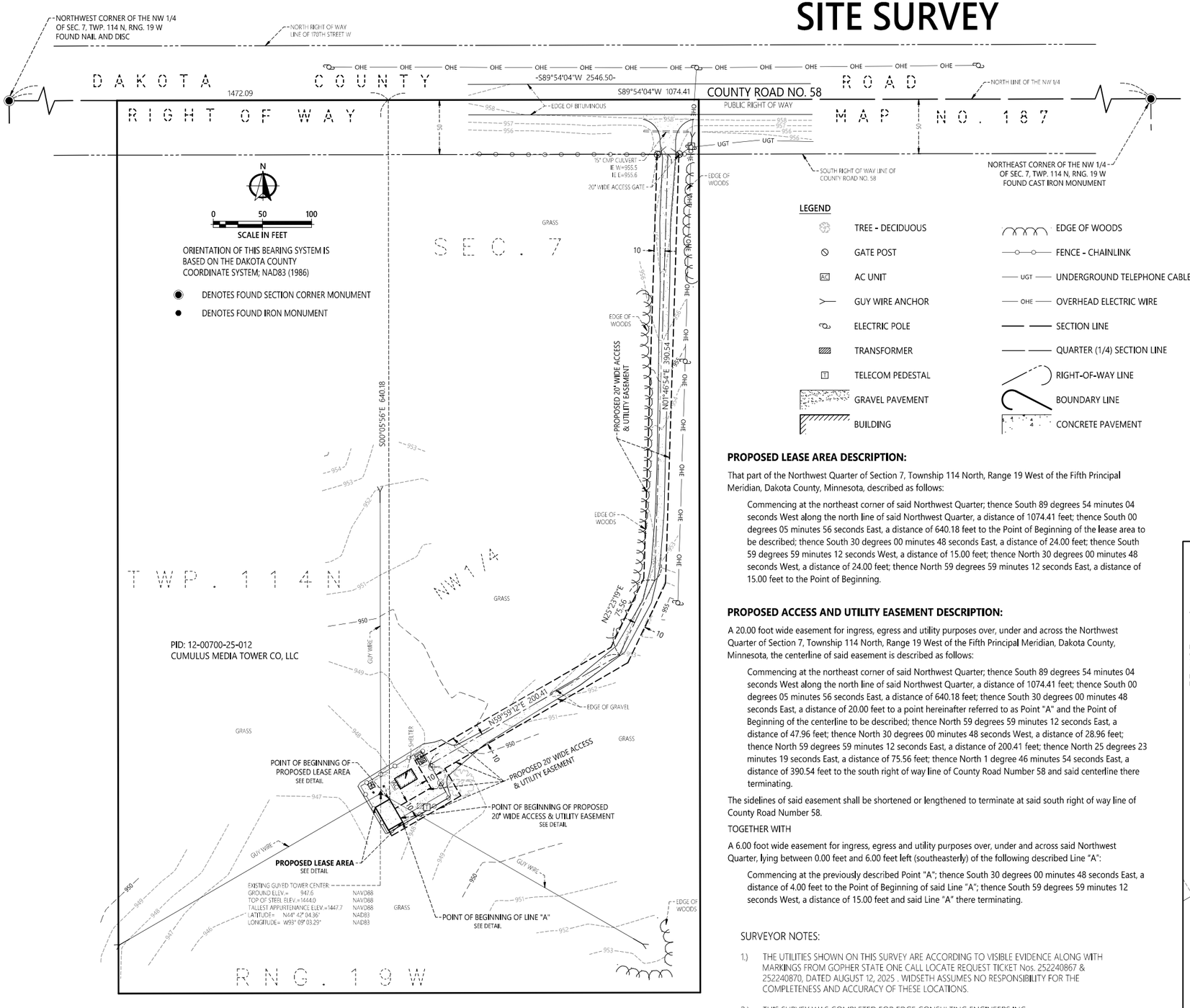
INT.	DATE:	DESCRIPTION:
DBS	11/05/25	REV. A
PER	11/19/25	REV. B
DBS	01/06/26	REV. 0

CHECKED BY	PER
EDGE SITE ID	S17334
EDGE PROJ. #	44328
SET TYPE	FINAL
SHEET NUMBER	G-003

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SITE SURVEY



LEGEND

- TREE - DECIDUOUS
- GATE POST
- AC UNIT
- GUY WIRE ANCHOR
- ELECTRIC POLE
- TRANSFORMER
- TELECOM PEDESTAL
- GRAVEL PAVEMENT
- BUILDING
- EDGE OF WOODS
- FENCE - CHAINLINK
- UGT — UNDERGROUND TELEPHONE CABLE
- OHE — OVERHEAD ELECTRIC WIRE
- SECTION LINE
- QUARTER (1/4) SECTION LINE
- RIGHT-OF-WAY LINE
- BOUNDARY LINE
- CONCRETE PAVEMENT

PROPOSED LEASE AREA DESCRIPTION:

That part of the Northwest Quarter of Section 7, Township 114 North, Range 19 West of the Fifth Principal Meridian, Dakota County, Minnesota, described as follows:

Commencing at the northeast corner of said Northwest Quarter; thence South 89 degrees 54 minutes 04 seconds West along the north line of said Northwest Quarter, a distance of 1074.41 feet; thence South 00 degrees 05 minutes 56 seconds East, a distance of 640.18 feet to the Point of Beginning of the lease area to be described; thence South 30 degrees 00 minutes 48 seconds East, a distance of 24.00 feet; thence South 59 degrees 59 minutes 12 seconds West, a distance of 15.00 feet; thence North 30 degrees 00 minutes 48 seconds West, a distance of 24.00 feet; thence North 59 degrees 59 minutes 12 seconds East, a distance of 15.00 feet to the Point of Beginning.

PROPOSED ACCESS AND UTILITY EASEMENT DESCRIPTION:

A 20.00 foot wide easement for ingress, egress and utility purposes over, under and across the Northwest Quarter of Section 7, Township 114 North, Range 19 West of the Fifth Principal Meridian, Dakota County, Minnesota, the centerline of said easement is described as follows:

Commencing at the northeast corner of said Northwest Quarter; thence South 89 degrees 54 minutes 04 seconds West along the north line of said Northwest Quarter, a distance of 1074.41 feet; thence South 00 degrees 05 minutes 56 seconds East, a distance of 640.18 feet; thence South 30 degrees 00 minutes 48 seconds East, a distance of 20.00 feet to a point hereinafter referred to as Point "A" and the Point of Beginning of the centerline to be described; thence North 59 degrees 59 minutes 12 seconds East, a distance of 47.96 feet; thence North 30 degrees 00 minutes 48 seconds West, a distance of 28.96 feet; thence North 59 degrees 59 minutes 12 seconds East, a distance of 200.41 feet; thence North 25 degrees 23 minutes 19 seconds East, a distance of 75.56 feet; thence North 1 degree 46 minutes 54 seconds East, a distance of 390.54 feet to the south right of way line of County Road Number 58 and said centerline there terminating.

The sidelines of said easement shall be shortened or lengthened to terminate at said south right of way line of County Road Number 58.

TOGETHER WITH

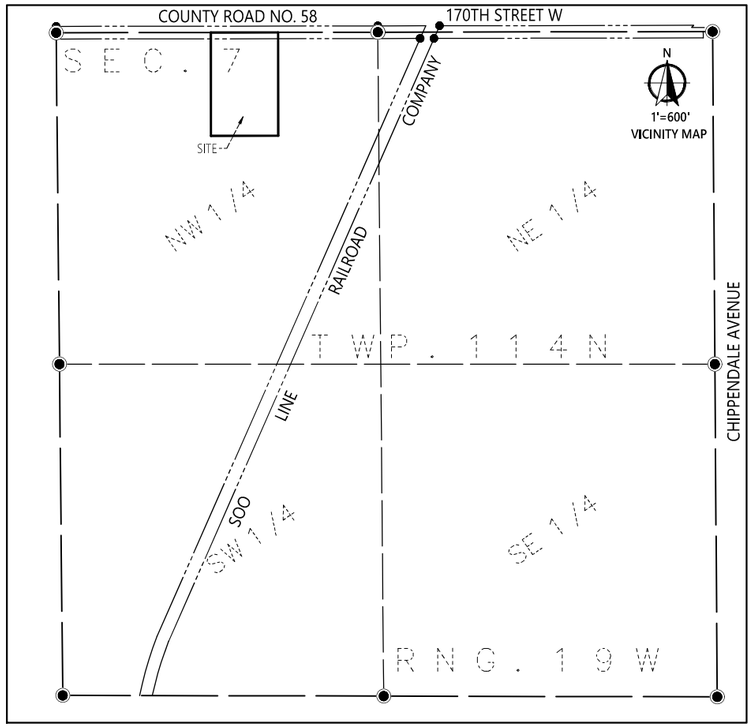
A 6.00 foot wide easement for ingress, egress and utility purposes over, under and across said Northwest Quarter, lying between 0.00 feet and 6.00 feet left (southeasterly) of the following described Line "A":

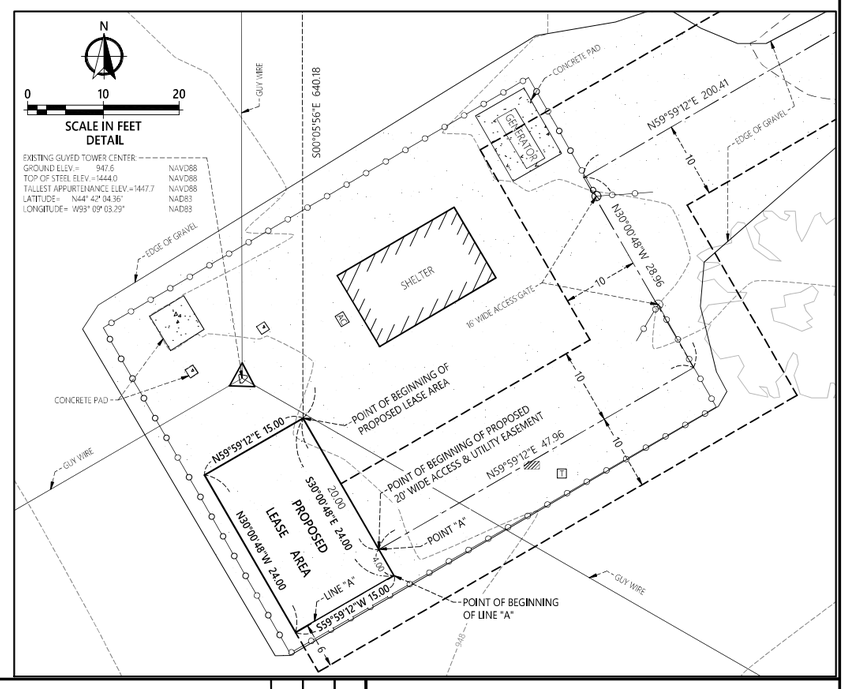
Commencing at the previously described Point "A"; thence South 30 degrees 00 minutes 48 seconds East, a distance of 4.00 feet to the Point of Beginning of said Line "A"; thence South 59 degrees 59 minutes 12 seconds West, a distance of 15.00 feet and said Line "A" there terminating.

SURVEYOR NOTES:

1.) THE UTILITIES SHOWN ON THIS SURVEY ARE ACCORDING TO VISIBLE EVIDENCE ALONG WITH MARKINGS FROM GOPHER STATE ONE CALL LOCATE REQUEST TICKET Nos. 252240867 & 252240870, DATED AUGUST 12, 2025 . WIDSETH ASSUMES NO RESPONSIBILITY FOR THE COMPLETENESS AND ACCURACY OF THESE LOCATIONS.

2.) THIS SURVEY WAS COMPLETED FOR EDGE CONSULTING ENGINEERS INC.





Edge Consulting Engineers, Inc.

SITE NAME: MIN NOWHERE

DAKOTA COUNTY, MN

I HEREBY CERTIFY THAT THIS LAND SURVEYING DOCUMENT WAS REVIEWED BY ME AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.

BRYAN T. BALCOME LIC. NO.: 42594 DATE: 11/19/25

No.	DATE	REVISION	BY	CHK	APP'D

FIELD WORK: 8/20/25 CHECKED BY: BTB DRAWN BY: TLW

WIDSETH ARCHITECTS ▪ ENGINEERS ▪ SCIENTISTS ▪ SURVEYORS

PROJECT #: 2025-11359

NORTH

RIGHT OF WAY

PROPERTY LINE

170TH ST W

RIGHT OF WAY

PROPOSED FIBER VAULT INSTALLED IN RIGHT OF WAY (R.O.W.) BY FIBER PROVIDER

PROPOSED FIBER VAULT; BY VERIZON GC

EXISTING GRAVEL ACCESS DRIVE

CUMULUS MEDIA TOWER CO LLC
PARCEL #: 120070025012

CEMSTONE PRODUCTS CO
PARCEL #: 120070025013

PROPERTY LINE

EXTENTS OF PROPOSED 20'-0" WIDE ACCESS & UTILITY EASEMENT

EXISTING 500' GUYED TOWER

PROPOSED UNDERGROUND FIBER OPTIC UTILITY LINE

240'-7"

292'-5"

PROPOSED 15'-0" x 24'-0" VERIZON LEASE AREA

EXISTING FENCED COMPOUND; SEE C-102 FOR ENLARGED PLAN

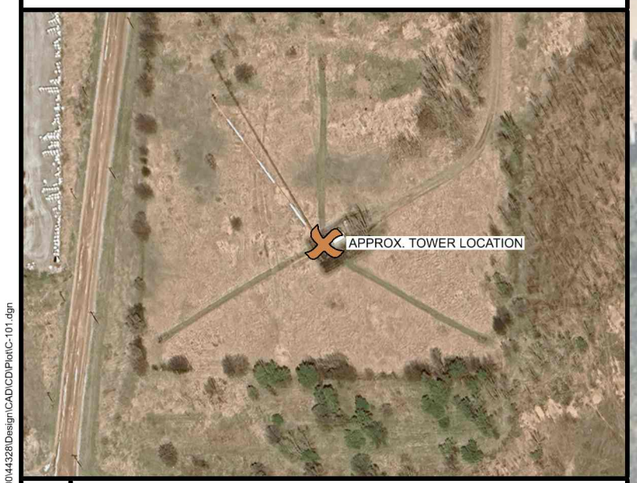
182'-10"

PROPERTY LINE

PROPERTY LINE

NOTE:

1. FIBER COORDINATION IS NOT COMPLETE (PENDING FIBER CONTACT). PRIOR TO CONSTRUCTION, CONTACT DESIGNER FOR UPDATE.



A **AERIAL OVERVIEW OF SITE**

50' 0 50' 100'

SCALE: 11" x 17" - 1" = 100'
22" x 34" - 1" = 50'

L:\44300\44328\Design\CAD\CD\Plot\C-101.dgn

CONSULTANT:

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CLIENT:

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BLOOMINGTON, MN 55438

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SIGNATURE: Peter E Rothmeier

TYPED OR PRINTED NAME: PETER E. ROTHMEIER

LIC. NO.: 59940

DATE: 1/6/2026

SITE PLAN
MIN NOWHERE (174258S3)
EMPIRE, MINNESOTA

SUBMITTAL:		
INT.	DATE:	DESCRIPTION:
DBS	11/05/25	REV. A
PER	11/19/25	REV. B
DBS	01/06/26	REV. 0

CHECKED BY	PER
EDGE SITE ID	S17334
EDGE PROJ. #	44328
SET TYPE	FINAL
SHEET NUMBER	C-101

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NORTH

EXISTING GUY WIRE (TYP.)

65-2" WIDE FENCED COMPOUND

GRAVEL TURNAROUND

EXISTING 14'-0" WIDE DOUBLE SWING ACCESS GATE

EXISTING EQUIPMENT SHELTER

EXISTING 500' GUYED TOWER; SEE T-201 FOR DETAILS

PROPOSED SPD TO BE MOUNTED ON FIRST ICE BRIDGE POST; (RAYCAP RCMDC-6627-PF-48) SEE T-002 FOR DETAILS

PROPOSED VERIZON 15' x 24' LEASE AREA

GRAVEL COMPOUND

10'-0" ICE BRIDGE

PROPOSED VERIZON WALK-IN ENCLOSURE ON 9'-0" x 12'-0" CONCRETE PAD; SEE A-101 FOR DETAILS

PROPOSED HVAC UNIT; (TYP. OF 2)

EXISTING PAD TRANSFORMER

PROPOSED UNDERGROUND ELECTRIC UTILITY CONDUIT

PROPOSED UNDERGROUND FIBER OPTIC UTILITY CONDUIT

PROPOSED MULTI-METER UTILITY RACK; LOCATION TO BE VERIFIED WITH LOCAL POWER PROVIDER

PROPOSED FIBER VAULT; BY VERIZON GC

PROPOSED VERIZON DIESEL GENERATOR ON 4'-0" x 8'-0" CONCRETE PAD W/ ICE CANOPY

23'-6" 3'-0" 3'-0" 12'-0" 24'-0" 2'-6" 4'-0" 2'-6" 2'-0" 3'-6" 8'-0" 15'-0" 3'-6" 2'-0"

NOTE:

1. FIBER COORDINATION IS NOT COMPLETE (PENDING FIBER CONTACT). PRIOR TO CONSTRUCTION, CONTACT DESIGNER FOR UPDATE.



A SITE OVERVIEW



B PROPOSED LEASE AREA

5' 0 5' 10'

SCALE: 11" x 17" - 1" = 10'
22" x 34" - 1" = 5'

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CONSULTANT:

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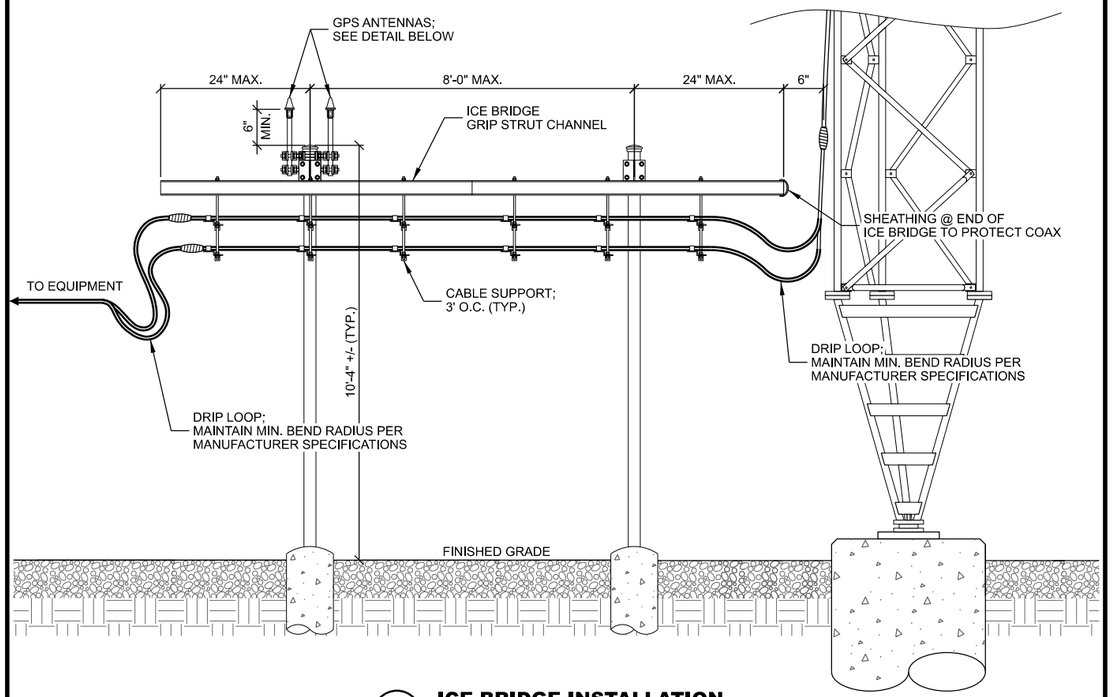
ENLARGED SITE PLAN
MIN NOWHERE (17425853)
EMPIRE, MINNESOTA

SUBMITTAL:

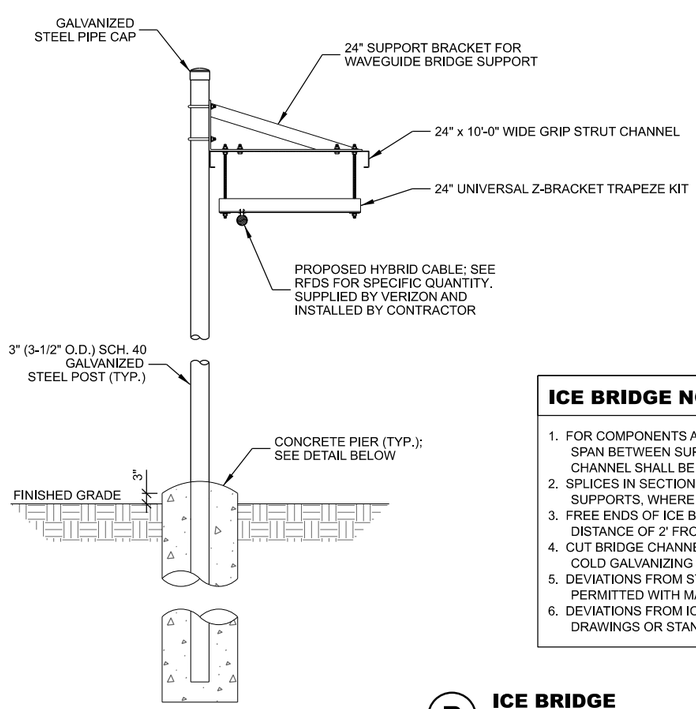
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PER	11/19/25	REV. B
DBS	01/06/26	REV. 0

CHECKED BY	PER
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EDGE PROJ. #	44328
SET TYPE	FINAL
SHEET NUMBER	C-102

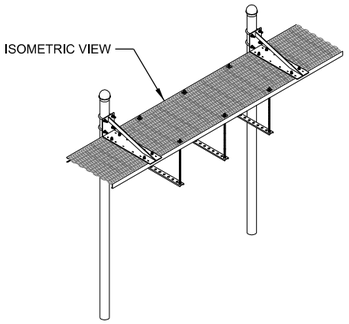
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A **ICE BRIDGE INSTALLATION**

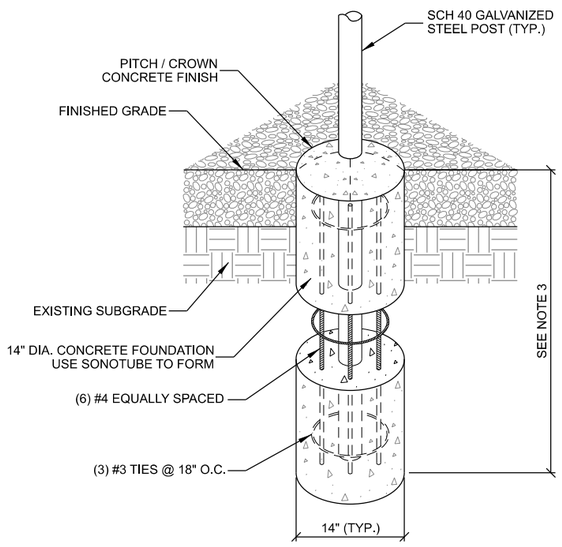


B **ICE BRIDGE**



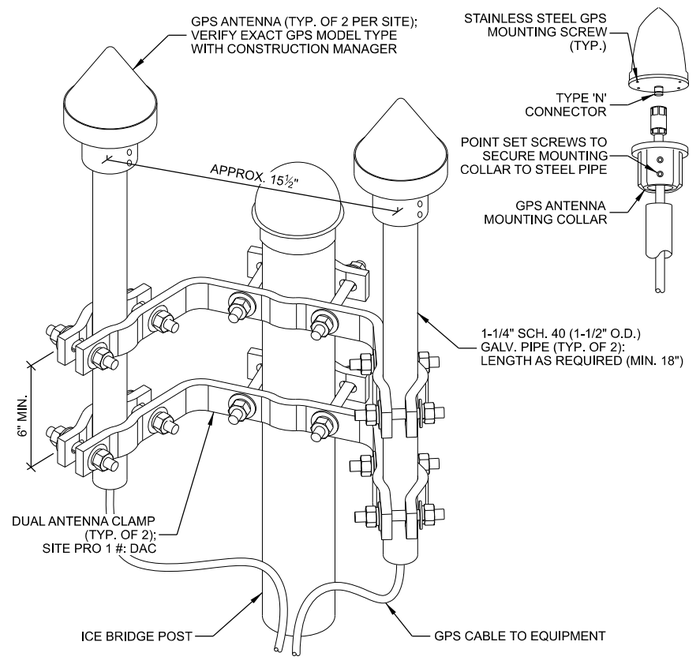
ICE BRIDGE NOTES : (THIS SHEET)

1. FOR COMPONENTS AS SHOWN IN STANDARD DETAILS, MAXIMUM ALLOWABLE SPAN BETWEEN SUPPORTS ON A CONTINUOUS SINGLE SECTION OF BRIDGE CHANNEL SHALL BE 8' FOR A 10' SECTION.
2. SPLICES IN SECTIONS OF BRIDGE CHANNEL SHALL BE INSTALLED AT SUPPORTS, WHERE POSSIBLE, OR AT MOST 2' FROM A SUPPORT.
3. FREE ENDS OF ICE BRIDGE CHANNELS SHALL NOT EXCEED A CANTILEVER DISTANCE OF 2' FROM A SUPPORT.
4. CUT BRIDGE CHANNEL SECTIONS SHALL HAVE RAW EDGES TREATED WITH COLD GALVANIZING SPRAY.
5. DEVIATIONS FROM STANDARDS FOR COMPONENT INSTALLATIONS ARE PERMITTED WITH MANUFACTURER'S AND ENGINEER'S APPROVAL.
6. DEVIATIONS FROM ICE BRIDGE FOUNDATIONS SHOWN ON SITE SPECIFIC DRAWINGS OR STANDARD DETAILS REQUIRE ENGINEERING APPROVAL.



NOTES:
1. MAINTAIN 3" MINIMUM REBAR COVER WITH CONCRETE IN ALL DIRECTIONS.
2. CONCRETE MIX TO BE 4,000 PSI @ 28 DAYS.
3. FOUNDATION DEPTH TO EXCEED LOCAL FROST DEPTH, OR 48" MINIMUM.

C **ICE BRIDGE POST PIER FOUNDATION**



D **GPS ANTENNA MOUNTING**

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CONSULTANT:
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Consulting Engineers, Inc
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BURNSVILLE, MN 55337
608.644.1449 VOICE
608.644.1549 FAX
www.edgeconsult.com

CLIENT:
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SIGNATURE: Peter E Rothmeier

TYPED OR PRINTED NAME: PETER E. ROTHMEIER

LIS. NO.: 59940

DATE: 1/6/2026

ICE BRIDGE AND GPS DETAILS
MIN NOWHERE (17425853)
EMPIRE, MINNESOTA

SUBMITTAL:		
INT.	DATE:	DESCRIPTION:
DBS	11/05/25	REV. A
PER	11/19/25	REV. B
DBS	01/06/26	REV. 0

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EDGE SITE ID	S17334
EDGE PROJ. #	44328
SET TYPE	FINAL
SHEET NUMBER	C-501

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NORTH

RIGHT OF WAY

PROPERTY LINE

170TH ST W

RIGHT OF WAY

EXISTING GRAVEL ACCESS DRIVE

EXISTING BRUSH AND SHRUBS TO REMAIN, TYP.

CEMSTONE PRODUCTS CO
PARCEL #: 120070025013

CUMULUS MEDIA TOWER CO LLC
PARCEL #: 120070025012

PROPERTY LINE

EXISTING DECIDUOUS TREE TO REMAIN, TYP.

EXTENTS OF PROPOSED 20'-0" WIDE ACCESS & UTILITY EASEMENT

EXISTING BRUSH AND SHRUBS TO REMAIN, TYP.

EXISTING 500' GUYED TOWER

240'-7"

292'-5"

PROPOSED 15'-0" x 24'-0" VERIZON LEASE AREA

EXISTING FENCED COMPOUND; SEE C-102 FOR ENLARGED PLAN

182'-10"

PROPERTY LINE

PROPERTY LINE

50' 0 50' 100'

SCALE: 11" x 17" - 1" = 100'
22" x 34" - 1" = 50'

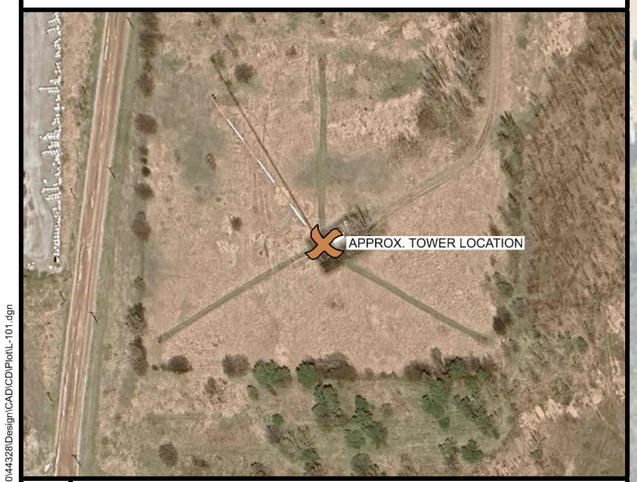
LEGEND:

EXISTING DECIDUOUS TREE TO REMAIN

EXISTING BRUSH/SHRUBS TO REMAIN

NOTE:

1. EXISTING VEGETATION TO REMAIN. NO PROPOSED CHANGES.



A **AERIAL OVERVIEW OF SITE**

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CONSULTANT:
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SIGNATURE: Peter E Rothmeier

TYPED OR PRINTED NAME: PETER E. ROTHMEIER

LIS. NO.: 59940

DATE: 1/6/2026

LANDSCAPE PLAN
MIN NOWHERE (17425853)
EMPIRE, MINNESOTA

SUBMITTAL:

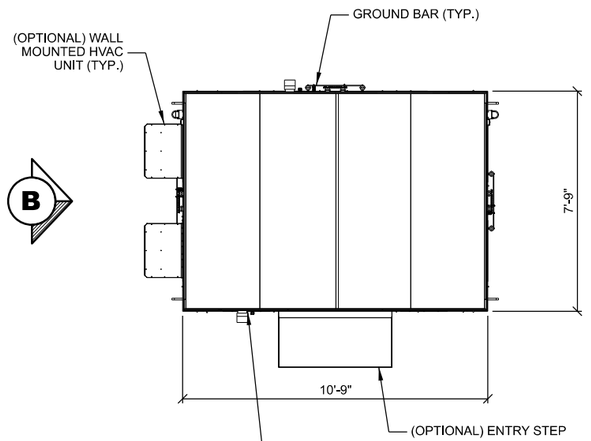
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PER	11/19/25	REV. B
DBS	01/06/26	REV. 0

CHECKED BY	PER
EDGE SITE ID	S17334
EDGE PROJ. #	44328
SET TYPE	FINAL
SHEET NUMBER	**L-101**

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Imagery ©2026 Airbus, CNES / Airbus, Maxar Technologies

MANUFACTURER: CHARLES
EXTERIOR: 12 GA. STEEL (CRS) PANELS
FINISH: POWDER COAT - COOL WHITE

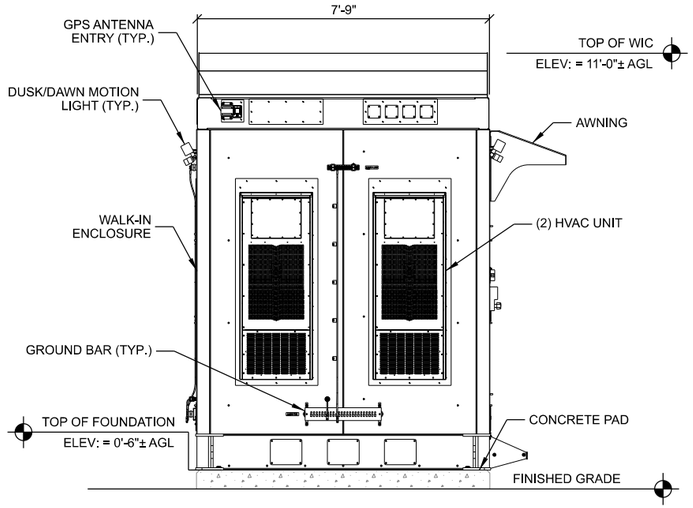


A WALK-IN ENCLOSURE PLAN VIEW

SCALE: 11" x 17" - 3/16" = 1'-0"
22" x 34" - 3/8" = 1'-0"

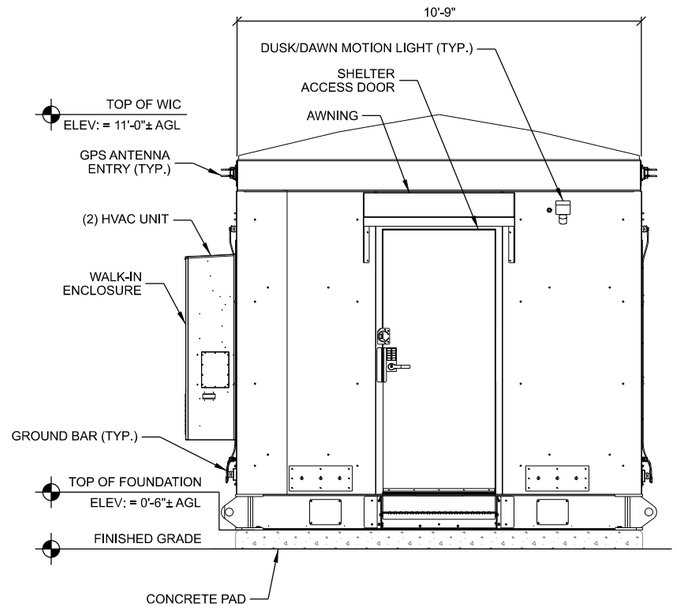
NOTES:

1. CONDUITS AND CABLING NOT SHOWN FOR CLARITY.
2. ELEVATIONS PROVIDED FOR CONVIENCE ONLY.
3. LAYOUTS ON THIS SHEET ARE TYPICAL; SEE SITE PLAN FOR ORIENTATION & LAYOUT CONFIGURATION



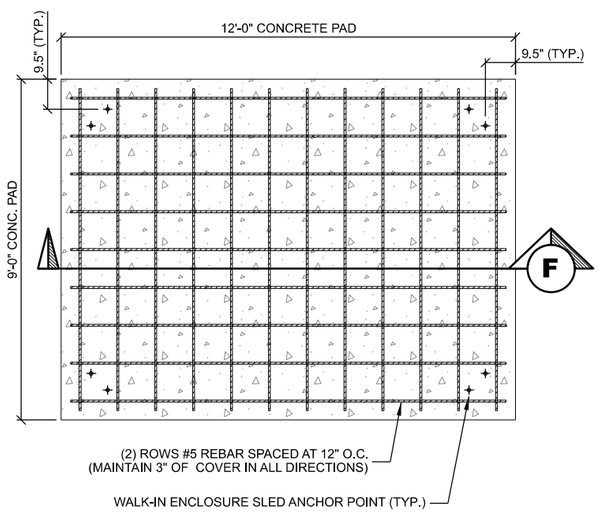
B EQUIPMENT PAD SIDE ELEVATION

SCALE: 11" x 17" - 1/4" = 1'-0"
22" x 34" - 1/2" = 1'-0"



C EQUIPMENT PAD FRONT ELEVATION

SCALE: 11" x 17" - 1/4" = 1'-0"
22" x 34" - 1/2" = 1'-0"

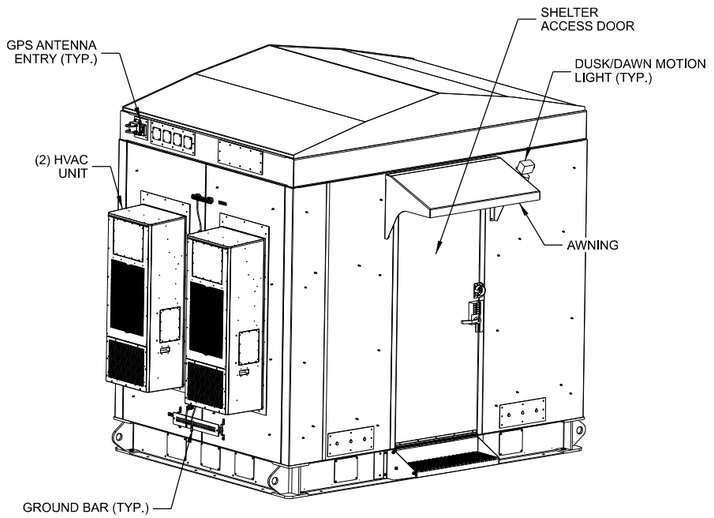


D FOUNDATION PLAN

SCALE: 11" x 17" - 1/4" = 1'-0"
22" x 34" - 1/2" = 1'-0"

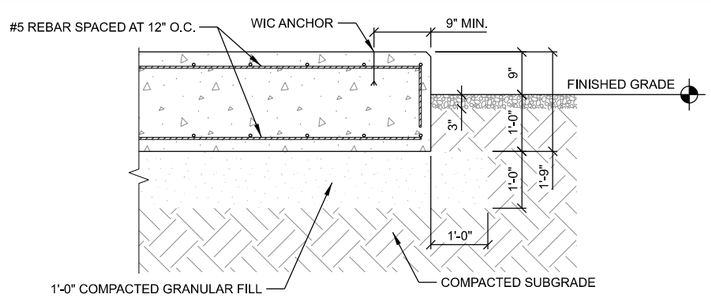
NOTES:

1. TYPICAL ISOMETRIC VIEW FROM CHARLES INDUSTRIES SHOWN BELOW FOR CLARITY. CONTRACTOR TO VERIFY HVAC POSITION WITH WIC ORDER AND CONSTRUCTION.

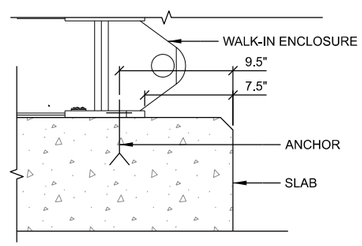


E WALK-IN ENCLOSURE ISOMETRIC VIEW

SCALE: NOT TO SCALE



F FOUNDATION SECTION



G ANCHOR DETAIL

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608.644.1549 FAX
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SIGNATURE:

TYPED OR PRINTED NAME: PETER E. ROTHMEIER

LIS. NO.: 59940

DATE: 1/6/2026

WIC PAD PLAN, ELEVATION, SECTIONS & DETAILS
MIN NOWHERE (17425853)
EMPIRE, MINNESOTA

SUBMITTAL:

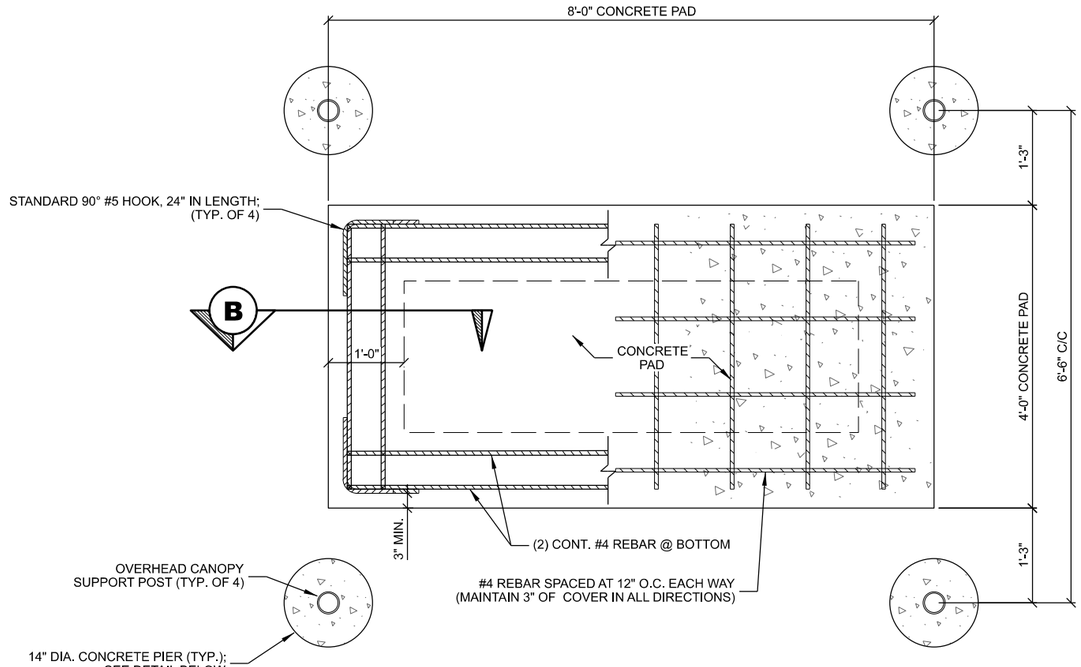
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EDGE PROJ. #	44328
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SHEET NUMBER	A-101

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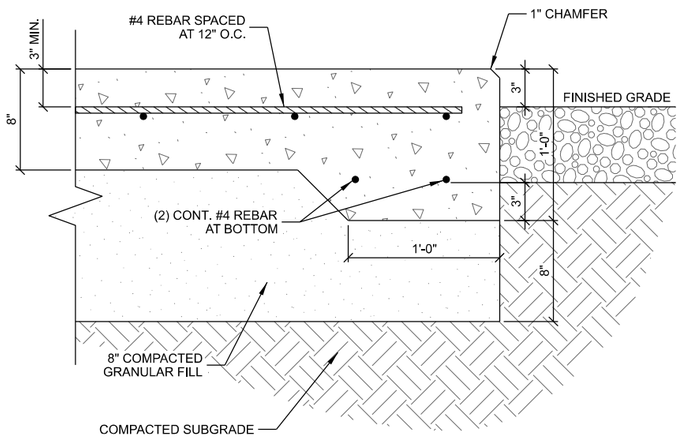
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REBAR SCHEDULE		
SIZE	LENGTH	QTY
#4	7'-6"	8
#4	3'-6"	12
#5	2'-0"	4



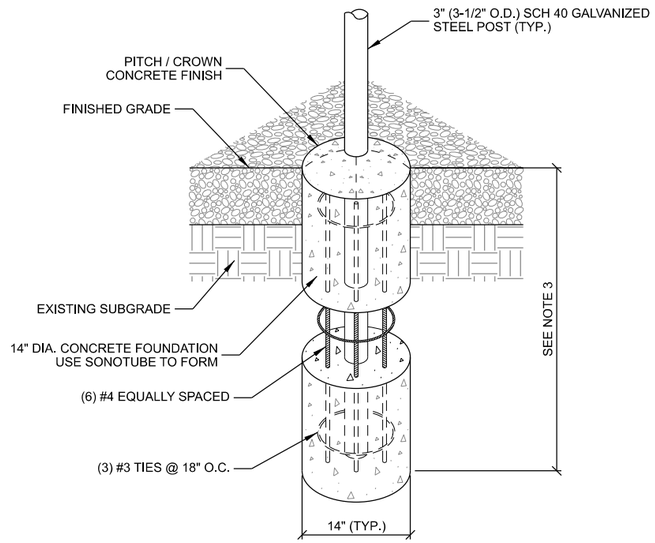
A **EQUIPMENT PAD FOUNDATION**

SCALE: 11" x 17" - 1/2" = 1'-0"
22" x 34" - 1" = 1'-0"



NOTE:
1. 3" MIN. CONCRETE COVER OVER BAR AND WIRE.

B **THICKENED SLAB FOUNDATION**



NOTES:
1. MAINTAIN 3" MINIMUM REBAR COVER WITH CONCRETE IN ALL DIRECTIONS. 2. CONCRETE MIX TO BE 4,000 PSI @ 28 DAYS. 3. FOUNDATION DEPTH TO EXCEED LOCAL FROST DEPTH, OR 48" MINIMUM.

C **CANOPY POST PIER FOUNDATION**

CONCRETE AND REINFORCING NOTES:

1. ALL CONCRETE CONSTRUCTION SHALL BE IN ACCORDANCE WITH LOCAL CODE REQUIREMENTS AND MOST CURRENT VERSION OF ACI STANDARDS.
2. ALL EXPOSED CONCRETE SURFACES EXPOSED TO VIEW SHALL HAVE A SURFACE FINISH SF-2.0 IN ACCORDANCE WITH ACI 301.
3. ALL CONCRETE UNLESS SPECIFICALLY NOTED SHALL BE NORMAL WEIGHT (145 PCF) AND SHALL ACHIEVE A 28-DAY COMPRESSIVE STRENGTH (f'c) OF 4,000 PSI. EXPOSED EXTERIOR CONCRETE TO BE AIR ENTRAINED WITH 6% AIR CONTENT. CONTRACTOR TO PERFORM CONCRETE SLUMP TEST (4" MAX SLUMP). NO WATER TO BE ADDED AFTER SLUMP HAS BEEN MEASURED.
4. ALL CONCRETE REINFORCING SHALL BE ASTM A615 GRADE 60 AND PLACED IN ACCORDANCE WITH ACI STANDARDS W/ 3" MIN COVERAGE IF CAST AGAINST EARTH AND 2" MIN COVERAGE OTHERWISE.
5. REMOVE ALL ORGANIC MATERIAL, SOFT AREAS, AND POOR SOILS BENEATH FOUNDATION TO A DEPTH OF AT LEAST 2'-0" BELOW FOUNDATION.
6. SLAB NOT SUITABLE AT SITES WITH ORGANIC SOIL, UNCOMPACTED FILL, EXPANSIVE SOIL, OR SOILS SUSCEPTIBLE TO FROST HEAVE.
7. CONTRACTOR TO ENSURE POSITIVE DRAINAGE FROM ALL FOUNDATIONS.
8. DESIGN BASED ON A PRESUMPTIVE SOIL BEARING CAPACITY OF 2000 PSF. NO GEOTECHNICAL REPORT FOR THE EQUIPMENT PAD HAS BEEN COMPLETED.

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SIGNATURE: Peter E Rothmeier

TYPED OR PRINTED NAME: PETER E. ROTHMEIER

LIS. NO.: 59940

DATE: 1/6/2026

EQUIPMENT PAD DETAILS
MIN NOWHERE (17425853)
EMPIRE, MINNESOTA

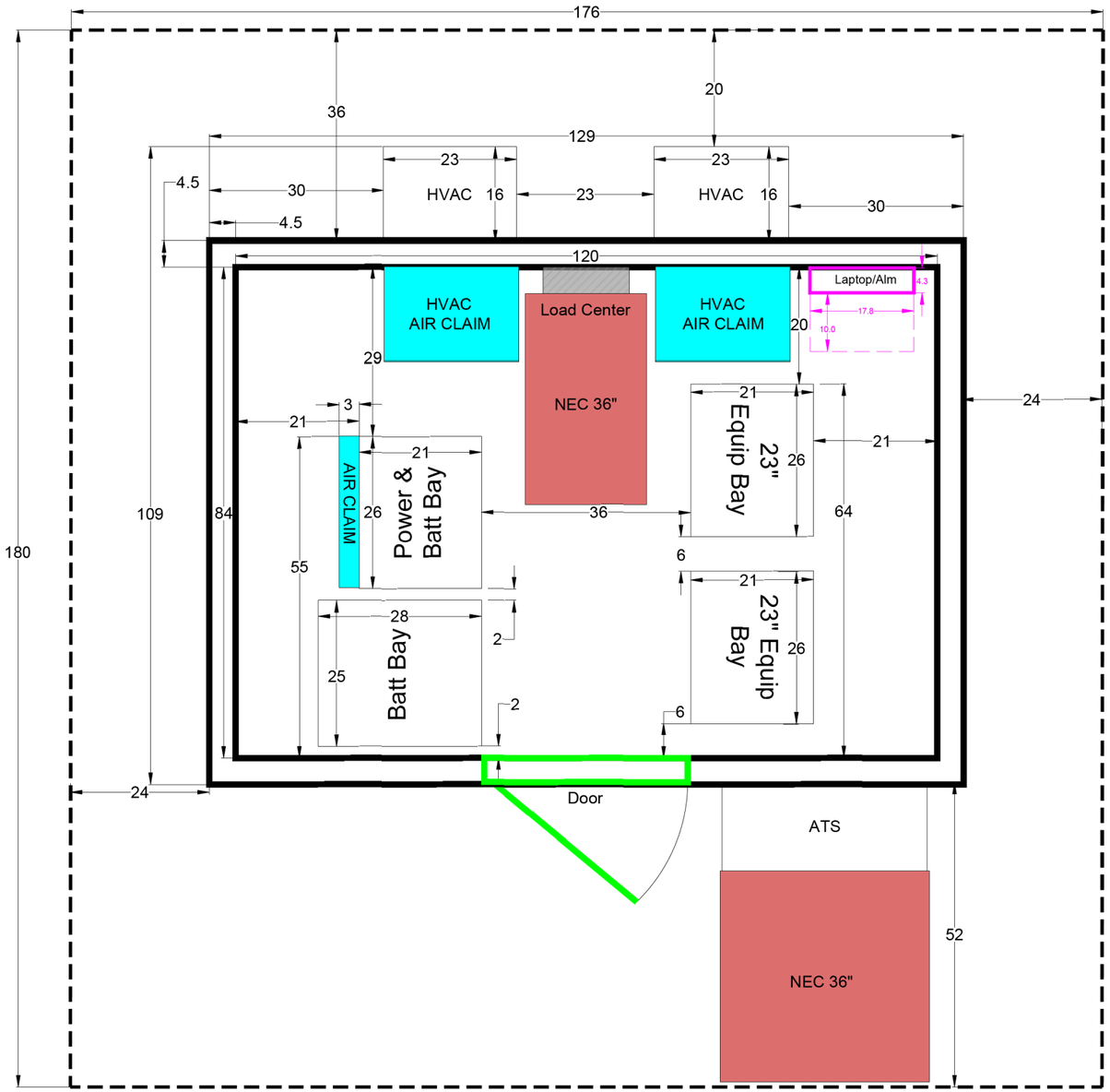
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REVISIONS			
REV	DESCRIPTION	DATE	APVD
-	[redacted]	-	-



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WALK-IN ENCLOSURE LAYOUT
MIN NOWHERE (17425853)
EMPIRE, MINNESOTA

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MX08FIT865-B02E

NWAV™ X-Pol 8-Port Antenna

X-Pol 8-Port 8 ft, 65° Form In Tighter, with Smart Bias Ts, 698-4200 MHz:

4 ports 698-894 MHz and 4 ports 3400-4200 MHz

- High efficiency macro panel antenna with optimized 4T4R MIMO performance for low and high band.
- Enhanced pattern performance with superior cross-pol performance and front-to-back ratio
- Fully integrated (iRETs) with independent RET control for low band and high band
- Optimized CBRS radiation patterns for improved RSRP and maximum EIRP
- Excellent passive intermodulation (PIM) performance reduces harmful interference.
- Suitable for 4G and 5G interface technologies
- Integrated Smart Bias-Ts reduce leasing costs
- Optimized form factor for reduced wind loading



Electrical specification (minimum/maximum)	Ports 1, 2, 3, 4	
Frequency bands, MHz	698-806	806-894
Polarization	± 45°	
Maximum gain over all tilts, dBi	16.2	16.4
Average gain over all tilts, dBi	15.9 ± 0.3	16.1 ± 0.3
Horizontal beamwidth (HBW), degrees[1]	66	64
Front-to-back ratio, co-polar power @180°± 30°, dB	>28.0	>28.0
SPR (Sector Power Ratio), %	5	4.5
X-Pol discrimination (CPR) at boresight, dB	>20.0	>20.0
Vertical beamwidth (VBW), degrees[1]	9	8
Electrical downtilt (EDT) range, degrees	0-10	
First upper side lobe (USLS) suppression, dB[1]	≤-18.0	≤-16.0
Cross-polar isolation, port-to-port, dB[1]	25	25
Max VSWR / return loss, dB	1.5:1 / -14.0	
Max passive intermodulation (PIM), 2x20W carrier, dBc	-153	
Max input power per any port, watts	300	
Total composite power all ports, watts	1500	

[1] Typical value over frequency and tilt

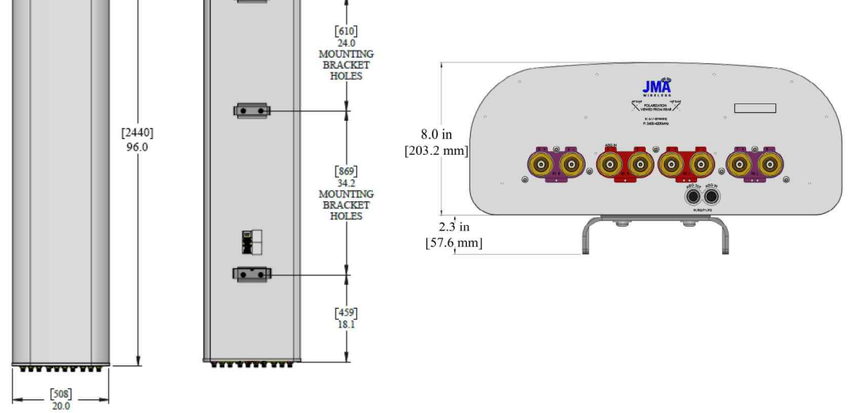
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MX08FIT865-B02E

NWAV™ X-Pol 8-Port Antenna

Mechanical specifications	
Dimensions height/width/depth, inches (mm)	96/ 20/ 8(2440/ 510/ 203)
Shipping dimensions length/width/height, inches (mm)	100.6/ 23.8/ 14.5(2555/ 605/ 368)
No. of RF input ports, connector type, and location	8 x 4.3-10 female, bottom
RF connector torque	96 lbf·in (10.85 N·m or 8 lbf·ft)
Net antenna weight, lb (kg)	60 (27.2)
Shipping weight, lb (kg)	117 (53.1)
Antenna mounting and downtilt kit included with antenna	91900318, 91900319 (middle bracket)
Net weight of the mounting and downtilt kit, lb (kg)	26 (11.82)
Range of mechanical up/down tilt	-2° to 12°
Rated wind survival speed, mph (km/h)	150 (241)
Frontal and lateral wind loading @ 150 km/h, lbf (N)	172.3 (766.4), 79.8 (355.0)
EPA frontal, ft^2, (m^2)	7.7 (0.72)

Front view	Back view	Bottom view



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A **ANTENNA SPECIFICATIONS**

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LIS. NO.: 59940

DATE: 1/6/2026

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MIN NOWHERE (17425853)
EMPIRE, MINNESOTA

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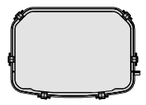
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SET TYPE	FINAL
SHEET NUMBER	T-001

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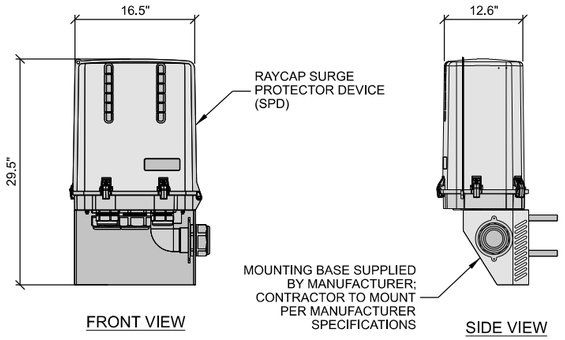
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MANUFACTURER: RAYCAP
MODEL: RCMDC-6627-PF-48
DIMENSIONS: 29.5" x 16.5" x 12.6" (H x W x D)
WEIGHT: 32 LBS



PLAN VIEW



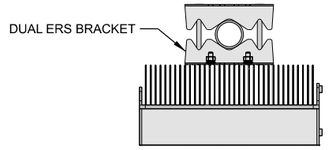


FRONT VIEW

SIDE VIEW

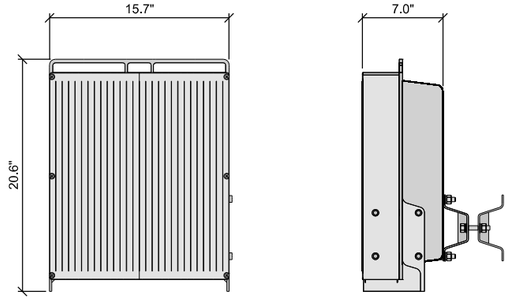
A RAYCAP SURGE PROTECTOR DEVICE (SPD)

MANUFACTURER: ERICSSON
MODEL: RADIO 4490
DIMENSIONS: 20.6" x 15.7" x 7.0" (H x W x D)
WEIGHT: 68.4 LBS



PLAN VIEW



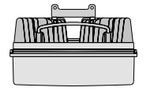


FRONT VIEW

SIDE VIEW

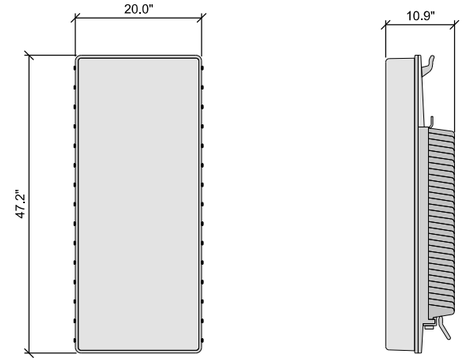
B ERICSSON RADIO 4490

MANUFACTURER: ERICSSON
MODEL: AIR3283 B25 B66
DIMENSIONS: 47.2" x 20.0" x 10.9" (H x W x D)
WEIGHT: 108 LBS.



PLAN VIEW



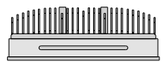


FRONT VIEW

SIDE VIEW

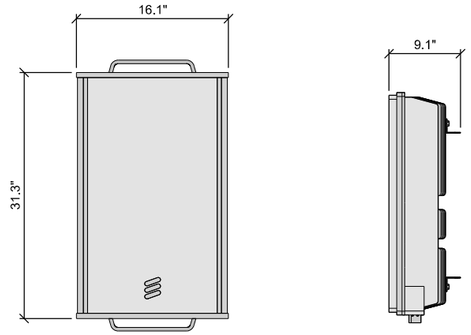
C ERICSSON AIR3283 B25 B66

MANUFACTURER: ERICSSON
MODEL: AIR6419
DIMENSIONS: 31.3" x 16.1" x 9.1" (H x W x D)
WEIGHT: 71 LBS.



PLAN VIEW





FRONT VIEW

SIDE VIEW

D ERICSSON AIR6419

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LIS. NO.: 59940

DATE: 1/6/2026

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MIN NOWHERE (17425853)
EMPIRE, MINNESOTA

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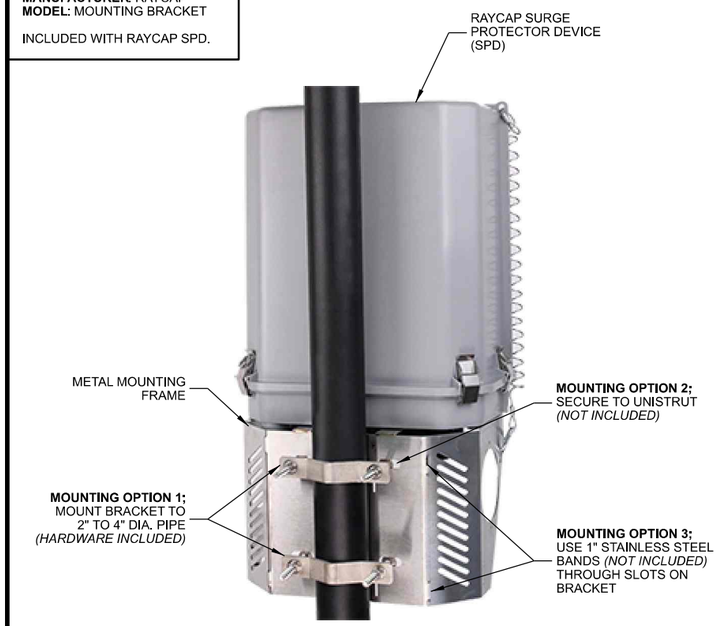
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MANUFACTURER: RAYCAP
MODEL: MOUNTING BRACKET

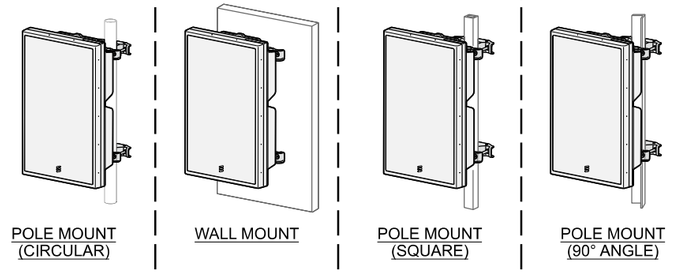
INCLUDED WITH RAYCAP SPD.

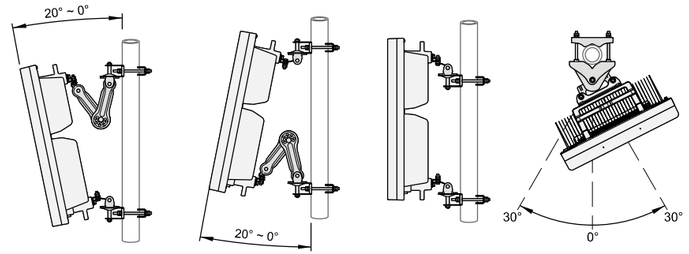


A RAYCAP SURGE PROTECTOR DEVICE (SPD) MOUNT

MANUFACTURER: ERICSSON
MODEL: SXK 109 2064/1 (SWIVEL ANGLE)
SXK 109 2065/1 (SWIVEL ANGLE AND TILT ANGLE)
WEIGHT: 9.7 LBS. (SWIVEL ANGLE)
13.0 LBS. (SWIVEL ANGLE AND TILT ANGLE)

POLE	CICULAR	SQUARE	90° ANGLE
MIN. OUTER DIMENSION	3" DIA.	2" x 2"	2" x 2"
MAX. OUTER DIMENSION	4.5" DIA.	3.15" x 3.15"	3.15" x 3.15"





B ERICSSON SWIVEL MOUNT KIT

MANUFACTURER: ERICSSON
MODEL: SXK 109 1973/2
WEIGHT: 3.75 LBS

BRACKET FOR ATTACHING TWO STANDARD OR HEAVY ERS UNITS WITH A HOLE PATTERN OF CC 30 MM AND/OR CC 80 MM., EITHER TO A POLE, WALL, ANGLE TOWER OR SQUARE TUBE.

BOLTS FOR ATTACHING TWO ERS UNITS ARE SUPPLIED IN THE PACKAGE.

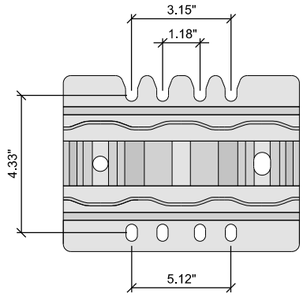


PLATE MOUNTING PATTERN



DUAL RADIO ATTACHMENT



ISOMETRIC VIEW

C DUAL ERS BRACKET

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MIN NOWHERE (17425853)
EMPIRE, MINNESOTA

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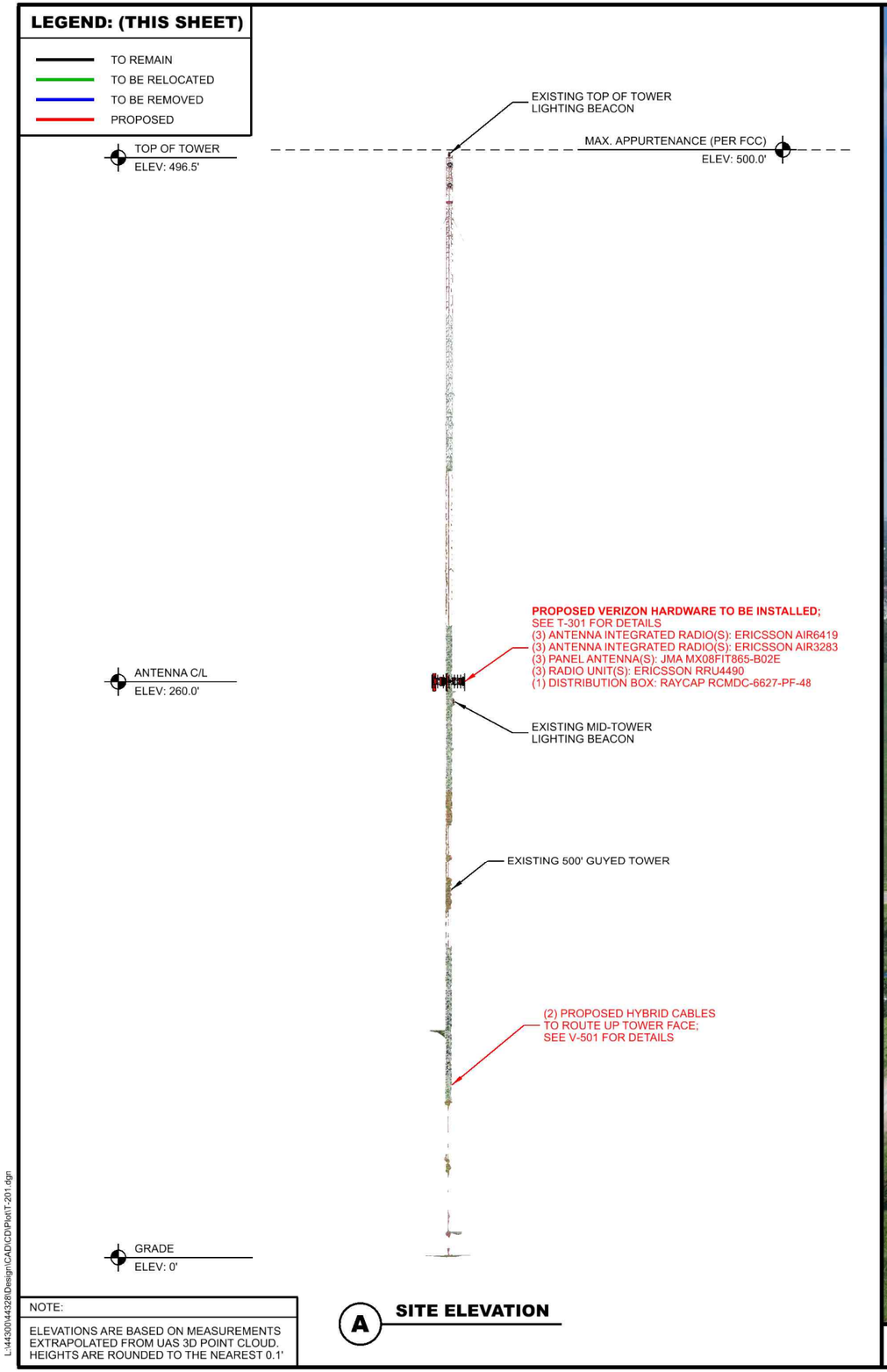
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LEGEND: (THIS SHEET)

- TO REMAIN
- TO BE RELOCATED
- TO BE REMOVED
- PROPOSED



NOTE:

ELEVATIONS ARE BASED ON MEASUREMENTS EXTRAPOLATED FROM UAS 3D POINT CLOUD. HEIGHTS ARE ROUNDED TO THE NEAREST 0.1'

A **SITE ELEVATION**



B **EXISTING SITE ELEVATION**

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SITE ELEVATION
MIN NOWHERE (17425853)
EMPIRE, MINNESOTA

SUBMITTAL:

INT.	DATE:	DESCRIPTION:
DBS	11/05/25	REV. A
PER	11/19/25	REV. B
DBS	01/06/26	REV. 0

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EDGE PROJ. #	44328
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SHEET NUMBER	T-201

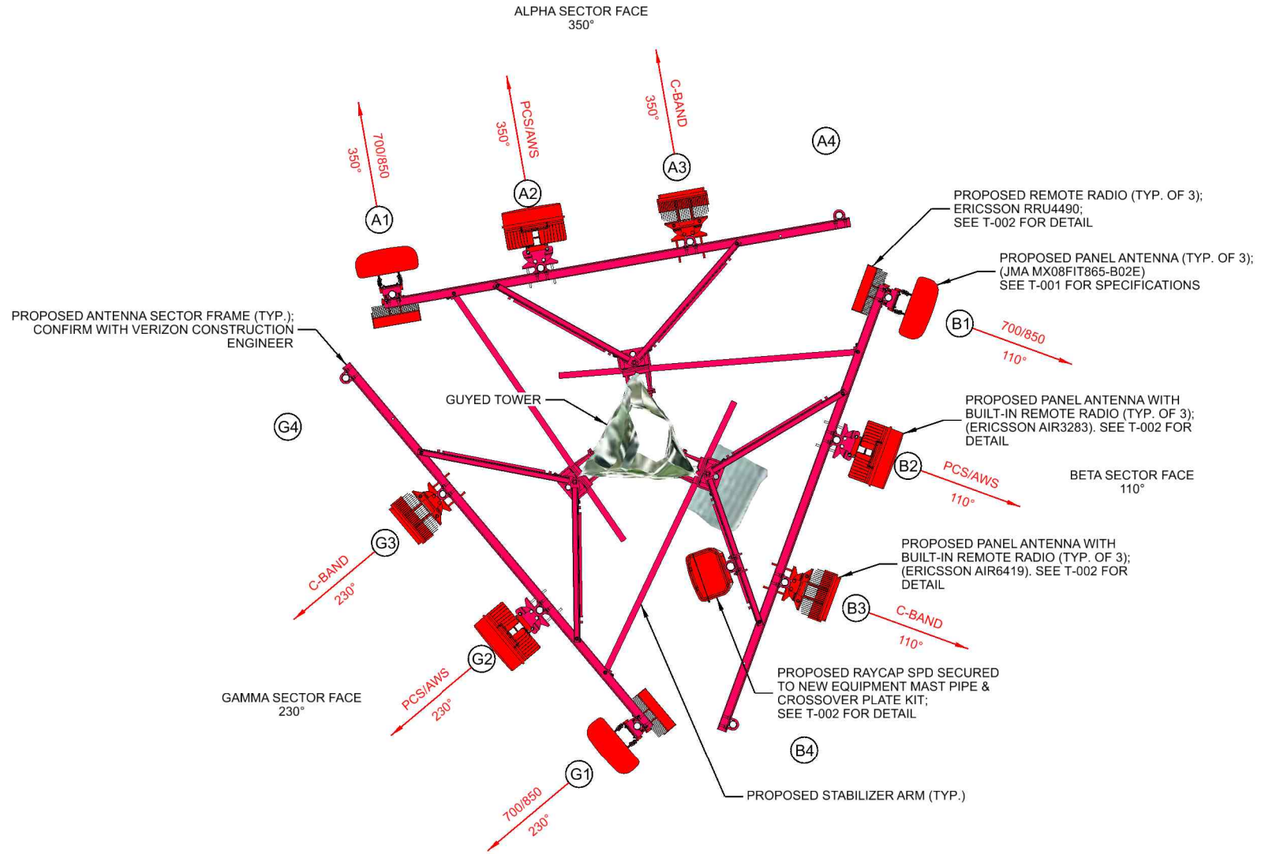
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NORTH

MOUNT NOTE:

ANTENNA LAYOUT IS SHOWN FOR CONVENIENCE ONLY. CONTRACTOR IS TO FOLLOW ANTENNA AND EQUIPMENT PLACEMENT IN ACCORDANCE WITH THE MOUNT ANALYSIS COMPLETED BY OTHERS. EDGE CONSULTING ENGINEERS, INC. IS NOT RESPONSIBLE FOR ANY DISCREPANCIES BETWEEN THE MOUNT ANALYSIS AND THE INSTALLATION.



VERIZON ANTENNAS @ 260.0'

NOTES:

1. ALL ANTENNA AZIMUTHS TO BE FROM TRUE NORTH.
2. SEE MOUNT ANALYSIS FOR INSTALLATION REQUIREMENTS OF ANTENNAS AND EQUIPMENT.

A ANTENNA AND EQUIPMENT LAYOUT

SCALE: 11" x 17" - 1" = 4'-0"
22" x 34" - 1" = 2'-0"

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www.edgeconsult.com

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verizon
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BLOOMINGTON, MN 55438

ENGINEER SEAL:

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SIGNATURE: Peter E Rothmeier

TYPED OR PRINTED NAME: PETER E. ROTHMEIER

LIC. NO.: 59940

DATE: 1/6/2026

ANTENNA CONFIGURATION
MIN NOWHERE (17425853)
EMPIRE, MINNESOTA

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FINAL ANTENNA SCHEDULE

LOCATION			ANTENNA SUMMARY							NON ANTENNA SUMMARY		
SECTOR	RAD	AZ	POS	QTY.	ANTENNA	BAND	ELEC D-TILT	MECH D-TILT	STATUS	QTY.	ADDITIONAL TOWER MOUNTED EQUIPMENT	STATUS
ALPHA	260'	350°	A1	1	JMA MX08FIT865-B02E	700/850	2°	0°	INSTALL	1	Ericsson 4490	INSTALL
	260'	350°	A2	1	Ericsson AIR3283	PCS/AWS	2°	0°	INSTALL	-	-	-
	260'	350°	A3	1	Ericsson AIR6419	C-BAND	6°	0°	INSTALL	-	-	-
	-	-	A4	-	-	-	-	-	-	-	-	-
BETA	260'	110°	B1	1	JMA MX08FIT865-B02E	700/850	2°	0°	INSTALL	1	Ericsson 4490	INSTALL
	260'	110°	B2	1	Ericsson AIR3283	PCS/AWS	2°	0°	INSTALL	-	-	-
	260'	110°	B3	1	Ericsson AIR6419	C-BAND	6°	0°	INSTALL	1	Raycap RCMDC-6627-PF-48	INSTALL
	-	-	B4	-	-	-	-	-	-	-	-	-
GAMMA	260'	230°	G1	1	JMA MX08FIT865-B02E	700/850	2°	0°	INSTALL	1	Ericsson 4490	INSTALL
	260'	230°	G2	1	Ericsson AIR3283	PCS/AWS	2°	0°	INSTALL	-	-	-
	260'	230°	G3	1	Ericsson AIR6419	C-BAND	6°	0°	INSTALL	-	-	-
	-	-	G4	-	-	-	-	-	-	-	-	-
			ANTENNA TOTAL:	9						NON ANTENNA TOTAL:	4	

PROPOSED HARDWARE

QTY	MANUFACTURER	MODEL	DESCRIPTION	LOCATION	STATUS
1	RAYCAP	RCMDC-6627-PF-48	DISTRIBUTION BOX	ON ICE BRIDGE POST	INSTALL
1	RAYCAP	RCMDC-6627-PF-48	DISTRIBUTION BOX	ON TOWER	INSTALL
2	RAYCAP	RTF-4575	FIBER MANAGEMENT TRAY	WALK-IN ENCLOSURE	INSTALL
2	HUBER+SUHNER	HFT1206	HYBRID	TRUNK CABLE	INSTALL
5	COMMSCOPE	-	UP-CONVERTER MODULES	WALK-IN ENCLOSURE	INSTALL
1	COMMSCOPE	-	DC-DC UP-CONVERTER	WALK-IN ENCLOSURE	INSTALL
-	-	-	-	-	-

HYBRID CABLE LENGTH	
QUANTITY (HUBER+SUHNER HFT1206)	2
LENGTH FROM GROUND SURGE PROTECTOR TO TOWER	10 FT
LENGTH FROM T.O.C. TO TOWER TOP SURGE PROTECTOR C/L	260 FT
EXTRA LENGTH	10 FT
TOTAL LENGTH OF HYBRID CABLE(S)	280 FT
** HYBRID CABLE LENGTH NOT TO EXCEED 367'	

JUMPER CABLE LENGTH CHECK	
IS THE DISTANCE FROM SURGE PROTECTOR TO RADIO UNIT LESS THAN 30'?	
ALPHA SECTOR	YES
BETA SECTOR	YES
GAMMA SECTOR	YES

NOTE:

1. RF DESIGN AND DETAILS ON THIS SHEET PROVIDED BY VERIZON AND ARE INCLUDED FOR CONVENIENCE ONLY. FINAL RF DESIGN TO BE VERIFIED WITH VERIZON PRIOR TO CONSTRUCTION. IF SIGNIFICANT CHANGES OR DISCREPANCIES ARE IDENTIFIED, CONTACT ENGINEER PRIOR TO INSTALLATION.

A ANTENNA SUMMARY

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TYPED OR PRINTED NAME: PETER E. ROTHMEIER

LIS. NO.: 59940

DATE: 1/6/2026

ANTENNA & EQUIPMENT SUMMARY

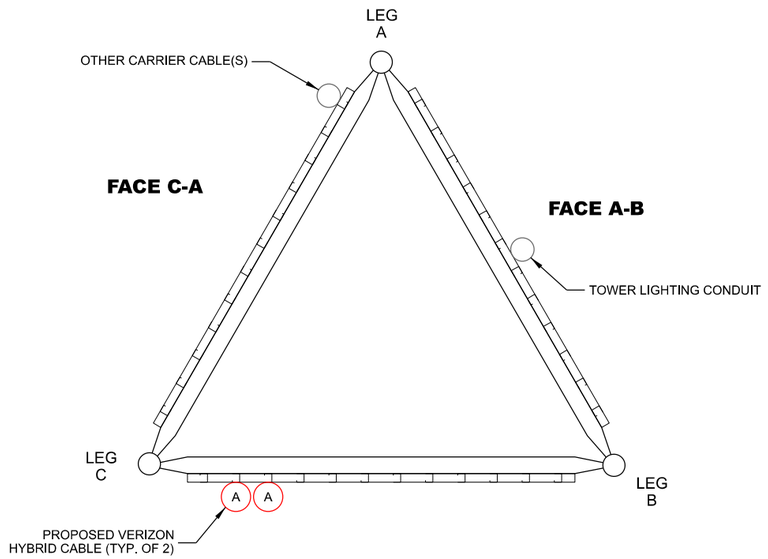
MIN NOWHERE (17425853)
EMPIRE, MINNESOTA

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SHEET NUMBER	T-501

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FACE B-C

A **PROPOSED TOWER CABLE LAYOUT**

NORTH



B **TOWER FACE B-C**



C **TOWER FACE C-A**

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CABLE ROUTING
MIN NOWHERE (17425853)
EMPIRE, MINNESOTA

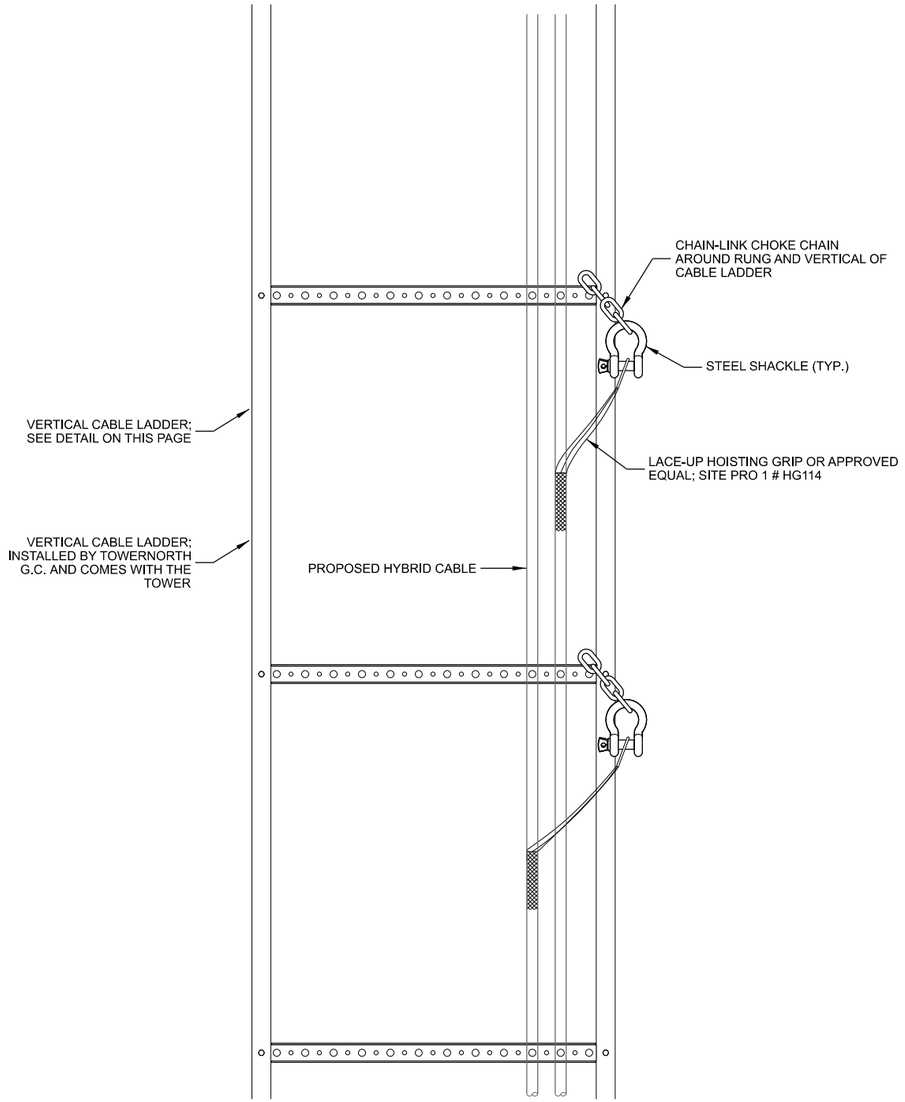
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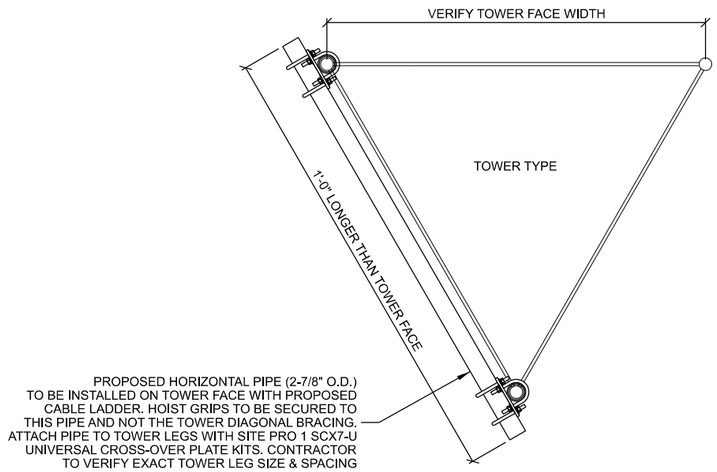
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NOTE:

1. MID-LEVEL HOIST GRIPS TO BE INSTALLED WHEN HYBRID CABLE LENGTH EXCEEDS 200'
2. INSTALL HOIST GRIPS MID-LEVEL BETWEEN ANTENNA LEVEL AND TOWER BASE
3. SECURE NO MORE THAN ONE CABLE PER HORIZONTAL LADDER RUNG

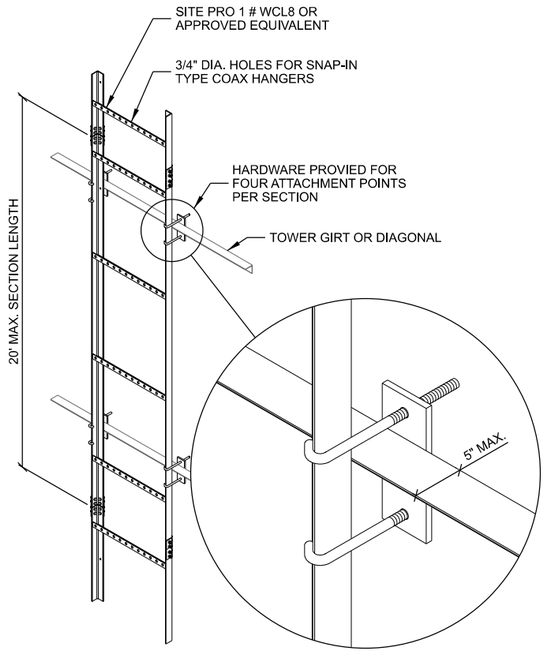
A MID-LEVEL HOIST GRIP INSTALLATION



NOTE:

1. TOWER ORIENTATION AND LOCATION OF PIPE IS SHOWN FOR SCHEMATIC PURPOSES. INSTALL PIPE ON THE TOWER FACE WITH THE PROPOSED CABLE LADDER
2. PIPE MAY BE INSTALLED ON THE INSIDE OR OUTSIDE OF THE TOWER FACE AS NEEDED TO AVOID OBSTACLES
3. INSTALL HOIST GRIP SUPPORT PIPE JUST BELOW SECTOR FRAME

B UPPER LEVEL HOIST GRIP SUPPORT



SITE PRO 1 CABLE LADDERS

20' LADDER SECTION KIT:
- 20-5/8" WIDE- #WCL6 (6 RUNS)
- 26-5/8" WIDE- #WCL8 (8 RUNS)
- 29-5/8" WIDE- #WCL9 (9 RUNS)
- 38-5/8" WIDE- #WCL12 (12 RUNS)

UNIVERSAL LADDER ATTACHMENT KITS:
- #CLK-U- UNIVERSAL (ANGLES 2" - 5" & PIPES 1" - 4.5")

UNIVERSAL ATTACHMENT KITS TO BE ORDERED SEPARATELY

C VERTICAL TRANSMISSION LINE LADDER

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CABLE SUPPORT DETAILS
MIN NOWHERE (17425853)
EMPIRE, MINNESOTA

SUBMITTAL:

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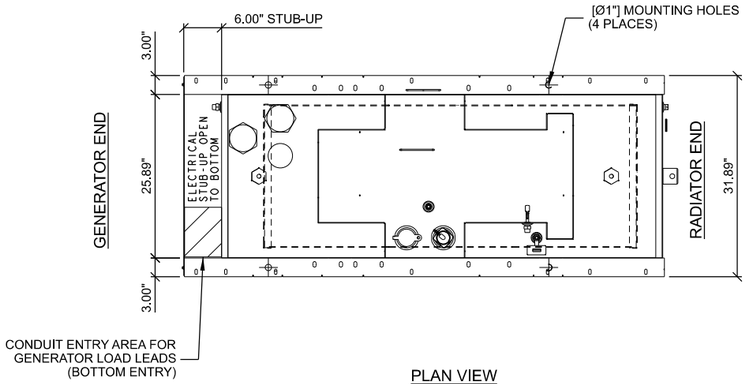
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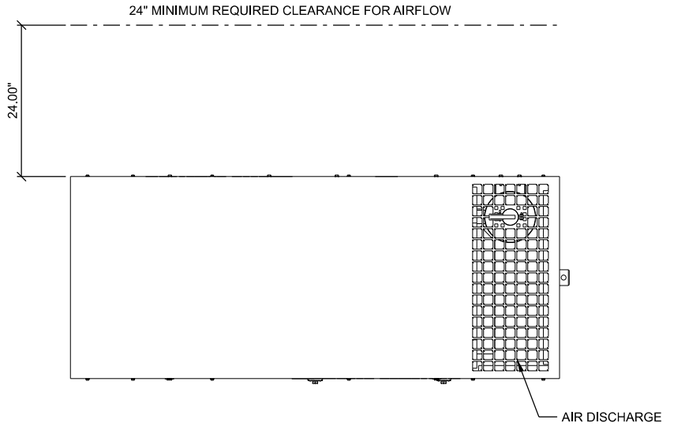
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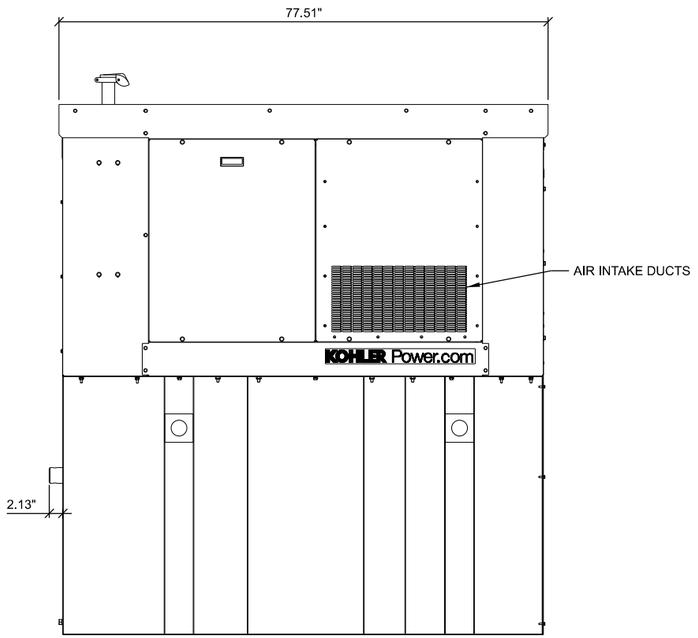
1. THE RIGHT SIDE OF THE GENERATOR IS SERVICE ACCESSIBLE.
2. 6 AMP BATTERY CHARGER.
3. 120VAC ENGINE BLOCK HEATER.
4. GENERATOR MUST BE GROUNDED.
5. SOUND ATTENUATED ENCLOSURE STANDARD WITH GENERATOR.
6. MUST ALLOW FREE FLOW OF DISCHARGE AIR AND EXHAUST.
7. MUST ALLOW FREE FLOW OF INTAKE AIR.
8. EASE ACCESS SERVICE PANEL IS LOCATED ON THE RIGHT SIDE OF GENERATOR ONLY.
9. BASE TANK REQUIRES ALL STUB-UPS TO BE IN RREAR TANK STUB-UP AREA.
10. SEE TABLE FOR SUBBASE FUEL TANK CAPACITY.
11. TANK EQUIPPED WITH FIRE SAFETY VALVE ON FUEL SUPPLY LINE.
12. IT IS THE RESPONSIBILITY OF THE INSTALLATION TECHNICIAN TO ENSURE THAT THE GENERATOR INSTALLATION COMPLIES WITH ALL APPLICABLE CODES, STANDARDS, AND REGULATIONS.
13. GENERATOR IS INSTALLED ON A UL-142 RATE DOUBLE WALL SUBBASE FUEL TANK.



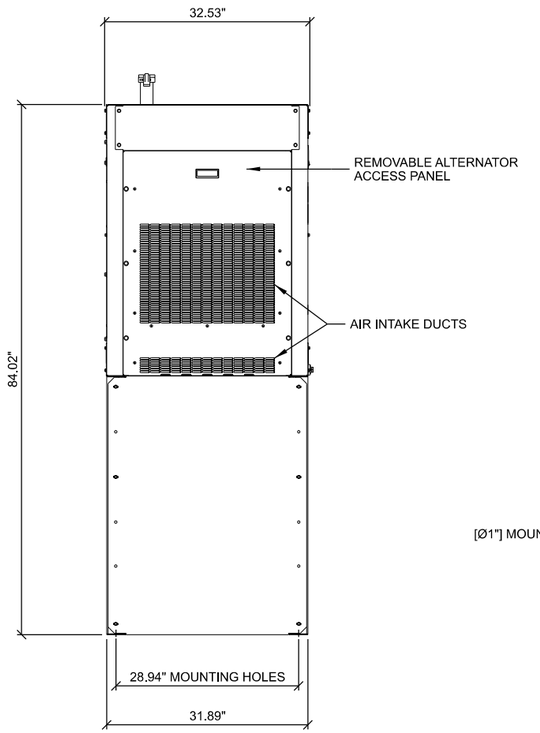
PLAN VIEW



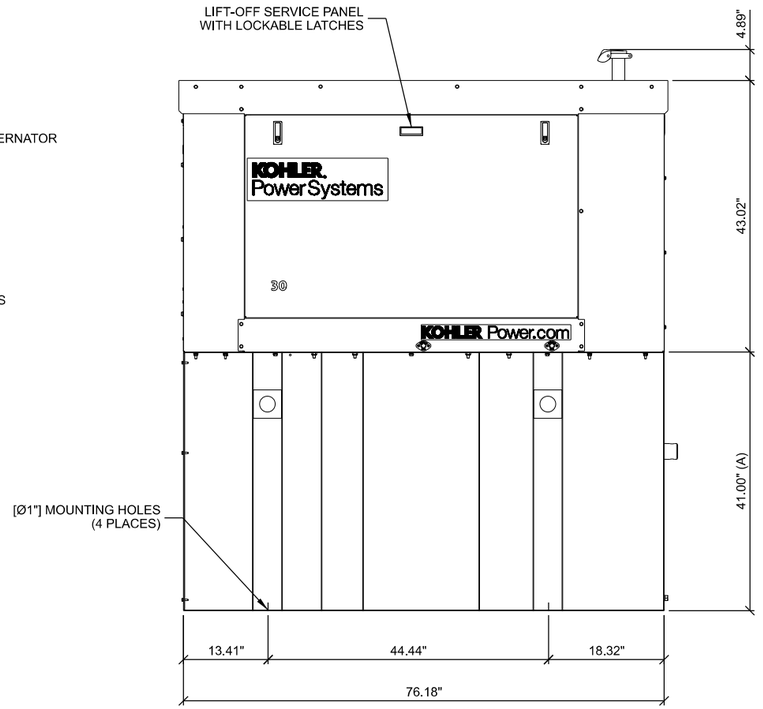
PLAN VIEW W/ ENCLOSURE



RIGHT VIEW



REAR VIEW



LEFT VIEW

GENSET	TANK P/N	TANK HT (A) IN	DESCRIPTION	ASSY WEIGHT
30REOZK	GM97093-MA2	41.0"	SKID/TANK 203 GAL	2114 LBS
30REOZK	GM97093-MA1	32.0"	SKID/TANK 148 GAL	1969 LBS

A **KOHLER 30REOZK DIESEL GENERATOR**

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GENERATOR SPECIFICATIONS
MIN NOWHERE (17425853)
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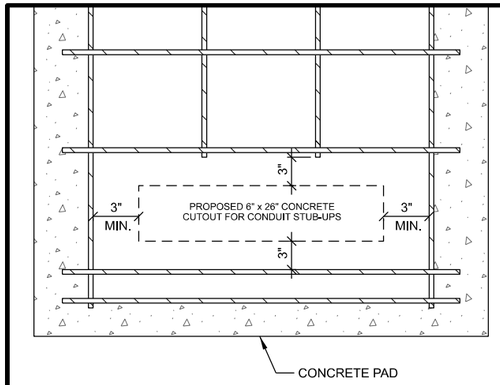
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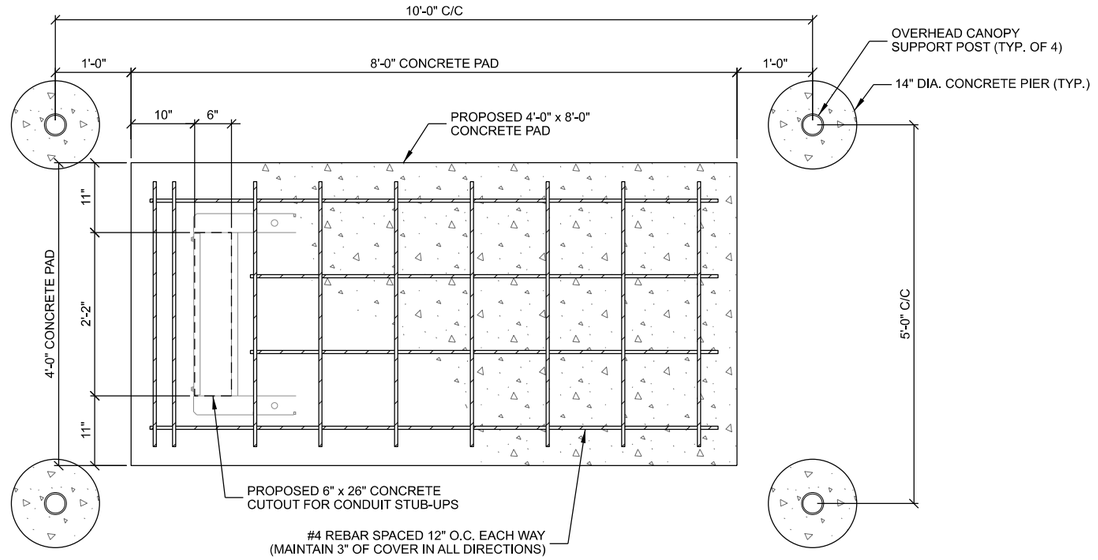
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STUB-UP REINFORCEMENT

NOTE:
VERIFY EXACT CONDUIT STUB-UP LOCATIONS WITH GENSET PLANS



A **KOHLER 30REOZK DIESEL GENERATOR FOUNDATION LAYOUT**

REBAR SCHEDULE		
SIZE	LENGTH	QTY
#4	7'-6"	2
#4	3'-6"	9
#4	6'-2"	2

GENERATOR CLEARANCE NOTE:

- MINIMUM OF 10' OF CLEARANCE FROM COMBUSTIBLE WALL
- MINIMUM OF 5' OF CLEARANCE FROM A NON-COMBUSTIBLE WALL
- MINIMUM OF 20' OF CLEARANCE FROM AN OUTDOOR ELECTRICAL TRANSFORMER OR NORMAL POWER DISTRIBUTION EQUIPMENT

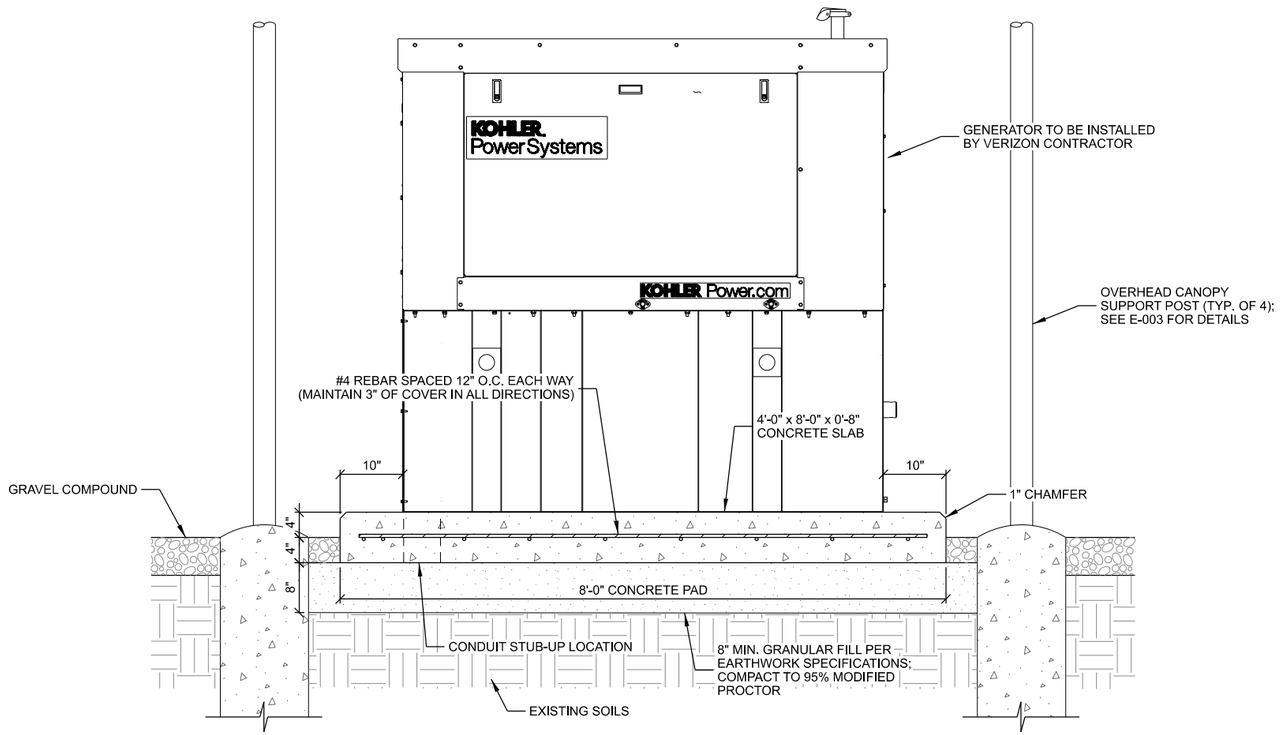
NOTE:

SEE GENERATOR MANUFACTURER'S DRAWINGS FOR PHYSICAL LOCATION OF FUEL LINES, CONTROL AND POWER INTERCONNECTIONS AND OTHER INTERFACES THAT ARE TO BE CAST INTO THE CONCRETE. THE PREFERRED METHOD IS TO BRING THE CONDUIT THROUGH THE CONCRETE PAD TO THE UNDERSIDE OF THE GENERATOR (MINIMIZES RODENT DAMAGE). FINISH CONNECTIONS WITH FLEXIBLE CONDUIT PER GENERATOR MANUFACTURER'S SPECIFICATIONS. RIGID CONDUITS SHALL BE SECURED TO THE EXISTING SLAB, THEN BURIED BETWEEN SLAB AND PLATFORM

NOTE:

SLAB NOT SUITABLE AT SITES WITH ORGANIC SOIL, UNCOMPACTED FILL, EXPANSIVE SOIL, OR SOILS SUSCEPTIBLE TO FROST HEAVE

REMOVE ALL ORGANIC MATERIAL, SOFT AREAS, AND POOR SOILS BENEATH CONCRETE PAD TO A DEPTH OF ATLEAST 2'-0" BELOW CONCRETE PAD



B **KOHLER 30REOZK DIESEL GENERATOR FOUNDATION DETAIL**

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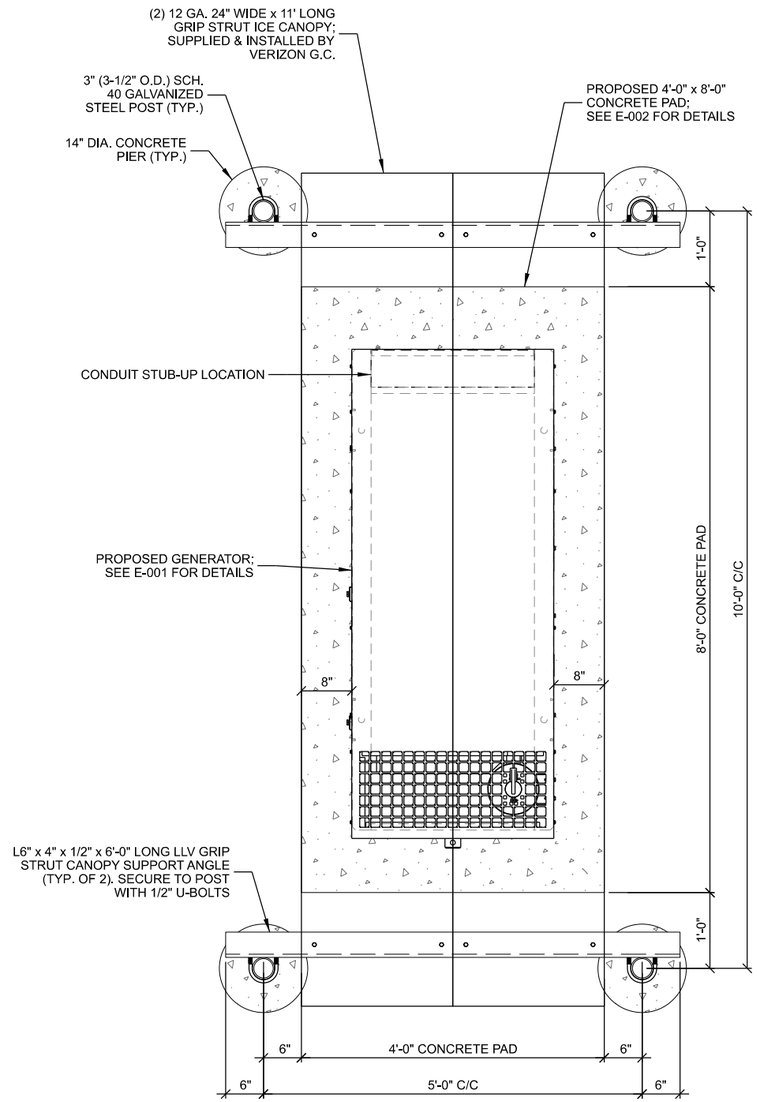
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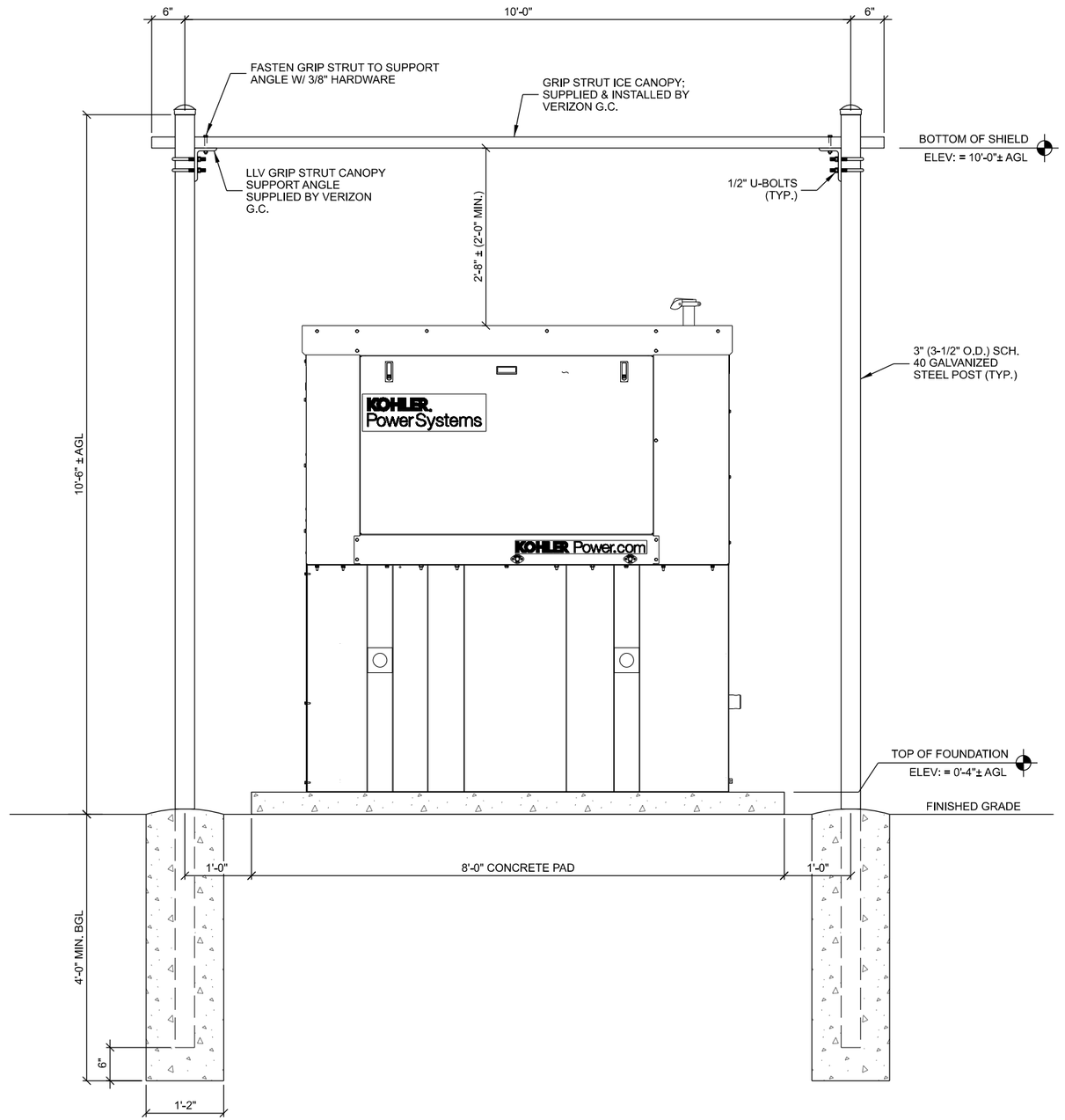
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A **GENERATOR CANOPY PLAN**



B **GENERATOR CANOPY ELEVATION**

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SHEET NUMBER	**E-003**

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KEYNOTES: (THIS SHEET)

- (A) EQUIPMENT GROUND RING #2 AWG SOLID TINNED COPPER GROUND LEAD MIN. 4'-6" BURY OR 6" BELOW FROST WHICH EVER IS GREATER
- (B) MAINTAIN 2- FOOT CLEARANCE FROM ALL STRUCTURES
- (C) MASTER GROUND BAR (MGB) MOUNTED VERTICALLY TO FIRST ICE BRIDGE POST ON INSULATORS
- (D) 5/8" DIAMETER x 10'-0" LONG COPPER CLAD GROUND ROD; SPACED AT 8' O.C.
- (E) BOND EQUIPMENT GROUND RING TO THE TOWER GROUND RING WITH (2) #2 SOLID BARE TINNED COPPER GROUND LEADS
- (F) WALK-IN ENCLOSURE HVAC GROUND; SEE E-501 FOR DETAILS
- (G) GENERATOR GROUND; SEE E-501 FOR DETAILS
- (H) EQUIPMENT PAD REBAR GROUND; SEE E-502 FOR DETAILS
- (I) GPS GROUND TO ICE BRIDGE POST; SEE E-501 FOR DETAILS
- (J) ICE BRIDGE POST GROUND; SEE E-501 FOR DETAILS
- (K) ICE BRIDGE SECTION GROUND; SEE E-501 FOR DETAILS
- (L) ICE BRIDGE SECTION TO POST; SEE E-501 FOR DETAILS
- (M) GROUND FENCE POSTS WITHIN 6-FEET OF EQUIPMENT
- (N) INSPECTION WELL (TYP.); SEE E-503 FOR DETAILS
- (O) TOWER GROUND BAR (TGB) INSTALLED ON TOWER; SEE E-501 FOR DETAILS
- (P) 4" x 12" x 1/4" GROUND BAR INSIDE HAND HOLE; CONTRACTOR TO DRIVE 10' GROUND ROD & CLAMP TO GROUND BAR (IF APPLICABLE)
- (Q) GROUND ELECTRIC METER TO (2) INDEPENDENT GROUND RODS, SPACED 10' O.C. WITH #2 AWG SOLID TINNED COPPER (IF APPLICABLE)
- (R) RAYCAP SPD GROUND (TYP.). SEE E-501 FOR DETAILS

NOTES:

1. THE GROUNDING SHALL BE TESTED PRIOR TO FINAL BACKFILLING. DOCUMENTATION OF 5 OHM OR LESS RESISTANCE TO BE PROVIDED TO PROJECT MANAGER.
2. ALL NON-INSULATED GROUND LEADS EXTENDING ABOVE GROUND LEVEL SHALL BE ENCASED IN 3/4" PVC & SEALED WITH SILICONE. PVC SHALL BE MIN. 16" INTO EARTH & EXTEND MIN. 6" ABOVE GROUND.
3. INSTALL 18" X 18" COPPER PLATES IN LIEU OF GROUND RODS WHEN INSTALLING OVER TOWER FOUNDATION OR WHERE DRIVING GROUND RODS IS NOT FEASIBLE.

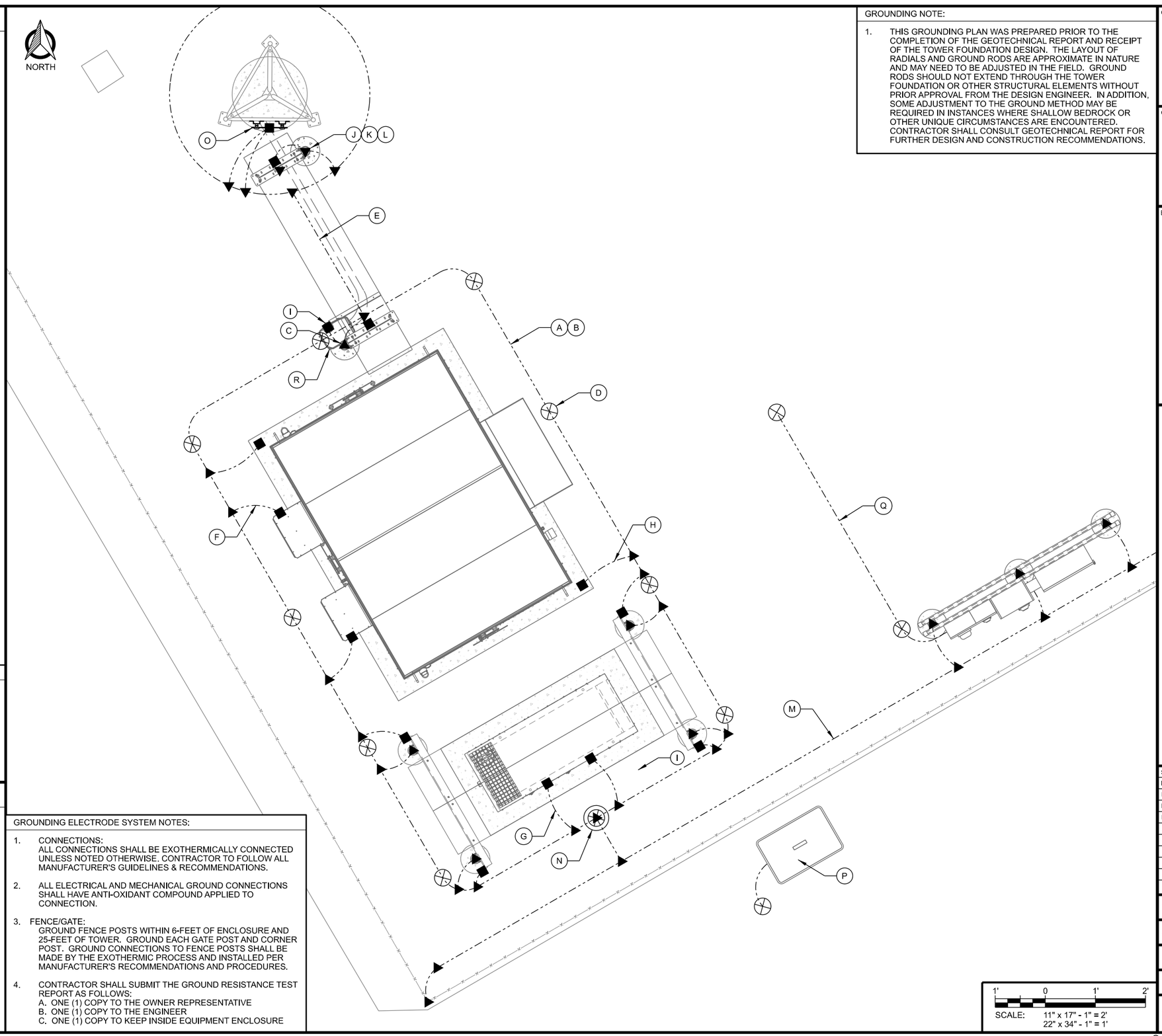
GROUNDING LEGEND: (THIS SHEET)

- ▲ EXOTHERMIC OR UL RATED IRREVERSIBLE CONNECTION
- ■ MECHANICAL CONNECTION
- — - - GROUND LEAD
- ⊗ INSPECTION WELL
- ⊗ 5/8" DIA. x 10'-0" LONG, STEEL CLAD W/ A PURE COPPER JACKET (10' MAX SEPARATION); TOP OF EACH GROUND ROD SHALL EXTEND NO MORE THAN 6" ABOVE BOTTOM OF TRENCH
- ⊗ 18" X 18" X .032" THK COPPER PLATE (10' MAX SEPARATION)

GROUNDING ELECTRODE SYSTEM NOTES:

1. CONNECTIONS:
   ALL CONNECTIONS SHALL BE EXOTHERMICALLY CONNECTED UNLESS NOTED OTHERWISE. CONTRACTOR TO FOLLOW ALL MANUFACTURER'S GUIDELINES & RECOMMENDATIONS.
2. ALL ELECTRICAL AND MECHANICAL GROUND CONNECTIONS SHALL HAVE ANTI-OXIDANT COMPOUND APPLIED TO CONNECTION.
3. FENCE/GATE:
   GROUND FENCE POSTS WITHIN 6-FEET OF ENCLOSURE AND 25-FEET OF TOWER. GROUND EACH GATE POST AND CORNER POST. GROUND CONNECTIONS TO FENCE POSTS SHALL BE MADE BY THE EXOTHERMIC PROCESS AND INSTALLED PER MANUFACTURER'S RECOMMENDATIONS AND PROCEDURES.
4. CONTRACTOR SHALL SUBMIT THE GROUND RESISTANCE TEST REPORT AS FOLLOWS:
   A. ONE (1) COPY TO THE OWNER REPRESENTATIVE
   B. ONE (1) COPY TO THE ENGINEER
   C. ONE (1) COPY TO KEEP INSIDE EQUIPMENT ENCLOSURE

NORTH



GROUNDING NOTE:

1. THIS GROUNDING PLAN WAS PREPARED PRIOR TO THE COMPLETION OF THE GEOTECHNICAL REPORT AND RECEIPT OF THE TOWER FOUNDATION DESIGN. THE LAYOUT OF RADIALS AND GROUND RODS ARE APPROXIMATE IN NATURE AND MAY NEED TO BE ADJUSTED IN THE FIELD. GROUND RODS SHOULD NOT EXTEND THROUGH THE TOWER FOUNDATION OR OTHER STRUCTURAL ELEMENTS WITHOUT PRIOR APPROVAL FROM THE DESIGN ENGINEER. IN ADDITION, SOME ADJUSTMENT TO THE GROUND METHOD MAY BE REQUIRED IN INSTANCES WHERE SHALLOW BEDROCK OR OTHER UNIQUE CIRCUMSTANCES ARE ENCOUNTERED. CONTRACTOR SHALL CONSULT GEOTECHNICAL REPORT FOR FURTHER DESIGN AND CONSTRUCTION RECOMMENDATIONS.

CONSULTANT:
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CLIENT:
verizon
10801 BUSH LAKE RD
BLOOMINGTON, MN 55438

ENGINEER SEAL:

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

SIGNATURE: Peter E Rothmeier

TYPED OR PRINTED NAME: PETER E. ROTHMEIER

LIS. NO.: 59940

DATE: 1/6/2026

GROUNDING PLAN
MIN NOWHERE (17425853)
EMPIRE, MINNESOTA

SUBMITTAL:		
INT.	DATE:	DESCRIPTION:
DBS	11/05/25	REV. A
PER	11/19/25	REV. B
DBS	01/06/26	REV. 0

CHECKED BY	PER
EDGE SITE ID	S17334
EDGE PROJ. #	44328
SET TYPE	FINAL
SHEET NUMBER	E-101

SCALE: 1' 0 1' 2'
11" x 17" - 1" = 2'
22" x 34" - 1" = 1'

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NORTH

RIGHT OF WAY

PROPERTY LINE

170TH ST W

RIGHT OF WAY

PROPOSED FIBER HANDHOLE INSTALLED IN THE R.O.W. BY FIBER PROVIDER. FIBER MMP LAT/LONG:
LAT: 44° 42' 10.16" N
LONG: 93° 08' 59.54" W

PROPOSED FIBER HANDHOLE BY VERIZON GC

(1) ORANGE 2" DIA. HDPE, SDR 13.5 SMOOTH WALL CONTINUOUS CONDUITS W/ PULL ROPE FOR FIBER OPTIC LINE; APPROX. 750'± FROM RIGHT OF WAY TO PROPOSED FIBER VAULT (SOURCE TBD). TO BE INSTALLED BY VZW CONTRACTOR

EXTENTS OF PROPOSED 20'-0" WIDE ACCESS & UTILITY EASEMENT

EXISTING FENCED COMPOUND; SEE E-103 FOR ENLARGED UTILITY PLAN

PROPOSED 15'-0" x 24'-0" VERIZON LEASE AREA

PROPERTY LINE

PROPERTY LINE

UTILITY PROVIDER INFO:	
ELECTRIC PROVIDER:	XCEL ENERGY
FIBER OPTIC PROVIDER:	ONEFIBER

NOTE:

1. FIBER COORDINATION IS NOT COMPLETE (PENDING FIBER CONTACT). PRIOR TO CONSTRUCTION, CONTACT DESIGNER FOR UPDATE.

40' 0 40' 80'

SCALE: 11" x 17" - 1" = 80'
22" x 34" - 1" = 40'

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LIS. NO.: 59940

DATE: 1/6/2026

UTILITY PLAN
MIN NOWHERE (17425853)
EMPIRE, MINNESOTA

SUBMITTAL:

INT.	DATE:	DESCRIPTION:
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PER	11/19/25	REV. B
DBS	01/06/26	REV. 0

CHECKED BY	PER
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EDGE PROJ. #	44328
SET TYPE	FINAL
SHEET NUMBER	E-102

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NORTH

EXISTING FENCED COMPOUND

EXISTING BUILDING

PROPOSED 15'-0" x 24'-0" VERIZON LEASE AREA

(3) PROPOSED BURIED CONDUITS FROM GENERATOR TO WALK-IN ENCLOSURE; (1) 2" DIA. SCH. 40 PVC CONDUIT & (2) 3/4" DIA. SCH. 40 PVC CONDUITS BY VERIZON GC; SEE E-505 FOR DETAILS

(1) PROPOSED 2" DIA. SCH. 40 PVC CONDUIT W/ PULL ROPE FOR VERIZON FIBER OPTIC LINE; TO BE INSTALLED BY VERIZON CONTRACTOR; APPROX. 19'± FROM VERIZON FIBER VAULT TO FIBER ENCLOSURE BOX (SOURCE TBD)

(1) ORANGE 2" DIA. HDPE, SDR 13.5 SMOOTH WALL CONTINUOUS CONDUITS W/ PULL ROPE FOR FIBER OPTIC LINE: APPROX. 750'± FROM RIGHT OF WAY TO PROPOSED FIBER VAULT (SOURCE TBD). TO BE INSTALLED BY VZW CONTRACTOR

EXTENTS OF PROPOSED 20'-0" WIDE ACCESS & UTILITY EASEMENT

EXISTING TRANSFORMER

(2) PROPOSED 4" SCH 40 BURIED CONDUITS W/ PULL STRINGS FOR ELECTRIC BETWEEN TRANSFORMER AND UTILITY RACK, APPROX. 10'± IN LENGTH, SCH 80 CONDUITS REQUIRED ABOVE GRADE AT UTILITY RACK; TO BE INSTALLED BY VERIZON CONTRACTOR

PROPOSED MULTI-METER UTILITY RACK; BY VZW GC; SEE E-506 FOR DETAILS

(1) PROPOSED 3" DIA. SCH. 40 PVC ELECTRICAL CONDUIT W/ (2) #3/0 CU, (1) #1/0 CU NEUTRAL, & (1) #6 GROUND FOR ELECTRIC SERVICE, 42" BELOW GRADE (MIN.); APPROX. 22'± FROM UTILITY RACK TO INTEGRATED LOAD CENTER (ILC), BY VERIZON CONTRACTOR

PROPOSED VERIZON COMPOUND FIBER VAULT TO BE FURNISHED & INSTALLED BY VERIZON CONTRACTOR (SOURCE TBD); SEE E-504 FOR DETAILS

UTILITY PROVIDER INFO:

ELECTRIC PROVIDER:	XCEL ENERGY
FIBER OPTIC PROVIDER:	ONEFIBER

NOTE:

1. FIBER COORDINATION IS NOT COMPLETE (PENDING FIBER CONTACT). PRIOR TO CONSTRUCTION, CONTACT DESIGNER FOR UPDATE.

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ENLARGED UTILITY PLAN
MIN NOWHERE (17425853)
EMPIRE, MINNESOTA

SUBMITTAL:

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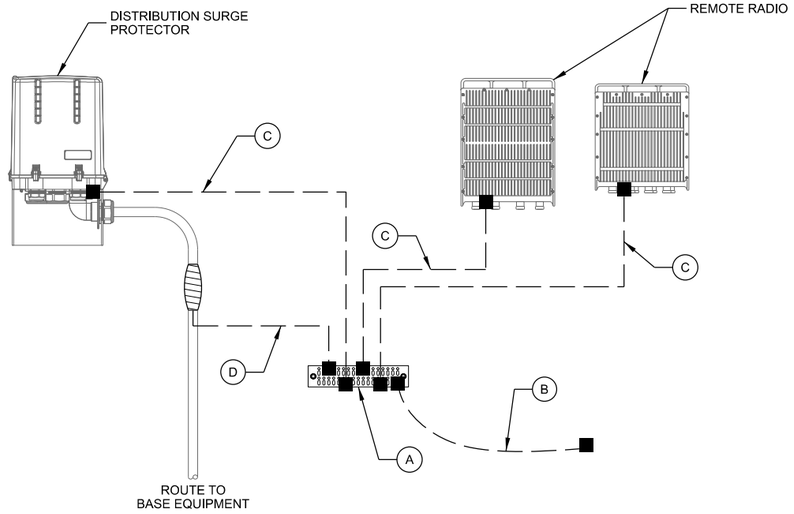
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KEYNOTES: (THIS SHEET)

- (A) 1/4" x 4" x 12" COLLECTOR GROUND BAR (CGB) FOR CONNECTION OF MULTIPLE GROUND KITS AT ONE LEVEL
- (B) CGB GROUND #2 AWG GREEN-INSULATED STRANDED COPPER LEAD WITH 2 HOLE LONG BARREL AND UL LISTED BONDING CLAMP TO TOWER STEEL AND/OR MOUNT STEEL
- (C) ANCILLARY EQUIPMENT GROUND KIT #2 AWG STRANDED INSULATED LEAD TO GROUND BAR WITH 2 HOLE LONG BARREL LUG (TYP.)
- (D) CABLE GROUND #2 AWG STRANDED INSULATED TO GROUND BAR WITH 2 HOLE LONG BARREL LUG (TYP.)
- (E) 1/4" x 4" x 20" MASTER GROUND BAR (MGB) MOUNTED VERTICALLY TO FIRST ICE BRIDGE POST ON INSULATORS
- (F) WALK-IN ENCLOSURE GROUND #2 AWG SOLID TINNED COPPER LEAD ENCASED IN LIQUID-TIGHT FLEXIBLE NON-METALLIC CONDUIT TO 24" BELOW GRADE TO EQUIPMENT PAD GROUND RING (TYP. OF 2)
- (G) INTEGRATED LOAD CENTER (ILC) GROUND #2 AWG SOLID TINNED COPPER LEAD ENCASED IN LIQUID-TIGHT FLEXIBLE NON-METALLIC CONDUIT TO 24" BELOW GRADE TO EQUIPMENT PAD GROUND RING
- (H) FIBER ENCLOSURE GROUND #2 AWG SOLID TINNED COPPER LEAD ENCASED IN LIQUID-TIGHT FLEXIBLE NON-METALLIC CONDUIT TO 24" BELOW GRADE TO EQUIPMENT PAD GROUND RING
- (I) GENERATOR GROUND #2 AWG SOLID TINNED COPPER LEAD ENCASED IN LIQUID-TIGHT FLEXIBLE NON-METALLIC CONDUIT TO 24" BELOW GRADE TO EQUIPMENT PAD GROUND RING (TYP. OF 2)
- (J) CANOPY POST GROUND #2 AWG SOLID TINNED COPPER LEAD ENCASED IN LIQUID-TIGHT FLEXIBLE NON-METALLIC CONDUIT TO 24" BELOW GRADE (TYP. OF 4)
- (K) CANOPY TO POST GROUND #2 AWG GREEN-INSULATED STRANDED COPPER LEAD WITH 2 HOLE LONG BARREL ON EACH END (TYP.);
- (L) EQUIPMENT PAD REBAR GROUND #2 AWG SOLID TINNED COPPER LEAD ENCASED IN LIQUID-TIGHT FLEXIBLE NON-METALLIC CONDUIT TO 24" BELOW GRADE
- (M) CONDUIT GROUND #2 AWG SOLID TINNED COPPER LEAD
- (N) GPS GROUND TO ICE BRIDGE POST #2 AWG GREEN-INSULATED STRANDED COPPER LEAD
- (O) ICE BRIDGE POST GROUND #2 AWG SOLID TINNED COPPER LEAD ENCASED IN LIQUID-TIGHT FLEXIBLE NON-METALLIC CONDUIT TO 24" BELOW GRADE (TYP.)
- (P) ICE BRIDGE SECTION GROUND #2 AWG GREEN-INSULATED STRANDED COPPER LEAD WITH 2 HOLE LONG BARREL ON EACH END (TYP.)
- (Q) ICE BRIDGE SECTION TO POST GROUND #2 AWG SOLID TINNED COPPER LEAD (TYP.); ORIENT LEAD WITH HIGH SIDE TOWARDS TOWER
- (R) 1/4" x 4" x 20" TOWER GROUND BAR (TGB) INSTALLED ON TOWER; FOR LATTICE TOWERS, MOUNT TGB DIAGONALLY AT 12" ABOVE ICE BRIDGE FOR EASIER HOOK-UP OF GROUNDING KIT LEADS
- (S) TGB GROUND #2 AWG SOLID TINNED COPPER LEAD ENCASED IN LIQUID-TIGHT FLEXIBLE NON-METALLIC CONDUIT TO 24" BELOW GRADE FROM TGB TO TOWER GROUND RING (TYP. OF 2)
- (T) TBG GROUND #2 AWG GREEN-INSULATED STRANDED COPPER LEAD WITH 2 HOLE LONG BARREL AND UL LISTED BONDING CLAMP TO FLAT METAL
- (U) SECURE GROUND LEADS TO TOWER WITH BAND STRAPS OR SNAP-IN HANGERS AT GENERAL CONTRACTOR'S DISCRETION. USE MULTIPLE LEVELS OF ATTACHMENT IF GROUND BAR IS ATTACHED HIGH ABOVE GRADE.

GROUNDING LEGEND: (THIS SHEET)

- ▲ EXOTHERMIC OR UL RATED IRREVERSIBLE CONNECTION
- ■ MECHANICAL CONNECTION
- — - - GROUND LEAD



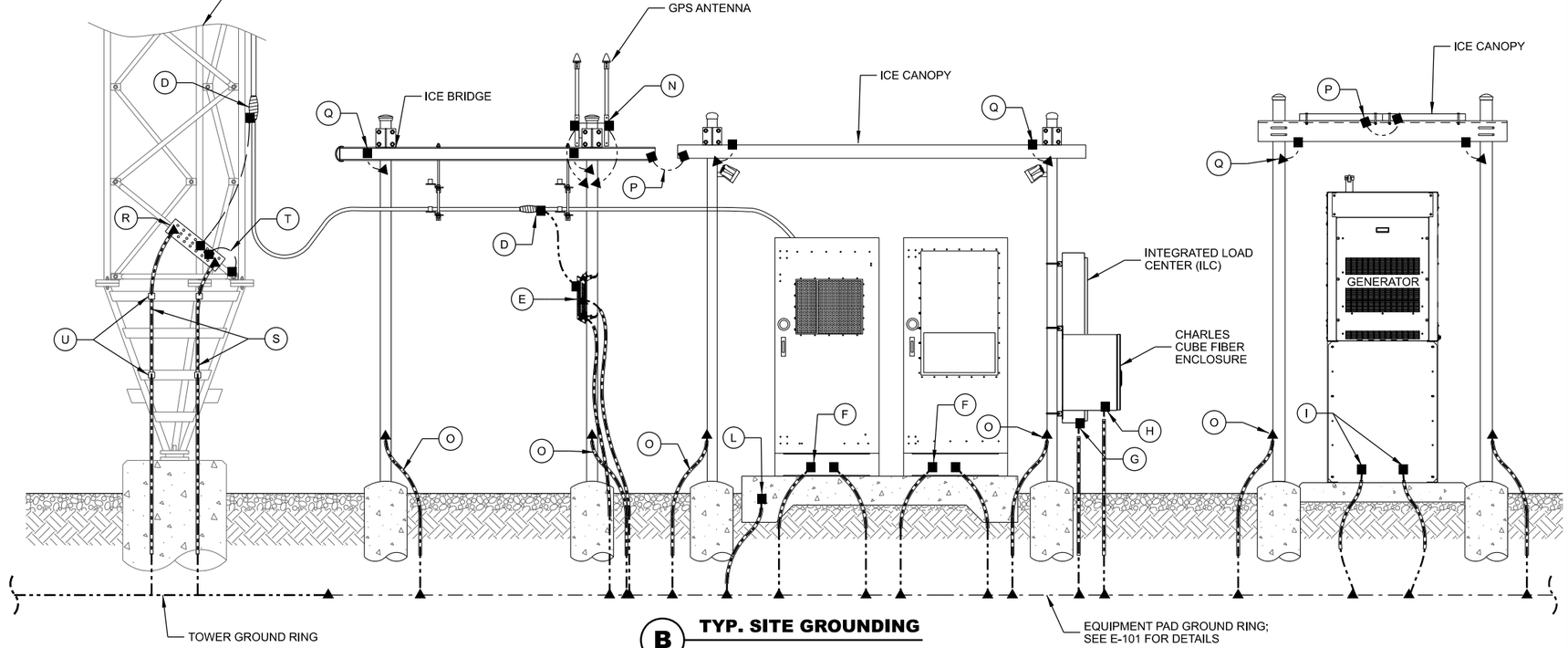
NOTES:

1. ALL CABLING AND/OR GROUNDING RUNS SHALL BE INSTALLED IN A NEAT AND ORDERLY FASHION.
2. CONTRACTOR SHALL INSTALL PER LATEST EDITION OF THE N.E.C.
3. SCHEMATIC DETAIL ONLY. REFER TO ANTENNA AND EQUIPMENT CONFIGURATION FOR EQUIPMENT QUANTITY AND LOCATION.
4. ALL GROUND LEADS TO BE ROUTED IN A DOWNWARD FASHION.

A ANTENNA LEVEL GROUNDING

NOTES: (THIS SHEET)

1. ALL BELOW-GRADE CONNECTIONS ARE TO BE EXOTHERMICALLY WELDED A MINIMUM OF 48" BELOW GRADE.
2. ALL LEADS EXTENDING ABOVE GRADE TO BE ENCASED IN 3/4" CONDUIT AND EXTEND A MINIMUM OF 6" ABOVE FINISHED GRADE AND 24" BELOW FINISHED GRADE.
3. APPLY COLD GALVANIZATION TO ALL ABOVE-GROUND EXOTHERMICALLY WELDED CONNECTIONS.
4. APPLY ANTI OXIDANT COMPOUND TO ALL MECHANICAL CONNECTIONS.
5. UPPER AND LOWER TOWER GROUND BARS TO BE BONDED DIRECTLY TO TOWER STEEL WITH #2 CONDUCTORS.
6. AIR TERMINAL TO EXTEND 2' ABOVE HIGHEST ANTENNA MIN. ON MAST PIPE MECHANICALLY FASTEN AIR TERMINAL TO MAST PIPE, MAST PIPE TO BE MECHANICALLY CONNECTED TO TOWER STEEL



B TYP. SITE GROUNDING

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GROUNDING DETAILS
MIN NOWHERE (17425853)
EMPIRE, MINNESOTA

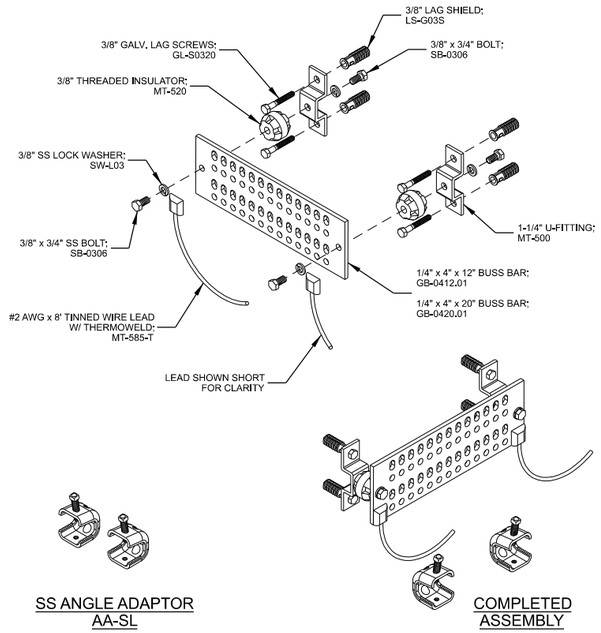
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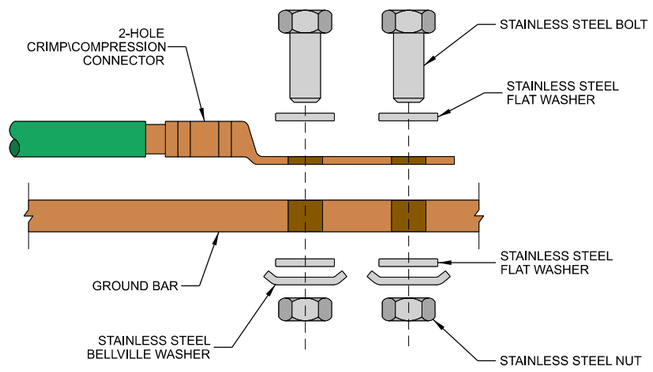
CHECKED BY	PER
EDGE SITE ID	S17334
EDGE PROJ. #	44328
SET TYPE	FINAL
SHEET NUMBER	E-501

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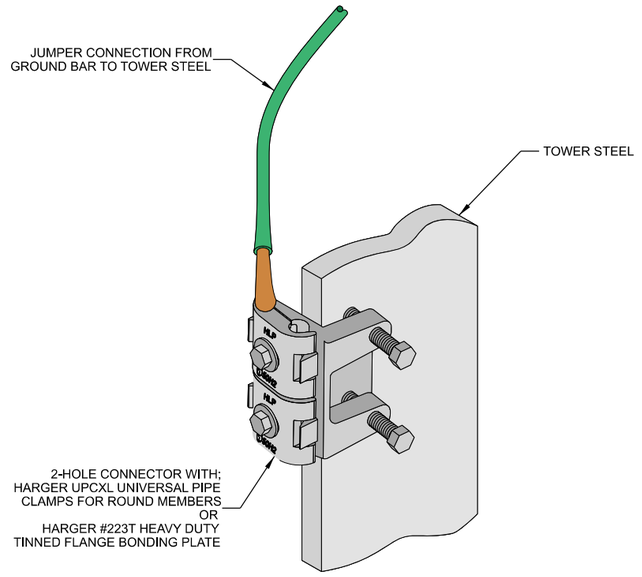
A GROUND AND BUSS BAR



NOTES:

1. ALL OUTDOOR HARDWARE (BOLTS, SCREWS, NUTS, WASHERS) SHALL BE 18-8 STAINLESS STEEL TYPE GRADE. INDOORS, GRADE 5 STEEL HARDWARE MAY BE USED.
2. CHOOSE BOLT LENGTH TO ALLOW THE EXPOSURE OF AT LEAST TWO THREADS.
3. BACK TO BACK LUG CONNECTIONS ARE AN ACCEPTABLE PRACTICE WHEN BONDED TO A GROUND BAR OR STEEL OBJECTS.
4. AT CONNECTIONS MADE TO STEEL OR ANY OTHER DISSIMILAR METALS, A DRAGON TOOTH WASHER MEETING VZW PRACTICES SHALL BE USED BETWEEN THE CONNECTOR AND STEEL.
5. IF NOT USING DRAGON TOOTH WASHERS, THOROUGHLY REMOVE A SECTION OF PAINT OR COATING APPROXIMATELY THE SAME SIZE AS CONNECTOR. REMOVE THE PAINT FROM SURFACE USING A DREMEL TYPE TOOL.
6. USE AN APPROVED ANTI-OXIDATION COMPOUND ON ALL GROUNDING CONNECTIONS. A COPPER COSMOLINE GREASE BASED COMPOUND (NO OX-ID) SHALL BE USED ON ALL COPPER TO COPPER CONNECTIONS. A ZINC BASED (GREY COLORED) COMPOUND SHALL BE USED ON ALL COPPER TO STEEL CONNECTIONS.
7. WHEN BONDING TO A METALLIC OBJECT WHERE ACCESS IS LIMITED TO ONLY ONE SURFACE, DRILLING & TAPPING OR SELF DRILLING SCREWS ARE THE PREFERRED AND ACCEPTABLE MEANS OF CONNECTION. SHEET METAL SCREWS SHALL NOT BE USED.

B GROUNDING LUG

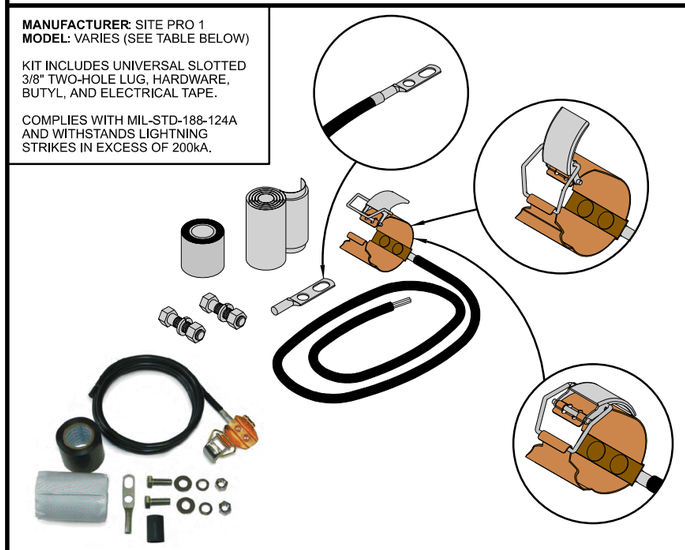


C GROUND BAR CONNECTION TO TOWER STEEL

MANUFACTURER: SITE PRO 1
MODEL: VARIES (SEE TABLE BELOW)

KIT INCLUDES UNIVERSAL SLOTTED 3/8" TWO-HOLE LUG, HARDWARE, BUTYL, AND ELECTRICAL TAPE.

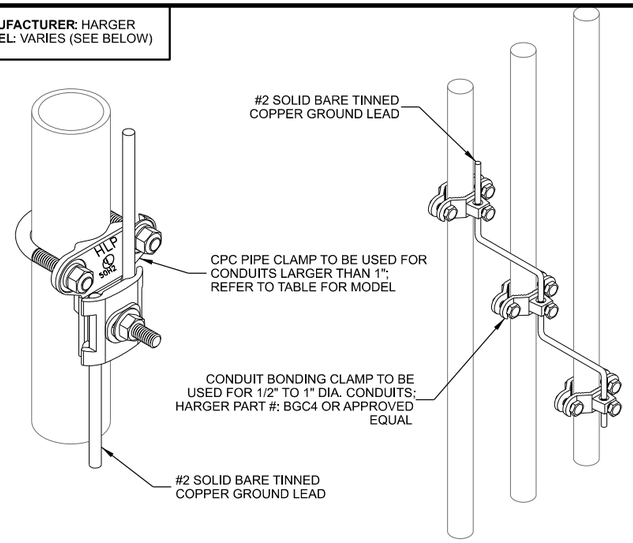
COMPLIES WITH MIL-STD-188-124A AND WITHSTANDS LIGHTNING STRIKES IN EXCESS OF 200kA.



PART #	CABLE SIZE & TYPE	LENGTH	LUG	WEIGHT
GK-C12	1/2" CORRUGATED	5'	UNATTACHED	1.50 LB.
GK-C78	7/8" CORRUGATED	5'	UNATTACHED	1.65 LB.
GK-C114	1-1/4" CORRUGATED	5'	UNATTACHED	1.70 LB.
GK-C158	1-5/8" CORRUGATED	5'	UNATTACHED	1.70 LB.
GK-C214	2-1/4" CORRUGATED	5'	UNATTACHED	1.80 LB.

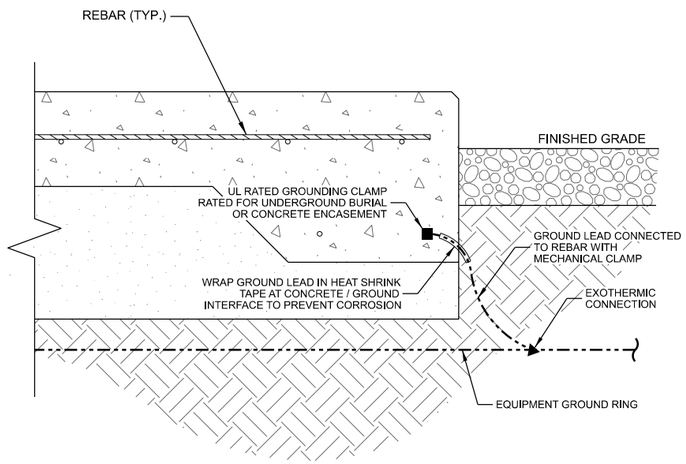
D CLIP ON GROUND KIT

MANUFACTURER: HARGER
MODEL: VARIES (SEE BELOW)



PART #	NOMINAL PIPE SIZE RANGE	PIPE OUTSIDE DIAMETER
CPC1/1.25	1" - 1.25"	0.9375" - 1.7"
CPC1.5/2	1.5" - 2"	1.25" - 2.4"
CPC2.5/3	2.5" - 3"	2.5" - 3.5"
CPC3.5/4	3.5" - 4"	3.375" - 4.5"
CPC5/6	5" - 6"	4.75" - 6.63"

E CONDUIT GROUNDING



NOTES:

1. FOUNDATION SHOWN IS TYPICAL. SEE TOWER FOUNDATION PLANS FOR REINFORCEMENT DETAILS.
2. FOUNDATION GROUNDING PER NEC 250.52(3)(A). GROUNDING CONNECTIONS TO BE COVERED BY A MINIMUM OF 3" CONCRETE AND BE MADE TO A MIN. 20' CONTINUOUS REBAR, IF POSSIBLE.

F EQUIP. PAD FOUNDATION GROUNDING

CONSULTANT:
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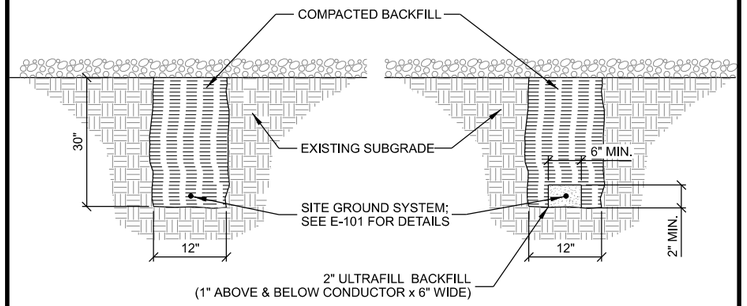
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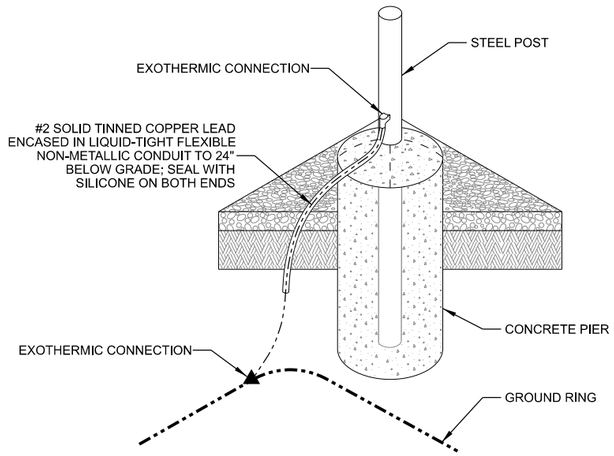


STANDARD GROUND TRENCH ENHANCED GROUND TRENCH

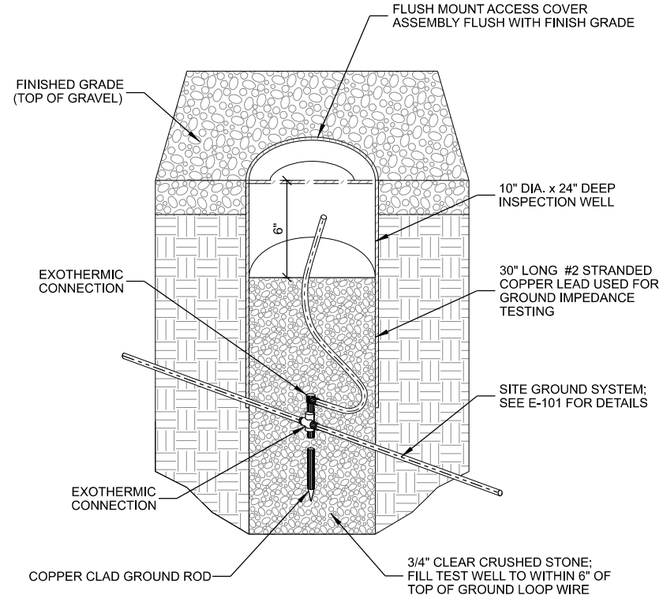
NOTES:

1. GROUNDING TRENCHES TO BE BACK FILLED WITH NATIVE SOIL.
2. COMPACT BACK FILL TO 95% MODIFIED PROCTOR.
3. CONTACT PSC MINIMUM 24HRS NOTICE PRIOR TO BACK FILLING TO ALLOW FOR INSPECTION.

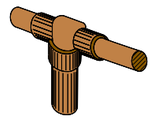
A GROUND TRENCH



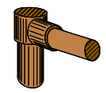
B POST GROUNDING



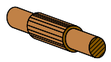
C INSPECTION WELL



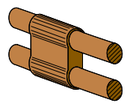
TYPE RT
* NOT PERMITTED *



TYPE GR



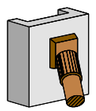
TYPE BS



TYPE PT



TYPE HD

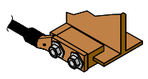


TYPE VA

NOTES:

1. EXOTHERMIC "TYPES" SHOWN ARE EXAMPLES. CONSULT WITH PROJECT MANAGER FOR OTHER POSSIBLE TYPES OF EXOTHERMIC CONNECTIONS THAT CAN BE USED IN STANDARD OR SPECIALLY DESIGNED GROUNDING PLANS.
2. CONTRACTOR TO PROVIDE ALL REQUIRED EXOTHERMIC CONNECTIONS.

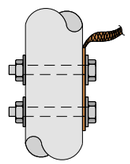
D EXOTHERMIC CONNECTIONS



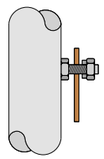
TYPE YGIBS



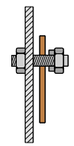
TYPE YGHA



TYPE B



TYPE KC TO PIPE



TYPE KC
* TO FLAT SURFACE *

NOTES:

1. MECHANICAL "TYPES" SHOWN ARE EXAMPLES. CONSULT WITH PROJECT MANAGER FOR OTHER POSSIBLE TYPES OF MECHANICAL CONNECTIONS THAT CAN BE USED IN STANDARD OR SPECIALLY DESIGNED GROUNDING PLANS.
2. CONTRACTOR TO PROVIDE ALL REQUIRED MECHANICAL CONNECTIONS.

E MECHANICAL CONNECTIONS

THIS SPACE INTENTIONALLY LEFT BLANK

CONSULTANT:
Edge
Consulting Engineers, Inc
2101 HIGHWAY 13 W
BURNSVILLE, MN 55337
608.644.1449 VOICE
608.644.1549 FAX
www.edgeconsult.com

CLIENT:
verizon
10801 BUSH LAKE RD
BLOOMINGTON, MN 55438

ENGINEER SEAL:

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

SIGNATURE: Peter E Rothmeier

TYPED OR PRINTED NAME: PETER E. ROTHMEIER

LIS. NO.: 59940

DATE: 1/6/2026

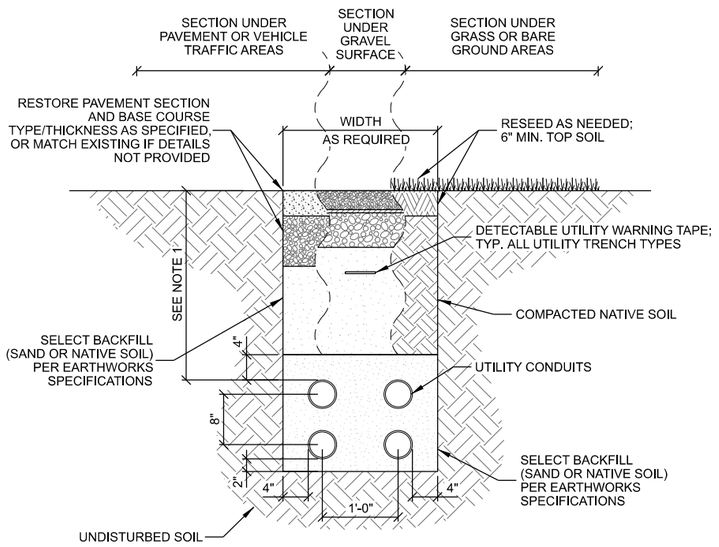
GROUNDING DETAILS
MIN NOWHERE (17425853)
EMPIRE, MINNESOTA

SUBMITTAL:		
INT.	DATE:	DESCRIPTION:
DBS	11/05/25	REV. A
PER	11/19/25	REV. B
DBS	01/06/26	REV. 0

CHECKED BY	PER
EDGE SITE ID	S17334
EDGE PROJ. #	44328
SET TYPE	FINAL
SHEET NUMBER	E-503

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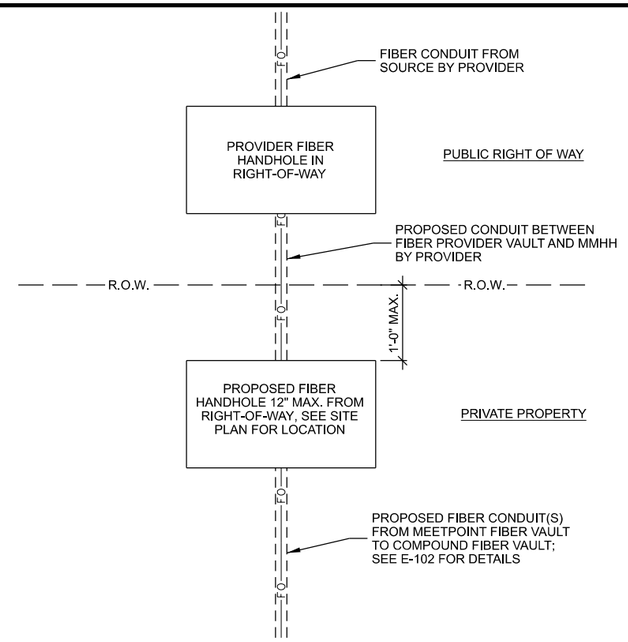
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NOTES:

1. UTILITY CONDUITS TO BE BURIED A MINIMUM DEPTH OF 42" BELOW GROUND LEVEL OR 6" BELOW THE FROST LINE.

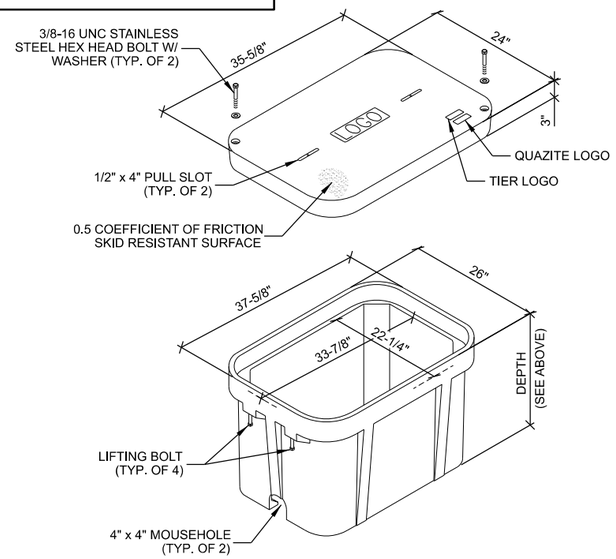
A **UTILITY TRENCH**



B **FIBER HANDHOLE INSTALLATION**

MANUFACTURER: QUAZITE
MODEL: PG2436BA36 (SPLICE BOX)
PG2436BA24 (PULL BOX)
PG2436KK00 (COVER)
INSIDE DIMENSIONS:
36" x 24" x 36" (L x W x D) SPLICE BOX
36" x 24" x 24" (L x W x D) PULL BOX

POLYMER CONCRETE BOX WITH OPEN BOTTOM



C **UTILITY VAULT**

WARNING TAPE & TRACE WIRE NOTES: (THIS SHEET)

1. WARNING TAPE TO BE INSTALLED ABOVE THE ELECTRICAL RUN FROM THE GENERATOR TO THE PLATFORM AND ABOVE THE FUEL LINE BETWEEN THE GENERATOR AND FUEL SOURCE.
2. WARNING TAPE SHALL BE RUN CONTINUOUSLY ALONG THE ENTIRE LENGTH AND INSTALLED 12 INCHES ABOVE THE TOP OF THE CONDUITS
3. TRACER WIRE SHALL RUN CONTINUOUSLY ALONG THE ENTIRE LENGTH OF THE BURIED GAS AND ELECTRIC CONDUITS
4. TRACER WIRE SHALL BE SECURED TO THE CONDUIT AND MAINTAINED ABOVE THE CONDUIT CENTERLINE DURING TRENCH BACKFILLING.
5. TRACER WIRE TO EXTEND TO THE TOP OF PVC ABOVE CONCRETE ON BOTH ENDS - LOOP AND WRAP AROUND APPROPRIATE CONDUIT.
6. TRACER WIRE SHALL CONSIST OF 14GA. SOLID COPPER WIRE WITH A CORROSION PROTECTIVE COATING.
7. INSTALL TRACER WIRE WITH SPACER AND SECURE PER MNFG. RECOMMENDATIONS - AT A MIN. EVERY 10' AND AT ALL BENDS. - DO NOT WRAP BURIED CONDUIT WITH TRACER WIRE TO AVOID UNNECESSARY STRESS ON TRACER. - CONTRACTOR TO CHECK CONTINUITY OF TRACER WIRE BEFORE AND AFTER BURIAL AND DOCUMENT RESULTS. 12" ABOVE THE TOP OF THE CONDUITS.

THIS SPACE INTENTIONALLY LEFT BLANK

CONSULTANT:
Edge
Consulting Engineers, Inc
2101 HIGHWAY 13 W
BURNSVILLE, MN 55337
608.644.1449 VOICE
608.644.1549 FAX
www.edgeconsult.com

CLIENT:
verizon
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BLOOMINGTON, MN 55438

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SIGNATURE: Peter E Rothmeier

TYPED OR PRINTED NAME: PETER E. ROTHMEIER

LIS. NO.: 59940

DATE: 1/6/2026

UTILITY DETAILS
MIN NOWHERE (17425853)
EMPIRE, MINNESOTA

SUBMITTAL:

INT.	DATE:	DESCRIPTION:
DBS	11/05/25	REV. A
PER	11/19/25	REV. B
DBS	01/06/26	REV. 0

CHECKED BY	PER
EDGE SITE ID	S17334
EDGE PROJ. #	44328
SET TYPE	FINAL
SHEET NUMBER	E-504

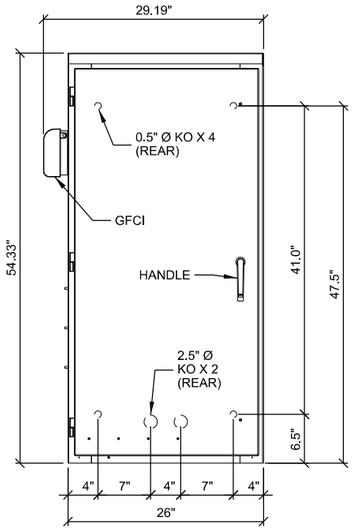
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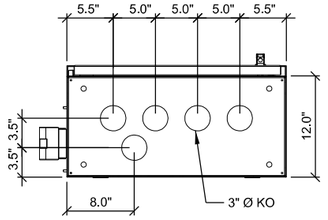
MANUFACTURER: INTERSECT, INC.
MODEL: 112200-30-42-ATS-3R
DIMENSIONS: 54.33" x 26.0" x 12.0" (H x W x D)

TYPE 3R ENCLOSURE

ATS 1-PHASE, 42 POSITION LOAD CENTER



FRONT VIEW

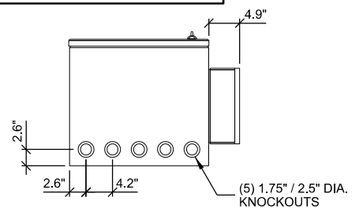


BOTTOM VIEW

A INTEGRATED LOAD CENTER (ILC)

MANUFACTURER: CHARLES INDUSTRIES
MODEL: CUBE-RL1003
DIMENSIONS: 26.3" x 22.1" x 20.0" (H x W x D)
RACK SPACE: 14RU

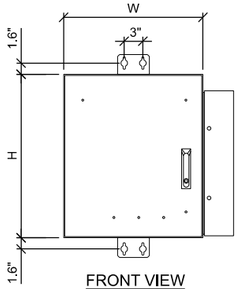
ACCESSORIES
POLE MOUNT KIT: 97-CABPMKIT
H-FRAME HARDWARE KIT: 97-001971-A
SLIDE OUT TRAY: 97-001990-A
10" PLINTH KIT: 97-002127-A



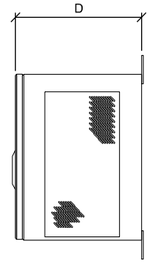
BOTTOM VIEW



SHOWN WITH OPTIONAL SLIDE OUT TRAY



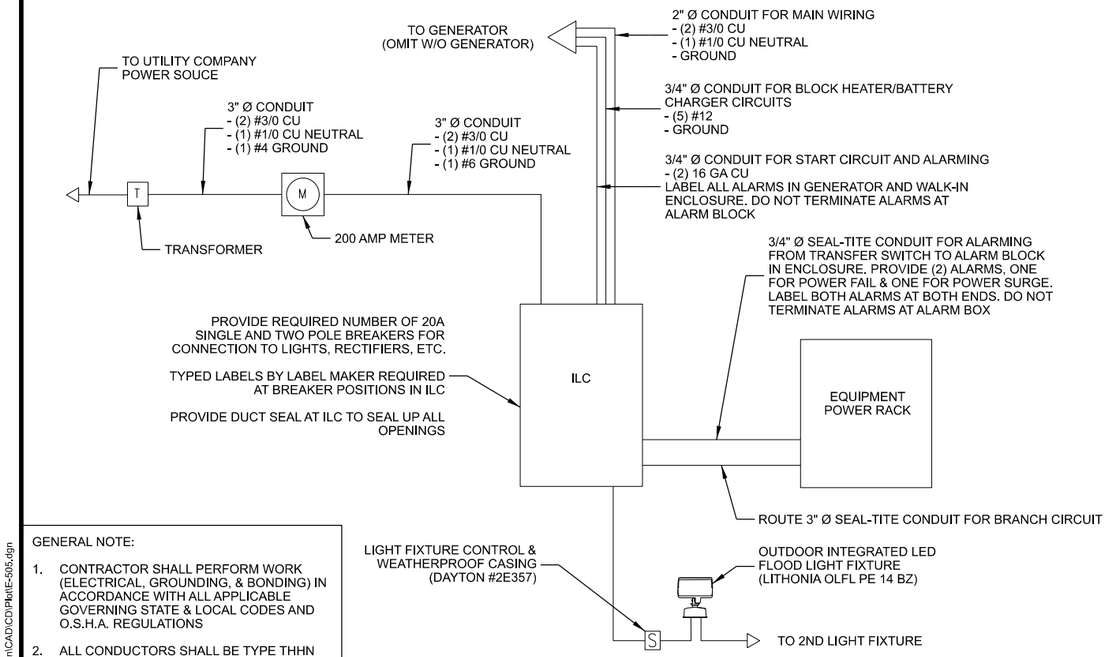
FRONT VIEW



SIDE VIEW

B FIBER ENCLOSURE

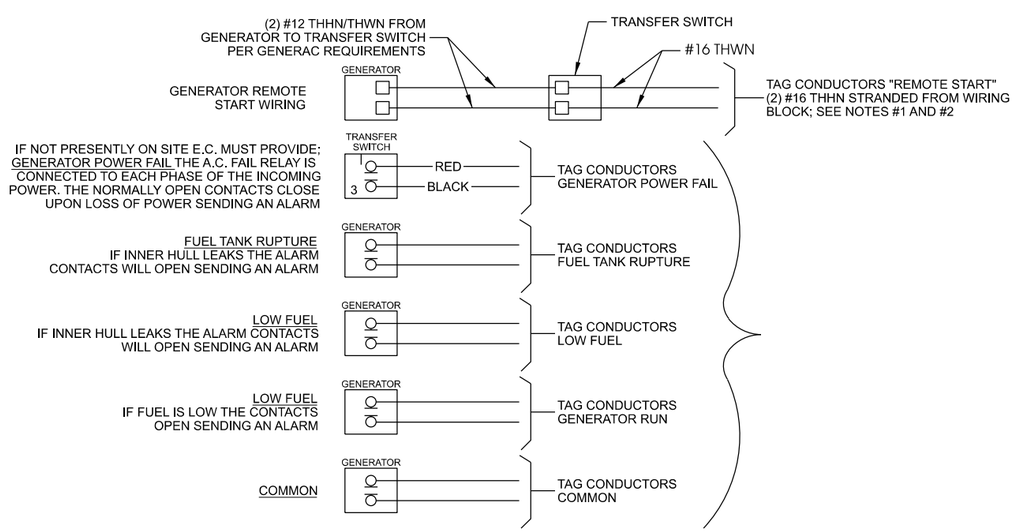
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C ONE-LINE ELECTRICAL DIAGRAM

GENERAL NOTE:

1. CONTRACTOR SHALL PERFORM WORK (ELECTRICAL, GROUNDING, & BONDING) IN ACCORDANCE WITH ALL APPLICABLE GOVERNING STATE & LOCAL CODES AND O.S.H.A. REGULATIONS
2. ALL CONDUCTORS SHALL BE TYPE THHN UNLESS NOTED OTHERWISE
3. LABEL METER & DISCONNECT PER NEC.
4. EQUIPMENT AND MATERIALS SHOWN (OR APPROVED EQUAL) TO BE PROVIDED BY CONTRACTOR UNLESS NOTED OTHERWISE



NOTES:

1. STANDARD DIAGRAM PROVIDED BY CLIENT, INCLUDED HERE FOR CONVENIENCE ONLY.
2. ELECTRICAL CONTRACTOR TO PULL (1) #16 AWG SOLID RED AND (1) #16 AWG SOLID BLACK FROM THE TRANSFER SWITCH TO ALARM WIRING BLOCK FOR REMOTE START.
3. ELECTRICAL CONTRACTOR TO PULL ALL ALARM LEADS TO EXISTING ALARM WIRING BLOCK. LEAVE A MINIMUM OF 24" PIGTAILS AT ALARM WIRING BLOCK AND TAG CONDUCTORS AS INDICATED. TERMINATIONS ON ALARM POINT WIRING BLOCK BY OTHERS. CONDUCTORS CAN BE RUN EXPOSED. THEY SHALL BE BUNDLED NEATLY USING TIES AND SUPPORTED AT 24" INTERVALS FOR NEAT INSTALLATION.

D GENERATOR ALARM WIRING

CONSULTANT:
Edge
Consulting Engineers, Inc
2101 HIGHWAY 13 W
BURNSVILLE, MN 55337
608.644.1449 VOICE
608.644.1549 FAX
www.edgeconsult.com

CLIENT:
verizon
10801 BUSH LAKE RD
BLOOMINGTON, MN 55438

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TYPED OR PRINTED NAME: PETER E. ROTHMEIER

LIS. NO.: 59940

DATE: 1/6/2026

ELECTRICAL DETAILS
MIN NOWHERE (1742585 7425853)
EMPIRE, MINNESOTA

SUBMITTAL:

INT.	DATE:	DESCRIPTION:
DBS	11/05/25	REV. A
PER	11/19/25	REV. B
DBS	01/06/26	REV. 0

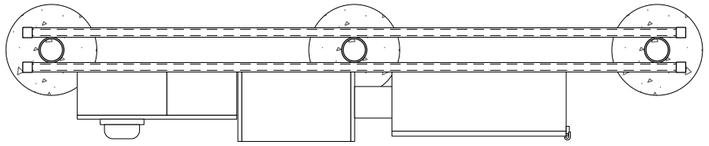
CHECKED BY	PER
EDGE SITE ID	S17334
EDGE PROJ. #	44328
SET TYPE	FINAL
SHEET NUMBER	E-505

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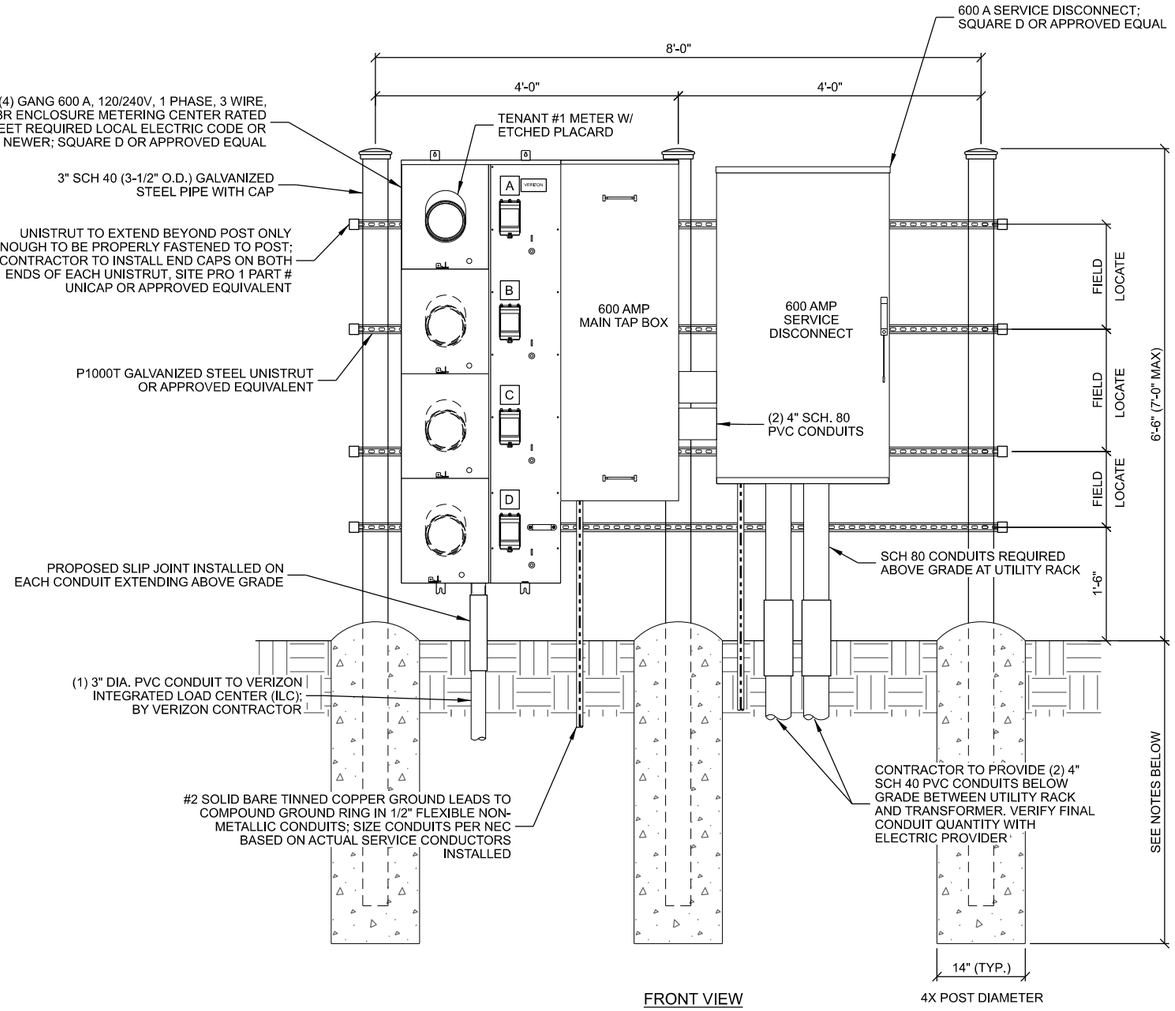
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NOTES:

- CONTRACTOR TO ENSURE LOCAL ELECTRIC CODE REQUIREMENTS ARE MET
- CONTRACTOR TO CONTACT ELECTRIC UTILITY TO CONFIRM ALL REQUIREMENTS
- CONTRACTOR RESPONSIBLE FOR INSTALLING VERIZON BREAKER
- SQUARE D PRODUCTS SHOWN FOR CLARITY. APPROVED EQUIVALENTS ARE ACCEPTABLE. VERIFY FINAL ELECTRIC EQUIPMENT WITH APPROVED UTILITY LIST
- A SERVICE DISCONNECT AND MAIN TAP BOX SHOWN IN THIS LAYOUT. CONTRACTOR TO VERIFY ELECTRIC UTILITY WILL ACCEPT A MAIN TAP BOX WITH SERVICE DISCONNECT INCLUDED



PLAN VIEW



FRONT VIEW

NOTE:

A TEMPORARY 200AMP SUB-PANEL MAY BE REQUIRED IF VERIZON ILC IS NOT INSTALLED

NOTE:

1. INSTALL PVC CONDUITS FOR SERVICE LATERAL CONNECTION TO UTILITY.
2. EXTEND SERVICE LATERAL CONDUITS UNDERGROUND BEYOND FENCELINE. CAP ENDS (NO DUCT TAPE ALLOWED) AND STAKE, EQUIP WITH PULL CORD, VERIFY REQUIREMENTS W/UTILITY PROVIDER.
3. MARK CARRIER METER SLOT @ BREAKER OR SOCKET EXTERIOR.
4. FINAL LAYOUT AND DESIGN DETERMINED BY CONTRACTOR/UTILITY & MEET NEC 2020 CODE REQUIREMENTS OR LATEST NEC. VERIFY FINAL DESIGN WITH THE CARRIER.
5. CONCRETE FOR PIER TO BE A MINIMUM OF 3,000 PSI AT 28 DAYS.
6. MAINTAIN 3" MINIMUM REBAR COVER IN ALL DIRECTIONS.
7. PIER FOUNDATION DEPTH TO BE A MINIMUM OF 48"; DEPTH TO EXCEED LOCAL FROST DEPTH.

A MULTI-METER UTILITY RACK

SCALE: 11" x 17" - 1/2" = 1'-0"
22" x 34" - 1" = 1'-0"

CONSULTANT:

Edge
Consulting Engineers, Inc
2101 HIGHWAY 13 W
BURNSVILLE, MN 55337
608.644.1449 VOICE
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UTILITY RACK DETAILS
MIN NOWHERE (17425853)
EMPIRE, MINNESOTA

SUBMITTAL:

INT.	DATE:	DESCRIPTION:
DBS	11/05/25	REV. A
PER	11/19/25	REV. B
DBS	01/06/26	REV. 0

CHECKED BY	PER
EDGE SITE ID	S17334
EDGE PROJ. #	44328
SET TYPE	FINAL
SHEET NUMBER	E-506

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Air Conditioner w. Integrated Free-Cooling Series

Protection of critical infrastructure

vikinor

VAF-4000-DC-SLIM-D3

APPLICATION:
Designed for enclosures with sensitive electronics that need strict thermal control

- Telecommunications equipment
- EDGE data center solutions
- Energy Storage Solutions
- Industrial automation
- Security and defense systems

CONTROLS:

- Active cooling capacity regulation
- User-friendly interface w. display
- Alarm output
- Ethernet communication interface
- Designed for cyclic off-grid application w. battery power backup
- Enabled for web-based remote management
- Integrated enclosure heating function and cold-weather package
- Day- and night-mode operation
- Password protected set point adjustment
- Redundancy functionality for 2 units operation
- Precision-controlled free-cooling function
- Soft-starting functionality

STANDARDS, TESTS, AND APPROVALS:

- CE
- IP55
- Telcordia GR-487 capable (Outdoor)
- RoHS/REACH/CLP

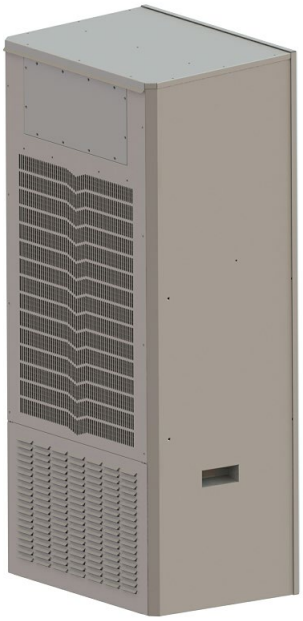
EASY TO INSTALL:

- Standard outside mounted; optional installation with partially recessed mounting

CONTACT VIKINOR:

- sales request: sales@vikinor.com
- service & maintenance: service@vikinor.com
- Homepage: www.vikinor.com

VKN Revision: E251121



RELIABLE COOLING FOR INDOOR/OUTDOOR ENVIRONMENTS

PRODUCT DESCRIPTION

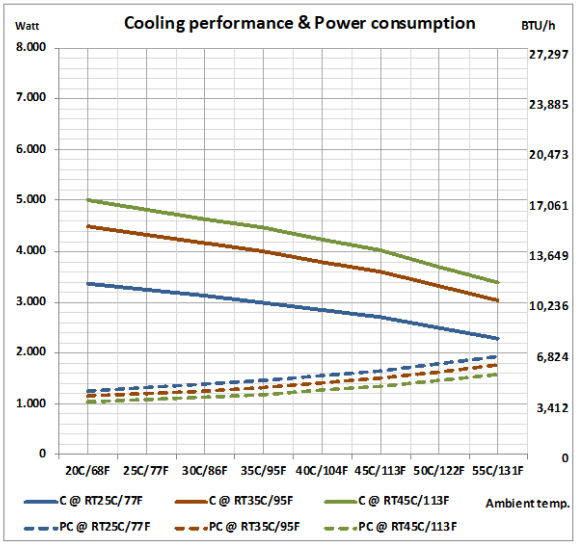
- Full-DC powered precision air conditioner with integrated free-cooling function for energy-optimized operation
- Equipped with Advanced Controller Platform; comprehensive functionality and feature set
- 48 VDC model
- Nom. A/C cooling capacity: 4000 W / 13.649 BTU/h
- Nom. Free-Cooling capacity: 420 W/K / 235 W/F
- Low weight: 100 kg / 221 lbs
- Environmentally responsible refrigerant CFC-free R513a, GWP of 573
- Aluzinc material with RAL color 9016 as standard; other colors optional

Technical specification

Product Name		**VAF-4000-DC-SLIM-D3**
Part number/Model		R134a / 1834022, R513a / 1834029
/ Cooling Performance		
Active cooling		
Nominal	**Watts**	4,000
	BTU/h	13,649
At 35˚C/35˚C (95˚F/95˚F)	Watt	4,100
	BTU/h	13,989
At 55˚C/55˚C (131˚F/131˚F)	Watt	5,000
	BTU/h	17,060
At 35˚C/55˚C (95˚F/131˚F)	Watt	3,050
	BTU/h	10,407
Airflow, internal loop	m3/hr./CFM	1,600 /941
Airflow, external loop	m3/hr./CFM	1,300/ 765
Heater (Standard)	Watt	1,000
Heater operating current	Amp	21
Heater start current	Amp	32
Nominal (Free cooling)		
Free cooling performance	W/K / W/℉	420/235 *When using F9 / MERV 15 Filtration
Free cooling Airflow, internal loop	m3/hr./CFM	1,500 / 882
Free cooling Airflow, external loop	m3/hr./CFM	1,300 / 765
Electrical data		
Nominal Voltage		48 VDC
Operating Range	VDC	42-60 VDC
Extended operating voltage range with curtailed operation	VDC	37-60 VDC
Power Consumption at 35˚/35˚C and 95˚F/95˚F)	Watt	1,325
Power consumption at 55˚/55˚C and 131˚F/131˚F)	Watt	1,820
Current at 35˚/35˚C and 95˚F/95˚F	Amp	25
Starting Current (A)		10
Ambient Temperature Range		
Maximum	˚C/˚F	55˚C/131˚F
Minimum	˚C/˚F	Standard: -15˚C / 5˚F With cold-weather package: -40˚C/-40˚F
Unit Design		
Material		Aluzinc Sheet Metal Standard (Optional: SGCC/Stainless Steel/Aluminum)
Finish		Powder Coat RAL 9016 Traffic White
Protection		IP 55
Type		R134a, R513a low GWP option
Agency Approvals/Standards		CE, RoHS/REACH/CLP, Telcordia GR-487 capable (outdoor)
Sound Level at 1.5 m	dB(A)	65 (daytime) 55 (nighttime)
Controller		
Description		Full-DC advanced control system; variable speed; Ethernet; display
Cooling Setpoint, Air Conditioning	˚C/˚F	33˚C / 82˚F
Cooling Setpoint, Free-Cooling.	˚C/˚F	30˚C / 86˚F
Unit Dimensions & weight		
Height	mm/in.	1,250 / 49.2
Width	mm/in.	580 / 22.8
Depth	mm/in.	400 / 15.8
Weight	kg/lb.	100 / 221

Cooling Capacity and Power Consumption Curve:

VAF-4000-DC-Slim (48 VDC)



Standard features / configuration:

- Aluzinc material with RAL color 9016 as standard
- Louver in front of external fan
- 1000W enclosure heater package
- Compressor heater package
- Pre-mounted gasket
- Ethernet communication interface
- Over-voltage and under-voltage protection
- Humidity controlled free-cooling function
- Self-test functionality
- G2 / M5 air intake filters standard, Additional options available

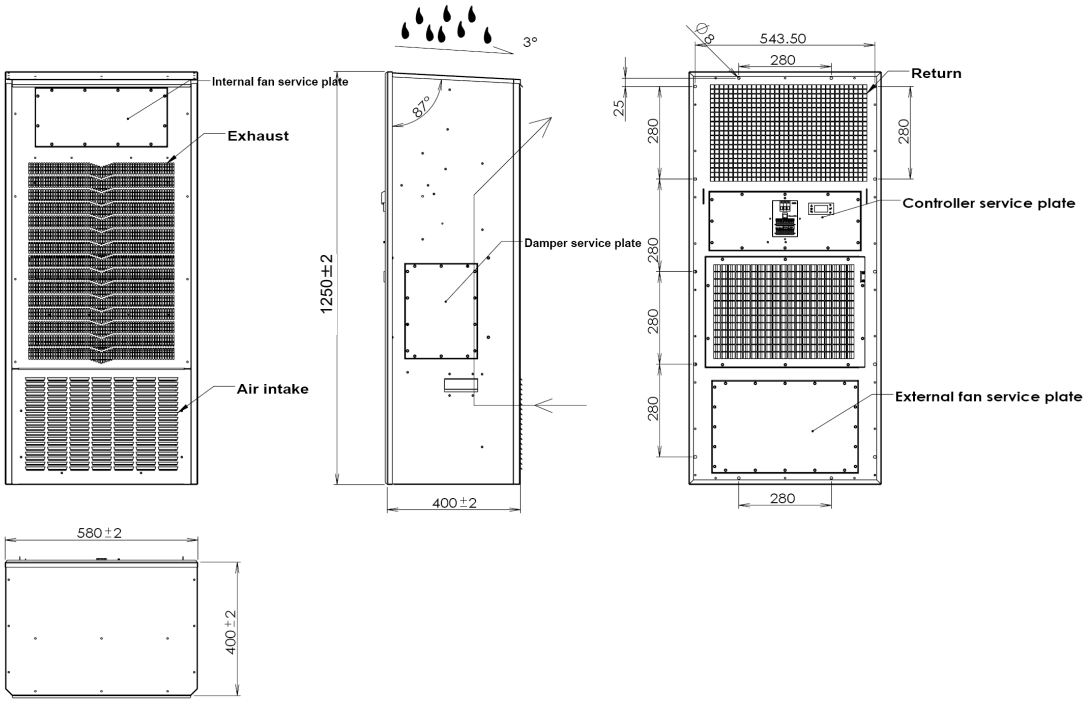
Optional features / configuration:

- Exclusive compressor heater package
- 500W enclosure heater package
- Exclusive enclosure heater package
- Product material: SGCC, aluminum, stainless steel
- Air filter for external air flow
- External condensate evaporator (electrical or ultrasonic)
- Customer control parameter settings
- Increased corrosion protection

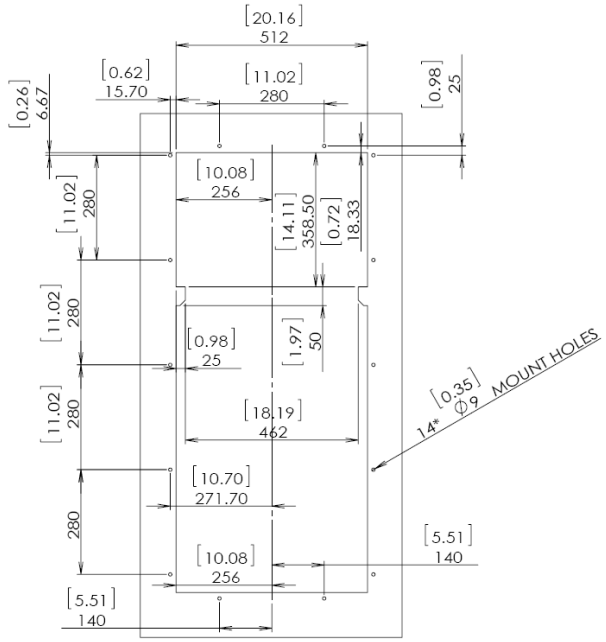
2D and 3D drawings:

- Contact Vikinor in order to get 2D and 3D CAD drawings to be used in the overall design of electronics system

Product dimension in mm (in.)



Cut-out drawing in mm (in.) – view from inside door
Option w. one large cut-out





MEMORANDUM

Date:	February 24, 2026
To:	Empire City Council
From:	Charles Seipel-Teng, Consulting Planner
RE:	2. Information on Proposed Zoning Ordinance Updates for Telecommunications Towers and Battery Energy Storage Systems

Attachment(s): 02-24-2026 CC Memo.pdf

Date: February 24, 2024

To: Empire City Council

From: Jenni Faulkner, Consulting Planner

Madison Richard, Consulting Planner

Item: **Tower Ordinance Updates and Battery Energy Storage System Code Update**

Action Requested

None. This is for discussion.

Background

After reviewing the recent new cell tower, several items were raised regarding amending the codes related to towers. In addition to that, the Planning Commission had asked for information on battery storage as a land use. Attached is there PC Memo detailing the suggested changes and points for discussion.

Planning Commission Discussion

The Planning Commission considered the changes for discussion at their February 17, 2026, meeting. Upon reviewing the tower information, the Planning Commission recommended that towers be set back a minimum distance of one-quarter mile from the nearest residential structure. And upon reviewing the battery storage information and discussing, the Planning Commission recommended keeping the proposed zoning ordinance recommendations on file for future use, but not to make any code changes at this time.

Staff is seeking input from the Council and then will proceed to amend the ordinances as directed.

Attachments:

PC Memo with red line ordinances

Date: February 17, 2026

To: City of Empire Planning Commission

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

Hearing #2: To consider amendments to City of Empire Ordinance 400 – Zoning Ordinance, to address towers and battery energy storage systems (BESS), and amendments to City of Empire Ordinance 350-C, to address updates corresponding with the Subdivision Ordinance.

Background

With the recent review of projects and the potential for future projects, it has been clear that language needs to be updated to reflect standards for towers and well as adopting language for battery energy storage systems (BESS).

Draft Ordinance

Telecommunication Towers

With the new tower application reviewed last year, staff and the Planning Commission have identified potential performance standards related to tower to be reviewed and potentially amended. To that end, staff have updated the following items related to Telecommunication Towers for discussion:

- Permitted wireless communication towers within the LI, Limited Industrial District.
- Updated setback for towers, increasing the setback requirement for towers near residential structures.
- Added language permitting the City Council to establish alternative accessory structure standards through the IUP process.
- Added language specific to RF Radiation Testing prior to and after construction of new towers.

Staff have compiled the information below related to adjacent communities, and how they regulate towers specific to their height and setbacks for reference:

	Setbacks	Height
Farmington	75 feet from property line (exception for less with qualified engineer report) for all towers; 4 feet per 1 foot in height over 45 feet for towers in agricultural districts;	200 feet for all towers; 75 feet in residential districts

	2 feet in height per 1 foot in height over 45 feet in industrial districts	
Lakeville	Setbacks of the underlying zoning district (in the industrial zoning districts, the tower may encroach into the rear setback area with provisions).	No minimum/ maximum heights, but the height of the antenna is "the minimum necessary to function satisfactorily, as verified by an engineer or other qualified professional".
Rosemount	Tower base to nearest property line or non-owned structures is not less than the calculated structural collapse radius (not defined); Minimum the height of the tower, and cannot locate any closer than 500 feet from a residential structure in the industrial district.	400 feet for Agriculture District; 250 feet for Industrial District
Apple Valley	300 feet from residential for Residential and Mixed-Use Districts; 2 times the fall zone for structures on neighboring properties for Commercial and Industrial Districts; 1.5 times the fall zone from setbacks in all districts.	150 feet for Residential and Mixed-Use Districts; 250 feet for Commercial and Industrial Districts

Battery Energy Storage Systems (BESS)
Staff have reviewed multiple communities across the country in reference to battery energy storage systems (BESS). BESS can be defined in a number of ways as they are emerging technology, but are generally commercial/industrial facilities that house individual or groups of batteries that store large amounts of energy created to be used at a later time. BESS can be seen as a part of utility/transmission systems with wind or solar energy projects, to store the energy created.

Some concerns with the emerging technology of BESS are surrounding health, safety, and environmental concerns similar to those with other energy storage systems, such as gasoline stations, propane businesses, etc.





Pictured above are a few examples of BESS (left is a BESS at the National Renewable Energy Laboratory's National Wind Technology Center; right is a standalone system in Washington)

Battery energy storage systems are currently not permitted in the City of Empire Ordinance, per Section 5.04 "uses which are not specifically identified within the City of Empire zoning districts as permitted uses, accessory uses, conditional uses, or interim uses shall be prohibited". The city could choose not to change the code for this, and the use would remain prohibited.

However, if the Planning Commission would like to allow the use, staff suggests the following for discussion pertaining to BESS, proposing regulations similar to those for Telecommunication Towers and Wind Energy Systems:

- Added definitions related to BESS.
- Permitting BESS with an IUP in the Agriculture Preservation (AG) District
- Added permitted standards, including height, setbacks, screening, decommissioning plan, etc.

Recommendation:

The Planning Commission should discuss the proposed changes and items on the list, making additions or edits as needed.

Attachments:

1. Section 6.17 of Ordinance 400 – Zoning Ordinance – Redline
2. Section 6.23 of Ordinance 400 – Zoning Ordinance – Redline

greenhouses; farm equipment service and repair; veterinary services; boarding and training of horses; the operation of game farms; and other similar agricultural services.

Agriculture – Crop production, fruit and vegetable growing, animal husbandry and livestock operations, dairy production, forestry and nurseries, horticulture, bee raising, and similar farming activities.

Animal Unit – A unit of measure used to compare differences in the production of animal manure that employs as a standard the amount of manure produced on a regular basis by a slaughter steer or heifer. For purposes of this rule, the following equivalents shall apply:

Dairy	**No. of Animal Units**
one calf (less than 500 lbs.)	0.2
one young-stock (500-1000 lbs.)	0.7
one heifer	1.0
one cow	1.4
Beef	
one calf (less than 500 lbs.)	0.2
one cow/calf unit	1.2
one cow, slaughter steer or heifer	1.0
Swine	
one swine (less than 55 lbs.)	0.05
one swine (55 lbs. or more)	0.4
one sow with piglets less than 14 days old	0.4
Turkeys	
one pullet	0.005
one hen or tom	0.018
Chickens	
one pullet	0.002
one layer or broiler	0.01
Horses	
one horse	1.0

For animals not listed above, the number of animal units shall be defined as the average weight of the animal, divided by 1,000 pounds.

Assembly, production, and packaging – The creation of new products through combining and assembling finished or semi-finished materials and the packaging of products for sale and distribution.

Basement – A portion of a building located partly underground with more than half of its floor to ceiling height below the average grade of the adjoining ground.

Battery(ies) – A single cell or a group of cells connected together electrically in series, in parallel, or a combination of both, which can charge, discharge, and store energy electrochemically. For the purposes of this Ordinance, batteries utilized in consumer products are excluded from these requirements.

Battery Energy Storage System (BESS) – A facility or system composed of one or more batteries

and all associated equipment used to store electrical energy for later use at a commercial or industrial scale. A BESS may charge from and discharge to the power grid or an on-site generation source.

Berm – A shelf or raised flat area that breaks the continuity of the slope of the land.

Best Management Practices – The Minnesota Pollution Control Agency's urban best management practices entitled "Water Quality in Urban Areas."

Buildable Area – A contiguous area of a lot without municipal utilities, meeting the following minimum characteristics:

1. The area is at least one acre in size,
2. The area width to depth ratio does not exceed 2:1 and is not less than 1:2,
3. The area abuts a public road, a public frontage road, or an approved private access drive,
4. The lot which contains the buildable area must meet all ordinance dimensional standards,
5. The area is not encumbered by a wetland or 100-year floodplain,
6. The area must be capable of supporting a private sewage treatment system,
7. The historical high water table shall not be within six feet of the lowest floor elevation.

Building – A structure having a roof supported by columns or walls and intended for the shelter, housing, or enclosure of persons, animals or personal property.

Building height – The vertical distance measured from the mean curb level along the front lot line or from the mean ground level for all of the portion of the structure having frontage on a public right-of-way, whichever is higher, to the:

highest point of the coping of a flat or shed roof, or
to the deck line of a mansard roof, or

to the average height of the highest gable of a pitched or hip roof.

Building Right, Residential – An entitlement for a single family residential lot or building site, based on the maximum density of one residential building right per quarter-quarter section owned by one party in the AG Agricultural Preservation District. To be eligible for a residential building right, the quarter-quarter section must contain a buildable area, must not contain an existing single family residential dwelling, must not be subdivided, and must not have previously used or transferred a residential building right.

Building Rights Transfer – The movement of a residential building right from one quarter-quarter section to another while maintaining the same overall allowable density in the same area.

Building permit – A permit to allow construction and inspection of a building or structure.

Cannabis Business – Any of the cannabis businesses defined by Minnesota Statute 324.01, subd. 14, as may be amended.

Cannabis Cultivator – A cannabis business that conducts an operation pursuant to Minnesota Statues Section 342.30, as may be amended.

Cannabis Delivery Service – A cannabis business that conducts an operation pursuant to Minnesota Statute Section 342.41 and 342.42, as may be amended.

number of required parking stalls to be constructed if warranted by unique circumstances of the specific use of the building on the lot provided the following:

a. The applicant submits a proof of future parking plan demonstrating that the minimum number of required spaces can be provided on the lot in compliance with the applicable setback requirements of this Ordinance,

b. The applicant construct the minimum number of parking stalls required for the occupancy load of the building by the State Building Code, as may be amended,

c. The *City* may require the installation of a portion or all of the required parking stalls whenever the need arises as demonstrated by vehicles parking on public streets for a continuous period of time or outside the parking area on or off the lot.

7. Loading docks. Loading docks or berths for trucks shall be screened by berms, landscaping and/or fencing from the property line of any adjacent public or residential use and any County or State highway. The berms, landscaping and/or fencing shall be of the height and amount necessary to reasonably screen the adjacent uses or roadways.

B. Building Standards.

1. In the Neighborhood Commercial District, all exterior wall surfaces of principal and accessory structures shall be constructed of wood siding, brick, decorative concrete block, stone, glass, architectural concrete, or precast concrete panels.

2. In all other zoning districts, the exterior wall surface of the building facing public streets or residential districts shall be constructed of wood siding, brick, decorative concrete block, stone, glass, architectural concrete, or precast concrete panels. curtain wall panels of finished steel, fiberglass and aluminum or other compatible materials. Pole type metal buildings shall not be allowed as the primary structure.

3. Authorized accessory buildings shall be compatible in building design and material to the primary building on the property.

4. Dumpsters, trash bins, and recycling receptacles shall be located within the building or screened from public view by a fence or wall designed with the same or compatible materials as the primary building.

C. Landscaping: (See Section 6.15)

D. Lot signage: (See Section 6.20)

6.17 Communication Towers

A. Interim Use Permit Required. An Interim Use Permit is required for the construction or erection of any communications towers. Co-location uses are exempt from the IUP process, but require Planning Commission and City Council approval.

B. Co-location on Existing Structures. New towers or antennae must be co-located on existing structures in the City, unless it can be documented that it is impractical to co-locate on an existing structure because of technical performance, system coverage or system capacity an existing structure cannot support co-location from a structural engineering standpoint or the lease rate of an existing structure is not “Rate Reasonable”. Rate Reasonable shall mean that the co-location lease rate is not more than one hundred fifty (150) percent of the co-location lease rate for towers within ten miles for which such lease rate information can be obtained. The determination that co-location on an existing structure is not practical because of

technical performance, system coverage or system capacity shall be supported by findings from a qualified engineer.

C. Height and Co-location Requirements for New Structures. New towers shall be designed and constructed to permit the future co-location of other commercial wireless telecommunication services, according to the following criteria:

Height of Structure	Number of Co-location Required
Less than 120’	No co-location required
Between 120’ and 160’	1 additional user accommodated
Greater than 160’	2 additional users accommodated

1. The maximum height of any tower and antennae shall be less than two hundred (200) feet.
2. In the event a tower must be constructed in excess of one hundred sixty (160) feet in height, the owner of the tower shall reserve the right of co-location for one of the two additional users to the City for the use by the City for government communication services including but not limited to uses such as fire, police or rescue.
3. In satisfying co-location requirements, the owner of the tower must provide adequate access to the tower site and space within the owned or leased area to accommodate co-location user’s equipment needs. Nothing in these regulations shall prevent the owner of the tower from requiring remuneration from a co-location user, excepting the co-location use reserved for the City, and provided such remuneration is Rate Reasonable. The owner of the tower may also establish reasonable technical requirements for co-location to protect the owner’s investment and guarantee effective telecommunication service.
4. The City may utilize its reserved right for co-location in any manner consistent with the safe and efficient operation of communications services. The owner of the tower shall have the authority to determine whether the City’s use of the tower is compatible with commercial wireless telecommunications services users on the tower. The owner of the tower shall have the authority to review all plans for co-location uses and require reasonable modifications for such plans to ensure safe and efficient operation of the communications services and protect the owner’s investment.

D. Tower and Antenna Design. Towers and antennae shall be located and designed to blend into the surrounding environment to the maximum extent possible. Towers shall be of a monopole design unless it is determined that an alternative design would be appropriate for the particular site or circumstances. All towers shall be painted in a color best determined by the City to blend into the particular environment.

E. Tower Setbacks. All towers shall be setback from structures, rights-of-way and property lines at a distance equal to the height of the towers and antenna. All towers in agricultural or residential districts shall be setback back from the nearest residential structure, not located on the property of the tower, a distance equal to one-and-a-half (1 ½) times the height of the tower and antenna. The setbacks may be reduced to a distance agreed upon by the City, if the tower applicant furnishes a registered engineer’s certification that the tower is designed to collapse or fall within a distance or zone shorter than the total tower height. The City may waive or modify setback requirements for antennae proposed to be co-located on existing towers or structures.

F. Lighting. Towers shall not be illuminated unless required by a state or federal agency.

G. Security. The site area for new or modified commercial wireless telecommunications services towers shall be totally fenced in to discourage access by unauthorized persons. The City shall review and approve or modify all plans for fencing and security measures.

H. Accessory Structures. The applicant shall submit site plans, elevations and construction details for all towers, antennae and accessory structures to be located on a site. All equipment must be enclosed within a building. The City may require that any accessory structures be designed compatible with surrounding structures or natural environment and may require that landscaping materials be provided to screen accessory structures or equipment. Co-location users must construct buildings compatible with existing buildings on the premises. The City may waive or modify accessory structure requirements through the IUP process.

I. Signs. Signs, other than warning signs, equipment labels, emergency information or owner identification, are prohibited on any towers, antennae or accessory structures or equipment. No permitted signs shall exceed three (3) square feet in area.

J. Interference. No wireless telecommunications service shall be permitted that causes any interference with commercial or private use and enjoyment of other legally operating telecommunications devices, including but not limited to radios, televisions, personal computers, telephones, personal communications devices, garage door openers, security systems and other electronic equipment and devices. An applicant must furnish Minnesota registered engineer's certification that no such interference will occur or identify what interference may occur and how the applicant will mitigate any potential inference that may occur.

~~J.~~K. Radiation Testing. New towers shall conduct a pre- and post-construction R.F. radiation testing, including testing at the nearest residential property. An applicant must furnish a copy of the testing to the City, to ensure the tower is in compliance with federal R.F. radiation emission standards. The testing prior to tower construction shall occur after an application has been submitted for a building permit, but prior to the building permit being issued. Testing after tower construction shall occur within 30 days after the tower, with its antenna, is put into service. The City may require annual proof of compliance with federal R.F. radiation emission standards.

~~K.~~L. Construction Requirements. All wireless telecommunication towers, antennae and accessory uses shall be designed and constructed in accordance with all provisions of this Ordinance and all applicable state and federal codes. All plans must be certified by an engineer registered in the State of Minnesota.

~~L.~~M. Abandonment. All towers and antennae not used for a period of twelve (12) consecutive months shall be considered abandoned and shall be removed. In the event any towers and antennae have not been removed within ninety (90) days written notice by the City after abandonment, the City shall have the right to remove the towers and antennae and assess the property. The applicant must furnish a copy of the relevant portions of an executed lease, which identifies the applicant's obligation to remove abandoned or unused towers and antennae, prior to issuance of an ~~conditional~~ interim use permit to erect a tower.

~~M.~~N. Other Requirements. The City may require additional information from the applicant and impose additional standards and regulations in approving plans for wireless telecommunications services to ensure and protect the public health, safety and welfare.

the fondling or other erotic touching of human genitals, pubic region, buttocks, anus or female breasts;

the transfer of securities which constitute a controlling interest in the business, whether by sale, exchange, or similar means; or

the establishment of a trust, gift, or other similar legal device which transfers the ownership or control of the business, except for transfer by bequest or other operation of law upon the death of the person possessing the ownership or control.

D. Classification. Adult use businesses are classified as follows:

1. adult arcades
2. adult bookstores, adult novelty stores, or adult video stores;
3. adult cabarets;
4. adult motion picture theaters; and
5. adult theaters.

E. Hours of Operation. No adult use business may remain open at any time between the hours of one o'clock (1:00) A.M. and six o'clock (6:00) A.M. on weekdays and Saturdays, and one o'clock (1:00) A.M. and ten o'clock (10:00) A.M. on Sundays.

6.23 Battery Energy Storage Systems (BESS)

A. Interim Use Permit Required. An Interim Use Permit is required for the construction or operation of any battery energy storage systems.

B. Height. The maximum height of a BESS shall be less than fifteen (15) feet.

C. Setbacks. BESS shall be set back from all property lines, road easements, or road rights-of-way a minimum distance of one hundred (100) feet. BESS shall be set back from any residential home, not located on the same property, a distance of three hundred (300) feet.

D. Security. The site area for new or modified battery energy storage systems shall be totally fenced in to discourage access by unauthorized persons. The City shall review and approve or modify all plans for fencing and security measures.

E. Landscaping. A densely planted landscaped buffer that includes a combination of evergreen trees and shrubs shall be used where the BESS is adjacent to a public road or a residentially zoned property. The Council may require additional landscaping at their discretion depending on the adjacent uses and the need for screening.

F. Accessory Structures. The City may require that any accessory structures be designed compatible with surrounding structures or natural environment and may require that landscaping materials be provided to screen accessory structures or equipment.

G. Signs. Signs, other than warning signs, equipment labels, emergency information or owner identification, are prohibited on any batteries, facilities, accessory structures, or equipment. No permitted signs shall exceed three (3) square feet in area.

H. Construction Requirements. All battery energy storage systems and accessory uses shall be designed and constructed in accordance with all provisions of this Ordinance and all applicable state and federal codes. All plans must be certified by an engineer registered in the State of Minnesota.

I. Decommissioning Plan.

1. The applicant shall submit a decommissioning plan, to ensure that facilities are properly removed after the expiration of the IUP, or, if earlier, after the useful life of batteries or other facilities. The decommissioning plan shall include provisions for removal of all structures, foundations, equipment and power and communication lines, restoration of soil and vegetation to its pre-developed condition, and a financial guarantee ensuring that financial resources will be available to fully decommission the site. The City may require that the applicant provide a bond, letter of credit, escrow or other financial security in a form and amount set by the City.

2. Decommissioning of BESS and related facilities must occur in the event the IUP expires or is terminated, and/or the batteries are not used for a period of twelve (12) consecutive months. In the event the decommissioning has not been completed within ninety (90) days written notice by the City, the City shall have the right to remove the batteries, associated facilities, and equipment, and assess the property. The applicant must furnish a copy of the relevant portions of an executed lease, which identifies the applicant's obligation to remove abandoned or unused BESS, prior to issuance of an interim use permit.

J. Other Requirements. The City may require additional information from the applicant and impose additional standards and regulations in approving plans for battery energy storage systems to ensure and protect the public health, safety and welfare.

SECTION 7 ADMINISTRATION AND ENFORCEMENT

7.01 Administration

A. Administration. The City Clerk or designee, as directed by the City Council, shall act as the Zoning Administrator and shall be responsible for the administration and enforcement of this Ordinance.

B. Zoning Administrator. The duties of the Zoning Administrator shall include, but not be limited to the following:

1. Inspect uses of land within the City as available to determine compliance with the terms and provisions of this Ordinance.
2. Respond to complaints about compliance or enforcement of this Ordinance.
3. Maintain current and permanent records of this Ordinance, including but not limited to all maps, amendments, conditional use permits, interim use permits, variances, building permits, certificates of occupancy, and applications for all zoning requests.
4. Receive, file, and forward all applications for all amendments, appeals, variances, conditional or interim uses, site plans, building permits and other related matters to all designated official bodies.
5. Receive for deposit in the City account all required fees for zoning applications and building permits.
6. Instruct the Building Official to administer building and occupancy permits, and make and maintain records thereof.
7. Consult the Planning Commission at any time to confirm any interpretation of this

MEMORANDUM

Date:	February 24, 2026
To:	Empire City Council
From:	Charles Seipel-Teng, Clerk-Administrator
RE:	Consider Adopting Ordinance No. 230, An Ordinance Regulating Large Assemblies in the City of Empire

It is the intent of this draft ordinance to update and simplify the regulation and permitting for large assemblies in Empire and if adopted, would replace an ordinance regulating large outdoor assemblies.

The draft ordinance was created by reviewing similar ordinances from other cities that our attorney works with. It has been reviewed by the City's consulting planner, attorney and law enforcement and has also been provided to organizations that are typical large gathering permit applicants (Farmington Rotary and Cambodian Buddhist Temple).

The ordinance updates all references from Empire Township to the City of Empire. Additionally, the draft ordinance updates the following:

- Large assembly is defined as any event that requires public street closure or is expected to host 100 or more individuals.
- Permits from the City are required for large assemblies, with some variances and exceptions.
- Exceptions include events at regularly established places, such as places of worship or athletic fields with less than 500 people, events facilitated by the City, activities approved by the City on public property, funeral processions, certain social events held on private property (graduations, birthdays etc.).
- The fee is to be referenced in the Fee Schedule Ordinance

<u>Changes to Conditions:</u>

- Removes the condition for overnight camping.
- Requires information on food vendors and plans for garbage/recycling
- Portable water references federal and state requirements
- Specifies toilet requirements
- Removes the requirement for physicians and nurses, requires information on general location and capacity of medical care
- Removes the requirement for landline telephones
- Removes language pertaining to overnight camping
- Requires applicant to obtain necessary permits for electrical and building
- Replaced bond requirement with evidence of insurance

<u>Other</u>

- Adds conditions for denial or revocation
- Removes additional conditions that are covered by law enforcement

The current permit fee and escrow requirement for applicants is $100 and $5,000 respectfully, as set by the existing ordinance. The City Council should discuss whether this fee is still appropriate for the scope of application review and issuance.

Attached is a copy of the draft ordinance showing the tracked changes as well as a clean copy.

Attachment(s): *Large Gathering Ordiance Draft (Tracked).pdf*
Large Gathering Ordiance Draft (Clean).pdf
Large Gathering Ordiance Summary.doc

ORDINANCE NO. 230-~~A~~

AN ORDINANCE REGULATING LARGE ~~OUTDOOR~~ ASSEMBLIES IN THE ~~TOWNSHIP OF EMPIRE~~CITY OF EMPIRE

~~**Preamble**~~

~~**WHEREAS,** the inhabitants of the Township of Empire are deeply concerned about the large crowds which have attended outdoor pageants, amusement shows, theatrical performances, including music festivals and exhibitions, in various parts of the United States and the results thereof, and~~

~~**WHEREAS**, said events have caused serious health, safety, and medical problems, obstruction and damage to roads and highways, violations of liquor and drug laws, destruction to both public and private property, and excessive noise in the vicinity of said events, and~~

~~**WHEREAS**, the Township of Empire is a sparsely populated rural community which has no full-time employees and which is incapable of providing any of the municipal services that re required to provide for the needs of or to control any substantial gathering of people within the Township;~~

~~**NOW, THEREFORE,** the Town Board of the Township of Empire, County of Dakota, State of Minnesota, ordains as follows:~~

SECTION 1. INTENT AND PURPOSE

1.1 It is the purpose of ~~the Town Board of the Township of Empire~~ this ordinance to regulate the ~~assemblage of large numbers of people~~time, place and manner of certain large assemblies, in ~~excess of those normally needing the~~order to protect the~~-~~ health, ~~sanitary, fire, police, transportation and utility services regularly provided in the County of Dakota~~safety and welfare of all residents and visitors of the city by ensuring that such assemblies do not create disturbances, become nuisances, threaten life, health, or property, or disrupt traffic, or threaten or damage property. It is not the intent of this ordinance to regulate in any manner the content of speech or infringe upon the right to assemble, except for regulating the time, place, and manner of speech and assembly, and this ~~article~~ordinance should not be interpreted or construed otherwise. ~~or in excess of those normally requiring supervision or control, in order that the health, safety, and welfare of all persons in the Township of Empire, residents and visitors alike, may be protected.~~

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~~1.2 It is the intent of the Town Board that all sections and provisions of this ordinance have an independent existence; and, should any section or provision be declared invalid or unconstitutional by a Court of competent jurisdiction, it is the intent of the Town Board that~~

~~any section or provision so declared shall be severable from and shall not affect the validity of the remainder of the ordinance.~~

SECTION 2. DEFINITIONS.

For the purpose of this ordinance, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

2.1 LARGE ASSEMBLY. Any concert, parade, fair, show, festival, carnival, rally, ceremony, party, run, street dance, race, walk, athletic event, or other organized form of entertainment, gathering, or celebration that requires public street closure or is expected to host 100 or more individuals.

Commented [JF1]: What about a graduation ceremony or athletic tournaments?

Commented [CS2R1]: Added ceremony. I think athletic tournament would fall under "athletic event".

SECTION ~~3~~2. ~~LICENSE~~ PERMIT REQUIRED

~~2~~3.1 No person shall permit, maintain, attend, promote, conduct, advertise, act as an entrepreneur, undertake, organize, manage, or sell or give tickets to a large~~n~~ assembly, ~~where a substantial portion of the entertainers or persons attending will be or are reasonably expected to be out of doors, whether on public or private property, and at which more than 500 persons are in attendance or are reasonably expected to be in attendance, or at which between 100 and 500 persons are in attendance or are reasonably expected to be in attendance for a period which continues or can reasonably be expected to continue for eight or more consecutive hours~~, unless a ~~license~~ permit to hold the assembly has first been issued by the ~~Town Board~~City., ~~application for which must be made at least 30 days in advance of the assembly. A license to hold an assembly issued to one person shall permit any person to engage in any lawful activity in connection with the holding of the licensed assembly.~~

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~~2.2 As used in the ordinance:~~

~~2.201 "Person" means any individual natural human being, partnership, corporation, firm, company, association, society, or group.~~

~~2.202 "Assembly" means a company of persons gathered together at any location at any single time for any purpose.~~

~~2.3 A separate license shall be required for each day and each location at which 500 people assemble or can reasonably be anticipated to assemble or at which between 100 and 500 people assemble or can reasonably be expected to assemble for a period which continues or can reasonably be expected to continue for eight or more consecutive hours. The fee for each license shall be $100.00. A consultant review escrow of $5000.00 shall also be required.~~

~~2.4 A license shall permit the assembly of only the maximum number of people stated in the license. The license shall not sell tickets to nor permit to assemble at the license location more than the maximum permissible number of people.~~

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~~2.5 The license shall not permit the sound of the assembly to carry unreasonably beyond the enclosed boundary of the location of the assembly.~~

~~2.6 This ordinance shall not apply to any regularly established, permanent place of worship, stadium, athletic field, arena, auditorium, coliseum, or other similar permanently established place of assembly for assemblies which do not exceed by more than 500 people the maximum capacity of the structure where the assembly is held.~~

~~2.7 This ordinance shall not apply to government sponsored fairs held on regularly established fairgrounds nor to assemblies required to be licensed by other laws and/or regulations of the Township of Empire, the County of Dakota, or the State of Minnesota.~~

SECTION ~~4~~9. VARIANCE AND EXEMPTIONS

~~4.1 The situations justifying said variances are as follows: If 500 or more persons attend or are reasonably expected to attend the assembly, and if the assembly continues or is reasonably expected to continue for a very short time, not to exceed 8 hours, the Town Board in its discretion may waive any provision herein contained, except that in no case may the bond requirements of Sections 3.214 and 4.4 be waived.~~

~~4.29.2 Public functions, public school functions, non-profit athletic and recreational association functions, or other assemblies specifically authorized by other ordinances and approvals are exempt from the requirements of this Ordinance.~~

4.1 The following activities are exempt from the large assembly permit requirement;

4.101 Any regularly established, permanent place of worship, stadium, athletic field, arena, auditorium, coliseum, or other similar permanently established place of assembly at which less than 500 people will be gathered outdoors.

4.102 Events or community gatherings that are organized and facilitated by or in conjunction with the city.

4.103 Activities conducted by a government agency acting within the scope of its authority or private gatherings that take place on publicly owned property that have otherwise been permitted by a government agency acting within the scope of its authority.

4.104 Funeral processions.

~~First Amendment Activity that does not result in the obstruction of city streets and does not compromise the ability of the city to respond to a public safety emergency.~~

4.101 Any social event held on residential private property (i.e. graduations, weddings, birthday parties), ~~other than a temporary cannabis event,~~ that is free of charge to attendees.

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Commented [JF3]: Should we tie this to maximum occupancy? Seems a site would have been reviewed for the maximum occupancy and those issues when the building permit was issued. And 500 seems arbitrary. Why not 450?

Commented [CS4R3]: Current ordinance says 500. I think we want this to cover large gatherings, whether indoors or outdoors to cover traffic etc. Place of worship could be outdoors like the Cambodian Temple. But if there is a future school or stadium where more than 500 can be easily handled, we want to probably exempt that.

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Commented [JF5]: What do we mean by this? What would be a first amendment activity? Protesting? We should list examples. I think there will questions from the public and on staff side about this.

Commented [CS6R5]: Let's just take this out. If it doesn't require the obstruction of streets and not large enough to create a public safety concern, perhaps we don't need to address it.

Commented [RT7R5]: As a practical matter, there may be situations where you can't enforce the ordinance because of the first amendment. Trying to define what those are here creates more confusion than it resolves.

Commented [JF8]: I think these can only be held on commercial sites- we should verify before deleting.

does not require city services and/or resource ~~or~~and does not interfere with normal flow of pedestrian or vehicular traffic.

4.106 The ~~Town Board~~City Council may, by unanimous resolution, grant a variance from the requirements of this ordinance in any particular case where the applicant can show that strict compliance with this ordinance would cause exceptional and undue hardship by reason of the special nature of the proposed assembly or by reason of the fact that the circumstances make the requirement of this ordinance unnecessary. ~~y~~provided that such variance must include a determination by the Council that the event will not pose a ~~may be granted without~~ detriment to the public health, safety, or welfare and will not ~~ithout~~ impair~~ing~~ the intent and purpose of these regulations.

SECTION 5. PERMIT——APPLICATION

~~4.1~~5.1 An a~~A~~pplication for a ~~license~~ permit for large assembly to hold an actual or anticipated ~~outdoor~~ large assembly as required by this ordinance shall be ~~made in writing to the Town Board~~submitted to the City at least 30 days in advance of such assembly. The fee for such license shall be listed in the City's Fee Schedule Ordinance.

5~~4~~.2 The application shall contain a statement made upon oath or affirmation that the statements contained therein are true and correct to the best knowledge of the applicant and shall be signed and sworn to or affirmed by the individual making application or, in the case of a corporation, by ~~all partners in the case of a partnership, or by all officers of an unincorporated association, society, or group, or, if there are no officers, by all members of such association, society, or group.~~ two executives of the organization authorized to enter into a contract, and signed by the property owner~~,~~ if the assembly takes place all or in part on private property.

5~~4~~.3 The application shall contain and disclose:

5~~4~~.301 The name~~, age, residence~~ and mailing address of all persons required to sign the application by Section 4~~5~~.2 ~~and, in the case of a corporation, a certified copy of the articles of incorporation together with the name, dates, residence and mailing address of each person holding 10 percent or more of the stock of said corporation~~;

5~~4~~.302 The address and legal description of all property upon which the assembly is to be held, together with the name~~, residence,~~ and mailing address of the record owners of all such property;

5~~4~~.303 ~~Proof of ownership of all property upon which the assembly is to be held or A~~a ~~sta~~tement ~~made upon oath of affirmation by the record owners of all such property that the applicant has permission to use such property for and assembly.~~ Consent by the property owner for use of private property or a request to use public property.

5~~4~~.304 The nature ~~of~~for purpose of the assembly;

Commented [RT9]: I recommend you consider a cap on number of people and also make sure it is not for a commercial purpose.

Commented [JF10]: I don't think we want all board members signing or all members of a group signing. Maybe change this to two executives of the organization authorized to enter into a contract and in all case the property owner should sign.

Commented [CS11R10]: Yes. Changed.

54.305 The ~~total number of days and/or hours during which the assembly is to last~~duration of the assembly;

54.306 The maximum number of persons ~~which the applicant shall permit~~ to assemble at any time~~,~~ including the maximum number of tickets to be sold or provided~~, not to exceed the maximum number which can reasonably assemble at the location of the assembly, in consideration of the nature of the assembly, or the maximum number of persons allowed to sleep within the boundaries of the location of the assembly by the zoning regulations of the Township of Empire or county of Dakota if the assembly is to continue overnight~~;

~~4.307 The maximum number of tickets to be issued;~~

54.308 The plans required in Section 6.2 herein. ~~of the applicant to limit~~not exceed ~~the maximum number of people permitted to assemble;~~

~~54.309 The plans for fencing the location of the assembly and the gates contained in such fence;~~

~~54.310 The plans for supplying potable water including the source, amount available, and location of outlets;~~

~~54.311 The plans for providing toilet and lavatory facilities including the source, number and location, type, and means of disposing of waste deposited;~~

~~54.312 The plans for holding, collection and disposing of solid waste material;~~

~~54.313 The plans to provide for medical facilities including the location and construction of a medical structure, the names and addresses and hours of availability of physicians and nurses, and provisions for emergency ambulance service including emergency access in and out of the site;~~

~~54.314 The plans, if any, to illuminate the location of the assembly including the source and amount of power and location of lights;~~

~~54.315 The plans for parking vehicles including size and location of lots, points of highway access, and interior roads including routes between highway access and parking lots;~~

~~The plan for providing handicapped accessibility (parking, bathrooms, movement throughout the site, seating, etc)~~
~~54.316 Emergency contact information including cell phone numbers and on-site telephone number for the facility The plans for telephone service including the source, number, and location of telephones;~~

~~54.317 The plans for camping facilities, if any, including facilities available and their location;~~

Commented [JF12]: They could be free.

Commented [CS13R12]: Yes. Thanks.

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Commented [JF14]: I think we should say no camping is allowed.

Commented [CS15R14]: I will recommend we delete.

~~5~~4.318 ~~The plans for security including the number of guards, their deployment, and their names, addresses, credentials, and hours of availability;~~

~~5~~4.319 ~~The plans for fire protection, including access into and out of the siteas may be required by Section 3.211 herein;~~

~~5~~4.320 ~~The plans for sound control and sound amplification if any, including number, location, and power of amplifiers and speakers;~~

~~5~~4.321 ~~The plans for food concessions and concessioners who will be allowed to operate on the grounds including the names and addresses of all concession vendors and their license or permit numbers as well as plans for garbage/trash and recycling collection removal; and~~

~~5~~4.322 ~~The plans for area traffic control for access to and egress from and exit onto public roads and highways.~~

5.4 Fee. The applicant shall pay fee as per fee schedule plus a cash escrow security to cover enforcement of this ordinance. The escrow will be utilized to cover city staff or consultant time for inspections, enforcement, or abatement of violations of these provisions.

~~4.4 The application shall include the bond required in section 3.214 and the license fee.~~

SECTION ~~6~~3. ~~CONDITIONS FOR ISSUING LICENSE~~PERMIT CONDITIONS

Before a ~~license~~ permit may be issued, the applicant shall first:

~~6~~3.1 Determine ~~the maximum number of people which will be assembled or admitted to the location of the assembly, provided that the maximum number shall not exceed the maximum number which can reasonably assemble at the location of the assembly in consideration for the nature of the assembly, and provided that where the assembly is to continue overnight, the maximum number shall not be more than is allowed to sleep within the boundaries of the location of the assembly by the zoning or health ordinances of the Township of Empire or the County of Dakota, ore regulation of the Minnesota State Department of Health.~~that the proposed assembly is appropriate for the size and use for which the requested location has been established or designated.

~~6~~3.2 At the time the application is submitted, the ~~sponsor~~ applicant will provide a plan, including the provisions herein, for operation of the assembly. ~~Ten days prior to the start of the assembly, local authorities will inspect to determine whether the requirements of the following provisions have been met:~~

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Commented [JF16]: Do you want to require recycling?

Commented [CS17R16]: Yes. I believe Dakota County ordinance requires it.

Commented [JF18]: We should have an amount- maybe $10,000 for each day of the event?

Commented [CS19R18]: We currently have $5,000 in the Fee Schedule Ordinance

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63.201 The number of food concessions and concessioners who will be allowed to operate on the grounds including the names and addresses of all concession vendors and their license or permit numbers as well as plans for garbage/trash and recycling collection removal.

6.202 A fence or barrier completely enclosing the proposed location of sufficient height and strength to prevent people in excess of the maximum permissible number from gaining access to the assembly grounds, which shall have sufficient entrances and exits to allow easy movement into and out of the assembly grounds and provide traffic control onto established public road systems; this requirement may be waived if the City Council finds that a fence will not be necessary for crowd control.

63.2023 Portable water, meeting all federal and state requirements for sanitary quality, sufficient to provide drinking water for the maximum number of people to be assembled at the rate of at least one gallon per person per day ~~and where the assembly is to continue for more than 12 hours, water for bathing at the rate of at least 10 gallons per person per day, or portion of a day;~~

63.2034 ~~Separate enclosed~~Enclosed toilets ~~for males and females~~, ~~meeting all state and local specifications~~at a rate of one toilet per 50 attendees and one handicapped accessible toilet per 500 attendees, conveniently located throughout the grounds, sufficient to provide facilities for the maximum number of people to be assembled, ~~in accordance with the Minnesota State Board of Health regulations and standards~~;

63.2045 A sanitary method of disposing of solid wastes, in compliance with state and local laws and regulations, sufficient to dispose of the solid waste production of the maximum number of people to be assembled ~~at the rate of at least 2.5 pounds of solid waste per person per day, together~~ with a plan for holding and collecting all such waste at least once each day of the assembly, and sufficient trash containers and personnel to perform the above mentioned tasks;

63.2056 ~~Physicians and nurses licensed to practice in Minnesota sufficient to provide medial care for the maximum number of people to be assembled at the rate of at least one physician and nurse for every 1,000 people, together with an enclosed covered structure where treatment may be rendered, containing separately enclosed treatment rooms for each physician, and at least two emergency ambulances with attendants, for each 1,000 people~~The location and capacity of medical care;

63.2067 If the assembly is to continue during hours of darkness, illumination sufficient to light the entire area of the assembly at the rate of at least ~~5 foot~~5-foot candles, but not to shine unreasonably beyond the boundaries of the enclosed location of the assembly.

63.2078 A parking area inside of the assembly grounds sufficient to provide parking space for the maximum number of people to be assembled ~~at the rate of at least on parking space for every four person;~~

Commented [JF20]: Can delete if we don't allow camping.

Commented [CS21R20]: I believe so.

Commented [CS22]: State does not have requirements for general outdoor events, so including what could be a City standard.

Commented [JF23R22]: I like having something.

Commented [CS24R22]: Let's recommend keeping it.

~~3.208 Telephones connected to outside lines sufficient to provide service to the maximum number of people to be assembled at the rate of at least one separate line and receiver for each 500 persons;~~

~~3.209 If the assembly is to continue overnight, camping facilities in compliance with all state and local requirements as set forth in Minnesota statutes, and the regulations and ordinances of the Township of Empire or the County of Dakota sufficient to provide camping accommodations for the maximum number of people to be assemble; all persons sleeping during night hours shall so sleep only in a tent, camper, trailer, mobile home, building, or similarly enclosed structure.~~

6~~3~~.20~~10~~9 Security~~,~~ and traffic, ~~and narcotics control~~ plan ~~which will meet~~that meets the requirements of local authorities and the Minnesota Department of Public Safety; regularly employed off duty Minnesota law enforcement officers or protective agents licensed in Minnesota, sufficient to provide adequate security for the maximum number of people to be assembled; at least one security guard for every 500 people ~~will be provided~~.

6~~3~~.21~~1~~0 Fire protection shall be provided by the sponsor which may include but not be limited to the following: Fire alarms, extinguishing devices, fire lanes, and shall be sufficient to meet all applicable state laws and local regulations which are in effect, or may be set forth by the ~~Town Board~~City Council as it determines is necessary; and sufficient emergency personnel to efficiently operate the required equipment that will be provided by the sponsor;

6~~3~~.21~~2~~1 All reasonably necessary precautions to insure that the sound of the assembly will not carry unreasonably beyond the enclosed boundaries of the location of the assembly.

6~~3~~.21~~3~~2 Administrative control ~~center~~ person with ~~telephones~~ contact information where the local authorities can contact the sponsors and law enforcement personnel inside the assembly area;

6.21~~4~~3 The applicant shall obtain all necessary permits including electrical or building permits, if required;

6.214 The applicant must provide the City with evidence of insurance in the form of a certificate of insurance, with the City listed as additional insured, under a comprehensive public liability insurance policy against all liability or claims which might arise out of the holding of the large event, with insurance coverage to be in amounts not less than $1,000,000 for injury or damage to any person or property and not less than $1,500,000 in the aggregate amount for any number of claims arising out of a single occurrence.

6.215 The applicant must sign an agreement to indemnify, defend, and hold the City, its officials, employees, and agents harmless from any claim that arises in whole or in part out of the large assembly.

Commented [JF25]: I thin we want to say camping is not allowed on the site.

Commented [CS26R25]: Yes. We can probably recommend removing this section then.

6.216 Before a permit is issued, the City shall inspect the premises for compliance with submitted and approved plans.

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~~3.214 A bond, filed with the clerk of the Township of Empire, either in cash or underwritten by a surety company licensed to do business in Minnesota at the rate of $100.00 per person for the maximum number of people permitted to assemble, which shall indemnify and hold harmless this political subdivision or any of its agents, officers, servants, and employees from any liability or causes of action which might arise by reason of granting this license, payment of employees, or services rendered by the granting authorities, and from any costs incurred in cleaning up any waste material produced or left by the assembly.~~

Commented [CS27]: Private property, org. or land owner responsible for cleanup. City can assess costs for cleanup if necessary.

~~**SECTION 5. ISSUANCE**~~

~~The application for a license shall be processed within 60 days of receipt and shall be issued if all conditions are complied with.~~

SECTION ~~7~~6. PERMIT ~~CONDITIONS; DENIAL;~~ OR REVOCATION

~~The license may be revoked by the Town Board at any time if any of the conditions necessary for the issuing of or contained in the license are not complied with, if any condition previously met ceases to be complied with, or if any other provision of this ordinance is violated.~~

7.1 The City may impose reasonable conditions on any permit issued under this ordinance.

7.2 The City may deny an application for large gathering permit, or revoke a previously issued permit, for any one or more of the following reasons:

~~———~~7.~~1~~201 Any information on the application was false, misrepresented, or incomplete;

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7.202 The assembly would substantially or unnecessarily interfere with traffic in the city, would interfere with access to the fire station or fire hydrants, or would unreasonably interfere with access to businesses or residences in the immediate vicinity of the assembly, and there are not sufficient resources available to mitigate such interferences;

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~~6~~7.203 The assembly is of a size or nature that requires a diversion of law enforcement services to an extent that the assembly would unreasonably deny law enforcement protection to the remainder of the community;

~~6~~7.204 The proposed date and time of the assembly conflicts with a previously scheduled event and sufficient resources are not available for both events;

~~6~~7.205 The location of the assembly will substantially interfere with the construction or maintenance work scheduled to take place upon or along public property or right-of-way;

~~6~~7.206 The assembly has or would likely endanger public safety or health, or otherwise would likely constitute or is a public nuisance;

~~6~~7.207 The applicant fails to comply with the liability insurance requirements or the applicant's insurance lapses or is canceled prior to the event:

~~6~~7.208 The assembly would likely cause or has caused significant damage to public property or facilities;

~~6~~7.209 The assembly has ~~would engage in or encourage~~ participants ~~to~~ engaginge in illegal acts; or

~~6~~7.210 The applicant, or responsible party, on whose behalf the application is submitted has on prior occasions made material misrepresentations regarding the nature and extent of special services required for an assembly, or has violated the terms of a prior event permit in the City or similar permit in another community.

SECTION ~~7~~8. ~~OPERATION~~ADDITIONAL CONDITIONS

~~7.1~~8.1 The licensee or his agents shall maintain the assembly premises and facilities in a clean, orderly and sanitary condition at all times.

~~7.2~~8.2 No animals, except household pets, shall be permitted in any of the grounds or facilities, and dogs, cats or other animals or pets shall not be permitted to run loose.

~~7.3~~8.3 No fires of any kind shall be permitted on the premises or facilities except in grills or at locations designated for that purpose.

~~7.4 No person shall create any disturbance, engage in brawling or fighting, disturb any meeting or persons using the premises, engage in offensive, obscene, or abusive language or conduct himself in a boisterous or noisy manner tending reasonably to arouse alarm, anger, or resentment in others.~~

~~7.5 No person shall engage in conduct which does or reasonably may be expected to cause or result in injury or destruction to public or private property, whether real or personal.~~

8.4 No person shall engage in any conduct which violates a state, county, or local law or ordinance.

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8.5 A permit ~~license~~ shall ~~permit~~allow the assembly of only the maximum number of people stated in the ~~license~~permit. The ~~license~~ permitee shall not sell or otherwise provide tickets to nor permit to assemble at the license location more than the maximum permissible number of people.

8.6 The ~~license~~permitee shall not ~~permit~~allow the sound of the assembly to carry unreasonably beyond the enclosed boundary of the location of the assembly.

8.7 Street closures must be approved by the City Council in advance. Considerations in determining whether to approve a street closure shall include, but not be limited to, effects on public safety, effects on traffic, duration and frequency of closures, and effect on city services or work.

8.8 The City may attach such additional reasonable conditions to the large assembly permit as are deemed necessary to protect the public health, safety and welfare of all in and near the assembly.

~~7.6~~8.9 Overnight camping and assemblies are not permitted.

SECTION ~~8~~9. ENFORCEMENT AND PENALTY

~~8.1~~9.1 The provisions of this ordinance may be enforced by injunction in any court of competent jurisdiction.

~~8.2~~9.2 The holding of an assembly in violation of any provision or condition contained in this ~~O~~ordinance or upon any permit issued under this ordinance shall be deemed a public nuisance and may be abated as such.

~~8.3 Any person who violates Section 2.1 or who violates any condition upon which he is granted a license will forfeit an appropriate amount from the bond required in Section 3.214. No portion of the bond will be released to the sponsors until all provisions of the license agreement have been met.~~

~~8.4~~9.3 Any violation of this ordinance or any condition of a permit issued under this ordinance ~~within the Township City of Empire~~ shall be a misdemeanor and shall be punished provided by law. Each separate day of violation shall be considered a separate offense.

~~8.5~~9.4 Any person who violates Section ~~2~~3.1 or who violates any condition of a permit issued under this ordinance ~~upon which he is granted a license~~ shall be personally responsible for damages to public or private property arising out of or in connection with said violation and shall be subject to any civil relief that may be reasonable and proper.

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SECTION ~~10~~9~~10~~. EFFECTIVE DATE

This ordinance repeals Ordinance No. 230-A and shall be in full force and effect from and after its passage and publication according to law. Adopted this ~~23rd~~ day of ~~July, 2013~~2025.

ATTEST:

_____
Melanie Lee, Mayor

_____
Charles Seipel-Teng, Clerk-Administrator

Summary Published in the Dakota County Tribune on ~~August 1, 2013~~.

ORDINANCE NO. 230

AN ORDINANCE REGULATING LARGE ASSEMBLIES IN THE CITY OF EMPIRE

SECTION 1. INTENT AND PURPOSE

1.1 It is the purpose of this ordinance to regulate the time, place and manner of certain large assemblies, in order to protect the health, safety and welfare of all residents and visitors of the city by ensuring that such assemblies do not create disturbances, become nuisances, threaten life, health, or property, or disrupt traffic, or threaten or damage property. It is not the intent of this ordinance to regulate in any manner the content of speech or infringe upon the right to assemble, except for regulating the time, place, and manner of speech and assembly, and this ordinance should not be interpreted or construed otherwise.

SECTION 2. DEFINITIONS.

For the purpose of this ordinance, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

2.1 LARGE ASSEMBLY. Any concert, parade, fair, show, festival, carnival, rally, ceremony, party, run, street dance, race, walk, athletic event, or other organized form of entertainment, gathering, or celebration that requires public street closure or is expected to host 100 or more individuals.

SECTION 3. PERMIT REQUIRED

3.1 No person shall permit, maintain, attend, promote, conduct, advertise, act as an entrepreneur, undertake, organize, manage, or sell or give tickets to a large assembly, unless a permit to hold the assembly has first been issued by the City.

SECTION 4. VARIANCE AND EXEMPTIONS

4.1 The following activities are exempt from the large assembly permit requirement;

4.101 Any regularly established, permanent place of worship, stadium, athletic field, arena, auditorium, coliseum, or other similar permanently established place of assembly at which less than 500 people will be gathered outdoors.

4.102 Events or community gatherings that are organized and facilitated by or in conjunction with the city.

4.103 Activities conducted by a government agency acting within the scope of its authority or private gatherings that take place on publicly owned property that have otherwise been permitted by a government agency acting within the scope of its authority.

4.104 Funeral processions.

4.105 Any social event held on residential private property (i.e. graduations, weddings, birthday parties), that is free of charge to attendees, does not require city services and/or resource and does not interfere with normal flow of pedestrian or vehicular traffic.

4.106 The City Council may, by unanimous resolution, grant a variance from the requirements of this ordinance in any particular case where the applicant can show that strict compliance with this ordinance would cause exceptional and undue hardship by reason of the special nature of the proposed assembly or by reason of the fact that the circumstances make the requirement of this ordinance unnecessary, provided that such variance must include a determination by the Council that the event will not pose a detriment to the public health, safety, or welfare and will not impair the intent and purpose of these regulations.

SECTION 5. PERMIT APPLICATION

5.1 An application for a permit for large assembly to hold an actual or anticipated large assembly as required by this ordinance shall be submitted to the City at least 30 days in advance of such assembly. The fee for such license shall be listed in the City's Fee Schedule Ordinance.

5.2 The application shall contain a statement made upon oath or affirmation that the statements contained therein are true and correct to the best knowledge of the applicant and shall be signed and sworn to or affirmed by the individual making application or, in the case of a corporation, by two executives of the organization authorized to enter into a contract, and signed by the property owner if the assembly takes place all or in part on private property.

5.3 The application shall contain and disclose:

5.301 The name and mailing address of all persons required to sign the application by Section 5.2;

5.302 The address and legal description of all property upon which the assembly is to be held, together with the name and mailing address of the record owners of all such property;

5.303 A Consent by the property owner for use of private property or a request to use public property.

5.304 The nature or purpose of the assembly;

5.305 The duration of the assembly;

5.306 The maximum number of persons to assemble at any time including the maximum number of tickets to be sold or provided;

5.308 The plans required in Section 6.2 herein.

5.4 Fee. The applicant shall pay fee as per fee schedule plus a cash escrow security to cover enforcement of this ordinance. The escrow will be utilized to cover city staff or consultant time for inspections, enforcement, or abatement of violations of these provisions.

SECTION 6. PERMIT CONDITIONS

Before a permit may be issued, the applicant shall first:

6.1 Determine that the proposed assembly is appropriate for the size and use for which the requested location has been established or designated.

6.2 At the time the application is submitted, the applicant will provide a plan, including the provisions herein, for operation of the assembly.

6.201 The number of food concessions and concessioners who will be allowed to operate on the grounds including the names and addresses of all concession vendors and their license or permit numbers as well as plans for garbage/trash and recycling collection removal;

6.202 A fence or barrier completely enclosing the proposed location of sufficient height and strength to prevent people in excess of the maximum permissible number from gaining access to the assembly grounds, which shall have sufficient entrances and exits to allow easy movement into and out of the assembly grounds and provide traffic control onto established public road systems; this requirement may be waived if the City Council finds that a fence will not be necessary for crowd control;

6.203 Portable water, meeting all federal and state requirements for sanitary quality, sufficient to provide drinking water for the maximum number of people to be assembled at the rate of at least one gallon per person per day;

6.204 Enclosed toilets, at a rate of one toilet per 50 attendees and one handicapped accessible toilet per 500 attendees, conveniently located throughout the grounds, sufficient to provide facilities for the maximum number of people to be assembled;

6.205 A sanitary method of disposing of solid wastes, in compliance with state and local laws and regulations, sufficient to dispose of the solid waste production of the maximum number of people to be assembled with a plan for holding and collecting all such waste at least once each day of the assembly, and sufficient trash containers and personnel to perform the above mentioned tasks;

6.206 The location and capacity of medical care;

6.207 If the assembly is to continue during hours of darkness, illumination sufficient to light the entire area of the assembly at the rate of at least 5-foot candles, but not to shine unreasonably beyond the boundaries of the enclosed location of the assembly;

6.208 A parking area inside of the assembly grounds sufficient to provide parking space for the maximum number of people to be assembled;

6.209 Security and traffic, plan that meets the requirements of local authorities and the Minnesota Department of Public Safety; regularly employed off duty Minnesota law enforcement officers or protective agents licensed in Minnesota, sufficient to provide adequate security for the maximum number of people to be assembled; at least one security guard for every 500 people;

6.210 Fire protection shall be provided by the sponsor which may include but not be limited to the following: Fire alarms, extinguishing devices, fire lanes, and shall be sufficient to meet all applicable state laws and local regulations which are in effect, or may be set forth by the City Council as it determines is necessary; and sufficient emergency personnel to efficiently operate the required equipment that will be provided by the sponsor;

6.211 All reasonably necessary precautions to insure that the sound of the assembly will not carry unreasonably beyond the enclosed boundaries of the location of the assembly;

6.212 Administrative control person with contact information where the local authorities can contact the sponsors and law enforcement personnel inside the assembly area;

6.213 The applicant shall obtain all necessary permits including electrical or building permits, if required;

6.214 The applicant must provide the City with evidence of insurance in the form of a certificate of insurance, with the City listed as additional insured, under a comprehensive public liability insurance policy against all liability or claims which might arise out of the holding of the large event, with insurance coverage to be in amounts not less than $1,000,000 for injury or damage to any person or property and not less than $1,500,000 in the aggregate amount for any number of claims arising out of a single occurrence;

6.215 The applicant must sign an agreement to indemnify, defend, and hold the City, its officials, employees, and agents harmless from any claim that arises in whole or in part out of the large assembly;

6.216 Before a permit is issued, the City shall inspect the premises for compliance with submitted and approved plans.

SECTION 7. PERMIT DENIAL OR REVOCATION

7.1 The City may impose reasonable conditions on any permit issued under this ordinance.

7.2 The City may deny an application for large gathering permit, or revoke a previously issued permit, for any one or more of the following reasons:

7.201 Any information on the application was false, misrepresented, or incomplete;

7.202 The assembly would substantially or unnecessarily interfere with traffic in the city, would interfere with access to the fire station or fire hydrants, or would unreasonably interfere with access to businesses or residences in the immediate vicinity of the assembly, and there are not sufficient resources available to mitigate such interferences;

7.203 The assembly is of a size or nature that requires a diversion of law enforcement services to an extent that the assembly would unreasonably deny law enforcement protection to the remainder of the community;

7.204 The proposed date and time of the assembly conflicts with a previously scheduled event and sufficient resources are not available for both events;

7.205 The location of the assembly will substantially interfere with the construction or maintenance work scheduled to take place upon or along public property or right-of-way;

7.206 The assembly has or would likely endanger public safety or health, or otherwise would likely constitute or is a public nuisance;

7.207 The applicant fails to comply with the liability insurance requirements or the applicant's insurance lapses or is canceled prior to the event:

7.208 The assembly would likely cause or has caused significant damage to public property or facilities;

7.209 The assembly has participants engaging in illegal acts; or

7.210 The applicant, or responsible party, on whose behalf the application is submitted has on prior occasions made material misrepresentations regarding the nature and extent of special services required for an assembly or has violated the terms of a prior event permit in the City or similar permit in another community.

SECTION 8. ADDITIONAL CONDITIONS

8.1 The licensee or his agents shall maintain the assembly premises and facilities in a clean, orderly and sanitary condition at all times.

8.2 No animals, except household pets, shall be permitted in any of the grounds or facilities, and dogs, cats or other animals or pets shall not be permitted to run loose.

8.3 No fires of any kind shall be permitted on the premises or facilities except in grills or at locations designated for that purpose.

8.4 No person shall engage in any conduct which violates a state, county, or local law or ordinance.

8.5 A permit shall allow the assembly of only the maximum number of people stated in the permit. The permitee shall not sell or otherwise provide tickets to nor permit to assemble at the license location more than the maximum permissible number of people.

8.6 The permitee shall not allow the sound of the assembly to carry unreasonably beyond the enclosed boundary of the location of the assembly.

8.7 Street closures must be approved by the City Council in advance. Considerations in determining whether to approve a street closure shall include, but not be limited to, effects on public safety, effects on traffic, duration and frequency of closures, and effect on city services or work.

8.8 The City may attach such additional reasonable conditions to the large assembly permit as are deemed necessary to protect the public health, safety and welfare of all in and near the assembly.

8.9 Overnight camping and assemblies are not permitted.

SECTION 9. ENFORCEMENT AND PENALTY

9.1 The provisions of this ordinance may be enforced by injunction in any court of competent jurisdiction.

9.2 The holding of an assembly in violation of any provision or condition contained in this ordinance or upon any permit issued under this ordinance shall be deemed a public nuisance and may be abated as such.

9.3 Any violation of this ordinance or any condition of a permit issued under this ordinance shall be a misdemeanor and shall be punished provided by law. Each separate day of violation shall be considered a separate offense.

9.4 Any person who violates Section 3.1 or who violates any condition of a permit issued under this ordinance shall be personally responsible for damages to public or private property arising out of or in connection with said violation and shall be subject to any civil relief that may be reasonable and proper.

SECTION 10. EFFECTIVE DATE

10.01 This ordinance repeals Ordinance No. 230-A and shall be in full force and effect from and after its passage and publication according to law. Adopted this 24th day of February, 2026.

ATTEST:

_____
Melanie Lee, Mayor

_____
Charles Seipel-Teng, Clerk-Administrator

Summary Published in the Dakota County Tribune on March 6, 2026.

ORDINANCE NO. 230

The City Council of Empire adopted *Ordinance No. 230 An Ordinance Regulating Large Assemblies in the City of Empire* on February 24, 2026, and approved this summary for publication. Ordinance No. 230 contains several sections, which are summarized as follows:

SECTION 1. INTENT AND PURPOSE
Identifies purpose of ordinance.

SECTION 2. DEFINITIONS.
LARGE ASSEMBLY. Any concert, parade, fair, show, festival, carnival, rally, ceremony, party, run, street dance, race, walk, athletic event, or other organized form of entertainment, gathering, or celebration that requires public street closure or is expected to host 100 or more individuals.

SECTION 3. PERMIT REQUIRED
Permit required for large assemblies.

SECTION 4. VARIANCE AND EXEMPTIONS
Lists several variances and exemptions for when permits are required.

SECTION 5. PERMIT APPLICATION
An application for a permit for large assembly to hold an actual or anticipated large assembly as required by this ordinance shall be submitted to the City at least 30 days in advance of such assembly. Requirements for application are listed.

SECTION 6. PERMIT CONDITIONS
Requirements and conditions for the issuance of a permit are listed.

SECTION 7. PERMIT DENIAL OR REVOCATION
Lists reasons for denial or revocation of a permit.

SECTION 8. ADDITIONAL CONDITIONS
Lists additional conditions considered for permit issuance.

SECTION 9. ENFORCEMENT AND PENALTY
Describes enforcement and penalties for violations of this ordinance.

SECTION 10. EFFECTIVE DATE
Adopted February 24, 2026.

A full copy of this ordinance can be found at www.empiremn.gov/ordinances

MEMORANDUM

Date:	February 24, 2026
To:	Empire City Council
From:	Charles Seipel-Teng, Clerk-Administrator
RE:	Consider Agreement with Highland Sanitation for Garbage Services

On October 28, City Council approved switching from Highland Sanitation to Nitti Sanitation for garbage service at City Hall, Maintenance Shop, and Stelzel Fields, as the three-year contract with Highland expired in October.

Per the agreement, City provided Highland Sanitation with notice to cancel contract "at the end of 3-year term". Highland Sanitation informed the City that the contract has automatically renewed for another three-year term because the City did not provide notice "before the end of the 3-year term".

In the meantime, after expressing frustration about the sharp increase in rates during the term with Highland Sanitation, the company has agreed to allow the three-year contract to renew at less expensive rates. The attached spreadsheet compares the prices in the original contract to what the City was being charged by Highland Sanitation in 2025. The sheet also shows the proposed contract price from Highland and the proposed price from Nitti Sanitation for comparison. The price for the 6 Yard on-call was for a 4 Yard in the Original Highland and the Proposed Nitti quotes.

After review by staff and the City's attorney, the City has asked Highland Sanitation for the following:

1. Update the name from Empire Township to City of Empire.
2. Amend the date of the agreement to 10/3/2025 as that was the agreement renewal date.
3. Amend the “Instructions” paragraph to read: Ballfield 4YD TR and 2YD REC will switch to On-Call during the off season at no additional charge. Tax amount will change depending on the number of on call pickups ordered. In January of 2027 the rates will go up 5% to cover the increase in disposal cost. <u>In January of 2028, the rates will increase by an amount equal to the increase in disposal charges, landfill taxes, and service charges from 2027 to 2028, plus 5%; or a total of 10%, whichever is less.</u>
4. We again requested that the contract include the rates for the final year of the agreement.

Highland Sanitation has agreed to the above conditions and they are incorporated into the draft agreement.

If approved, the City will operate under this revised agreement until the end of the new 3-year term, with a start date of October 3, 2025 and ending October 3, 2028.

Attachment(s): *Garbage Quotes.pdf*
Proposed Agreement 2026.pdf
Old Highland Agreement.pdf

GARBAGE SERVICE OPTIONS

	ORIGINAL HIGHLAND	CURRENT HIGHLAND	PROPOSED HIGHLAND	PROPOSED NITTI	
6YD TRASH - ON CALL (SHOP)	$77.22	$140.00	$140.00	$86.00	* WE WANT TO UPGRADE TO 6YD
96 GAL. RECYCLE WEEKLY (CITY HALL)	$24.00	$30.25	$20.00	$15.00	
2- 4YD TRASH- WEEKLY (STELZEL FIELD)	$184.00	$222.64	$117.50	$128.00	
2 YD RECYCLE - WEEKLY (STELZEL FIELD)	$117.00	$141.57	$95.00	$75.65	
	$402.22	**$534.46**	**$372.50**	**$304.65**	
			$18.63	5.00%	
2027 RATE			**$391.13**		

PO Box 10
Vermillion, MN 55085

20700 Donnelly Ave
Farmington, MN 55024

Honesty Integrity Family

Phone: (651)458-0043 Web: highlandsanitation.com Email: info@highlandsanitation.com

3 Year Service Agreement

Customer Name: City of Empire Type of Business: Commercial

Address: 3385 197th Street / 2577 Vermillion River Trail/ 19200 Centerfield Court City: Empire State MN Zip: 55031

Date of Agreement: 10 / 3 / 25 Service Start Date 10 / 3 / 26 Deliver Date Already Present

Service Agreement Information

Service	Quantity	Size	Wheels	Locking Lid	Freq.	Day
MSW	2	4YD	Yes	No	Weekly	Fri
MSW	1	6YD	Yes	No	ONC	Mon
MSW	1	96G	Yes	No	Weekly	Mon
Recycling	1	2YD	Yes	No	Weekly	Mon
Recycling	----	----	----	----	----	----
Demo	-----	-----	-----	-----	-----	-----
Scrap Metal	-----	-----	-----	-----	-----	-----

Monthly Rates	
4YD Trash	$235.00
2YD Recycling	$95.00
96G Trash	$20.00
On Call Rate	$140.00
County Tax (%)	----
State Tax (17%)	$39.95
Total/Month	$389.95

Instructions: Ball field 4YD TR and 2YD REC will switch to On-Call during the off season at no additional charge. Tax amount will change depending on the number of on call pickups ordered. In January of 2027 the rates will go up 5% to cover the increase in disposal cost. In January of 2028, the rates will increase by an amount equal to the increase in disposal charges, landfill taxes, and service charges plus 5%; or a total of 10%, whichever is less.

The undersigned individual signing the agreement on behalf of customer acknowledges that he or she has read and understands the terms and conditions on both pages of this agreement and that he or she has the authority to sign the agreement on behalf of the customer.

Company Name: Highland Sanitation & Recycling Company Name: _____

By: _____ By: _____

Print: Bryan Klepperich Print: _____

Date: 2/19/2026 Date: _____

Serving our customers with pride since 1950

RESIDENTIAL MULTI-DWELLING COMMERCIAL ROLL-OFF

1811 Century Ave
Newport, MN 55055

20700 Donnelly Ave
Farmington, MN 55024

Honesty Integrity Family

Phone: (651)458-0043 Web: highlandsanitation.com Email: info@highlandsanitation.com

Terms and Conditions of Service Agreement

Conditions: This agreement is a legally binding contract and shall extend for a period of 3 years from the effective date of service and may be terminated at the end of the three year period by either of the parties hereto but not less than sixty (60) days prior written notice (Certified Mail). In the event that the Customer should discontinue this Service Agreement other than as provided above, it is agreed and contracted that said Customer shall pay contractor as liquidated damages, a sum equal to six (6) months charge to be determined on the basis of the average of the latest six month's statements during the existence of this service agreement. If Customer has not been serviced for six (6) months, Customer's most recent monthly rate(s) multiplied by six will be the charge for the liquidated damages. Highland Sanitation & Recycling Inc. agrees that if relocation outside the area in which we provide collection service or similar reason, Customer may terminate this agreement upon written notice given to Highland Sanitation & Recycling Inc. at least thirty (30) days prior to the intended termination date, but only upon payment of all amount then due to Highland Sanitation & Recycling Inc.

Equipment: The word "equipment" as used in the Terms and Conditions shall mean all containers used for the storage of waste and/or recycling material including dumpsters, dock dumpsters, carts, stationary compactors, bailing units, and such other on-site devices used. All equipment furnished by Highland Sanitation & Recycling Inc., for use by the Customer which the Customer has not purchased, shall remain the property of Highland Sanitation & Recycling Inc. and the Customer shall have no right, title or interest in equipment. Customer is responsible for cleanliness and safekeeping of the equipment, and shall be liable to Highland Sanitation & Recycling Inc. for loss or damage in excess of reasonable wear and tear.

Material: The word "material" as used in the Terms and Conditions shall mean all items disposed of by Highland Sanitation & Recycling Inc. to include, but not limited to: solid waste, cardboard recycling, paper recycling, aluminum recycling, glass recycling, appliances, etc. Highland Sanitation & Recycling Inc. does not haul hazardous waste, for example, chemicals, liquid paint, asbestos materials, etc.

Customer Liabilities: On collection day, Highland Sanitation & Recycling Inc.'s vehicles shall have accessibility to the equipment and material. If circumstances prohibit collection (i.e. snow, vehicles blocking, locked doors or gates), customer will be notified of the prohibited collection. Any additional attempts for collection will be classified as a "special pickup" and will be charged accordingly. Customer guarantees that the material collected and disposed of by Highland Sanitation & Recycling Inc. will not contain any hazardous or toxic materials that require special handlings defined by local, state or federal laws or regulations. Highland Sanitation & Recycling Inc. acquires all rights to the material once such material is loaded in Highland Sanitation & Recycling Inc.'s trucks. Title to and liability for any material excluded in above shall remain with the Customer and Customer expressly agrees to defend, indemnify and hold harmless Highland Sanitation & Recycling Inc. from and against any and all damages, penalties, fines and liabilities resulting from or arising out of such material excluded above. Customer warrants that any right of way provided by the Customer from the Customer's equipment location to most convenient public way is sufficient to bear the weight of all the Contractor's equipment and vehicles reasonably required to perform the service herin contracted. Highland Sanitation & Recycling Inc. shall not be responsible for damage to any private pavement/concrete or accompanying sub-surface of any route reasonably necessary to perform the services herin contracted. Customer agrees to defend, hold harmless and indemnify Highland Sanitation & Recycling Inc. against all claims, lawsuits, and other liabilities for injury to persons or damage to property of the environment connected with the use of the equipment by the Customer. Customer shall pay Highland Sanitation & Recycling Inc. on a monthly basis for the collection and disposal service provided by Highland Sanitation & Recycling Inc. (including all charges for equipment maintenance) in accordance with charge schedule shown on this agreement. Payment shall be made by the Customer with twenty-five (25) days following date of statement from Highland Sanitation & Recycling Inc. In the event that any payment is not made when due, Highland Sanitation & Recycling Inc. at it's option may terminate the agreement on notice to the Customer and recover all equipment on the premises of the Customer. Highland Sanitation & Recycling Inc. will impose and Customer agrees to pay late fees for all past due payments (annual percentage rate of 18% per annum, monthly rate of 1.5% with minimum of $3.00). If payment on account is not made in full, Highland Sanitation & Recycling Inc. reserves the right to refer the account to collections, with an added collection fee, in which Customer will be responsible for 100% of unpaid balance and attorney fees. In the event of a breach of this agreement by either party, the breaching party agrees to pay all attorney fees, collection fees and costs acquired by the other party to enforce this agreement.

Disposal Cost Increases: Since disposal charges are based on weight and are a significant part of the cost of the service provided by Highland Sanitation & Recycling Inc. Highland Sanitation & Recycling Inc. may increase the price of the collection services provided to the Customer in an amount equal to any increase in disposal charges, landfill taxes, or surcharges or in regard to any above average weight containers (as defined). Highland Sanitation & Recycling Inc. may take a cost of living increase annually of no more than 10% increase in the pre-tax rate(s).

Fees Disclosure: A paper invoice fee of $1.00 is charged for paper invoices to cover the cost of ink/postage/processing. This fee is subject to change at Highland Sanitation's discretion upon advanced notice. Upon service cancellation, a container removal fee of $150.00 per container (plus any applicable taxes) to cover costs related to cleaning, repairs and refurbishment of the containers following your use. An overage fee is incurred when waste exceeds your container's intended capacity. Typically this starts at approximately 1YD and is charged at a rate of $40.00 per yard of overflow, (plus any applicable taxes).

Changes: Changes in the charge schedule, frequency of collection and/or number, size or type of equipment may be agreed to orally or in writing by both parties. The charge and service schedule may be adjusted from time to time to reflect increases or decreases in service and/or rates. Consent to oral changes shall be evidenced by the actions and practices of the parties.

Assignment and Benefit: This agreement shall be binding on both parties and their successors.

Miscellaneous: If any conflict or differences exist in this agreement between purchases or services listed on face of contract and contract terms and conditions, the purchase of services portion shall take precedence, except in the case of disposal cost increases. Any changes in local, state or federal taxes, will change your monthly rate.

PO Box 10
Vermillion, MN 55085

20700 Donnelly Ave
Farmington, MN 55024

Honesty Integrity Family

Phone: (651)458-0043 Web: highlandsanitation.com Email: info@highlandsanitation.com

3 Year Service Agreement

Customer Name: Empire Township Type of Business: Commercial

Address: 3385 197th Street / 2577 Vermillion River Trail/ 19200 Centerfield Court City: Empire State MN Zip: 55031

Date of Agreement: 10 / 3 / 22 Service Start Date 10 / 4 / 22 Deliver Date 10/04/22

Service Agreement Information

Service	Quantity	Size	Wheels	Locking Lid	Freq.	Day
MSW	1	4YD	Yes	No	Weekly	Tue
MSW	1	4YD	Yes	No	ONC	Mon
MSW	1	96G	Yes	No	Weekly	Mon
Recycling	1	2YD	Yes	No	Weekly	Tues
Recycling	----	----	----	----	----	----
Demo	-----	-----	-----	-----	-----	-----
Scrap Metal	-----	-----	-----	-----	-----	-----

Monthly Rates	
4YD Trash	$184
2YD Recycling	$117
96G Trash	$24
On Call Rate	$77.22
County Tax (%)	----
State Tax (17%)	$35.36
Total/Month	$360.36

Instructions: Ball field 4YD TR and 2YD REC will switch to On-Call during the off season at no additional charge. Containers will be dropped off as soon as they are needed for 2023's season. For the on call pickups call the week before no later than end of day Friday to get pickups scheduled for Monday. Tax amount will change depending on the number of on call pickups ordered.

The undersigned individual signing the agreement on behalf of customer acknowledges that he or she has read and understands the terms and conditions on both pages of this agreement and that he or she has the authority to sign the agreement on behalf of the customer.

Company Name: Highland Sanitation & Recycling Company Name: _____

By: Bryan Klepperich By: _____

Print: Bryan Klepperich Print: _____

Date: 10/03/22 Date: _____

Serving our customers with pride since 1950

1811 Century Ave
Newport, MN 55055

20700 Donnelly Ave
Farmington, MN 55024

Honesty Integrity Family

Phone: (651)458-0043 Web: highlandsanitation.com Email: info@highlandsanitation.com

Terms and Conditions of Service Agreement

Conditions: This agreement is a legally binding contract and shall extend for a period of 3 years from the effective date of service and shall be automatically renewed for successive three year terms without further action by the parties but may be terminated at the end of the three year period by either of the parties hereto but not less than sixty (60) days prior written notice (Certified Mail). In the event that the Customer should discontinue this Service Agreement other than as provided above, it is agreed and contracted that said Customer shall pay contractor as liquidated damages, a sum equal to six (6) months charge to be determined on the basis of the average of the latest six month's statements during the existence of this service agreement. If Customer has not been serviced for six (6) months, Customer's most recent monthly rate(s) multiplied by six will be the charge for the liquidated damages. Highland Sanitation & Recycling Inc. agrees that if relocation outside the area in which we provide collection service or similar reason, Customer may terminate this agreement upon written notice given to Highland Sanitation & Recycling Inc. at least thirty (30) days prior to the intended termination date, but only upon payment of all amount then due to Highland Sanitation & Recycling Inc.

Equipment: The word "equipment" as used in the Terms and Conditions shall mean all containers used for the storage of waste and/or recycling material including dumpsters, dock dumpsters, carts, stationary compactors, bailing units, and such other on-site devices used. All equipment furnished by Highland Sanitation & Recycling Inc., for use by the Customer which the Customer has not purchased, shall remain the property of Highland Sanitation & Recycling Inc. and the Customer shall have no right, title or interest in equipment. Customer is responsible for cleanliness and safekeeping of the equipment, and shall be liable to Highland Sanitation & Recycling Inc. for loss or damage in excess of reasonable wear and tear.

Material: The word "material" as used in the Terms and Conditions shall mean all items disposed of by Highland Sanitation & Recycling Inc. to include, but not limited to: solid waste, cardboard recycling, paper recycling, aluminum recycling, glass recycling, appliances, etc. Highland Sanitation & Recycling Inc. does not haul hazardous waste, for example, chemicals, liquid paint, asbestos materials, etc.

Customer Liabilities: On collection day, Highland Sanitation & Recycling Inc.'s vehicles shall have accessibility to the equipment and material. If circumstances prohibit collection (i.e. snow, vehicles blocking, locked doors or gates), customer will be notified of the prohibited collection. Any additional attempts for collection will be classified as a "special pickup" and will be charged accordingly. Customer guarantees that the material collected and disposed of by Highland Sanitation & Recycling Inc. will not contain any hazardous or toxic materials that require special handlings defined by local, state or federal laws or regulations. Highland Sanitation & Recycling Inc. acquires all rights to the material once such material is loaded in Highland Sanitation & Recycling Inc.'s trucks. Title to and liability for any material excluded in above shall remain with the Customer and Customer expressly agrees to defend, indemnify and hold harmless Highland Sanitation & Recycling Inc. from and against any and all damages, penalties, fines and liabilities resulting from or arising out of such material excluded above. Customer warrants that any right of way provided by the Customer from the Customer's equipment location to most convenient public way is sufficient to bear the weight of all the Contractor's equipment and vehicles reasonably required to perform the service herin contracted. Highland Sanitation & Recycling Inc. shall not be responsible for damage to any private pavement/concrete or accompanying sub-surface of any route reasonably necessary to perform the services herin contracted. Customer agrees to defend, hold harmless and indemnify Highland Sanitation & Recycling Inc. against all claims, lawsuits, and other liabilities for injury to persons or damage to property of the environment connected with the use of the equipment by the Customer. Customer shall pay Highland Sanitation & Recycling Inc. on a monthly basis for the collection and disposal service provided by Highland Sanitation & Recycling Inc. (including all charges for equipment maintenance) in accordance with charge schedule shown on this agreement. Payment shall be made by the Customer with twenty-five (25) days following date of statement from Highland Sanitation & Recycling Inc. In the event that any payment is not made when due, Highland Sanitation & Recycling Inc. at it's option may terminate the agreement on notice to the Customer and recover all equipment on the premises of the Customer. Highland Sanitation & Recycling Inc. will impose and Customer agrees to pay late fees for all past due payments (annual percentage rate of 18% per annum, monthly rate of 1.5% with minimum of $3.00). If payment on account is not made in full, Highland Sanitation & Recycling Inc. reserves the right to refer the account to collections, with an added collection fee, in which Customer will be responsible for 100% of unpaid balance and attorney fees. In the event of a breach of this agreement by either party, the breaching party agrees to pay all attorney fees, collection fees and costs acquired by the other party to enforce this agreement.

Disposal Cost Increases: Since disposal charges are based on weight and are a significant part of the cost of the service provided by Highland Sanitation & Recycling Inc. Highland Sanitation & Recycling Inc. may increase the price of the collection services provided to the Customer in an amount equal to any increase in disposal charges, landfill taxes, or surcharges or in regard to any above average weight containers (as defined). Highland Sanitation & Recycling Inc. may take a cost of living increase annually of no more than 10% increase in the pre-tax rate(s).

Changes: Changes in the charge schedule, frequency of collection and/or number, size or type of equipment may be agreed to orally or in writing by both parties. The charge and service schedule may be adjusted from time to time to reflect increases or decreases in service and/or rates. Consent to oral changes shall be evidenced by the actions and practices of the parties.

Assignment and Benefit: This agreement shall be binding on both parties and their successors.

Miscellaneous: If any conflict or differences exist in this agreement between purchases or services listed on face of contract and contract terms and conditions, the purchase of services portion shall take precedence, except in the case of disposal cost increases. Any changes in local, state or federal taxes, will change your monthly rate.

MEMORANDUM

Date:	February 24, 2026
To:	Empire City Council
From:	Charles Seipel-Teng, Clerk-Administrator
RE:	Clerk-Administrator 2025 Review

The Personnel Committee of the Council (Councilmember Rubio, Mayor Lee) met with Clerk-Administrator to discuss the feedback provided by the Council regarding Charlie's 2025 performance as well as hear from Charlie about his 2025 successes and goals for 2026.

Overall, the City Council has expressed strong support for Charlie, noting his responsiveness to Council inquiries, his collaborative style, as well as his willingness to bring in the right stakeholders and subject matter experts when needed. The implementation of agenda software, delegation of certain duties to other staff, and the completion of the AUAR and other long term plans for the community are among 2025's highlights.

For 2026, as Empire continues to grow and evolve, Charlie has identified several goals, such as:

- Become more professionally involved with peer and neighboring communities to build relationships and share information;
- Dedicating more time to community development goals and plan implementation;
- Gaining more knowledge and expertise;
- Continuing to effectively manage time and tasks; and
- Continue to develop presentation and public speaking skills

The Personnel Committee discussed Charlie's role in helping prepare the City for the future by being proactive and looking ahead as he has with discussions about future personnel and infrastructure needs. Continued support and training of the City Council (and advisory commissions) will also be important in maintaining the highly functioning and respectful culture that is in place. The Committee expressed support for ongoing training and development for Charlie and encouraged him to bring suggestions forward.

The City of Empire has a great group of people working for the City, and Charlie's leadership has a significant role in upholding the high quality services our community has come to expect. On behalf of the Personnel Committee, I am pleased to confirm the Council's feedback that Charlie has performed well in 2025 and has received a positive performance evaluation. We look forward to him continuing to serve and grow in the role as the community continues to grow.

Because the City is undergoing a compensation and classification analysis, no compensation adjustment is recommended at this time. Once the study has been completed, the City Council will then consider what, if any, compensation adjustments may occur.

MEMORANDUM

Date:	February 24, 2026
To:	Empire City Council
From:	Charles Seipel-Teng, Clerk-Administrator
RE:	Save the Date- DCTOA Spring Meeting, Saturday, March 14

Attachment(s): Spring Meeting Notice 2026.pdf

PLEASE SAVE THE DATE FOR:

THE DAKOTA COUNTY TOWNSHIP OFFICERS ASSOCIATION
SPRING ANNUAL MEETING

Dakota County Extension Office
4100 Ash Street
Farmington, MN 55024

Saturday, March 14th, 2026
Registration starts at 8:30 A.M.
The meeting starts at 9:00 A.M.

Clerks please share this with your Supervisors/Council and RSVP expected attendance number by Wednesday, March 11th

