



**CITY OF ANNANDALE
COUNCIL MEETING AGENDA**

**Special Meeting
City Council Chambers**

**October 5, 2023
8:30 A.M.**

Mayor: Shelly Jonas
Councilmember's: Matthew Wuollet
Corey Czycalla
Tina Honsey
JT Grundy

1. CALL TO ORDER/ROLL CALL/ADOPT AGENDA

2. PUBLIC HEARING

- A. Consideration of a vacation of all drainage and utility easements within Lot 1, Block 1 of Millers Oak Ridge.
Applicant: Brian and Dana Dingmann

3. NEW BUSINESS

- A. Consideration of a request for Preliminary and Final Plat for Dingmann Oak Ridge; Conditional Use Permit and Variance to the Garage Standards for a detached garage in the One Family Residential District (R-1)
Applicant: Brian and Dana Dingmann
- B. Consideration to Authorize an Extension of Filing Final Plat – Pintail Ponds Plat 3 and Amending the Development Agreement
Applicant: Gary Stang (The Willows of Annandale)
- C. Consideration of Entering into Letter of Intent for Sale of Annandale Business Park Property
- D. Health Insurance Renewal

4. ADJOURNMENT



City Council Agenda

October 5, 2023

Agenda Section: Public Hearing

Report From: Planning

Agenda No. 2A

Agenda Item: Consideration of a vacation of all drainage and utility easements within Lot 1, Block 1 of Millers Oak Ridge.
Applicant: Brian and Dana Dingmann

Core Strategy:

- | | |
|---|---|
| <input type="checkbox"/> Inspire Community Engagement | <input type="checkbox"/> Provide Proactive Leadership |
| <input type="checkbox"/> Increase Operational Effectiveness | <input checked="" type="checkbox"/> Ensure Safe/Well Kept Community |
| <input type="checkbox"/> Enhance Local Business Environment | <input checked="" type="checkbox"/> Other: Planning and Zoning Item |
| <input type="checkbox"/> Develop/Manage Strong Parks/Trails | |

SITE INFORMATION & BACKGROUND

PID: 102-012-002020 & 102-039-001010
Legal Description: Lengthy – See City Hall
Zoning District: One Family Residential (R-1)
Comprehensive Plan: Residential
Surrounding Site Use: North: R-1/Residential
East: R-1 & R-5/Residential & Multifamily
South: R-1/Residential
West: R-1/Residential

Planning Case Number: 2023-09

Deadline for Decision: **November 14, 2023 (60-day deadline)**
January 13, 2024 (120-day deadline)

BACKGROUND:

Related to the platting of Dingmann Oak Ridge, there will need to be easements vacated. The underlying plat of the southern portion of the property has drainage and utility easements located on the property from when it was originally platted. These easements will be replaced by new easements on the new plat of the property. Therefore, the City Council will need to vacate these easements, which requires a public hearing and a finding that the vacation is in the public interest.

STAFF RECOMMENDED ACTION

Staff recommends vacation of the easements subject to the condition that the plat is recorded.

Attachments:

- A. Resolution 23-XX: Vacating Easements Related to the Platting of “Dingmann Oak Ridge”
- B. Aerial Image



- C. Preliminary Plat
- D. Final Plat
- Z. Conditions of Approval

EXHIBIT Z

1. The plat for Dingmann Oak Ridge shall be recorded.

**CITY OF ANNANDALE
RESOLUTION NO. 2023-___**

**A RESOLUTION VACATING EASEMENTS RELATED TO THE PLATTING OF
"DINGMANN OAK RIDGE"**

WHEREAS, the City of Annandale (the "City") received a request for platting of certain property within the City; and

WHEREAS, the underlying property had easements previously dedicated; and

WHEREAS, Brian and Dana Dingmann (the "Property Owner") are requesting the vacation of the previously dedicated easements; and

WHEREAS, the new plat proposed as "Dingmann Oak Ridge" will be replacing said easements; and

WHEREAS, as part of the platting process, the City intends to vacate the previously dedicated easements; and

WHEREAS, the proposed easements to be vacated are legally described as:

All drainage and drainage and utility easements located within Lot 1, Block 1,
MILLERS OAK RIDGE, Wright County, Minnesota.

WHEREAS, the City Council considered said easement vacations at a duly noticed public hearing on October 5, 2023; and

WHEREAS, the Council in its discretion has determined that the vacation will benefit the public interest because the plat for Dingmann Oak Ridge will be replacing the easements; and

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ANNANDALE, MINNESOTA AS FOLLOWS:

That such petition for vacation is hereby granted and the legally described easements above are hereby vacated.

Passed by the City Council of Annandale, Minnesota this 5th day of October, 2023.

Shelly Jonas, Mayor

ATTEST:

Kelly Hinnenkamp, City Administrator/Clerk

Applicant: Brian & Dana Dingmann | Request for Preliminary & Final Plat, CUP & Variance

PID: 102012002020 & 102039001010 | 625 Pleasant Avenue N

Created by: City of Annandale



Preliminary Plat of DINGMANN OAK RIDGE

**CITY OF ANNANDALE
WRIGHT COUNTY, MN**

Bearings are based on the Wright County coordinate system (NAD83 86adj). For the purpose of this plat, the East line of Gov't Lot 5, is assumed to bear North 0 degrees 50 minutes 33 seconds East

- Denotes found iron monument
- ⊙ Denotes found cast iron monument
- ⊗ Denotes 1/2 inch x 14 inch iron monument with a plastic plug stamped R.L.S. 47466 to be set within one year of platting date

REFERENCE BENCHMARK:
MNDOT Geodetic Monument "TREVOR RESET"
Elevation = 1049.24 feet (NAVD 88)

PROJECT BENCHMARK:
Top nut hydrant in SW quad of Pleasant Ave. N and Lake Drive E
Elevation = 1045.65 feet (NAVD 88)

OWNER/DEVELOPER:
Brian and Dana Dingmann
625 Pleasant Ave. N.
Annandale, MN 55302
Phone: 320-493-7113

SURVEYORS & ENGINEERS:
Bogart, Pederson & Associates, Inc.
Becker, MN 55308-9322
763-262-8822

TOTAL AREA: 5.807± Acres

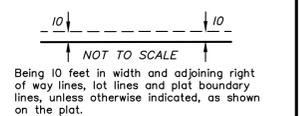
EXISTING ZONING: R-1

PROPOSED ZONING: R-1

MINIMUMS:
10,000± S.F.
75' Width

Denotes Building Setbacks:
30' Front
20' Rear
10' Side
30' Wetland

Drainage and Utility Easements are shown thus:



DATE: 9/14/23
FIELD DATE: September 13th, 2023
BK/PG: N/A
DRAWN BY: CK
CHECKED BY: CAW/CEG
DWG FILE: 23-0367 Prelim
FILE NO: 23-0367.00

REVISIONS:

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

Signed: *Craig Wensmann*
Craig A. Wensmann
Date: 9/14/23 Lic. No. 47466

BOGART, PEDERSON & ASSOCIATES, INC.
LAND SURVEYING
CIVIL ENGINEERING
MAPPING
13076 FIRST STREET, BECKER, MN 55308-9322
TEL: 763-262-8822 FAX: 763-262-8844

PRELIMINARY PLAT
for
Brian and Dana Dingmann
DINGMANN OAK RIDGE
City of Annandale
Wright County, MN

BOGART, PEDERSON & ASSOCIATES, INC.

SOILS CHART

Map symbol & soil name	Hydrologic group	Water table depth (in)
I288: Seelyville and Markey soils, ponded, 0 to 1 percent slopes	A/D	0
I377B: Dorset-Two Inlets complex, 2 to 6 percent slopes	A	>80
375: Forada sandy loam, 0 to 2 percent slopes	B/D	0-8
543: Markey muck, occasionally ponded, 0 to 1 percent slopes	A/D	0
1975: Oyen sandy loam, 0 to 2 percent slopes	C	30

* Data from USDA Web Soil Survey

Property Description (Part of Doc. No. A1345328):

Lot 1, Block 1, Millers Oak Ridge, according to the plat on file and of record in the Office of the County Recorder, in and for the County of Wright, State of Minnesota

AND

That part of Lots 1, 2, 3, 4 and 5, Block 2, Hahn's Pleasant Lake Addition No. 2, according to the recorded plat thereof, Wright County, Minnesota lying southerly of the following described line:

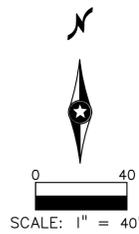
Commencing at the southeast corner of Government Lot 5 of Section 19, Township 121, Range 27, said Wright County; thence North 00 degrees 50 minutes 33 seconds East along the east line of said Government Lot 5 and the east line of said Lot 5, Block 2, a distance of 748.10 feet to the point of beginning of the line to be described; thence North 89 degrees 09 minutes 27 seconds West, a distance of 100.00 feet; thence South 54 degrees 45 minutes 25 seconds West, a distance of 55.19 feet; thence North 88 degrees 22 minutes 50 seconds West, a distance of 73.64 feet; thence South 89 degrees 33 minutes 06 seconds West, a distance of 41.70 feet; thence North 38 degrees 47 minutes 51 seconds West, a distance of 96.57 feet; thence South 85 degrees 35 minutes 32 seconds West, a distance of 131.60 feet to the westerly line of said Lot 1, Block 2 and said line there terminating

Survey Notes:

- This survey was performed without the benefit of a title report. No search for easements or restrictions was made by the surveyor. We reserve the right to update this survey upon receipt of title documentation.
- Contours were created using MNDNR MN/Topo
- A wetland delineation was performed by Matthew Blesi, BWSR Cert. No. 5092, of Bogart, Pederson & Associates, Inc. on 9/13/23.
- Subject property is part of the shoreland district but NOT within a flood plain district as mapped by FEMA.
- Reference 2015 survey for Central Land Title by Bogart, Pederson and Associates, Inc.; File No. 15-0238.00
- Existing Drainage and Utility Easements on the subject property shall be vacated prior to recording of the final plat.

I hereby certify that a boundary survey has been completed for the preliminary plat of DINGMANN OAK RIDGE, Wright County, MN

Signed: *Craig Wensmann*
Craig A. Wensmann
Date: 9/14/23 Lic. No. 47466

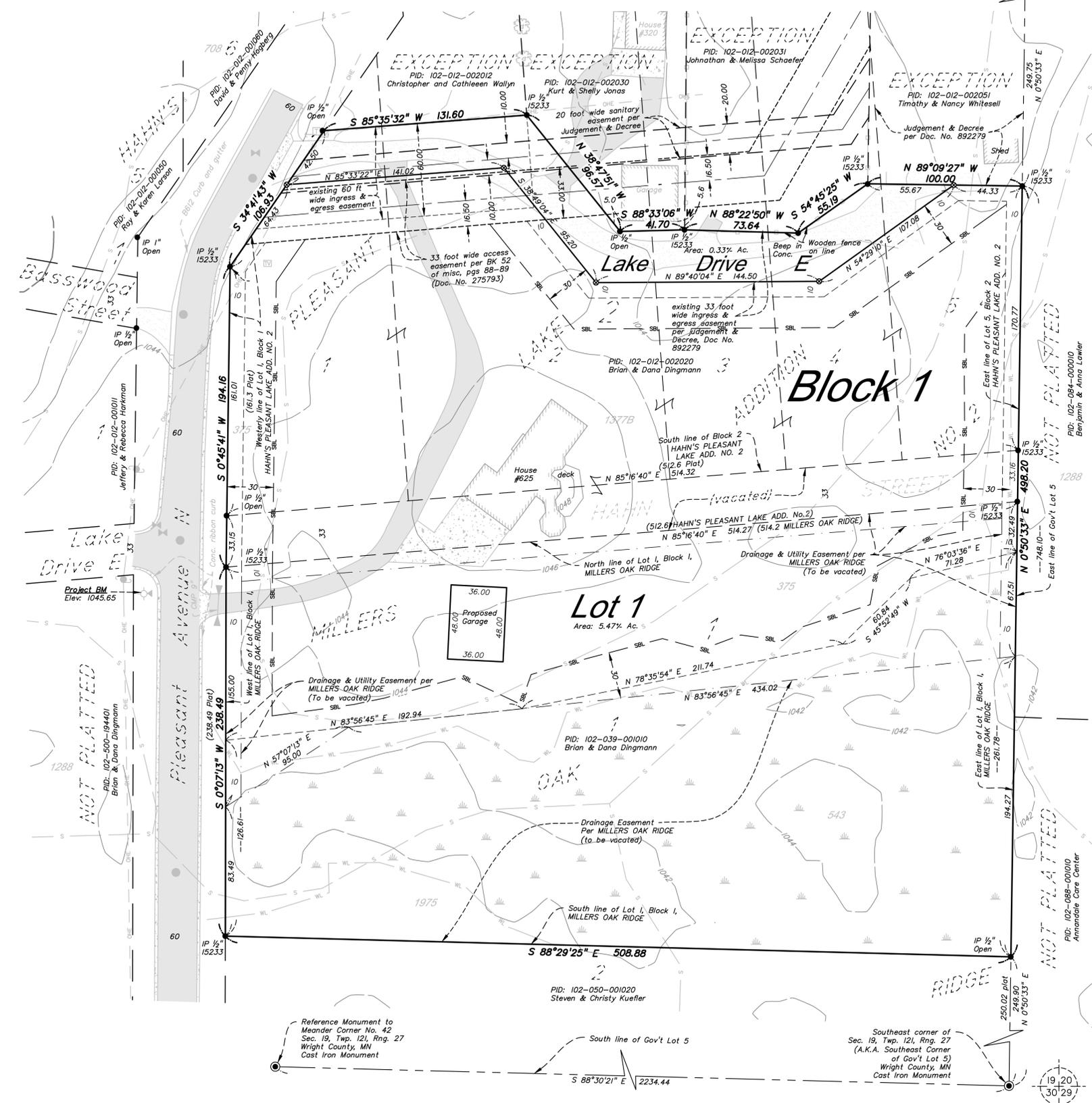
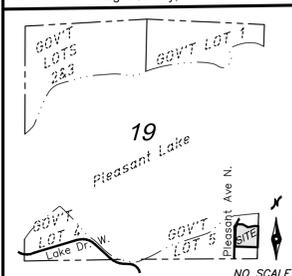


LEGEND:

- Denotes sanitary manhole
- ⊙ Denotes water valve
- ⊗ Denotes power pole
- ⊕ Denotes guy wire
- ⊕ Denotes telephone pedestal
- ⊕ Denotes cable television box
- ⊕ Denotes hydrant
- ⊕ Denotes delineated wetland
- ⊕ Denotes tree, deciduous
- LS 15233 Denotes Dennis Taylor, LS
- Denotes bituminous surface
- Denotes concrete surface
- Denotes gravel surface
- Denotes wood fence
- Denotes overhead electric
- Denotes easement
- Denotes right of way
- Denotes major contour
- Denotes minor contour
- Denotes existing adjoiners
- Denotes delineated wetland
- Denotes building setback line
- YS Denotes soils classification type

VICINITY MAP

Sec. 19, Twp. 121, Rng. 27
Wright County, MN



DINGMANN OAK RIDGE

KNOW ALL PERSONS BY THESE PRESENTS: That Brian R. Dingmann and Dana M. Dingmann, husband and wife, the fee owners of the following described property situated in the City of Annandale, County of Wright, State of Minnesota, to wit:

Lot 1, Block 1, Millers Oak Ridge, according to the plat on file and of record in the Office of the County Recorder, in and for the County of Wright, State of Minnesota

AND

That part of Lots 1, 2, 3, 4 and 5, Block 2, Hahn's Pleasant Lake Addition No. 2, according to the recorded plat thereof, Wright County, Minnesota lying southerly of the following described line:

Commencing at the southeast corner of Government Lot 5 of Section 19, Township 121, Range 27, said Wright County; thence North 00 degrees 50 minutes 33 seconds East along the east line of said Government Lot 5 and the east line of said Lot 5, Block 2, a distance of 748.10 feet to the point of beginning of the line to be described; thence North 89 degrees 09 minutes 27 seconds West, a distance of 100.00 feet; thence South 54 degrees 45 minutes 25 seconds West, a distance of 55.19 feet, thence North 88 degrees 22 minutes 50 seconds West, a distance of 73.64 feet; thence South 88 degrees 33 minutes 06 seconds West, a distance of 41.70 feet, thence North 38 degrees 47 minutes 51 seconds West, a distance of 96.57 feet, thence South 85 degrees 35 minutes 32 seconds West, a distance of 131.60 feet to the westerly line of said Lot 1, Block 2 and said line there terminating

Have caused the same to be surveyed and platted as DINGMANN OAK RIDGE and do hereby dedicate to the public for public use forever Lake Drive East as shown on this plat. And also dedicating to the public for public use forever the easements as shown on this plat for drainage and utility purposes only.

In witness whereof said Brian R. Dingmann and Dana M. Dingmann, husband and wife, have hereunto set their hands this _____ day of _____, 20____

Brian R. Dingmann Dana M. Dingmann

STATE OF MINNESOTA

COUNTY OF _____

This foregoing instrument was acknowledged before this _____ day of _____, 20____, by Brian R. Dingmann and Dana M. Dingmann

By _____ Print _____

Notary Public, _____ County, Minnesota My Commission Expires _____

I hereby certify that this plat was prepared by me or under my direct supervision; that I am duly Licensed Land Surveyor in the State of Minnesota; that this plat is a correct representation of the boundary survey; that all mathematical data and labels are correctly designated on the plat; that monuments depicted on the plat have been correctly set; that all water boundaries and wet lands, as defined in Minnesota Statutes 505.01, Subd. 3, as of the date of this certificate are shown and labeled on this plat; and all public ways are shown and labeled on this plat.

Craig Wensmann, Land Surveyor
Minnesota License No. 47466

STATE OF MINNESOTA

COUNTY OF _____

The foregoing surveyor's certificate was acknowledged before me this _____ day of _____, 20____, by Craig Wensmann, Land Surveyor, Minnesota License Number 47466.

By _____ Print _____

Notary Public, _____ County, Minnesota My Commission Expires _____

City of Annandale Planning Commission

This plat of DINGMANN OAK RIDGE was approved by the Planning Commission of the City of Annandale, Minnesota at a meeting held this _____ day of _____, 20____

Chairman _____

City Approval

This plat of DINGMANN OAK RIDGE was approved and accepted in compliance with Minnesota Statutes, 505.03, Subd. 2, by the City Council of the City of Annandale, Minnesota at a meeting held this _____ day of _____, 20____

Mayor _____ City Administrator _____

Wright County Surveyor

I hereby certify that in accordance with Minnesota Statutes, Section 505.021, Subd. 11, this plat has been reviewed and approved this _____ day of _____, 20____

Wright County Surveyor _____

Wright County Land Records

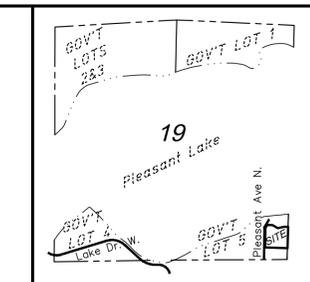
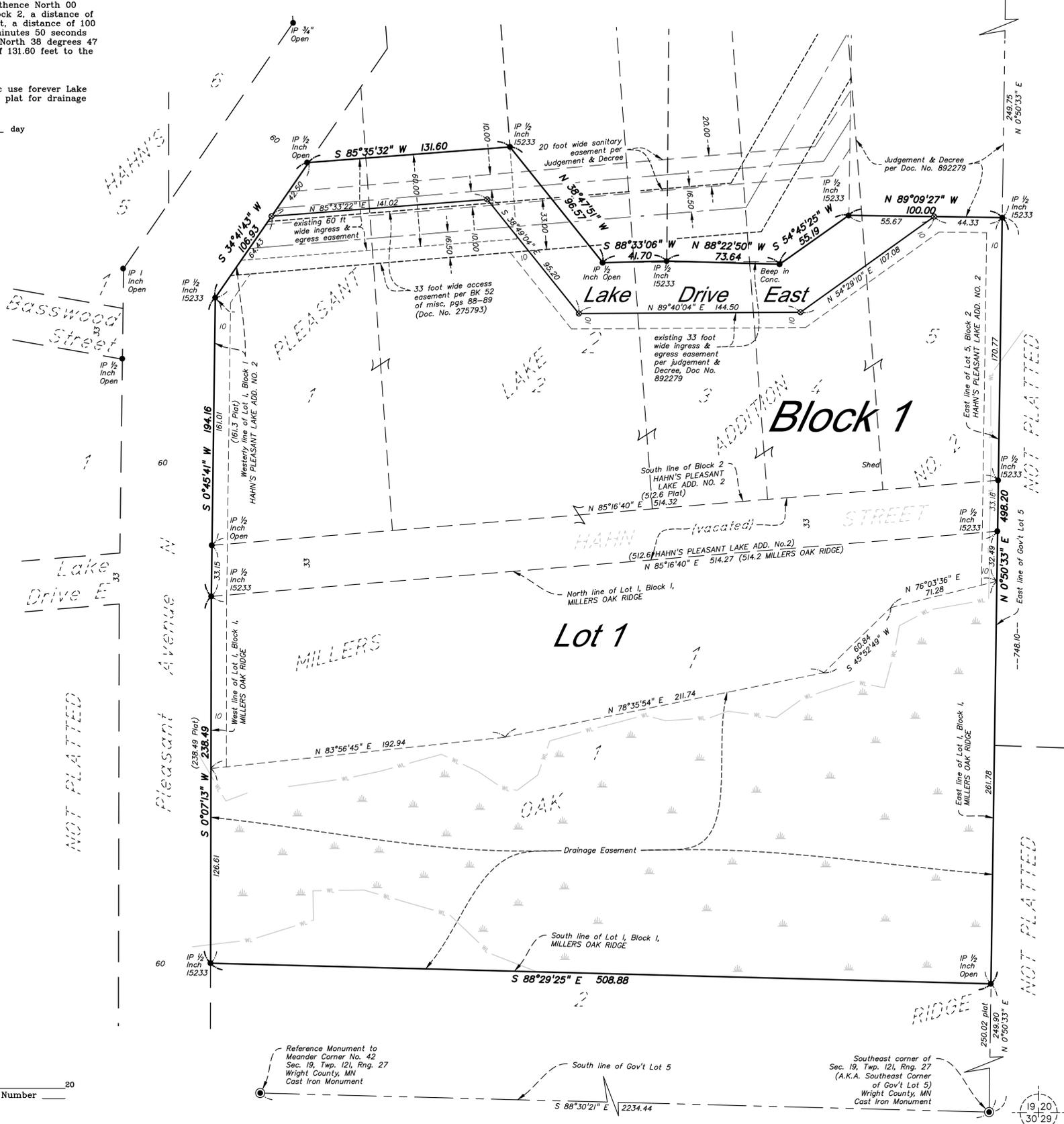
Pursuant to Minnesota Statutes, Section 505.021, Subd. 9, taxes payable for the year 20____ on the land hereinbefore described have been paid. Also, pursuant to Minnesota Statutes, Section 272.12, there are no delinquent taxes and transfer entered this _____ day of _____, 20____

Wright County Land Records Administrator _____

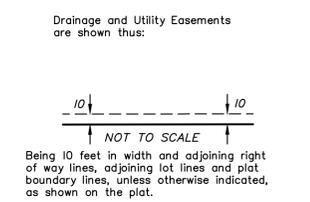
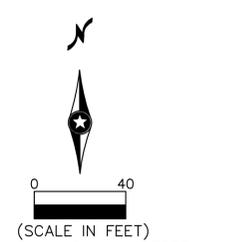
Wright County Recorder

I hereby certify that this instrument was filed in the Office of the County Recorder for record on this _____ day of _____, 20____, at _____ o'clock _____ M., and was duly recorded in Cabinet No. _____, Sleeve _____, as Document Number _____

Wright County Recorder _____



VICINITY MAP
Sec. 19, Twp. 121, Rng. 27
Wright County, MN





City Council Agenda

October 5, 2023

Agenda Section: New Business

Report From: Planning

Agenda No. 3A

Agenda Item: Consideration of a request for Preliminary and Final Plat for Dingmann Oak Ridge; Conditional Use Permit and Variance to the Garage Standards for a detached garage in the One Family Residential District (R-1)

Applicant: Brian and Dana Dingmann

Core Strategy:

- | | |
|---|---|
| <input type="checkbox"/> Inspire Community Engagement | <input type="checkbox"/> Provide Proactive Leadership |
| <input type="checkbox"/> Increase Operational Effectiveness | <input checked="" type="checkbox"/> Ensure Safe/Well Kept Community |
| <input type="checkbox"/> Enhance Local Business Environment | <input checked="" type="checkbox"/> Other: Planning and Zoning Item |
| <input type="checkbox"/> Develop/Manage Strong Parks/Trails | |

SITE INFORMATION & BACKGROUND

PID: 102-012-002020 & 102-039-001010

Legal Description: Lengthy – See City Hall

Zoning District: One Family Residential (R-1)

Comprehensive Plan: Residential

Surrounding Site Use:
North: R-1/Residential
East: R-1 & R-5/Residential & Multifamily
South: R-1/Residential
West: R-1/Residential

Planning Case Number: 2023-09

Deadline for Decision: **November 14, 2023 (60-day deadline)**
January 13, 2024 (120-day deadline)

Project Description:

Brian and Dana Dingmann have applied for a series of land use applications to accommodate a 1,728 square foot detached accessory building. This includes a plat required to combine the two parcels owned by the applicant.

ANALYSIS

Preliminary Plat

The subject property consists of two previously platted parcels:

- Hahn’s Pleasant Lake Addition No. 2 (current location of home)
- Millers Oak Ridge (proposed location of detached accessory structure).



The lots are required to be combined so that the detached garage does not become the principal use of property. Due to the parcels being in two separate plats, Wright County required the applicant submit a plat for City review. The proposed Dingmann Oak Ridge plat is provided that shows a combined lot area of approximately 5.79 acres.

The applicant is proposing to dedicate Lake Drive E on the plat, which has been previously conveyed by a judgement and decree document. The right-of-way width is less than what is typically required by code. Staff would recommend that the right-of-way width be increased but since it is an existing condition and the applicant is not increasing the number of lots proposed, it may be acceptable to remain in the current condition.

Conditional Use Permit and Variance

In residential zoning districts, the following code applies for Garage Standards (Section 150.48):

Garages used or intended for storage of automobiles shall be accessed by a concrete or bituminous driveway. Garages may not exceed 1200 square feet of gross area. Total garage area may exceed 1200 square feet by conditional use. In no case shall any such structure exceed the area of the building footprint of the house residential/dwelling unit and no such structure may exceed 25% of the total area of the rear yard. No access door or other opening may exceed the height of 10 feet. In no case shall there be more than one attached and one detached garage. Garages may not exceed the height of the principal structure.

The calculations of the applicant's existing home and proposed garage are as follows:

- Residential building footprint: 2,112 square feet
- Attached garage space: 975 square feet
- Proposed detached garage space: 1,728 square feet
- Total existing and proposed garage space: 2,703 square feet

As noted in the applicant's narrative, the property contained a detached 1,600 square foot garage that collapsed in the spring. This detached garage (up to 1,600 square feet) was approved by variance on September 6, 1994 by Resolution 326. The applicant is proposing a garage that is 127 square feet larger than the approved variance from 1994 or 591 square feet larger than the building footprint of the house.

The zoning ordinance defines rear yard as "the portion of the yard on the same lot with the principal building located between the rear line of the building and the rear lot line and extending for the full width of the lot." The applicants proposed location shows the garage slightly in the side yard. It is also required that the structure be no closer than 30 feet to the wetland boundary, which is being met by the proposed location. The garage would require to be accessed by an extension of the driveway, which would require pavement or concrete.

The zoning ordinance states: No accessory building may exceed the height of the principal building or 20 feet, whichever is less. The height of a building is measured by taking the average grade at the building line and measuring to the midpoint of the slope of the roof. The height of the



building appears to be about 21 or 22 feet in height. Details on the height of the garage should be provided to ensure compliance. In addition, the applicant is also proposing a 12 foot high garage door.

The zoning ordinance states that "no garage, tent, trailer, vehicle, basement home, or accessory building shall at any time be used for residential purposes." The plans depict a "bonus room" above the detached garage with a bathroom, wet bar, heating, and cooling.

The following conditional use permit and variance criteria should be met if the City Council recommends approval of the application.

A Conditional Use Permit can be granted if the following criteria are met:

- A. The use will not create an excessive burden on existing parks, schools, streets, and other public facilities and utilities which serve or are proposed to serve the area.
- B. The use will be sufficiently compatible with, or separated by distance or screening from, adjacent lands so that existing or future adjacent uses will not be depreciated in value, the use will not change the essential character of the neighborhood, and there will be no deterrence to development of vacant land.
- C. The structure and site shall have an appearance that will not have an adverse effect upon adjacent properties.
- D. The use, in the opinion of the Council, is reasonably related to the overall needs of the City and to the existing land use and will not endanger the public health, safety, morals, comfort, convenience, or general welfare of the neighborhood or the City.
- E. The use is consistent with the purposes of this Chapter and the purposes of the zoning district in which the applicant intends to locate the proposed use.
- F. The use is not in conflict with the Comprehensive Plan of the City.
- G. The use will not cause a traffic hazard or congestion.
- H. Adequate utilities, access roads, drainage and necessary facilities have been or will be provided.
- I. The use will not impair an adequate supply of light and air to adjacent property.

The Zoning Ordinance states that a variance shall only be granted when in conformance with the criteria found in Section 462 of State Statutes. The criteria for evaluation of a variance are, as follows:

1. The proposed variance is consistent with the Comprehensive Plan.
2. The proposed variance is in harmony with the general purpose and intent of this Ordinance.
3. The applicant for the variance established that there are practical difficulties in complying with the zoning ordinance. "Practical difficulties," as used in connection with the granting of a variance, means:
 - a. The property owner proposes to use the property in a reasonable manner not permitted by the zoning ordinance;
 - b. The plight of the landowner is due to circumstances unique to the property not created by the landowner; and



- c. The variance, if granted, will not alter the essential character of the locality.
- d. Economic considerations alone do not constitute practical difficulties.
4. A variance shall not be granted for a use not allowed under the zoning ordinance for property in the zone where the affected person's land is located.
5. The City may impose conditions in the granting of variances. A condition must be directly related to and must bear a rough proportionality to the impact created by the variance.

PLANNING COMMISSION RECOMMENDATION

The Planning Commission reviewed the request and held a public hearing on October 3, 2023.

Brian Dingmann, the applicant, was present for the meeting to answer questions about the proposed detached garage. There were no other public comments received.

The Planning Commission reviewed the Conditional Use Permit and Variance criteria and unanimously recommended approval (4-0) with the removal of Exhibit Z items 4, 7, and 8. These conditions, if removed, would allow the applicant to have a 12-foot garage door and a detached structure exceeding the footprint of the house. It is noted that the ordinance prohibits residential use of garages.

STAFF RECOMMENDED ACTION

The City Council should consider the preliminary plat, conditional use permit, and variances being requested against the review criteria in State Statutes. If the Council finds that the applicant has a practical difficulty in putting the property to a reasonable use without the variances and that the proposed variances are a reasonable use, it would be recommended to approve the request.

The proposal includes the following:

- Garage size exceeding a previous variance (1728 square feet of proposed extra garage space vs 1600 previously approved)
- Garage size exceeding the footprint of the house (2703 square feet of total garage space vs 2,112 square feet for the house)
- Garage door taller than required (12 feet proposed vs 10 feet allowed by code)
- Detached garage located partially in the side yard as opposed to the rear yard where permitted
- Height requirements need clarification
- Residential use of a garage

Staff would recommend approval of the plat to combine the lots. It is also recommended (but not required) to increase the right-of-way dedication.

The conditional use permit for the second garage may also be deemed acceptable due to the fact that there was a previous second garage on the property.

The variance for the garage location may be found to be acceptable due to it reducing impervious to the new location (shorter driveway). However, a slight shift in location could be made to meet code requirements. The applicant will need to ensure that it is accessed by an approved driveway.



The City previously approved a variance for the garage size. Staff would recommend that the applicant maintain the previously approved size. Also, the garage should meet other performance standards related to height and garage door opening size. It is difficult to ascertain the practical difficulty related to these requests.

Attachments:

- A. Resolution 23-XX: Approving a Preliminary & Final Plat for Dingmann Oak Ridge
- B. Resolution 23-XX: Approving a Conditional Use Permit & Variance for Brian & Dana Dingmann at 625 Pleasant Avenue North
- C. Aerial Image
- D. Applicant Narrative
- E. Preliminary Plat
- F. Final Plat
- G. Elevations and Floorplans
- H. City Engineer's Letter, Dated September 26, 2023
- Z. Conditions of Approval

EXHIBIT Z

1. The plat for Dingmann Oak Ridge shall be recorded.
2. All comments from the City Engineer and City Staff shall be addressed.
3. The garage shall not exceed the height of the principal structure or 20 feet, whichever is less.
4. ~~The access door shall not exceed 10 feet in height.~~ **PLANNING COMMISSION RECOMMENDATION FOR REMOVAL**
5. Garage must be accessed by concrete or bituminous.
6. The existing Lake Drive E access shall be removed.
7. ~~The garage shall not exceed 1,600 square feet in size.~~ **PLANNING COMMISSION RECOMMENDATION FOR REMOVAL**
8. ~~The residential space above the garage shall be modified to meet code requirements and shall not be utilized for an accessory dwelling unit.~~ **PLANNING COMMISSION RECOMMENDATION FOR REMOVAL**

**CITY OF ANNANDALE
RESOLUTION NO. 2023-___**

**A RESOLUTION APPROVING A PRELIMINARY & FINAL PLAT
FOR DINGMANN OAK RIDGE**

WHEREAS, the City of Annandale (the "City") received a request for platting of certain property within the City from Brian and Dana Dingmann (the "Applicant"); and

WHEREAS, The site (the "Property") is located at 625 Pleasant Avenue North and legally described as:

Lot I, Block 1, Millers Oak Ridge, according to the plat on file and of record in the Office of the County Recorder, in and for the County of Wright, State of Minnesota AND That part of Lots 1, 2, 3, 4 and 5, Block 2, Hahn's Pleasant Lake Addition No. 2, according to the recorded plat thereof, Wright County, Minnesota lying southerly of the following described line: Commencing at the southeast corner of Government Lot 5 of Section 19, Township 121, Range 27, said Wright County; thence North 00 degrees 50 minutes 33 seconds East along the east line of said Government Lot 5 and the east line of said Lot 5, Block 2, a distance of 748.10 feet to the point of beginning of the line to be described; thence North 89 degrees 09 minutes 27 seconds West, a distance of 100 00 feet; thence South 54 degrees 45 minutes 25 seconds West, a distance of 55.19 feet, thence North 88 degrees 22 minutes 50 seconds West, a distance of 73.64 feet; thence South 88 degrees 33 minutes 06 seconds West, a distance of 41.70 feet, thence North 38 degrees 47 minutes 51 seconds West, a distance of 96.57 feet, thence South 85 degrees 35 minutes 32 seconds West, a distance of 131.60 feet to the westerly line of said Lot 1, Block 2 and said line there terminating; and

WHEREAS, the Property is currently two parcels of land being platted into one lot intended for the continuation of the residential use; and

WHEREAS, the Planning Commission considered the plat at a duly noticed public hearing on October 3, 2023 and recommended approval of the request; and

WHEREAS, the City Council reviewed the request and the Planning Commission's recommendation at a meeting on October 5, 2023; and

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ANNANDALE, MINNESOTA HEREBY APPROVES THE PLAT WITH THE FOLLOWING CONDITIONS:

1. The easement vacation in Resolution No. ___ shall be recorded.
2. All comments from the City Engineer shall be addressed.

Passed by the City Council of Annandale, Minnesota this 5th day of October, 2023.

Shelly Jonas, Mayor

ATTEST:

Kelly Hinnenkamp, City Administrator/Clerk

**CITY OF ANNANDALE
RESOLUTION NO. 2023-___**

**A RESOLUTION APPROVING A CONDITIONAL USE PERMIT & VARIANCE FOR
BRIAN & DANA DINGMANN AT 625 PLEASANT AVENUE NORTH**

WHEREAS, the City of Annandale (the "City") received a request for a conditional use permit and variance within the City from Brian and Dana Dingmann (the "Applicant") related to the construction of a detached garage; and

WHEREAS, The site (the "Property") is located at 625 Pleasant Avenue North and legally described as:

Lot I, Block 1, Dingmann Oak Ridge; and

WHEREAS, the Applicant has a detached garage of 1,600 square feet approved by variance in 1994 by Resolution 326 which is hereby replaced by this approval; and

WHEREAS, the existing detached garage was destroyed and is being removed; and

WHEREAS, the Applicant is seeking to replace the garage by placing a similar structure to the south of the existing house on the Property; and

WHEREAS, the Applicant has an attached garage on the Property of 975 square feet and an existing house of 1,727 square feet; and

WHEREAS, the City allows additional garage space over 1,200 square feet via a conditional use permit provided the garage does not exceed the size of the house; and

WHEREAS, the City's Zoning Ordinance requires detached garaged to be located in the rear yard and the Applicant is seeking to place it in the side yard; and

WHEREAS, the Planning Commission considered the requests at a duly noticed public hearing on October 3, 2023 and recommended approval of the requests based on it being consistent with the conditional use permit and variance review criteria and that the new garage location would allow for a reduction in impervious surfaces due to a lessened driveway length; and

WHEREAS, the City Council reviewed the request and the Planning Commission's recommendation at a meeting on October 5, 2023; and

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ANNANDALE, MINNESOTA HEREBY APPROVES THE CONDITIONAL USE PERMIT & VARIANCE WITH THE FOLLOWING CONDITIONS:

1. The plat for Dingmann Oak Ridge shall be recorded.
2. All comments from the City Engineer & City Staff shall be addressed.

3. The garage shall not exceed the height of the principal structure or 20 feet, whichever is less.
4. Garage must be accessed by concrete or bituminous.
5. The existing Lake Drive E access shall be removed.

Passed by the City Council of Annandale, Minnesota this 5th day of October, 2023.

Shelly Jonas, Mayor

ATTEST:

Kelly Hinnenkamp, City Administrator/Clerk

Applicant: Brian & Dana Dingmann | Request for Preliminary & Final Plat, CUP & Variance

PID: 102012002020 & 102039001010 | 625 Pleasant Avenue N

Created by: City of Annandale



Description of Request

Build a new shed with the souside dimensions of 36 feet wide by 48 feet deep.

The old shed with dimensions of 40 feet by 40 feet, collapsed this spring.

We would like to move the location that the shed is located to be accessable from the current driveway on our property across from our current attached garage.

General plans and survey are available for review of the project.

Preliminary Plat of DINGMANN OAK RIDGE

**CITY OF ANNANDALE
WRIGHT COUNTY, MN**

Bearings are based on the Wright County coordinate system (NAD83 86adj). For the purpose of this plat, the East line of Gov't Lot 5, is assumed to bear North 0 degrees 50 minutes 33 seconds East

- Denotes found iron monument
- ⊙ Denotes found cast iron monument
- ⊗ Denotes 1/2 inch x 14 inch iron monument with a plastic plug stamped R.L.S. 47466 to be set within one year of platting date

REFERENCE BENCHMARK:
MNDOT Geodetic Monument "TREVOR RESET"
Elevation = 1049.24 feet (NAVD 88)

PROJECT BENCHMARK:
Top nut hydrant in SW quad of Pleasant Ave. N and Lake Drive E
Elevation = 1045.65 feet (NAVD 88)

OWNER/DEVELOPER:
Brian and Dana Dingmann
625 Pleasant Ave. N.
Annandale, MN 55302
Phone: 320-493-7113

SURVEYORS & ENGINEERS:
Bogart, Pederson & Associates, Inc.
Becker, MN 55308-9322
763-262-8822

TOTAL AREA: 5.807± Acres

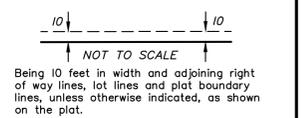
EXISTING ZONING: R-1

PROPOSED ZONING: R-1

MINIMUMS:
10,000± S.F.
75' Width

Denotes Building Setbacks:
30' Front
20' Rear
10' Side
30' Wetland

Drainage and Utility Easements are shown thus:



DATE: 9/14/23
FIELD DATE: September 13th, 2023
BK/PG: N/A
DRAWN BY: CK
CHECKED BY: CAW/CEG
DWG FILE: 23-0367 Prelim
FILE NO: 23-0367.00

REVISIONS:

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

Signed: *Craig Wensmann*
Craig A. Wensmann
Date: 9/14/23 Lic. No. 47466

BOGART, PEDERSON & ASSOCIATES, INC.
LAND SURVEYING
CIVIL ENGINEERING
MAPPING
13076 FIRST STREET, BECKER, MN 55308-9322
TEL: 763-262-8822 FAX: 763-262-8844

PRELIMINARY PLAT
for
Brian and Dana Dingmann
DINGMANN OAK RIDGE
City of Annandale
Wright County, MN

BOGART, PEDERSON & ASSOCIATES, INC.

SOILS CHART

Map symbol & soil name	Hydrologic group	Water table depth (in)
I288: Seelyville and Markey soils, ponded, 0 to 1 percent slopes	A/D	0
I377B: Dorset-Two Inlets complex, 2 to 6 percent slopes	A	>80
375: Forada sandy loam, 0 to 2 percent slopes	B/D	0-8
543: Markey muck, occasionally ponded, 0 to 1 percent slopes	A/D	0
1975: Oyen sandy loam, 0 to 2 percent slopes	C	30

* Data from USDA Web Soil Survey

Property Description (Part of Doc. No. A1345328):

Lot 1, Block 1, Millers Oak Ridge, according to the plat on file and of record in the Office of the County Recorder, in and for the County of Wright, State of Minnesota

AND

That part of Lots 1, 2, 3, 4 and 5, Block 2, Hahn's Pleasant Lake Addition No. 2, according to the recorded plat thereof, Wright County, Minnesota lying southerly of the following described line:

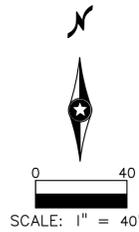
Commencing at the southeast corner of Government Lot 5 of Section 19, Township 121, Range 27, said Wright County; thence North 00 degrees 50 minutes 33 seconds East along the east line of said Government Lot 5 and the east line of said Lot 5, Block 2, a distance of 748.10 feet to the point of beginning of the line to be described; thence North 89 degrees 09 minutes 27 seconds West, a distance of 100.00 feet; thence South 54 degrees 45 minutes 25 seconds West, a distance of 55.19 feet; thence North 88 degrees 22 minutes 50 seconds West, a distance of 73.64 feet; thence South 89 degrees 33 minutes 06 seconds West, a distance of 41.70 feet; thence North 38 degrees 47 minutes 51 seconds West, a distance of 96.57 feet; thence South 85 degrees 35 minutes 32 seconds West, a distance of 131.60 feet to the westerly line of said Lot 1, Block 2 and said line there terminating

Survey Notes:

- This survey was performed without the benefit of a title report. No search for easements or restrictions was made by the surveyor. We reserve the right to update this survey upon receipt of title documentation.
- Contours were created using MNDNR MN/Topo
- A wetland delineation was performed by Matthew Blesi, BWSR Cert. No. 5092, of Bogart, Pederson & Associates, Inc. on 9/13/23.
- Subject property is part of the shoreland district but NOT within a flood plain district as mapped by FEMA.
- Reference 2015 survey for Central Land Title by Bogart, Pederson and Associates, Inc.; File No. 15-0238.00
- Existing Drainage and Utility Easements on the subject property shall be vacated prior to recording of the final plat.

I hereby certify that a boundary survey has been completed for the preliminary plat of DINGMANN OAK RIDGE, Wright County, MN

Signed: *Craig Wensmann*
Craig A. Wensmann
Date: 9/14/23 Lic. No. 47466

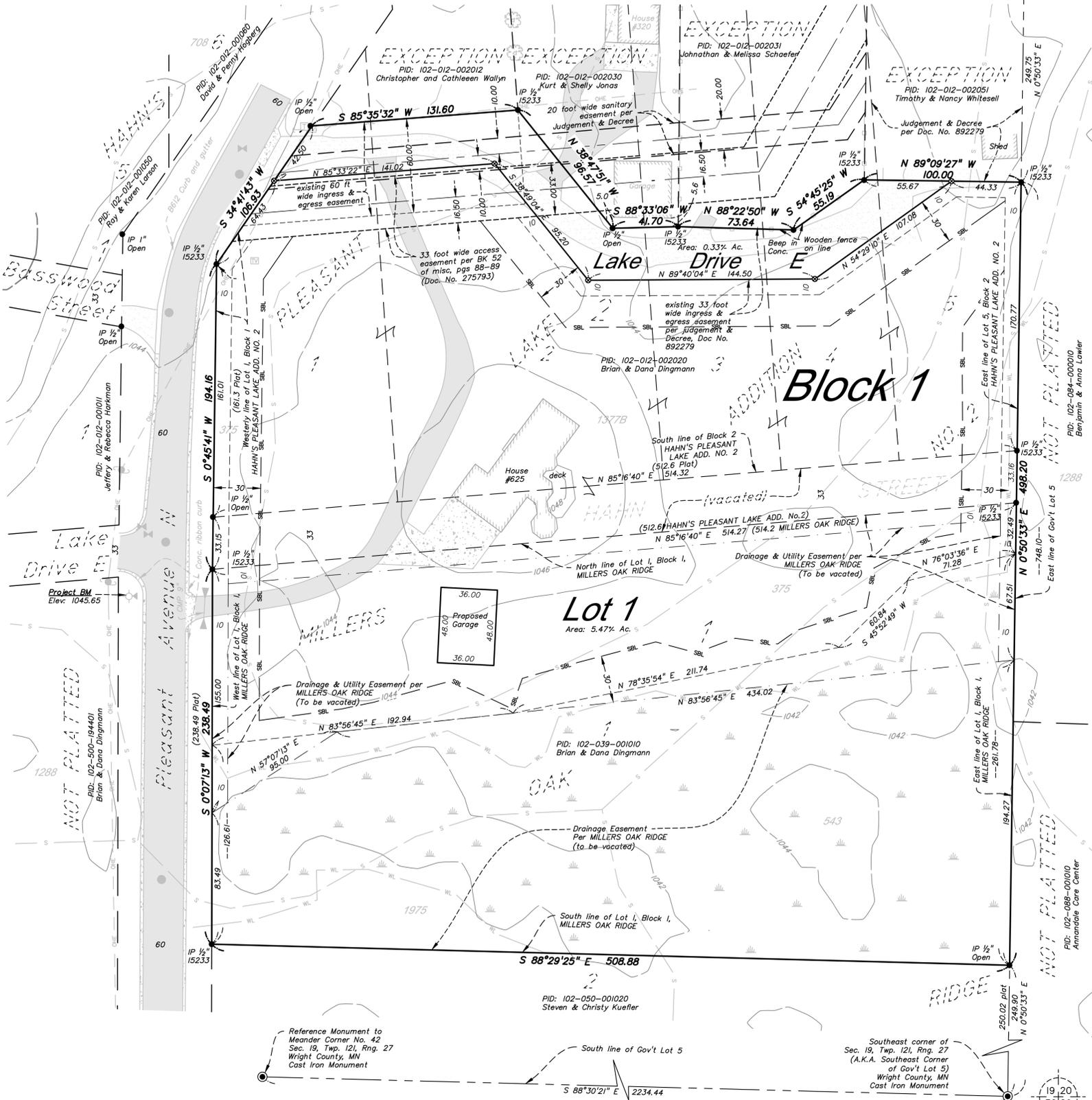
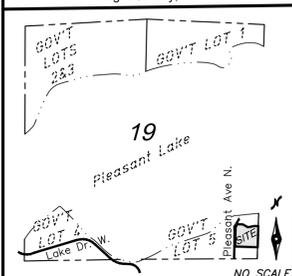


LEGEND:

- Denotes sanitary manhole
- ⊙ Denotes water valve
- ⊗ Denotes power pole
- ⊕ Denotes guy wire
- ⊕ Denotes telephone pedestal
- ⊕ Denotes cable television box
- ⊕ Denotes hydrant
- ⊕ Denotes delineated wetland
- ⊕ Denotes tree, deciduous
- LS 15233 Denotes Dennis Taylor, LS
- Denotes bituminous surface
- Denotes concrete surface
- Denotes gravel surface
- Denotes wood fence
- Denotes overhead electric
- Denotes easement
- Denotes right of way
- Denotes major contour
- Denotes minor contour
- Denotes existing adjoiners
- Denotes delineated wetland
- Denotes building setback line
- YS Denotes soils classification type

VICINITY MAP

Sec. 19, Twp. 121, Rng. 27
Wright County, MN



DINGMANN OAK RIDGE

KNOW ALL PERSONS BY THESE PRESENTS: That Brian R. Dingmann and Dana M. Dingmann, husband and wife, the fee owners of the following described property situated in the City of Annandale, County of Wright, State of Minnesota, to wit:

Lot 1, Block 1, Millers Oak Ridge, according to the plat on file and of record in the Office of the County Recorder, in and for the County of Wright, State of Minnesota

AND

That part of Lots 1, 2, 3, 4 and 5, Block 2, Hahn's Pleasant Lake Addition No. 2, according to the recorded plat thereof, Wright County, Minnesota lying southerly of the following described line:

Commencing at the southeast corner of Government Lot 5 of Section 19, Township 121, Range 27, said Wright County; thence North 00 degrees 50 minutes 33 seconds East along the east line of said Government Lot 5 and the east line of said Lot 5, Block 2, a distance of 748.10 feet to the point of beginning of the line to be described; thence North 89 degrees 09 minutes 27 seconds West, a distance of 100.00 feet; thence South 54 degrees 45 minutes 25 seconds West, a distance of 55.19 feet, thence North 88 degrees 22 minutes 50 seconds West, a distance of 73.64 feet; thence South 88 degrees 33 minutes 06 seconds West, a distance of 41.70 feet, thence North 38 degrees 47 minutes 51 seconds West, a distance of 96.57 feet, thence South 85 degrees 35 minutes 32 seconds West, a distance of 131.60 feet to the westerly line of said Lot 1, Block 2 and said line there terminating

Have caused the same to be surveyed and platted as DINGMANN OAK RIDGE and do hereby dedicate to the public for public use forever Lake Drive East as shown on this plat. And also dedicating to the public for public use forever the easements as shown on this plat for drainage and utility purposes only.

In witness whereof said Brian R. Dingmann and Dana M. Dingmann, husband and wife, have hereunto set their hands this _____ day of _____, 20____

Brian R. Dingmann Dana M. Dingmann

STATE OF MINNESOTA

COUNTY OF _____

This foregoing instrument was acknowledged before this _____ day of _____, 20____, by Brian R. Dingmann and Dana M. Dingmann

By _____ Print _____

Notary Public, _____ County, Minnesota My Commission Expires _____

I hereby certify that this plat was prepared by me or under my direct supervision; that I am duly Licensed Land Surveyor in the State of Minnesota; that this plat is a correct representation of the boundary survey; that all mathematical data and labels are correctly designated on the plat; that monuments depicted on the plat have been correctly set; that all water boundaries and wet lands, as defined in Minnesota Statutes 505.01, Subd. 3, as of the date of this certificate are shown and labeled on this plat; and all public ways are shown and labeled on this plat.

Craig Wensmann, Land Surveyor
Minnesota License No. 47466

STATE OF MINNESOTA

COUNTY OF _____

The foregoing surveyor's certificate was acknowledged before me this _____ day of _____, 20____, by Craig Wensmann, Land Surveyor, Minnesota License Number 47466.

By _____ Print _____

Notary Public, _____ County, Minnesota My Commission Expires _____

City of Annandale Planning Commission

This plat of DINGMANN OAK RIDGE was approved by the Planning Commission of the City of Annandale, Minnesota at a meeting held this _____ day of _____, 20____

Chairman

City Approval

This plat of DINGMANN OAK RIDGE was approved and accepted in compliance with Minnesota Statutes, 505.03, Subd. 2, by the City Council of the City of Annandale, Minnesota at a meeting held this _____ day of _____, 20____

Mayor City Administrator

Wright County Surveyor

I hereby certify that in accordance with Minnesota Statutes, Section 505.021, Subd. 11, this plat has been reviewed and approved this _____ day of _____, 20____

Wright County Surveyor

Wright County Land Records

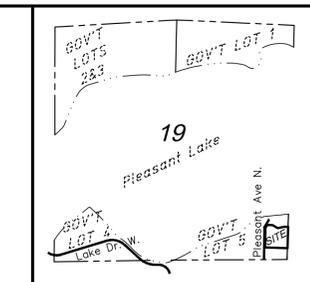
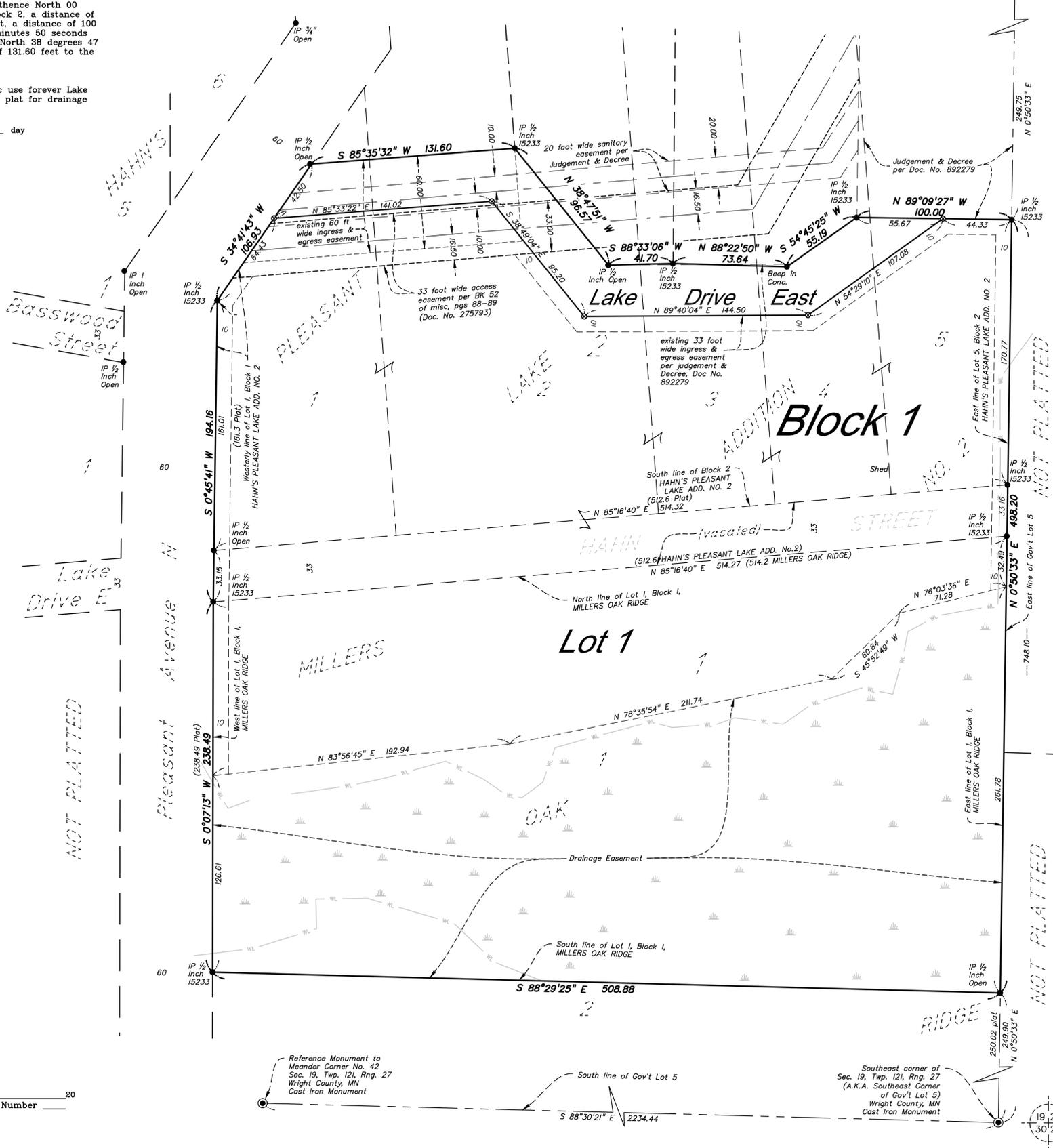
Pursuant to Minnesota Statutes, Section 505.021, Subd. 9, taxes payable for the year 20____ on the land hereinbefore described have been paid. Also, pursuant to Minnesota Statutes, Section 272.12, there are no delinquent taxes and transfer entered this _____ day of _____, 20____

Wright County Land Records Administrator

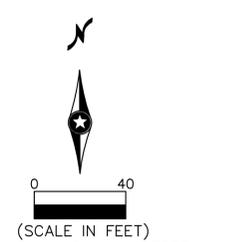
Wright County Recorder

I hereby certify that this instrument was filed in the Office of the County Recorder for record on this _____ day of _____, 20____, at _____ o'clock _____ M., and was duly recorded in Cabinet No. _____, Sleeve _____, as Document Number _____

Wright County Recorder



VICINITY MAP
Sec. 19, Twp. 121, Rng. 27
Wright County, MN

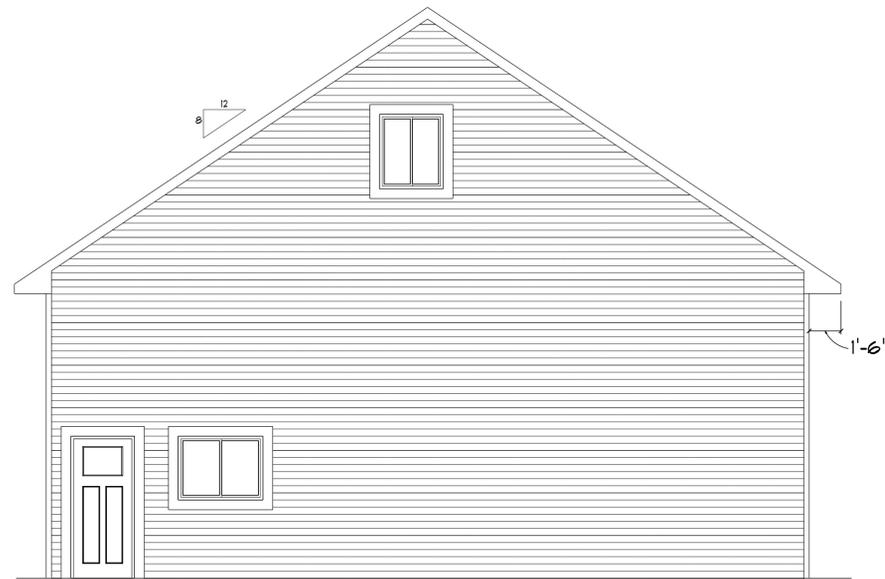


Bearings are based on the Wright County coordinate system (NAD83 86adj.). For the purpose of this plat, the East line of Gov't Lot 5, is assumed to bear North 0 degrees 50 minutes 33 seconds East.

Drainage and Utility Easements are shown thus:

 Being 10 feet in width and adjoining right of way lines, adjoining lot lines and plat boundary lines, unless otherwise indicated, as shown on the plat.

Denotes 1/2 inch x 14 inch iron monument with a plastic plug stamped R.L.S. 47466 to be set within one year of platting date
 Denotes found iron monument
 Denotes found cast iron monument
 Denotes delineated wetland
 Denotes easement
 Denotes existing adjoiners
 Denotes delineated wetland



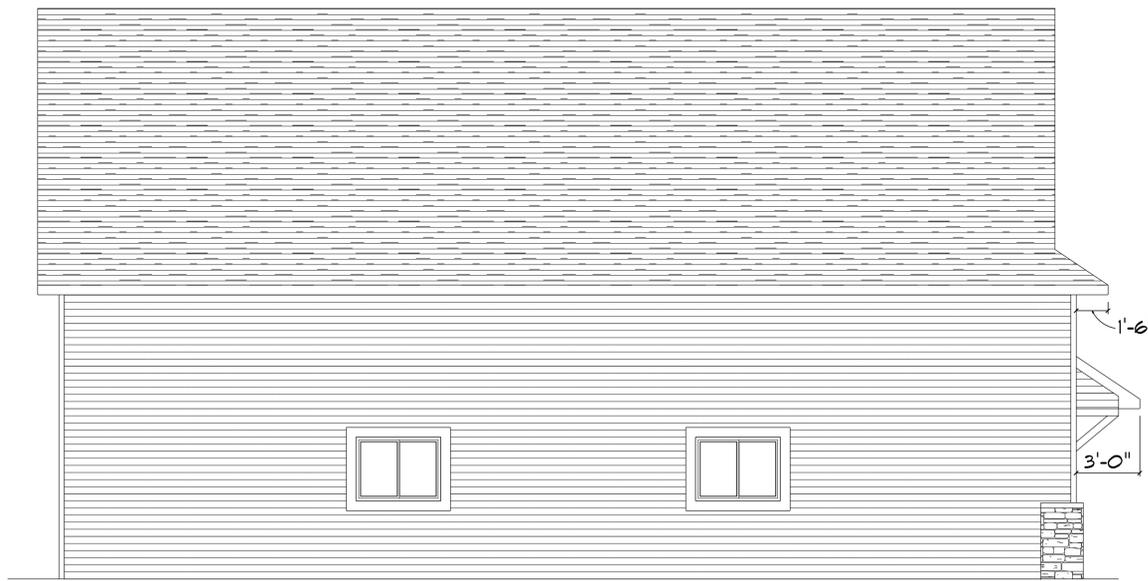
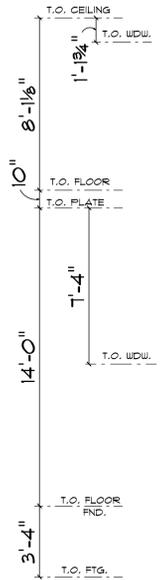
REAR ELEVATION

SCALE: 1/4" = 1'-0"



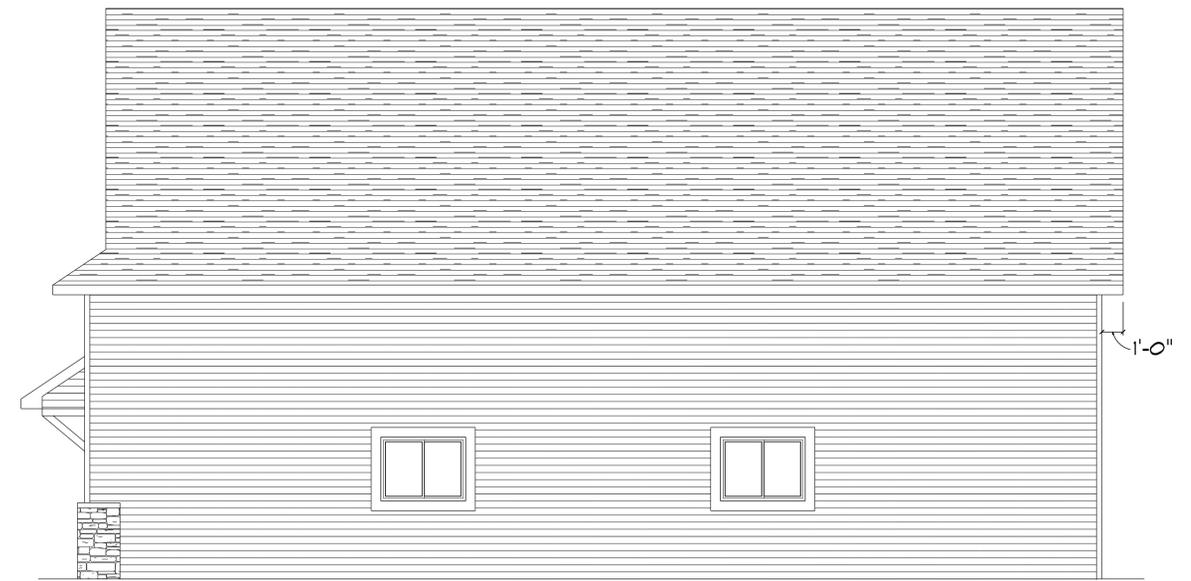
FRONT ELEVATION

SCALE: 1/4" = 1'-0"



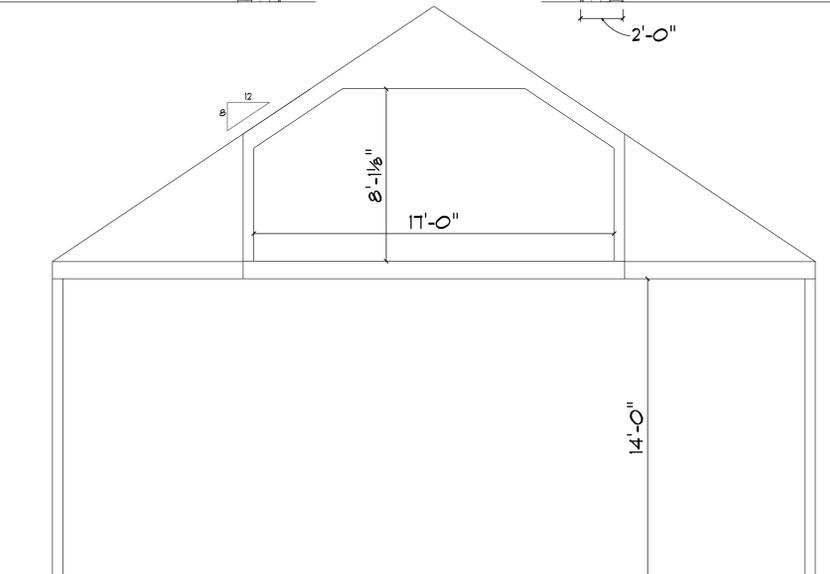
LEFT ELEVATION

SCALE: 1/4" = 1'-0"



RIGHT ELEVATION

SCALE: 1/4" = 1'-0"



LEGAL DISCLAIMER: USE OF THIS PLAN IMPLIES AGREEMENT TO ALL NOTED BELOW!
 EVERY EFFORT HAS BEEN MADE TO MAKE SURE THESE PLANS ARE CORRECT!
 IN EVERYWAY. BUILDER, GENERAL CONTRACTOR, AND HOMEOWNER SHOULD
 REVIEW TO MAKE SURE ALL NOTES AND DIMENSIONS ARE CORRECT, AND ANY
 ERRORS OR OMISSIONS ARE CORRECTED PRIOR TO CONSTRUCTION.
 THE DESIGNER OF THIS PLAN MAKES NO WARRANTIES WHATSOEVER EITHER
 EXPRESSED OR IMPLIED, USERS OF THIS PLAN ARE TOTALLY RESPONSIBLE FOR
 ALL MATERIALS AND STRUCTURAL APPLICATIONS BEING CORRECT AND TO LOCAL CODE.
 USERS ALSO EXPRESSLY AGREE TO INDEMNIFY, DEFEND, AND HOLD THE DESIGNER
 HARMLESS FROM ANY AND ALL CLAIMS OR DEMANDS OF ANY KIND OR NATURE,
 INCLUDING WITHOUT LIMITATION ANY CLAIMS OR DEMANDS FOR DAMAGES, COSTS,
 AND ATTORNEY FEES ARISING OUT OF, OR IN ANY WAY CONNECTED WITH OR PERTAINING
 TO THE REPRODUCTION, MODIFICATION, PUBLICATION, DISPLAY, DISTRIBUTION, OR CONSTRUCTION
 FROM THE PLAN, INCLUDING SPECIFICALLY AND WITHOUT LIMITATION ANY AND ALL CLAIMS
 RELATING TO COPYRIGHT INFRINGEMENT AND ANY OTHER CLAIMS UNDER TITLE 17 OF U.S. CODE

CAP - DINGMANN GARAGE	
SHEET TITLE: ELEVATIONS	
DATE: 7/6/23	REVISED: 9/12/23
PLAN NUMBER: 23-29	PAGE NUMBER: 1 OF 2



Real People. Real Solutions.

2040 Highway 12 East
Willmar, MN 56201-5818

Ph: (320) 231-3956
Fax: (320) 231-9710
Bolton-Menk.com

September 26, 2023

Jacob Thunander, Community Development Director
City of Annandale

via e-mail: jthunander@annandale.mn.us

RE: Dingmann Oak Ridge Plat
City of Annandale, Minnesota
Project No.: 0W1.129664

Dear Jacob,

We have reviewed the preliminary and final plat submitted 9/15/2023 for the above referenced project and have the following comments:

1. Wetland boundaries shall be confirmed based on a wetland delineation approved by the Technical Evaluation Panel (TEP). The wetland shall be contained within an easement and identified on the Final Plat.
2. Lake Drive East shall be platted to encompass the existing 60-foot ingress and egress easement near the Northwest corner of the plat. We recommend that the remaining portion of Lake Drive East be platted 50-feet in width.
3. Note number one on the Preliminary Plat indicates that no title commitment has been prepared. The City Code requires that a title commitment be provided prior to approval of the Final Plat.
4. Note number six on the Preliminary Plat contains a typo.
5. The applicant shall submit utility plans for the proposed garage.

We recommend approval of the Preliminary and Final Plat contingent on the above-referenced comments as well as comments submitted by city staff, planning commission, and the city council.

If you have any questions on the above, please call.

Sincerely,

Bolton & Menk, Inc.

Jared Voge, P.E.
City Engineer



City Council Agenda

October 5, 2023

Agenda Section: New Business

Report From: Jacob Thunander, Community Development Director

Agenda No. 3B

Agenda Item: Consideration to Authorize an Extension of Filing Final Plat – Pintail Ponds Plat 3 and Amending the Development Agreement

Applicant: Gary Stang (The Willows of Annandale)

Core Strategy:

- | | |
|---|---|
| <input type="checkbox"/> Inspire Community Engagement | <input type="checkbox"/> Provide Proactive Leadership |
| <input type="checkbox"/> Increase Operational Effectiveness | <input checked="" type="checkbox"/> Ensure Safe/Well Kept Community |
| <input type="checkbox"/> Enhance Local Business Environment | <input checked="" type="checkbox"/> Other: Planning Item |
| <input type="checkbox"/> Develop/Manage Strong Parks/Trails | |

Background

The Willows of Annandale (Gary Stang) is requesting an extension of filing the final plat until December 31, 2024. The developer is working on finalizing a few required items but intends to start construction next year.

Per the City’s Subdivision Ordinance, the approved Final Plat is required to be filed with the Wright County Recorder within sixty days of Final Plat approval, otherwise the approval is null and void.

The applicant (The Willows of Annandale) was approved for final plat on October 17, 2022, and extensions to February 14, 2023; August 14, 2023; and October 9, 2023.

Recommended Action

Authorize the extension of final plat recording to December 31, 2024 and to amend the development agreement to reflect updated fees based on the fee schedule approved at the time of filing the final plat.

Attachments:

- Gary Stang Extension Request

September 14, 2023

To: The City of Annandale

From: Gary Stang- Manager c/o The Willows of Annandale, LLC

RE: Recording of the final plat for The Willows of Annandale, LLC 28.77-acre parcel

Hello,

I am writing to request an extension to the recording of the final plat for this parcel.

Due to some studies needing to be completed, the winter weather approaching, and the final agreements on the bypass lane, I am requesting an extension to 12-31-2024.

I understand some of the fees will increase when we move forward with the new developer's agreement.

I remain hopeful that we can begin construction in the spring of 2024.

Thank you for your consideration.

A handwritten signature in black ink, appearing to read "Gary Stang". The signature is stylized and somewhat cursive.

Gary Stang- Manager

The Willows of Annandale, LLC



City Council Agenda

October 5, 2023

Agenda Section: New Business

Report From: Jacob Thunander, Community Development Director

Agenda No. 3C

Agenda Item: Consideration of Entering into Letter of Intent for Sale of Annandale Business Park Property

Core Strategy:

- | | |
|---|---|
| <input type="checkbox"/> Inspire Community Engagement | <input type="checkbox"/> Provide Proactive Leadership |
| <input type="checkbox"/> Increase Operational Effectiveness | <input checked="" type="checkbox"/> Ensure Safe/Well Kept Community |
| <input type="checkbox"/> Enhance Local Business Environment | <input checked="" type="checkbox"/> Other: Planning Item |
| <input type="checkbox"/> Develop/Manage Strong Parks/Trails | |

Background

The City was approached by Paul Johnson, Chief Manager, LEI Packaging, who is interested in developing property in the City's business park. Mr. Johnson would utilize the remaining 3.34 acres available on the north side of Business Boulevard (PID: 102082002010) to construct an approximately 40,000 square foot manufacturing/warehousing building with up to 15-20 full time jobs. The business owner requested a letter of intent be created.

The City Attorney drafted the attached document, which is nonbinding. This would provide the business owner the ability to complete more research before committing to the purchase. The City will not market the property for 60 days. If he chooses not to move forward in the timeframe, the City would continue advertising the sale of the property.

Recommended Action

Authorize entering letter of intent, effective until December 5, 2023.

Attachments:

- Letter of Intent
- Concept Plan

October 3, 2023

Paul Johnson
Chief Manager
LEI Packaging
29720 Lofton Ave
Chisago, MN 55013

Re: Letter of Intent for Sale of Annandale Business Park Property
PID#102082002010

Dear Mr. Johnson:

This Letter is intended to summarize the principal terms of a proposal being considered by the City of Annandale (“Seller”), regarding the potential sale of the above referenced property to LEI Packaging (the “Company”). Seller and the Company are sometimes called the “Parties”.

Once this letter is accepted and signed by Company, the Parties will commence negotiating one or more definitive, written agreements providing for the Contemplated Transaction (collectively, the “Definitive Agreement”).

Based on the information currently known to the Seller, it is proposed that the Definitive Agreement include the following terms:

1 Basic Transaction. The Company would purchase approximately 3.5 acres in the Seller’s business park, together with all improvements and rights of access from Seller, (collectively “Purchased Assets”) for \$1 conditioned upon the Company satisfying Seller’s business subsidy requirements and committing to the construction of an approximately 40,000 square foot manufacturing/warehouse building on the property at a cost of approximately \$3 million with an additional \$7 million in equipment. The purchase is also conditioned upon the Company obtaining DEED funds or other financial assistance as determined sufficient by the Company to allow it to proceed with the proposed development of the property.

2 Closing. The closing of the Contemplated Transaction would occur within sixty days of acceptance of this Letter of Intent. During the sixty days, Seller agrees not to solicit or negotiate with other parties for the purchase of the property. If the parties do not move forward with a definitive purchase agreement within the sixty-day time frame, this Letter of Intent will be null and void without further action of the parties and the City may proceed to market the property and entertain other proposals for the sale of the property.

3 Investigation and Cooperation. Upon acceptance of this Letter of Intent, Company shall have the right to enter upon the property to inspect, perform soil analysis, and survey the property at Company’s sole cost and expense. Company shall defend the Seller from any lien claims arising

from Company's investigations on the property. Seller shall cooperate with Company to the extent required for Company to obtain funding from sources other than Seller. This obligation is not a waiver of Seller's own business subsidy requirements that will have to be met by Company.

4 Definitive Agreement. The Definitive Agreement will contain customary terms and provisions, including, without limitation, the following:

4.1 Conditions to Closing. The Parties understand that the closing of the Contemplated Transaction will be conditioned upon the satisfaction or waiver of the following conditions: (a) the Property shall be free and clear of all liens and encumbrances other than permitted exceptions that will be negotiated in the Definitive Agreement, and (b) Company shall satisfy the Seller's business subsidy requirements; (c) Company shall be satisfied with the other assistance and funding for the project; and (d) any other conditions to closing that are customary or agreed upon.

4.2 Other Terms. The City would make title warranties, but no warranties regarding the fitness of the premises for a particular purpose. Company will have standard (non-intrusive) inspection rights.

5 Nonbinding Letter. The Paragraphs and provisions of this letter do not constitute and will not give rise to any legally binding obligation on the part of any of the Parties. Moreover, no past or future action (with the exception of entering into the written Definitive Agreement), course of conduct, or failure to act relating to the Contemplated Transaction will give rise to or serve as a basis for any obligation or other liability on the part of the Parties. It is understood and agreed that this is a letter of intent and does not contain all matters upon which agreement must be reached in order for the Contemplated Transaction to be consummated and creates no binding rights or other obligations in favor of any Party. A binding commitment with respect to the Contemplated Transaction will result only from the execution of the Definitive Agreement, which any proposed party to the Definitive Agreement may or may not execute in its respective sole and absolute discretion.

If you are in agreement with the foregoing, please sign and return one copy of this letter, which thereupon will constitute our agreement with respect to the subject matter of this letter.

City of Annandale

Attest

By _____
Shelly Jonas, Mayor

Kelly Hinnenkamp, City Administrator

Accepted and Agreed:

LEI

By _____
Paul Johnson, Chief Manager



City Council Agenda

October 5, 2023

Agenda Section: New Business
Report From: Kelly Hinnenkamp
 City Administrator

Agenda No. 3D
Agenda Item: Health/Life Insurance Renewal

Core Strategy:

- Inspire Community Engagement
- Increase Operational Effectiveness
- Enhance Local Business Environment
- Develop/Manage Strong Parks/Trails
- Provide Proactive Leadership
- Ensure Safe/Well Kept Community
- Other: Compliance

Background

The City received the Health Insurance renewal from PEIP. The proposed increase was approximately 4.4%. This renewal will be year 1 of a 2-year contract. The following is a breakdown of the premium proposed for health and life.

2023 vs 2024 MEDICAL RATES

		<i>Current Rates</i>	<i>Renewal Rates 2024</i>
Advantage High Option	Single	\$779.06	\$814.66
	Family	\$2037.29	\$2132.12
Advantage Value Option	Single	\$702.37	\$733.84
	Family	\$1832.53	\$1916.34
Advantage HSA Option	Single	\$551.29	\$574.54
	Family	\$1427.96	\$1489.80

The City pays 100% of Single Coverage and 80% of Family Coverage for the Advantage HSA Option. Employees who chose the Value or High Option pay the additional premium.

2024 LIFE RATES, if applicable

Basic Life/AD&D		\$.18/1,000
Dependent Life		\$1.18
Supplemental Life (Per Thousand)	<u>Age</u>	
	<35	\$.11
	35-39	\$.13
	40-44	\$.17
	45-49	\$.26
	50-54	\$.44
	55-59	\$.71
60-64	\$.79	
65-69	\$1.49	

The City provides a \$25,000 life policy for employees with spouse/dependent coverage. Employees may opt to purchase additional coverage at their expense. There was no change in the proposed premium for life coverage.

Recommended Action

Motion to approve the renewal as presented.

Attachments:

- Renewal Letter



September 15, 2023

Kelly Hinnenkamp
City Of Annandale
30 Cedar Street E
Annandale, MN 55302

RE: January 1, 2024 PEIP Renewal for City Of Annandale

Dear Kelly Hinnenkamp:

Thank you for your participation in the Public Employees Insurance Program (PEIP). We hope the program continues to fulfill your insurance needs.

We are pleased that our revised underwriting guidelines have resulted in a significant improvement in the plan's finances. The average increase in rates for July and January renewals is approximately 3.6%. The January, 2024 renewals were calculated based on a combination of the pool's overall claims along with each group's own claims experience. The credibility of individual group claims is based on the size of the group. We hope to continue moving towards a higher level of "pooling" in future renewals. As always, the PEIP underwriters must make any changes necessary to protect the financial stability of the pool.

Earlier this year, MMB selected Blue Cross and Blue Shield of Minnesota and HealthPartners as plan administrators through a competitive bid process. Please note: PreferredOne will no longer be a plan administrator for the Public Employees Insurance Program (PEIP) beginning January 1, 2024. If you have any employees who are currently enrolled with PreferredOne they MUST complete a new enrollment form for January 1st. If they do not complete a new enrollment form their coverage will end 12/31/2023. Your prior invoice reflects those currently participating in PreferredOne.

This renewal will mark the end of your current two-year commitment in the program as required by the PEIP statute shown below and the group application. Your group will be automatically renewed for a new two-year commitment effective January 1, 2024, unless the exclusive representative, or the employer for unrepresented employees gives us notice of withdrawal on or before December 1, 2023.

43A.316 PUBLIC EMPLOYEES INSURANCE PROGRAM.

(d) Participation in the program is for a two-year term. Participation is automatically renewed for an additional two-year term unless the exclusive representative, or the employer for unrepresented employees, gives the commissioner notice of withdrawal at least 30 days before expiration of the participation period. A group that withdraws must wait two years before rejoining. An exclusive representative, or employer for unrepresented employees, may also withdraw if premiums increase 50 percent or more from one insurance year to the next.

Plan Changes for 2024

We are pleased to announce these positive benefit changes for 2024:

1. Enhanced coverage of infertility for Blue Cross members (similar to HealthPartners coverage)
2. \$0 or reduced office copays for mental health treatment.
3. Out of area care for members has changed (see attachment).

During open enrollment, your insurance eligible employees will have the opportunity to change health plans and carrier networks. (As a reminder, there is no open enrollment for dental coverage). Please have your open enrollment completed by November 15. Updated plan summaries and other enrollment information is

included in your email. Forms can also be found on PEIP's website at www.innovomn.com. Individual Medicare Advantage and Cost policies are available for your retirees over age 65. Please call Innovo Benefits Administration at 1-800-829-5601 or visit our website at www.innovomn.com.

Employees and dependents who wish to change health plans or networks must complete an Enrollment Form (or online enrollment) for the change. A primary care clinic number for each member is required. **Participants staying with the same carrier who wish to change their primary care clinic must contact the carrier directly.** Primary care clinics can be changed at any time by calling the customer service number on the member's ID card. **The PEIP 2024 clinic directory will be available on the PEIP website in mid-October. Please make sure members review their clinics for any cost level changes.**

All completed Enrollments and any changes to your group's eligibility requirements must be submitted to Innovo Benefits Administration, PEIP's administrator, by November 15, 2023. Please plan your open enrollment to meet that deadline. No form is required for those employees maintaining current coverage.

As the sponsor of the group insurance, you may change or add additional PEIP product options (e.g. life and dental coverages) and change your eligibility requirements at this time. Eligibility criteria includes the number of hours worked per week to be eligible, new employee waiting periods before coverage becomes effective, etc. Any changes made to your current eligibility policy must be made in writing and sent to Innovo.

Please submit all forms via fax, email or mail to:

Innovo Benefits Administration
Attn: PEIP
7805 Telegraph Road, Suite 110
Bloomington, MN 55438
Secure Fax: 952-746-3108
Email: service@innovomn.com

Please forward the renewal rate information to your COBRA, Minnesota continuation, disabled, and early retiree participants (if any). If PEIP manages your COBRA, Innovo will send out the information to these participants.

If you have any questions, please call 952-746-3101 or 1-800-829-5601 or email shawn@innovomn.com. We look forward to another year of serving you.

Sincerely,



Shawn Byrne
Manager

CC: Agent (if applicable)

City Of Annandale
1/1/2024 Renewal Rates
Advantage Plans

In accordance with MN Stat. 471.61, renewal rates for retirees who are under age 65 are blended with the rates for active employees. Eligible retirees currently on continuation are included in the rate structure.

2023 vs 2024 MEDICAL RATES

		<i>Current Rates</i>	<i>Renewal Rates 2024</i>
Advantage High Option	Single	\$779.06	\$814.66
	Family	\$2037.29	\$2132.12
Advantage Value Option	Single	\$702.37	\$733.84
	Family	\$1832.53	\$1916.34
Advantage HSA Option	Single	\$551.29	\$574.54
	Family	\$1427.96	\$1489.80

If you work with an agent, please confirm commission amount with them. Rates shown include commission, if Applicable.

2023 VS 2024 DENTAL RATES – PREVENTIVE PLAN (CLOSED TO NEW ENROLLMENT), if applicable

	Current	Renewal
Monthly Rate - Employer Pays 90% or More of Cost	\$12.45	\$12.45
	\$37.71	\$37.71
Monthly Rate - Employer Pays 50-89% Of Cost	\$13.54	\$13.54
	\$41.88	\$41.88

2023 VS 2024 DENTAL RATES – COMPREHENSIVE PLAN, if applicable

	Current	Renewal
Monthly Rate - Employer Pays 90% or More of Cost	\$42.60	\$42.60
	\$101.51	\$101.51
Monthly Rate - Employer Pays 50-89% Of Cost	\$47.14	\$47.14
	\$111.30	\$111.30

2024 LIFE RATES, if applicable

Basic Life/AD&D	\$.18/1,000	
Dependent Life	\$1.18	
Supplemental Life (Per Thousand)	<u>Age</u>	
	<35	\$.11
	35-39	\$.13
	40-44	\$.17
	45-49	\$.26
	50-54	\$.44
	55-59	\$.71
	60-64	\$.79
	65-69	\$1.49