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**LEVANDER,  
GILLEN &  
MILLER, P.A.**

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ATTORNEYS AT LAW

TIMOTHY J. KUNTZ  
DANIEL J. BEESON  
\*KENNETH J. ROHLF  
◊STEPHEN H. FOCHLER  
◊JAY P. KARLOVICH  
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\*KORINE L. LAND  
ANN C. O'REILLY  
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DARCY M. ERICKSON  
DAVID S. KENDALL  
BRIDGET McCAULEY NASON  
ELIZABETH HALL MURTHY  
DAVID B. GATES  
•  
HAROLD LEVANDER  
1910-1992  
•  
ARTHUR GILLEN  
1919-2005  
•  
• ROGER C. MILLER  
RETIRED

\*ALSO ADMITTED IN WISCONSIN  
◊ALSO ADMITTED IN NORTH DAKOTA  
◊ALSO ADMITTED IN MASSACHUSETTS  
◊ALSO ADMITTED IN OKLAHOMA

## MEMO

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**TO: Sunfish Lake Mayor and Councilmembers  
Sunfish Lake Consultants**  
**FROM: Timothy J. Kuntz, City Attorney**  
**DATE: December 31, 2013**  
**RE: 2014-01 Street Improvement Project  
January 7, 2014 City Council Meeting; Agenda Items 8(a)(1), 8(a)(2), 8(a)(3)  
and 8(a)(4)**

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**Section 1. Background.** At the November 5, 2013 Council meeting, the Council received and approved the feasibility report for the 2014-01 Street Reconstruction Project (the Project) prepared by Don Sterna of WSB & Associates, Inc. At that meeting, the Council also authorized the preparation of plans and specifications for the Project.

At the Council meeting on January 7, 2014, the Council will consider the following:

1. Resolution Receiving the Feasibility Report of the Consulting Engineer and Calling for a Public Improvement Hearing Concerning the 2014-01 Street Improvement Project;
2. Resolution Approving the Preliminary Financial Plan in Order to Prepare Public Hearing Notices for 2014-01 Street Improvement Project;
3. Resolution Approving Schedule for 2014-01 Street Improvement Project; and
4. Resolution Appointing Don Sterna and WSB & Associates, Inc., Steve Apfelbacher and Ehlers & Associates, Inc. and Jenny Boulton and Kennedy & Graven, Chartered to Assist the City with 2014-01 Street Improvement Project.

The resolutions and supporting materials are enclosed.

**Section 2. Discussion.** The schedule calls for a public hearing on Wednesday, February 5, 2014, to consider whether to order the Project.

For purposes of financial analysis and for purposes of sending the notices of the public hearing to the landowners, we have estimated total project costs at \$347,875 based on the following:

|                  |                                                                                                                                              |
|------------------|----------------------------------------------------------------------------------------------------------------------------------------------|
| \$275,000        | – estimated construction cost per Feasibility Report (plus 10% construction contingency)                                                     |
| \$69,500         | – administrative, engineering, legal, bond counsel, fiscal advisor, inspections, contingency for project management, publication and mailing |
| \$3,375          | – capitalized interest                                                                                                                       |
| <hr/>            |                                                                                                                                              |
| <b>\$347,875</b> | <b>– TOTAL</b>                                                                                                                               |

A more detailed chart of the estimated project costs is attached to this memo.

**Section 3. Proposed Financing Plan.** 44% of Project costs will be paid by the City (by means of general tax levy) and 56% will be paid by landowners (by way of special assessments).

By way of background only, the history of the special assessments in the City is as follows:

| <b>YEAR</b> | <b>PROJECT</b>                                                          | <b>CITY PAYS</b> | <b>ASSESSMENTS<br/>PAY</b> |
|-------------|-------------------------------------------------------------------------|------------------|----------------------------|
| 1989        | Angell and Sunnyside<br>Project 89-02                                   | 20%              | 80%                        |
| 1994        | Charlton Road<br>Street Improvements<br>Project 1993-02                 | 20%              | 80%                        |
| 2000        | Salem Church Road<br>Pedestrian Trail<br>Improvement<br>Project 2000-01 | 78.7%            | 21.3%                      |
| 2006        | Acorn Drive<br>Project 2006-01                                          | 40%              | 60%                        |
| 2009        | Salem Church Road<br>Project 2008-02                                    | 60%              | 40%                        |

The Council needs to consider the financing plan so that the notices of the public improvement hearing may be prepared.

**Section 4. Appointment of Engineer, Fiscal Advisor and Bond Attorney.** The City needs the assistance of consultants in three areas: engineering, fiscal advisor and bond counsel. Enclosed is a resolution that appoints Don Sterna and WSB & Associates as the engineer for the Project. The Resolution also appoints Steve Apfelbacher of Ehlers and Associates as fiscal advisor and Jenny Boulton and Kennedy & Graven as bond counsel. Steve Apfelbacher and Kennedy & Graven worked closely with the City on the Acorn Drive Project and the Salem Church Road Project and the recommendation is to again appoint them to assist with the 2014-01 Street Improvement Project.

The estimate for Ehlers & Associates is approximately \$6,000. The number of meetings Ehlers & Associates need to attend will determine their final cost.

The estimate for Kennedy & Graven is \$3,500, depending on how the bonds are sold and how much work is involved in reviewing the Chapter 429 proceedings.

Attachments

**CITY OF SUNFISH LAKE  
DAKOTA COUNTY, MINNESOTA**

**RESOLUTION NO. 14- \_\_\_\_\_**

**A RESOLUTION RECEIVING THE FEASIBILITY REPORT  
OF THE CONSULTING ENGINEER AND CALLING FOR A PUBLIC  
IMPROVEMENT HEARING CONCERNING 2014-01  
STREET IMPROVEMENT PROJECT**

**WHEREAS**, on April 2, 2013, the City Council of Sunfish Lake directed WSB & Associates, Inc., the City's consulting engineer, to prepare a feasibility study to detail review the condition of the existing bituminous street surface and local drainage for the best rehabilitation measures for Windy Hill Road, Windy Hill Court and the western half of Angell Road and related culvert work, shouldering, roadside swale grading and turf restoration in the City of Sunfish Lake, pursuant to Minnesota Statutes, Chapter 429.

**WHEREAS**, such feasibility report has been prepared and is dated October 23, 2014 and revised January 7, 2014.

**WHEREAS**, said feasibility report was submitted to the City Council of Sunfish Lake at the November 5, 2013, regular City Council meeting and was considered by the City Council at the January 7, 2014, regular City Council meeting.

**NOW, THEREFORE, THE CITY COUNCIL OF SUNFISH LAKE DOES  
HEREBY RESOLVE AS FOLLOWS:**

1. Said feasibility report is hereby received, approved and ratified by the City Council of Sunfish Lake. The City Council authorizes and ratifies the preparation of plans and specifications in accord with the feasibility report. The plans and specifications shall be prepared by WSB & Associates, Inc.

WSB & Associates, Inc. is hereby designated the engineer for this improvement project.

2. The City Council will consider the improvements in accordance with the report and consider the financial feasibility of the project and the feasibility of specially assessing the subject properties along Windy Hill Road, Windy Hill Court and the western half of Angell Road pursuant to Chapter 429 of the Minnesota Statutes. A list of the subject properties are attached hereto as Exhibit A.
3. A public hearing to consider such improvements shall be held at 7:00 p.m. on February 5, 2014, in the City Council Chambers at St. Anne's Episcopal Church, Highway 110 and Charlton Road, in the City of Sunfish Lake.

4. The City Clerk shall give mailed and published notice of the public hearing to consider such improvements as required by law. Notice of such hearings shall be published in the City's official newspaper on January 19, 2014, and on January 26, 2014, and mailed notice shall be sent to the affected landowners on or about January 15, 2014, or as soon thereafter as is practicable.

Adopted by the City Council of Sunfish Lake this 7<sup>th</sup> day of January, 2014.

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Molly Park, Mayor

Attest:

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Catherine Iago, City Clerk

# EXHIBIT A

| Preliminary Assessment Roll |                             |                                       |                                                        |                           |                                                               |                                          |                                                      |              |  |
|-----------------------------|-----------------------------|---------------------------------------|--------------------------------------------------------|---------------------------|---------------------------------------------------------------|------------------------------------------|------------------------------------------------------|--------------|--|
| WSB Project:                |                             | Sunfish Lake 2014 Street Improvements |                                                        |                           |                                                               |                                          | Design By: TJV                                       |              |  |
| Project Location:           |                             | City Of Sunfish Lake                  |                                                        |                           |                                                               |                                          | Checked By: DWS                                      |              |  |
| City Project No.:           |                             | 2013-02                               |                                                        |                           |                                                               |                                          | Date: 10/15/2013                                     |              |  |
| WSB Project No.:            |                             | 02182-03                              |                                                        |                           |                                                               |                                          |                                                      |              |  |
| Assessment/Funding Source   |                             |                                       |                                                        | Total Buildable Lot Units | Roadway Assessment (80%) per City Policy & Buildable Lot Unit | 20% City Cost per City Assessment Policy | Recommended Assessable per Billable Lot Unit \$4,500 | City Costs   |  |
| No.                         | Property Identification No. | Property Owner                        | Property Owner Address                                 |                           |                                                               |                                          |                                                      |              |  |
| ANGELL ROAD                 |                             |                                       |                                                        |                           |                                                               |                                          |                                                      |              |  |
| 1                           | PID: 037-380300082022       | ARCEDO PERICO JR & MIGUELA            | 2600 ANGELL RD<br>SAINT PAUL MN 55118-4702             | 1.0                       | \$7,784.25                                                    | \$1,946.06                               | \$4,500.00                                           | \$5,230.31   |  |
| 2                           | PID: 037-387325000010       | CITY OF SUNFISH LAKE                  | 7378 JORDAN AVE S<br>COTTAGE GROVE MN 55016-3645       | 1.0                       | \$7,784.25                                                    | \$1,946.06                               | N/A                                                  | \$9,730.31   |  |
| 3                           | PID: 037-387325000020       | CITY OF SUNFISH LAKE                  | 7378 JORDAN AVE S<br>COTTAGE GROVE MN 55016-3645       | 1.0                       | \$7,784.25                                                    | \$1,946.06                               | N/A                                                  | \$9,730.31   |  |
| 4                           | PID: 037-387325000030       | DECOURCY CATHERINE L                  | 2330 ANGELL RD<br>SAINT PAUL MN 55118-4702             | 1.0                       | \$7,784.25                                                    | \$1,946.06                               | \$4,500.00                                           | \$5,230.31   |  |
| 5                           | PID: 037-387325000040       | FLYNN LINDA L                         | 2324 ANGELL RD<br>SUNFISH LAKE MN 55118                | 1.0                       | \$7,784.25                                                    | \$1,946.06                               | \$4,500.00                                           | \$5,230.31   |  |
| 6                           | PID: 037-387325000140       | MOLINARO DEBORAH M TSTE               | 2511 ANGELL RD<br>SAINT PAUL MN 55118                  | 1.0                       | \$7,784.25                                                    | \$1,946.06                               | \$4,500.00                                           | \$5,230.31   |  |
| 7                           | PID: 037-387325000130       | BRAUN RICHARD H                       | 2471 ANGELL RD<br>SAINT PAUL MN 55118-4703             | 1.0                       | \$7,784.25                                                    | \$1,946.06                               | \$4,500.00                                           | \$5,230.31   |  |
| 8                           | PID: 037-387325000120       | JOHNSON THOMAS R                      | 2431 ANGELL RD<br>SAINT PAUL MN 55118-4703             | 1.0                       | \$7,784.25                                                    | \$1,946.06                               | \$4,500.00                                           | \$5,230.31   |  |
| 9                           | PID: 037-387325000110       | FARIS WAYNE & PRISCILLA               | 2335 ANGELL RD<br>SAINT PAUL MN 55118-4703             | 0.0                       | \$0.00                                                        | \$0.00                                   | \$0.00                                               | \$0.00       |  |
| SUBTOTAL                    |                             |                                       |                                                        | 8.0                       | \$62,274.00                                                   | \$15,568.50                              | \$27,000.00                                          | \$50,842.50  |  |
| Assessment/Funding Source   |                             |                                       |                                                        | Total Buildable Lot Units | Roadway Assessment (60%) per City Policy & Buildable Lot Unit | 20% City Cost per City Assessment Policy | Recommended Assessable per Billable Lot Unit \$6,500 | City Costs   |  |
| No.                         | Property Identification No. | Property Owner                        | Property Owner Address                                 |                           |                                                               |                                          |                                                      |              |  |
| WINDY HILL ROAD             |                             |                                       |                                                        |                           |                                                               |                                          |                                                      |              |  |
| 19                          | PID: 037-388432501020       | ABRAMOWICZ DAVID M                    | 2 WINDY HILL RD<br>SUNFISH LAKE MN 55077-1423          | 1.0                       | \$5,545.69                                                    | \$3,697.13                               | \$6,500.00                                           | \$2,742.82   |  |
| 20                          | PID: 037-388432501010       | OLEARY DANIEL B                       | 10 WINDY HILL RD<br>SUNFISH LAKE MN 55077              | 1.0                       | \$5,545.69                                                    | \$3,697.13                               | \$6,500.00                                           | \$2,742.82   |  |
| 21                          | PID: 037-387320201010       | TKKL SYSTEMS INC                      | 1873 BUERKLE RD<br>WHITE BEAR LAKE MN 55110            | 1.0                       | \$5,545.69                                                    | \$3,697.13                               | \$6,500.00                                           | \$2,742.82   |  |
| 22                          | PID: 037-387320201020       | OHAGAN JAMES H & ANN H                | 35 WINDY HILL RD<br>INVER GROVE HEIGHTS MN 55077-1424  | 1.0                       | \$5,545.69                                                    | \$3,697.13                               | \$6,500.00                                           | \$2,742.82   |  |
| 23                          | PID: 037-387320201030       | OHAGAN JAMES H & ANN H                | 35 WINDY HILL RD<br>INVER GROVE HEIGHTS MN 55077-1424  | 1.0                       | \$5,545.69                                                    | \$3,697.13                               | \$6,500.00                                           | \$2,742.82   |  |
| 24                          | PID: 037-387320201040       | SPAULDING ALAN J & MELISSA S          | 45 WINDY HILL RD<br>SUNFISH LAKE MN 55077              | 1.0                       | \$5,545.69                                                    | \$3,697.13                               | \$6,500.00                                           | \$2,742.82   |  |
| 25                          | PID: 037-388430001010       | LAMEY JOHN D JR & FRANCES             | 55 WINDY HILL RD<br>INVER GROVE HEIGHTS MN 55077-1424  | 1.0                       | \$5,545.69                                                    | \$3,697.13                               | \$6,500.00                                           | \$2,742.82   |  |
| 26                          | PID: 037-380310003012       | RILEY JAMES R & JANET C               | 75 WINDY HILL RD<br>INVER GROVE HEIGHTS MN 55077-1424  | 1.0                       | \$5,545.69                                                    | \$3,697.13                               | \$6,500.00                                           | \$2,742.82   |  |
| 27                          | PID: 037-388430001020       | BANCROFT RICHARD H JR                 | 100 WINDY HILL RD<br>INVER GROVE HEIGHTS MN 55077-1425 | 1.0                       | \$5,545.69                                                    | \$3,697.13                               | \$6,500.00                                           | \$2,742.82   |  |
| 28                          | PID: 037-380380006011       | BANCROFT RICHARD H JR                 | 100 WINDY HILL RD<br>INVER GROVE HEIGHTS MN 55077-1425 | 1.0                       | \$5,545.69                                                    | \$3,697.13                               | \$6,500.00                                           | \$2,742.82   |  |
| 29                          | PID: 037-380310006013       | BANCROFT RICHARD H JR & D B           | 100 WINDY HILL RD<br>INVER GROVE HEIGHTS MN 55077-1425 | 1.0                       | \$5,545.69                                                    | \$3,697.13                               | \$6,500.00                                           | \$2,742.82   |  |
| 30                          | PID: 037-380310005010       | BANCROFT RICHARD H JR                 | 100 WINDY HILL RD<br>SUNFISH LAKE MN 55077             | 1.0                       | \$5,545.69                                                    | \$3,697.13                               | \$6,500.00                                           | \$2,742.82   |  |
| 31                          | PID: 037-380380013010       | DEVEE LLC                             | 2111 DELAWARE AVE<br>MENDOTA HEIGHTS MN 55118          | 5.0                       | \$27,728.47                                                   | \$18,485.65                              | \$32,500.00                                          | \$13,714.12  |  |
| SUBTOTAL                    |                             |                                       |                                                        | 17.0                      | \$94,276.80                                                   | \$62,851.20                              | \$110,500.00                                         | \$46,628.00  |  |
| Assessment/Funding Source   |                             |                                       |                                                        | Total Buildable Lot Units | Roadway Assessment (80%) per City Policy & Buildable Lot Unit | 20% City Cost per City Assessment Policy | Recommended Assessable per Billable Lot Unit \$6,500 | City Costs   |  |
| No.                         | Property Identification No. | Property Owner                        | Property Owner Address                                 |                           |                                                               |                                          |                                                      |              |  |
| WINDY HILL COURT            |                             |                                       |                                                        |                           |                                                               |                                          |                                                      |              |  |
| 10                          | PID: 037-388368001090       | WARD JEFFREY ALAN TSTE                | 1 WINDY HILL CT<br>SUNFISH LAKE MN 55077-1438          | 1.0                       | \$8,438.76                                                    | \$2,109.69                               | \$6,500.00                                           | \$4,048.44   |  |
| 11                          | PID: 037-388368001080       | KEENAN HEDDI E                        | 3 WINDY HILL COURT<br>SUNFISH LAKE MN 55077-1438       | 1.0                       | \$8,438.76                                                    | \$2,109.69                               | \$6,500.00                                           | \$4,048.44   |  |
| 12                          | PID: 037-388368001070       | SEIDEL JOHN P & MICHELE S             | 5 WINDY HILL CT<br>INVER GROVE HEIGHTS MN 55077-1438   | 1.0                       | \$8,438.76                                                    | \$2,109.69                               | \$6,500.00                                           | \$4,048.44   |  |
| 13                          | PID: 037-388368001060       | HANSEN PAUL R & SHARI E               | 7 WINDY HILL CT<br>SUNFISH LAKE MN 55077               | 1.0                       | \$8,438.76                                                    | \$2,109.69                               | \$6,500.00                                           | \$4,048.44   |  |
| 14                          | PID: 037-388368001050       | NELSON JAMES C & MARIE P              | 9 WINDY HILL CT<br>SUNFISH LAKE MN 55077-1438          | 1.0                       | \$8,438.76                                                    | \$2,109.69                               | \$6,500.00                                           | \$4,048.44   |  |
| 15                          | PID: 037-388368001040       | ROSENBLUM KENNETH S                   | 1418 MOUNT CURVE AVE<br>MINNEAPOLIS MN 55403           | 1.0                       | \$8,438.76                                                    | \$2,109.69                               | \$6,500.00                                           | \$4,048.44   |  |
| 16                          | PID: 037-388368001030       | PABST HENRY J & ANNE T                | 6 WINDY HILL CT<br>SUNFISH LAKE MN 55077-1437          | 1.0                       | \$8,438.76                                                    | \$2,109.69                               | \$6,500.00                                           | \$4,048.44   |  |
| 17                          | PID: 037-388368001020       | ARNEY JOEL W & JOYCE A                | 4 WINDY HILL CT<br>SUNFISH LAKE MN 55077-1437          | 1.0                       | \$8,438.76                                                    | \$2,109.69                               | \$6,500.00                                           | \$4,048.44   |  |
| 18                          | PID: 037-388368001010       | RICHARDSON BRUCE W & LAURA E          | 2 WINDY HILL CT<br>INVER GROVE HEIGHTS MN 55077-1437   | 1.0                       | \$8,438.76                                                    | \$2,109.69                               | \$6,500.00                                           | \$4,048.44   |  |
| SUBTOTAL                    |                             |                                       |                                                        | 9.0                       | \$75,948.80                                                   | \$18,987.20                              | \$58,500.00                                          | \$36,436.00  |  |
| TOTAL                       |                             |                                       |                                                        | 34.0                      | \$232,499.60                                                  | \$97,406.90                              | \$196,000.00                                         | \$133,906.50 |  |

**CITY OF SUNFISH LAKE  
DAKOTA COUNTY, MINNESOTA**

**RESOLUTION NO. 14-\_\_\_\_\_**

**RESOLUTION APPROVING A PRELIMINARY FINANCING PLAN  
IN ORDER TO PREPARE PUBLIC HEARING NOTICES  
FOR THE 2014-01 STREET IMPROVEMENT PROJECT**

**WHEREAS**, the City Council has accepted the Feasibility Report for the 2014-01 Street Improvement Project.

**WHEREAS**, on November 5, 2013, the City Council authorized the preparation of plans and specifications for 2014-01 Street Improvement Project (the Project).

**WHEREAS**, the City Council has approved a schedule for the consideration of the Project.

**WHEREAS**, the City Council has called for a public hearing for consideration of ordering the Project. This public improvement hearing will be held on February 5, 2014, at 7:00 p.m.

**WHEREAS**, the City Clerk has been authorized to prepare notices of the public hearing.

**WHEREAS**, it is appropriate for the City Council to consider the outline of proposed financing for the Project so that the proposed financing plan may be reflected in the notice of public hearing.

**NOW, THEREFORE, THE CITY COUNCIL OF SUNFISH LAKE DOES HEREBY  
RESOLVE AS FOLLOWS:**

1. The City Council hereby approves the preliminary financing plan and preliminary assessment policy for the Project as shown on the attached Exhibit A. This preliminary financing plan and preliminary assessment policy shall form the basis of the notice for the public improvement hearing. Notice for the public hearing shall be in accord with the outline attached as Exhibit A.
2. Final consideration of the special assessment amounts and the terms of the special assessments shall be made by the City Council at the special assessment hearing.

Passed this 7<sup>th</sup> day of January, 2014.

\_\_\_\_\_  
Molly Park, Mayor

\_\_\_\_\_  
Catherine Iago, City Clerk

**EXHIBIT A**  
**PRELIMINARY FINANCING PLAN AND**  
**PRELIMINARY ASSESSMENT POLICY**  
**FOR 2014-01 STREET IMPROVEMENT PROJECT**

| <b>NO.</b> | <b>ITEM</b>                              | <b>POLICY AND PLAN</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|------------|------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1.         | Project No.                              | 2014-01 Street Improvement Project                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 2.         | Fiscal Consultant                        | Steve Apfelbacher of Ehlers & Associates, Inc.                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 3.         | Project Costs                            | Project Costs include construction costs and the time spent by the City Attorney, Consulting Engineer, City Forester, City Clerk and Planner relating to the Project and the costs of publishing and mailing the notices of public hearings. Project Costs also include the cost of the fiscal advisor, the cost of the bond attorney, the cost of issuance of the bonds and the bond discount amount. Project Costs also include an appropriate contingency amount for construction. |
| 4.         | Allocation of Project Costs              | Approximately 56% paid by special assessments.<br><br>Approximately 44% paid for by City participation.                                                                                                                                                                                                                                                                                                                                                                               |
| 5.         | City Participation                       | The City participation will equal approximately 44% of the Project costs. The City participation will come from available cash on hand as well as a general City tax levy.                                                                                                                                                                                                                                                                                                            |
| 6.         | Amount of Bonding                        | The estimated original bonding amount will be approximately \$347,875 minus an amount determined by the Council that can be paid out of existing reserves in 2014.                                                                                                                                                                                                                                                                                                                    |
| 7.         | Tax Levy                                 | The tax levy will be for a period of ten (10) years. Each year the City will determine what amount is available in cash reserves and what amount of the City's participation needs to be levied in taxes.                                                                                                                                                                                                                                                                             |
| 8.         | Properties Subject To Special Assessment | The properties subject to the special assessment are the parcels identified by the City consulting engineer in the feasibility report.                                                                                                                                                                                                                                                                                                                                                |
| 9.         | Assessment Methodology                   | The special assessments will be spread on a per buildable lot basis over 34 lots.                                                                                                                                                                                                                                                                                                                                                                                                     |

|     |                                    |                                                                                                                                                                                                                                                                                           |
|-----|------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 10. | Special Assessment Installments    | The special assessments will be payable in ten (10) yearly installments. The yearly installment of principal will be the same fixed amount each year; there will be an equal amortization of principal over the term. The interest amount will decline as the principal balance declines. |
| 11. | Interest on Special Assessments    | The interest on the special assessments will begin to accrue from and after the date of levy. It is anticipated that the assessments will be levied in September or October 2014. The interest rate will be approximately 1.5% to 2.0% above the bond interest rate charged the City.     |
| 12. | Pre-payment of Special Assessments | Landowners will have thirty (30) days after levy of the special assessments to pre-pay the special assessments without any interest.                                                                                                                                                      |
| 13. | Initial Installment                | The initial installment of special assessments will be due and payable in calendar year 2015 together with real estate taxes.                                                                                                                                                             |
| 14. | Payoff of Special Assessments      | In any calendar year, landowners will be able to payoff the special assessments in full by making a payment equal to the principal balance owed together with interest through December 31 of the year of payoff.                                                                         |
| 15. | Partial Payments                   | Partial payments of principal outstanding will not be allowed.                                                                                                                                                                                                                            |

**CITY OF SUNFISH LAKE  
DAKOTA COUNTY, MINNESOTA**

**RESOLUTION NO. 14-\_\_\_\_\_**

**A RESOLUTION APPROVING THE PROJECT SCHEDULE FOR  
2014-01 STREET IMPROVEMENT PROJECT**

**WHEREAS**, the City Council is considering whether to order and construct the 2014-01 Street Improvement Project ("Project"). The Project involves the bituminous reclamation and bituminous pavement surfacing to extend the life of Windy Hill Road, Windy Hill Court and the western half of Angell Road and related culvert work, shouldering, roadside swale grading and turf restoration.

**WHEREAS**, to assist the Council in its consideration, it is appropriate to outline a general schedule of events related to the Project.

**WHEREAS**, the Council acknowledges that the attached schedule is a preliminary schedule and that there may be deviations from the schedule.

**WHEREAS**, the purpose of the schedule is to assist the Engineer, Bond Attorney, Fiscal Advisor, Treasurer, Clerk and City Attorney in planning their various activities to bring forth the issue of whether the Council should proceed to order and construct the Project.

**NOW, THEREFORE, THE CITY COUNCIL OF SUNFISH LAKE DOES HEREBY RESOLVE AS FOLLOWS:**

- a. The attached schedule is hereby approved.
- b. The Council acknowledges that there may be deviations from the schedule.

Passed this 7<sup>th</sup> day of January, 2014.

\_\_\_\_\_  
Molly Park, Mayor

Attest:

\_\_\_\_\_  
Catherine Iago, City Clerk

**PROJECT SCHEDULE FOR CITY OF SUNFISH LAKE**  
**2014-01 STREET IMPROVEMENT PROJECT**

|                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| October 16, 2013 | <ul style="list-style-type: none"> <li>Consulting Engineer held open house to discuss Project with affected landowners.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| November 5, 2013 | <ul style="list-style-type: none"> <li>Consulting Engineer submits Feasibility Report to Council and City Council accepts Feasibility Report and authorizes the preparation of plans and specifications.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| January 7, 2014  | <ul style="list-style-type: none"> <li>By resolution, the Council accepts, approves and ratifies the Feasibility Report.</li> <li>By resolution, the Council approves the preliminary financing plan.</li> <li>By resolution, the Council approves preliminary schedule for Project.</li> <li>By resolution, the Council designates WSB &amp; Associates, Inc. as engineer for the Project, Ehlers &amp; Associates as fiscal agent to assist with financing of project and Kennedy &amp; Graven as bond counsel for taxability opinion.</li> <li>Council calls for a public improvement hearing to be held on Wednesday, February 5, 2014, at 7:00 p.m.</li> </ul> |
|                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| January 2014     | Consulting Engineer prepares final plans and specifications for Project.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| January 15, 2014 | <p>Mail Notice to landowners for public improvement hearing on February 5, 2014.</p> <p>Send Notice to official newspaper (South-West Review) for publication on January 19, 2014 and 26, 2014.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |

|                                           |                                                                                                                                                                                                                        |
|-------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| January 19, 2014<br>&<br>January 26, 2014 | Publish Notice of public hearing in official newspaper ( <i>South-West Review</i> ) on January 19, 2014, and January 26, 2014.                                                                                         |
| February 5, 2014                          | Council holds public hearing to consider ordering the Project.                                                                                                                                                         |
| February 5, 2014                          | Council approves final plans and specifications for bidding purposes and authorizes bids.                                                                                                                              |
| February 16, 2014                         | Advertisement for bids published in official newspaper ( <i>South-West Review</i> ). <b>MANDATORY</b>                                                                                                                  |
| February 18, 2014                         | Advertisement for bids published in trade paper ( <i>Finance &amp; Commerce</i> ). <b>MANDATORY</b>                                                                                                                    |
| February 23, 2014                         | Second advertisement for bids published in official newspaper ( <i>South-West Review</i> ).                                                                                                                            |
| February 24, 2014                         | Second advertisement for bids published in trade paper ( <i>Finance &amp; Commerce</i> ).                                                                                                                              |
| March 19, 2014                            | <ul style="list-style-type: none"> <li>• Last day for submission of bids.</li> <li>• Opening and tabulation of bids.</li> </ul>                                                                                        |
| April 1, 2014                             | <ul style="list-style-type: none"> <li>• At its regular Council meeting, Council considers bids.</li> <li>• Council awards construction contract.</li> <li>• Council authorizes request for bond proposals.</li> </ul> |

|                        |                                                                                                                                          |
|------------------------|------------------------------------------------------------------------------------------------------------------------------------------|
|                        |                                                                                                                                          |
| Week of April 21, 2014 | Pre-construction conference.                                                                                                             |
|                        |                                                                                                                                          |
| May 6, 2014            | Council issues bond obligations.                                                                                                         |
|                        |                                                                                                                                          |
| June 2, 2014           | Construction begins.                                                                                                                     |
|                        |                                                                                                                                          |
| June 2014              | City receives bond proceeds.                                                                                                             |
|                        |                                                                                                                                          |
| July 25, 2014          | Construction completed.                                                                                                                  |
|                        |                                                                                                                                          |
| August 5, 2014         | City declares costs to be assessed and calls for public hearing for special assessments; hearing to be held September 2, 2014.           |
|                        |                                                                                                                                          |
| August 6, 2014         | Mail Notice of public hearing for proposed special assessments to affected landowners.                                                   |
|                        |                                                                                                                                          |
| August 6, 2014         | Send Notice of public hearing to official newspaper ( <i>South-West Review</i> ) for publication on August 10, 2014 and August 17, 2014. |
|                        |                                                                                                                                          |
| August 10, 2014        | Publish Notice of public hearing for proposed special assessments.                                                                       |
|                        |                                                                                                                                          |
| August 17, 2014        | Publish Notice of public hearing for proposed special assessments.                                                                       |
|                        |                                                                                                                                          |
| September 2, 2014      | Special Assessment hearing.<br><br>Council levies special assessments.                                                                   |

|                             |                                                                                                                  |
|-----------------------------|------------------------------------------------------------------------------------------------------------------|
|                             |                                                                                                                  |
| October 3, 2014             | End of 30 day period to pay special assessments without interest.<br>End of period to appeal assessments.        |
|                             |                                                                                                                  |
| Week of October 13,<br>2014 | City certifies special assessments to County for collection of real<br>estate taxes in year 2015 and thereafter. |
|                             |                                                                                                                  |

**CITY OF SUNFISH LAKE  
DAKOTA COUNTY, MINNESOTA**

**RESOLUTION NO. 14-\_\_\_\_\_**

**A RESOLUTION APPOINTING DON STERNA AND WSB & ASSOCIATES, INC., STEVE APFELBACHER AND EHLERS AND ASSOCIATES, INC. AND JENNY BOULTON AND KENNEDY & GRAVEN, CHARTERED TO ASSIST THE CITY WITH THE 2014-01 STREET IMPROVEMENT PROJECT**

**WHEREAS**, the City Council is considering whether to order and construct the 2014-01 Street Improvement Project (the "Project"). The Project involves the bituminous reclamation and bituminous pavement surfacing to extend the life of Windy Hill Road, Windy Hill Court and the western half of Angell Road and related culvert work, shouldering, roadside swale grading and turf restoration.

**WHEREAS**, the City needs advice and services in the following three (3) areas:

- Engineering
- Fiscal Advisor
- Bond Counsel

**WHEREAS**, the Council has designated Don Sterna of WSB & Associates, Inc. as the engineer for this Project.

**WHEREAS**, Steve Apfelbacher of Ehlers & Associates, Inc. is well qualified to provide fiscal advice.

**WHEREAS**, Jenny Boulton of Kennedy & Graven, Chartered is well qualified to provide bond counsel services.

**NOW, THEREFORE, THE CITY COUNCIL OF SUNFISH LAKE DOES HEREBY RESOLVE AS FOLLOWS:**

1. The Council hereby appoints Don Sterna and WSB & Associates, Inc. to be the Project engineer.
2. The Council hereby appoints Steve Apfelbacher and Ehlers & Associates, Inc. to provide the City with fiscal advisory services in connection with the Project.
3. The Council hereby appoints Jenny Boulton and Kennedy & Graven, Chartered to provide bond counsel services to the City in connection with the Project.

Passed this 7<sup>th</sup> day of January, 2014.

Attest:

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Molly Park, Mayor

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Catherine Iago, City Clerk

**CITY OF SUNFISH LAKE**  
**2014-01 STREET IMPROVEMENT PROJECT**

**ESTIMATED PROJECT COSTS**

| <b>PROJECT</b>                                                                      | <b>COST</b>                        |
|-------------------------------------------------------------------------------------|------------------------------------|
| <b>1. Construction Cost<br/>(estimated costs plus 10% construction contingency)</b> | <b>\$275,000</b>                   |
| <b>2. Contingency for project management</b>                                        | <b>\$3,000</b>                     |
| <b>3. Engineer</b>                                                                  | <b>\$35,000</b>                    |
| <b>4. Material Testing and Engineering</b>                                          | <b>Included in Engineer Amount</b> |
| <b>5. City Attorney</b>                                                             | <b>\$12,000</b>                    |
| <b>6. Planner</b>                                                                   | <b>\$500</b>                       |
| <b>7. Forester</b>                                                                  | <b>\$200</b>                       |
| <b>8. Clerk</b>                                                                     | <b>\$500</b>                       |
| <b>9. Treasurer</b>                                                                 | <b>\$1,000</b>                     |
| <b>10. Appraisal</b>                                                                | <b>\$4,000</b>                     |
| <b>10. Bond Counsel</b>                                                             | <b>\$3,500</b>                     |
| <b>11. Fiscal Advisor</b>                                                           | <b>\$6,000</b>                     |
| <b>12. Publishing and Mailing</b>                                                   | <b>\$500</b>                       |
| <b>13. Underwriter's Discount</b>                                                   | <b>\$3,300</b>                     |
| <b>14. Capitalized Interest</b>                                                     | <b>\$3,375</b>                     |
| <b><u>TOTAL:</u></b>                                                                | <b>\$347,875</b>                   |