

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

**MARCH 2, 2021
7:00 P.M.**

**AGENDA FOR PUBLIC IMPROVEMENT HEARING
FOR PROJECT NO. 2021-02 (ZEHNDER ROAD IMPROVEMENT PROJECT)**

- 1.) Call to Order**
- 2.) Introductions and Welcome (Mayor)**
- 3.) Public Hearing to Consider Ordering of Sunfish Lake City Project No. 2021-02 (Zehnder Road Improvement Project)**
 - Hearing Declared to Be Open (Mayor)
 - Review of Project Construction (Jeff Sandberg)
 - Nature of Improvements
 - Review of Project Schedule (Jeff Sandberg)
 - Outline of Financing (Tim Kuntz)
 - Schedule for Borrowing Funds (Tim Kuntz)
 - Request for Public Comments (Mayor)
 - Public Comments
 - Motion to Close Public Hearing
 - Council Discussion of Project
 - Motion to Approve Resolution Ordering City Project No. 2021-02

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

ATTORNEYS AT LAW

TIMOTHY J. KUNTZ
DANIEL J. BEESON
ANGELA M. LUTZ AMANN
KORINE L. LAND
DONALD L. HOEFT
BRIDGET McCAULEY NASON
PETER G. MIKHAIL
SCOTT M. LUCAS
DAVID L. SIENKO
TONA T. DOVE
AARON S. PRICE
CASSANDRA C. WOLFGAM
CASSANDRA J. BAUTISTA
AMANDA J. JOHNSON

MEMO

TO: Sunfish Lake Mayor and Councilmembers
FROM: Timothy J. Kuntz, City Attorney
DATE: February 25, 2021
RE: Resolution Ordering City Project No. 2021-02 (Zehnder Road Improvement Project); March 2, 2021 Public Hearing

Section 1. Background. At the February 2, 2021 Council meeting, the Council, by various resolutions took the following actions related to City Project No. 2021-02 (Zehnder Road Improvement Project (the Project):

1. Appointed WSB & Associates as project engineer.
2. Appointed Ehlers & Associates as fiscal advisor.
3. Appointed Kennedy & Graven as bond counsel.
4. Set March 2, 2021, as the date for the public hearing to consider whether the Project should be ordered.
5. Adopted a preliminary financing plan that calls for approximately 80% of the Project costs to be specially assessed and 20% to be paid for by City participation.
6. Adopted a Project schedule which calls for the public improvement hearing to be held March 2, 2021, construction during the summer of 2021, and the assessment hearing to be held in September 2021.
7. Accepted and adopted the Feasibility Report dated January 29, 2021.

In advance of the March 2, 2021, public improvement hearing, we prepared a Notice of Public Hearing. The Notice was mailed to affected landowners on February 10, 2021, and was published in the City's official newspaper on February 14, 2021, and on February 21, 2021.

Section 2. Council Action. At the March 2, 2021, Public Improvement Hearing, the Council will be asked to consider the attached Resolution Ordering City Project No. 2021-02.

A proposed agenda for the March 2nd public hearing is attached for reference.

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

RESOLUTION NO. 21-_____

**A RESOLUTION ORDERING SUNFISH LAKE CITY PROJECT NO. 2021-02
(ZEHNDER ROAD IMPROVEMENT PROJECT)**

WHEREAS, on February 2, 2021, the City Council of Sunfish Lake adopted a resolution calling for a public hearing and approving a notice of hearing, which hearing was to be held on March 2, 2021 with respect to City Project No. 2021-02 (Zehnder Road Improvement Project) (the “Project”).

WHEREAS, City Project No. 2021-02 involves roadway surface improvements on Zehnder Road from 60th Street West to the end of Zehnder Road. Roadway surface improvements consist of a full depth reclamation and paving. Additionally, existing storm culverts in the project area were reviewed and determined to need maintenance such as jetting out sediment and debris.

WHEREAS, the notice of public improvement hearing was published in the City’s official newspaper on February 14, 2021 and on February 21, 2021, and was mailed to all affected landowners on February 10, 2021, pursuant to Minnesota Statutes § 429.031.

WHEREAS, the public improvement hearing to consider the ordering of City Project No. 2021-02 was held on March 2, 2021 at which times all persons desiring to be heard were given an opportunity to be heard.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF SUNFISH LAKE:

1. City Project No. 2021-02 is hereby ordered as proposed and noticed in the Notice of Public Improvement Hearing relating to said Project.
2. The City’s consulting engineer, WSB & Associates, Inc., is hereby designated the engineer for this improvement project. The final plans and specifications for the making of the improvements will be considered by the Council at the May 4, 2021 Council meeting.
3. The construction contract for City Project No. 2021-02 shall be let no later than three years after the adoption of this resolution.
4. Pursuant to Minnesota Statutes § 462.356, subd. 2, the Council, by at least a four-fifths vote of all its members, finds that this Project does not impact and does not have a relationship to the City’s comprehensive plan; this Project is in fact consistent with the City’s comprehensive plan; therefore, the Council dispenses

with the requirements of Minnesota Statutes § 462.356, subd. 2 relating to planning commission review of the Project.

Adopted by the City Council of Sunfish Lake this 2nd day of March, 2021.

Dan O'Leary, Mayor

Attest:

Catherine Iago, City Clerk