

**CITY OF SAINT PETER, MINNESOTA
AGENDA AND NOTICE OF MEETING**

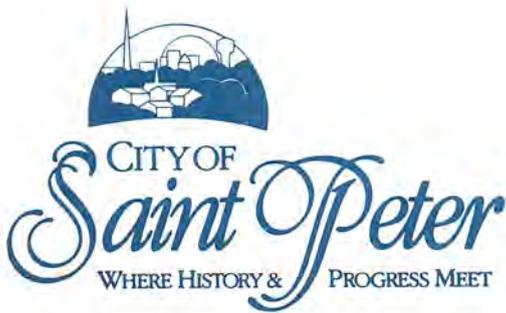
Special Meeting of the City Council - Monday, April 21, 2014
Library Meeting Room– 5:30 p.m.
601 South Washington Avenue

- I. CALL TO ORDER
- II. DISCUSSION
 - A. Right-of-way Acquisition – St. Julien/Old Minnesota Avenue Intersection
- III. ADJOURNMENT

*****THE REGULAR WORKSHOP SESSION WILL IMMEDIATELY
FOLLOW THIS SPECIAL MEETING*****

Office of the City Administrator
Todd Prafke

TP/bal



Memorandum

TO: Honorable Mayor Strand
Members of the City Council

DATE: 4/18/2014

FROM: Todd Prafke
City Administrator

RE: Right of Way, Temporary easement acquisition approvals

ACTION/RECOMMENDATION

Approve a resolution providing for acquisition of right-of-way and a temporary construction easement at the intersection of West St. Julien Street and Old Minnesota Avenue and directing staff to sign all related documentation related to MnDOT's work on West St. Julien Street.

BACKGROUND

The Council has discussed this issue on many, many occasions so my memo will be brief and not outline the entire Highway 169 project. A special meeting has been requested as we are up to the deadline for documentation and property acquisition to occur on West St. Julien Street in coordination with MnDOT.

As members may remember, our work with MnDOT has included the acquisition of the rights-of-way that would be needed for both the Highway 169 project and any change that is made to the West St. Julien Street and Old Minnesota Avenue intersection. Appraisal work has been completed, legal descriptions finalized, negotiations with McDonald's have been completed and MnDOT Highway 169 plans have been bid.

McDonald's has agreed to the acquisition and construction easements and the timing is appropriate to complete the transaction.

This transaction is requested based on two primary reasons:

- This action enables and allows MnDOT to do work on West St. Julien Street in connection with the Highway 169 project. This will improve the City street at no cost to the City other than the acquisition costs. The construction raises the roadway out of the flood plain making the interconnection of West St. Julien Street and Highway 169 work seamlessly. This also allows the changes in the driveways that we have discussed previously, which are agreed to by McDonalds. If the Council does not take this action, work on West St. Julien Street adjacent to McDonalds will not take place which has a number of ramifications we have previously discussed which will not be reiterated in this memo. In addition, McDonald's wants these changes so they would be disappointed if this work was not included as a part of the Highway 169 project.

- It provides the property needed for the City to improve the West St. Julien Street and Old Minnesota Avenue intersection. As discussed at your last Council meeting during the Right-Of-Way Plat #3 discussion, this property and easements are needed whether you put in the alternative treatment or a roundabout. Again both intersection designs have the same footprint so the land needed is the same for either. This does not provide for the building of a roundabout; rather it provides the land needed whether a roundabout or the alternative treatment is pursued.

At packet deadline the final documentation is being transmitted back and forth between your City Attorney and McDonald's. The document, along with a proposed resolution, will be available for your meeting.

Monday is the last day that MnDOT will accept the documents and include in the project. We come to you with short notice as all the negotiations were just completed earlier today.

This is a different process than what we have with Holiday. The McDonalds portion of the project was included in the MnDOT bids. If approval is not provided, it will be excluded or removed from the final contract at bid. This is different than Holiday which was not included in the bids for reasons we outlined previously to you and if Holiday comes to an agreement, it can be added later as a supplemental agreement. Once McDonalds is out they cannot come back in. Holiday was not in so they may come back in with a supplemental agreement. We continue to work with Holiday on this issue and feel positive about the outcome.

As stated above, McDonald's wishes to be included in this Highway 169 project as they see a clear benefit for this work to them and their property.

FISCAL IMPACT:

Funding is provided by MSA and the debt issue you completed late last year. Costs fall in line with our anticipated budget amount.

ALTERNATIVES/VARIATIONS:

- Do Not Act: Work on West St. Julien Street will not take place as a part of this project
- Denial: Work on West St. Julien Street will not take place as a part of this project
- Modification of the Resolution: This is always an option of the Council.

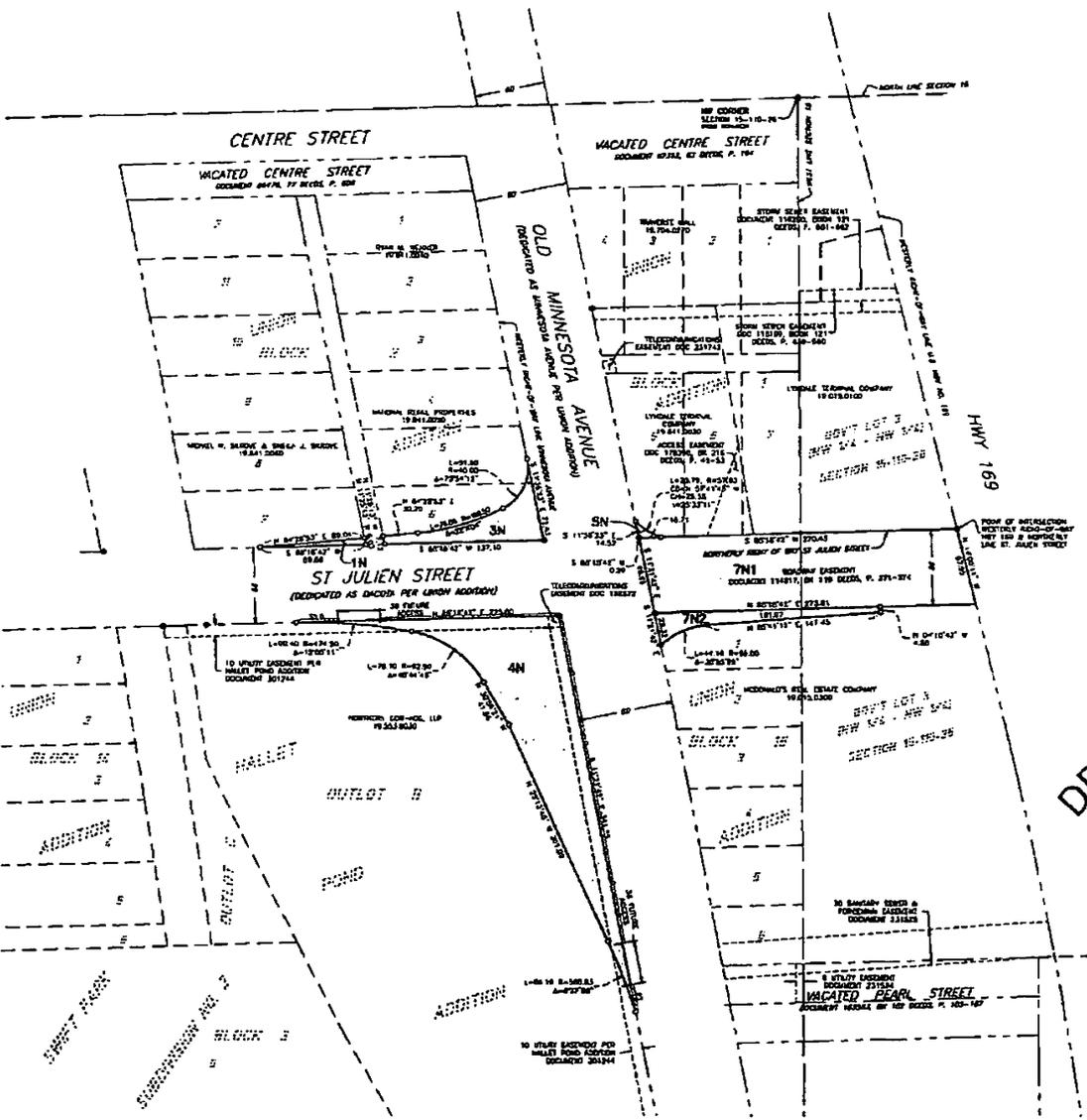
Please feel free to contact me if you have any questions or concerns about this agenda item.

TP/bal

OFFICIAL PLAT COPY

CITY OF SAINT PETER ROAD RIGHT OF WAY PLAT NO. 3

SAINT JULIEN STREET - OLD MINNESOTA AVENUE



KNOW ALL PERSONS BY THESE PRESENTS, That the City of Saint Peter, a body politic and corporate under the laws of the State of Minnesota, pursuant to Minnesota Statutes Chapters 160.34, 505.1792 and 505.1793 as amended, has caused the right of way of Saint Julien Street and Old Minnesota Avenue to be mapped as a transportation over and across the following described lands situated in the County of Nicollet, State of Minnesota, to wit:

Part of Blocks 2, 2, and 16, and that part of Centre Street lying between said Block 1 and 18, Union Addition, part of Centre 8, Hallet Pond Addition, according to the recorded plat thereof, and part of Government Lot 3 in the Northwest Quarter of the Northwest Quarter of Section 15, Township 113 North, Range 24 West.

I hereby certify that this plat was prepared by me or under my direct supervision and that I am a duly Registered Land Surveyor in the State of Minnesota; that the measurements for the location of highway surveys will be correctly placed in this plat and as shown after completion of construction; that all measurements are correctly shown on this plat; and that the proposed right of way boundaries thereon are correctly designated on this plat.

Executed this _____ day of _____, 20____
 Daniel E. Meek, Inc.
 Minnesota License No. 75743

State of Minnesota
 County of New Earth

The foregoing Surveyor's Certificate was acknowledged before me this _____ day of _____, 20____ by Daniel E. Meek, Land Surveyor, Minnesota License No. 75743.

My Comm. Expires 12-31-2015

The City Council for the City of Saint Peter, pursuant to the City Council Resolution No. _____ dated _____, 20____, has hereby designated the right of way of Saint Julien Street and Old Minnesota Avenue as indicated on CITY OF SAINT PETER ROAD RIGHT OF WAY PLAT NO. 3.

Witness my hand and the seal of my office this _____ day of _____, 20____
 Notary Public
 State of Minnesota
 My Commission Expires 12-31-2015

Witness my hand and the seal of my office this _____ day of _____, 20____
 City Administrator

LEGEND

- 1/4" Iron Pipe Monument Set, shown by Registration Number 26343
- Monument Point
- Existing Right of Way Line
- Section Line
- Quarter Line
- Township Line
- Township Line/Quarter Line Line
- Easement Line
- New Right of Way Line
- Contained Access



ROAD RIGHT-OF-WAY

Owner of Right	Section Number	Location	Section Number Extension to be Acquired as Public Right-of-Way (Square Feet)	Area to be Acquired as Public Right-of-Way (Square Feet)
Michael W. Soren and Daniel J. Soren	280514	Lot 7, Block Two, Union Addition		18 217
Various Retail Property Owners, LP	291230	Lots 3-5 and 8, Block Two, Union Addition		38 2271
Northon Construction, LP	301244	Quadrant E, Union Addition		68 10291
Lyndale Terminal Company	337950	Part Block One, Union Addition		58 106
McDevitt's Block Extension Company	340652 (in 1st District, P. 284-292)	Part of the 1/4-1/4-1/4 Section 15-113-24 and Part of the 1/4-1/4-1/4 Section 15-113-25	381 17628	782 1867

SURVEYOR'S NOTES

1. Coordinates of all bearing points in the Minnesota County Coordinate System, Nicollet County MAD 21 (1988 Adjustment)
2. The corners of recorded plat on this plat were taken from the direct and indirect measurements on the ground by the Surveyor's Office.
3. The location and size of the acquisition parcel boundaries ("A" parcels) were determined by corner direct measurements of record only. The acquisition parcel boundaries ("B" parcels) shown on this plat are based on comparison with existing ownership boundaries, if there are no discrepancies between said parcels and the acquisition parcel boundaries shown the subject's returns to the actual corner boundaries.

THIS PLAT PREPARED BY **DANIEL E. MECK, INC.**
 MINNAPOLIS, MINN. 55412-3398 FIELD OFFICE
 MADE IN U.S.A.