

DENMARK TOWN BOARD MARGO AVE S ROAD EXTENSION BROCKMAN SUMMARY MEETING MINUTES
July 16, 2020

This meeting was conducted via telephone conferencing pursuant to the Chairperson's statement issued under Minnesota Statutes, section 13D.021.

SUPERVISORS PRESENT: Kathy Higgins, Bob Rucker, John Strohfus

SUPERVISORS ABSENT: Ron Simon, Shawn Racine

STAFF PRESENT: Attorney Gilchrist (Kennedy-Graven), Engineer Geheren (Focus), Planner Ryan Krzos (WSB)

OTHERS PRESENT: Joe Brockman (potential purchaser), Darin McFadden and John Kummer (property owners)

CALL TO ORDER: Meeting called to order @ 1:00 PM by Chair Higgins

Purpose of the meeting is to discuss the possibility of a future road alignment and construction off Margo Ave S.
1:00PM Call to Order by roll call: Chair K Higgins

Engineer- J Brockman possible purchaser of parcels owned by D McFadden, J Kummer, Holiday. Town presented with concept map depicting potential roadway from Margo Ave S cul-de-sac to connect to HWY 10. Engineer noted concerns regarding the proposed alignments. Remnant lot (Holiday lot) does not meet the 2.5 acre minimum. Feedback from MnDOT is that they are supportive of the extension of Margo Ave provided it aligns with the future Holiday development to the south. A traffic signal would be considered at this location once warrants are met. Prior discussions between Town staff and landowners included whether there would possibly be some support from the Township to participate in the study, and construction costs of the improvement.

J Kummer- The curved line between the Holiday/Kummer lots was the proposed access to HWY 10 which resulted from the prior split that created both conforming lots. The concept access would cause the Holiday lot to not meet the 2.5 acre minimum lot size.

Buyer and sellers looking for resolve on how to develop the properties. The Town desires to connect the commercial district to HWY 10 and from a cost perspective putting that cost onto the buyer makes the purchase too expensive and limits the value of the property owners' lots. J Kummer believes it is in the best interest of the Town, so the infrastructure supports the development of the only commercial district in the Town. Kummer noted that there are other owners in the commercial district who have expressed desire for the proposed access, for the ease of access on and off of their property.

D McFadden- Creating an access from the commercial district of Specialized Acres to HWY 10 will relieve a lot of traffic burden coming off HWY 61.

J Brockman- Question of possibly extending access from subject parcels to the east rather than to the south.

B Rucker- re: signal light. Engineer- MnDOT would likely be looking at traffic analysis to understand the traffic impact and would likely meet warrants for a traffic signal. B Rucker- Would Town be responsible for one of the four legs of a signal light? Engineer- Likely 1 or 2 (Holiday access would be private access). Town could be responsible for cost of road and traffic signal (MnDOT policy). B Rucker- the proposed intersection, being so close to HWY 61 would be an interconnect system which would also raise the cost. Need to consider moving forward. Engineer- MnDOT also noted that if proposed connection occurs, they will want right in/right out only at the HWY 61/122nd St intersection. Needs to be an element of study, aside from just the road construction cost questions.

Timing- need to know now what the long term plan is. If we knew where the road was going through, what the alignment was and that it was at some point going through, then Brockman could look at the site and understand how to move forward. The road could be a long term project that happens some time in the future. B Rucker- would need to budget for this maybe now, and have some funds built up for the future.

J Strohfus- would any accesses to/from commercial district change? Would like this plan to address concerns related to HWY 61 existing accesses to/from the commercial district. Also, trying to understand the historical context of how we got to a platting error with how the road is/isn't, as if a plan had ended resulting in this issue. Engineer- Specialized Acre 1st addition (in the mid 1990's) vast majority was platted, and road constructed as part of the development. Remainder of the Specialized Acre property was not part of the original plat, so you don't dictate things on property that isn't part of the original plat. Specialized Acre 2nd came in and resulted to the roadway being continued to its current end point (cul-de-sac) in order to develop additional properties. When the Kummer/Holiday subdivision occurred recently, the development agreement provided for a road to come through and to the subject parcels.

J Kummer- Assuming HWY 10/Margo Ave are fixed points. Short term, intermediate and long term plan, to allow the property owners and business development to proceed in the near term with some qualification and time dates that require the development of the road for the commercial district. Short term win for landowners and business, long

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term win for the Town. Road gets put in for the best of the benefit of all owners on the property to the Town, so it is a tax roll benefit. A residential developer is required to bear the cost of the infrastructure. Because this is the only commercial district in the Town, the question is, is the Town willing to share in some way, the infrastructure development cost, so the Town gets the commercial district infrastructure that it desires and they can attract property owners to invest and build here. There are other entities along Margo who are also interested in seeing the road go through to alleviate the current concerns of the HWY 61 accesses to the commercial district. Without that type of agreement, McFadden has no incentive to sell, Brockman will look elsewhere for commercial property and Denmark will have a commercial district which is undevelopable due to the cost of the infrastructure imposed on the landowners in the business district.

J Strohfus- Have there been any high level cost estimates on road as sketched? Engineer- will do some per foot calculations based on similar types of roads. Need a road layout that would need to be developed in conjunction with the landowner, planning and engineering to make sure the highest and best use of the land around it. Engineer- option of special assessments spread out through entire commercial district who would benefit by the creation of a secondary access. J Strohfus- has anyone had any dialog with commercial district business owners who have noted that they would be interested in the secondary access and would contribute to a road cost? Yes- Bus Company.

Attorney- if the Town wanted to explore assessment of this project, recommends that the Town engage in the services of a group who would provide an opinion regarding possible assessment.

K Higgins- Town would benefit greatly to providing safe and better access to all the commercial properties to HWY 10, would support looking into it further and participating in the cost.

Attorney- The development agreement regarding the development of either the Holiday or Kummer parcels, requires the dedication of an easement along the curved property line between the parcels to provide access. The Town would have to forgo the requirement with the understanding that it would need to be addressed so there would still be access to the north. Kummer agreed. Unknown is what Holiday would do with an undersized remnant lot.

Brockman- spoke with John (Circle K, the now owners) who are interested in selling the parcel. Brockman may be interested in purchasing the remnant lot to place the water holding on the other side. Circle K also owns the 2 properties to the west (on the corner of HWY 61) that are unusable because of how low they are, so unsure if they would sell the remnant parcel and continue to own to low parcels.

Board consensus to move forward, in supportive of making the road connection, done in a manner to serve all the commercial property and in support of contributing to the cost of the road construction. Engineer will

Attorney- at what point would an engineering study of costs be done. Is there a wetland on the parcels? Engineer- wetland delineation had been done in the past and determined not to be a wetland. From an Engineering & Planning perspective, road alignment & layout needs to be done-that meets the towns needs for a roadway and meets the minimum standards for that but preserves the developability of the land around it. Preliminary costs associated with constructing a road along that alignment. No topographic survey at this stage. From a traffic study perspective, at some point MnDOT will be looking for a traffic study that will look at the traffic generated from the existing and potential proposed businesses.

McFadden noted that Brockman would like to park trailers before winter and would like to keep project moving forward.

Engineer will do cost per foot calculations. Will look at what it may cost to do a concept alignment looking at it from both an Engineering and Planning perspective.

Property owners/purchaser will meet to develop possible road connection and a development timeline. Will contact Engineer with progress.

2:10 PM **Motion K Higgins/2nd B Rucker to adjourn meeting. Voting Yes- K Higgins, B Rucker, J Strohfus. Voting No- None. Abstaining- None. Motion Carried 3-0-0.**

Becky Herman

Denmark Township Clerk/Treasurer

Denmark Township Chair