

Minutes of the regular meeting of the City Council of Rush City held Monday, April 10, 2006, in the City Hall Council Chambers at 6:30 p.m.

Mayor Skalsky called the meeting to order with the following members present: Councilors Jerry Janssen, Mick Louzek, David Bengtson; Mayor Mike Skalsky.

Others present were City Attorney Joe Anderson, Chisago County HRA Director Chris Eng, Bob Moberg and Jeremy Wurpts of SEH, Aquatic Center Director Lee Rood, Dan Birdsall of Five Points Development, Mark and Nancy Moulton, Greg Bates of the Cambridge Star, Patrick Tepoorten of the Post Review, and interested citizens.

The Aquatic Center and parks and recreation were added to the agenda.

Motion by Janssen, second by Bengtson: To approve the amended agenda.

Motion by Louzek, second by Janssen: To approve the Bills and Claims of the City and Liquor Store as presented to the Council and on file in the City offices. MC

Lee Rood addressed the Council concerning the upcoming summer pool program and budget for the year.

Mayor Skalsky then reconvened the annexation petition public hearing. Dan Birdsall addressed the Council concerning the petition and their long-term plans for housing development. Mark Moulton also addressed the Council and a discussion followed including concerns about feedlot setbacks and railroad street crossings. Mr. Birdsall stated they would be willing to amend their request to only include the portion lying southerly of the north line of the Northeast Quarter of the Southeast Quarter.

Motion by Louzek, second by Janssen and carried: To adopt the following:

ORDINANCE 2006-4

AN ORDINANCE PROVIDING FOR THE ANNEXATION BY PROPERTY OWNER PETITION BY AMENDING SECTION XII, "ANNEXATION BY ORDINANCE" OF THE RUSH CITY CODE BY ADDING PART 16.

Section XII. Annexation By Ordinance

Part 16. Petition of Five Points Development, LLC

Section 1216.01. Five Points Development, LLC, fee owner and the "Petitioner", petitioned for the inclusion of the following described parcel in the city limits of Rush City under the provisions of Minnesota Statutes 414.033:

That part of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 16, Township 37, Range 21, Chisago County, MN, lying south of the North 510 feet, lying easterly of the easterly right of way line of the railroad, lying westerly of the westerly right of way of State Highway No. 361, and lying north of the South 10.00 acres of said NE $\frac{1}{4}$ of the SE $\frac{1}{4}$, thereof.

And

That part of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 16, Township 37, Range 21, Chisago County, MN, lying westerly of the westerly right of way line of the railroad and lying north of the South 10.00 acres, thereof.

Section 1216.02. The Petitioner has declared, and it has been confirmed, that the parcel is less than sixty (60) acres in size and is not now served by public sewer facilities and public sewer facilities are not otherwise available.

Section 1216.03. The City Council of Rush City conducted a properly-noticed public hearing to consider the petition on Monday, March 27, 2006, at 6:45 p.m. which was subsequently continued to Monday, April 10, 2006, at 6:45 p.m. in the Rush City City Hall at which times and place all persons desiring to be heard were afforded the opportunity.


Section 1216.04. There are no residences on the property and the population consists of zero persons.

Section 1216.05. The property abuts the present corporate limits of Rush City.

Section 1216.06. Upon adoption of the ordinance amendment, the land described herein shall be annexed to the City of Rush City, a municipal corporation, and be included in the corporate limits thereof as per Minnesota Statutes Section 414.033.

Section 1216.07. Upon adoption, certified copies of the ordinance shall be filed as provided in Minnesota Statutes Chapter 414.

Passed by the City Council of Rush City this 10th day of April, 2006.


Mayor
Administrator

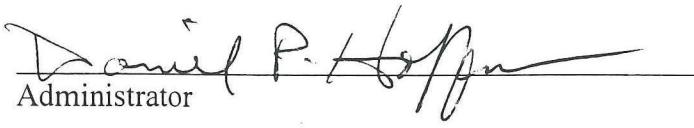
Bob Moberg and Jeremy Wurpts addressed the Council at length concerning the proposed Facilities Plan preparation.

Motion by Janssen, second by Bengtson: To accept and approve the proposal of SEH, Inc., dated April 6, 2006, for preparation of the Wastewater Treatment Facility Plan. MC

Mayor Skalsky advised the Council that he feels the City should look into installing a skateboard park. Design issues and insurance concerns were discussed with the directive that City staff should look into the matter.

Mayor Skalsky then closed the meeting to discuss the pending legal action with the City Attorney.

Motion by Louzek, second by Janssen: To adjourn the meeting at 8:01 p.m. MC

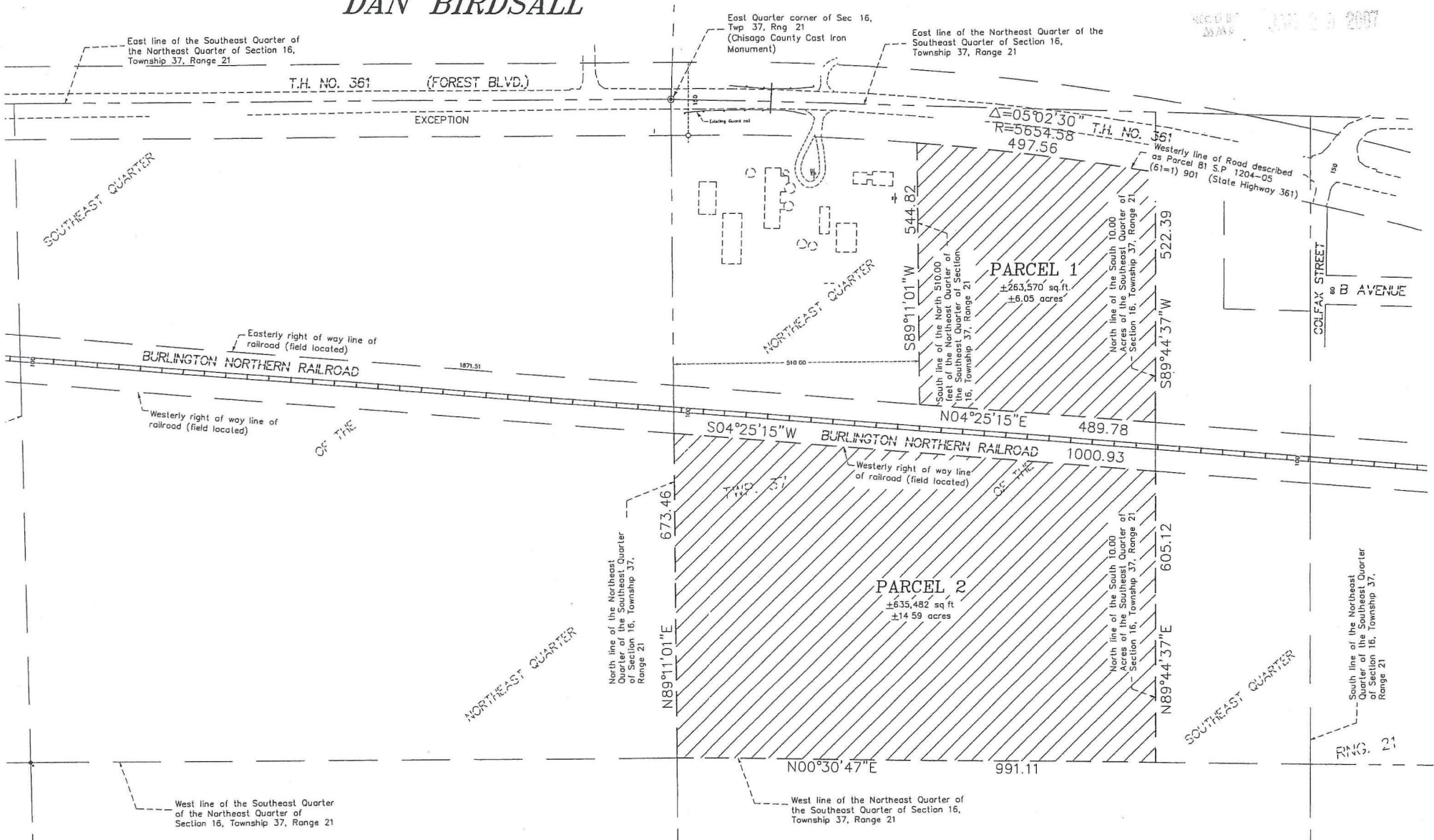

Administrator

Cambridge Star – July 29, 2006

ANNEXATION EXHIBIT

PART OF SEC. 16, TWP. 37, RNG. 21
~ RUSH CITY, MINNESOTA ~ ~ CHISAGO COUNTY ~

DAN BIRDSALL



PROPOSED LEGAL DESCRIPTION PARCEL 1

That part of the Northeast Quarter of the Southeast Quarter of Section 16, Township 37, Range 21, Chisago County, Minnesota, lying south of the North 510.00 feet, lying easterly of the easterly right of way line of the railroad, lying westerly of the westerly right of way of State Highway No. 361, and lying north of the South 10.00 Acres of said Northeast Quarter of the Southeast Quarter, thereof.

PROPOSED LEGAL DESCRIPTION PARCEL 2

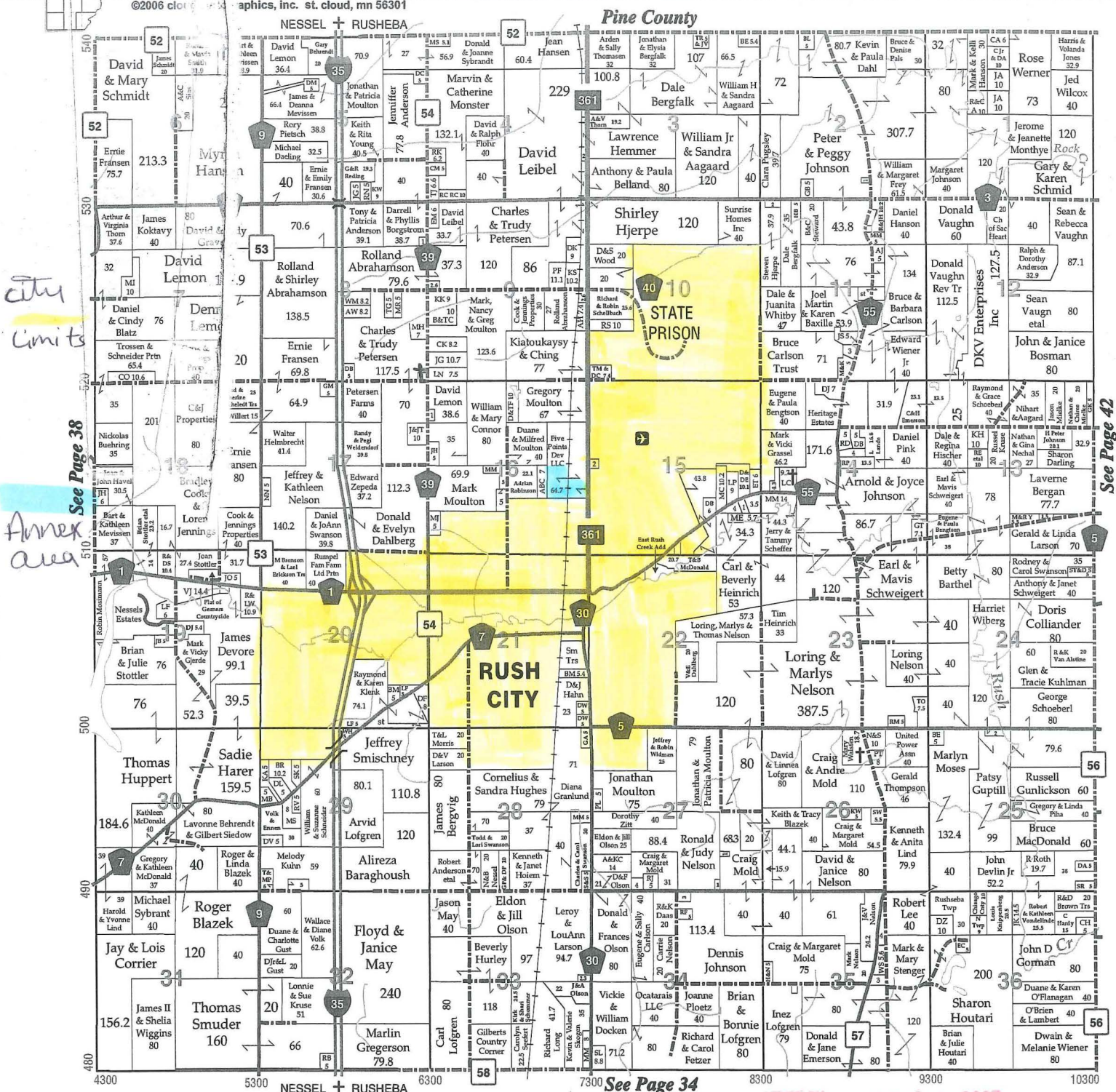
That part of the Northeast Quarter of the Southeast Quarter of Section 16, Township 37, Range 21, Chisago County, Minnesota, lying westerly of the westerly right of way line of the railroad and lying north of the South 10.00 acres, thereof,

engineering

NO SCALE

BEARINGS SHOWN ARE ASSUMED

Office 2422 Excelsior Drive
Bloomington, MN 55106
(612) 838-1914 Fax (612) 838-1915



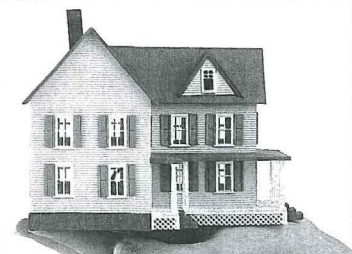
Chisago, MN



People may doubt what you say, but they will believe what you do.

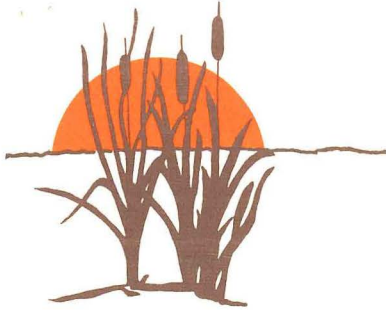


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RECD BY
MAM

AUG 01 2008

July 30, 2008

Ms. Christine Scotillo, Executive Director
Municipal Boundary Adjustments
Minnesota Office of Administrative Hearings
600 N. Robert Street
St. Paul, MN 55101

Re: A-7520 Rush City/Rushseba Township (Ordinance No. 2006-04; Five Points
Development, LLC Property; 21 acres)

Dear Ms. Scotillo:

I am writing to inform you of the City Council's recommendation for reimbursement of the property taxes to Rushseba Township for the above annexation. At their regular meeting of July 29, 2008, the City Council voted to reimburse Rushseba Township a total of \$629.33, to be paid in installments of \$314.67 the first year and \$314.66 the second year. This dollar amount was reached by taking the 2008 property taxes of \$251.73, paid to Rushseba Township, and multiplying it by 90%, 70%, 50%, 30% and 10%.

There are no special assessments due to Rushseba Township for this parcel.

Please let me know if you have any questions or need additional information. Thank you for your assistance.

Sincerely,

Amy Jo Mell
Administrator

cc: John Kay, Rushseba Township Clerk