

RESOLUTION 2014-141

**A RESOLUTION APPROVING FINANCIAL ASSISTANCE FOR CONSTRUCTION OF
SIDEWALK FOR FAMILY DOLLAR STORE**

WHEREAS, The City of Isanti ("City") Mille Lacs Oil Inc has contacted the City of Isanti and indicated that the Family Dollar Store was strongly considering withdrawing its project from Isanti due to the costs associated with the construction of a sidewalk on Lot 1, Block 1, Anlauf Commercial Park; and,

WHEREAS, The City of Isanti has received an estimate for assessed value of approximately \$530,000 from the County Assessor which would result in approximately \$22,000 in annual property taxes upon completion of the proposed Family Dollar Store project; and,

WHEREAS, Family Dollar store has stated that 8-10 jobs will be created at the Isanti location as a result of this project which could give Isanti residents the opportunity for employment; and

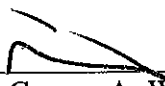
WHEREAS, The City of Isanti has determined that if financial assistance is not provided to this project it is very likely that this project would not occur in Isanti; and

WHEREAS, The City of Isanti and Mille Lacs Oil Inc have come to an agreement to split the cost of \$5,205.00 based on the City engineers estimate of the sidewalk cost and to escrow this amount to be reimbursed to Family Dollar Store upon proof of qualified expenditures and this agreement has been drafted and by City Attorney Joslin and attached hereto.


NOW, THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Isanti, Minnesota authorize the Mayor and City Clerk/City Administrator to execute the attached agreement hereto.

This Resolution hereby approved by the Isanti City Council this 1st day of July 2014.

Attest:

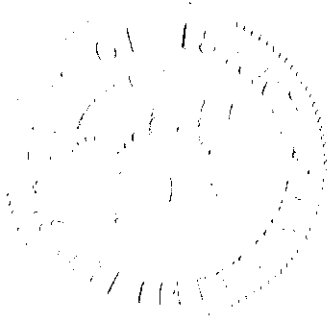


Mayor George A. Wimmer



Donald C. Loring
City Administrator/ City Clerk

(SEAL)



AGREEMENT FOR CONTRIBUTION TOWARD COST OF SIDEWALK INSTALLATION

This Agreement dated as of the ____ day of July, 2014 by and between Mille Lacs Oil Company, a Minnesota corporation (hereinafter "Mille Lacs") and the City of Isanti, a Minnesota municipal corporation (hereinafter "City").

WHEREAS, Mille Lacs, as owner of that certain unimproved commercial building lot located in the City of Isanti, commonly known as 391 Cherrywood Street NE and legally described as Lot 1, Block 1, Anlauf Commercial Park, Isanti County, Minnesota, has pending a sale of said lot to Family Dollar; and

WHEREAS, it is the mutual understanding of Mille Lacs and City that upon completion of the purchase of said lot from Mille Lacs, Family Dollar intends to construct a Family Dollar general merchandise retail store upon said premises in accordance with a site plan to be prepared by Family Dollar and submitted to the City for review and approval; and

WHEREAS, City has determined that construction of a public sidewalk within the public street right of way abutting the subject site, according to the plans and specifications to be approved by the City Engineer. The site plan depicting the location of the sidewalk is attached hereto and made a part hereof as Exhibit "A"; and

WHEREAS, Family Dollar has informed Mille Lacs and the City that it will not agree to pay the necessary costs attributable to construction of the sidewalk as so required unless reimbursed for such costs as provided herein; and

WHEREAS Mille Lacs will benefit by sale of the lot as proposed by Family Dollar, and City deems development of the lot thereby enhancing the City's property tax base and creation of additional job opportunities within the community to be a substantial economic development benefit to the City; and

WHEREAS, City's Engineer has estimated the cost of the subject sidewalk to be as follows:

1. Total length if sidewalk=Lot dimension 214 feet-36 feet for driveway=178 feet of sidewalk.
 2. Total sidewalk square footage=178 feet x 5 feet wide=890 sf. (sidewalk to be 4 inches thick)
 3. Total estimated cost 890 sf of sidewalk @\$4.50 per sf=\$4,005.00
- | | |
|--|--------------|
| <u>Truncated domes 2 @ \$600 each=\$1,200.00</u> | |
| Total estimated cost | = \$5,205.00 |

WHEREAS the City Council of the City of Isanti has determined this agreement to be in the best interests of the City and has approved the execution of this Agreement in behalf of the City pursuant to Resolution No. 2014-____ approved at its regular City Council meeting held July 1, 2014;

NOW, THEREFORE, Mille Lacs and City do hereby agree as follows:

1. Mille Lacs and City shall each contribute the sum of \$2,602.50, each said share constituting one-half of the City Engineer's estimated cost of the subject sidewalk, to be deposited in escrow

to be held and accounted for by City pending construction of said sidewalk to the satisfaction of the City Engineer, according to the plans and specifications attached hereto as Exhibit "A" and made a part hereof.

2. The site plan to be submitted by Family Dollar for improvement of the subject property shall include the subject sidewalk, to be constructed in accordance with the plans and specifications set forth in Exhibit "A" attached hereto and made a part hereof.

3. Family Dollar shall be in charge of arrangements for the construction of the subject sidewalk in accordance with the said plans and specifications as set forth in Exhibit "A" attached hereto and made a part hereof, and shall be responsible for payment of all costs of construction thereof. Upon completion of the construction of said sidewalk to the satisfaction of the City Engineer, Family Dollar shall provide City and Mille Lacs with documentation of its costs for construction of the subject sidewalk, and so much of the escrowed funds as necessary to reimburse Family Dollar for its actual costs of construction of the subject sidewalk shall be released to Family Dollar. The surplus, if any, of said escrow remaining after reimbursement to Family Dollar shall be released one-half to Mille Lacs and one-half to the City. Neither Mille Lacs nor City shall be responsible to pay any additional funds to Family Dollar in case the costs of construction of the subject sidewalk should exceed the total sum of \$5,205.00 as estimated by the City Engineer; such excess, if any, shall be the sole responsibility of Family Dollar.

4. In the event that for any reason Family Dollar shall fail to complete construction of the subject sidewalk to the satisfaction of the City Engineer within such reasonable time frame as the City Engineer shall deem appropriate, following notice of demand for completion from the City Engineer, the City may cause said sidewalk to be so completed and any and all costs necessary to so complete said sidewalk shall be deducted from the escrow, with the balance of said escrow, if any, released to Family Dollar to reimburse it for any actual costs contributed by it toward completion of said sidewalk. The surplus of said escrow thereafter remaining, if any, shall be released one-half to Mille Lacs and one-half to the City.

In witness whereof the parties have hereunto set their hands as of the ____ day of July, 2014.

Approved:

Mille Lacs Oil Company

Family Dollar

By: _____
Maria F. Olson, Its CFO

By: _____

Its: _____

City of Isanti

By: _____
George Wimmer, Its Mayor

By: _____
Donald Lorsung, Its City Administrator

Exhibit A

Attach Site Plan here