

PLANNING COMMISSION

APRIL 10, 2023

6:30 O'CLOCK P.M.

1. Call to Order
2. Minutes of the Previous Meeting – March 13, 2023
3. Public Hearings – CUP for a Fence - Carlson
4. Parking Study Memo
5. RFP for Cemetery land in SW Kasson
6. Other
7. Adjourn

MINUTES OF PLANNING COMMISSION MEETING

March 13, 2023

Pursuant to due call and notice thereof, a regular Planning Commission meeting was held at City Hall on the 13th day of March, 2023 at 6:30 PM

THE FOLLOWING WERE PRESENT: Chairman Ferris, Commissioner Buckingham, Commissioner Fitch, Commissioner Hanson, Commissioner Egler, Commissioner Tinsley and Commissioner Johnson

THE FOLLOWING WERE ABSENT: None

THE FOLLOWING WERE ALSO PRESENT: City Clerk Linda Rappe, Ian Albers, Planning/EDA Assistant, Brad Scheib – HKGi, City Administrator, John Buckingham, Gordy Simanton from Solar Stone, James Foote, Dean Schuette, Lois and Leon Cunningham, Cassie Kruger

CALL TO ORDER AT 6:30PM

SWEAR IN NEW MEMBER – City Clerk Rappe swore in New Planning Commissioner Brandon Buckingham.

MINUTES OF THE PREVIOUS MEETING – February 13, 2023 **Motion to Approve made by Commissioner Tinsley, second by Commissioner Fitch with All Voting Aye**

PUBLIC HEARINGS – Kwik Trip Electronic Sign – Planning/EDA Asst. Ian Albers gave the background on the electronic message sign for the new Kwik Trip on N Mantorville avenue. Mr. Albers went through the findings of fact. – Chairman Ferris asked how far the residential homes to the north are from the sign. Mr. Scheib stated well over 100 feet.

Public Hearing Opened

No comments

Public Hearing Closed

Motion to recommend approval made by Commissioner Egler, second by Commissioner Buckingham with All Voting Aye.

DISCUSSION ON AN INQUIRY FOR ANNEXATION – Mr. Albers stated that there is a proposal to annex property for a solar farm. The parcel is 77 acres and 5 acres are for the solar farm. This is in our urban expansion area but not in our orderly annexation area.

Mr. Scheib stated that the orderly annexation agreement would need to be amended. The comp plan and zoning ordinance would have to be amended. This is just a discussion there has been no formal application. Chairman Ferris asked what the balance of the land may be used for. Commissioner Fitch is concerned with access he would like to see more of a general development plan. Gordy Simanton from Solar Stone stated that the land is owned by Jessup DeCook who could not attend tonight's meeting. Mr. Simanton is under the impression that the balance of the land would be residential. Commissioner Johnson asked about the electric service, Mr. Simanton stated that this would served by Xcel unless we made a land swap or bought out that territory, Xcel would get the power.

Mr. Schieb stated that there are a lot of topics that we need to understand, the key system impacts, how does our code address solar developments, it does not. The Comp plan would have to be updated. And what does this mean for our public utility.

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REZONING WITHIN THE URBAN EXPANSION DISTRICT FOR LC TRUCKING

RELOCATION – Mr. Albers stated that LC Trucking is looking at relocating to the intersection of

County Road 15 and 34. LC Trucking has made application to the County for a rezone. This is in our urban expansion zone so the County will look at the City's recommendation on the rezone. This is a location that is planned for an interchange and this would be a very fitting use for this area. Commissioner Egger is in favor of recommending moving forward with a positive recommendation. This fits in the area. Chairman Ferris stated that this has reasonable access to Hwy 14. Commissioner Fitch asked Mr. Cunningham about accesses one or two. Mr. Cunningham stated that he would only need one. **Motion to recommend approval of the rezone made by Commissioner Egger, second by Commissioner Fitch with All Voting Aye.**

OTHER – Nothing

ADJOURN – 7:00pm

Respectfully Submitted,

Linda Rappe, City Clerk



City of Kasson
401 Fifth Street S.E.
Kasson, MN 55944-2204
507.634.7071
(Fax) 507.634.4737
www.cityofkasson.com

Land Use Application – Cover Sheet

Application Type (Check All that Apply)

- | | |
|---|--|
| <input type="checkbox"/> Site Plan Review (§ 154.066)
<input checked="" type="checkbox"/> Conditional Use Permit (§ 154.067)
<input type="checkbox"/> Variance (§ 154.068)
<input type="checkbox"/> Zoning Amendment (§ 154.069)
<input type="checkbox"/> Establishment of a Planned Unit Development (PUD) (§ 154.070) | <input type="checkbox"/> Minor Subdivision (§ 153.050-054)
<input type="checkbox"/> Concept Plan (§ 153.065-067)
<input type="checkbox"/> Preliminary Plat (§ 153.080-085)
<input type="checkbox"/> Final Plat (§ 153.095-098)
<input type="checkbox"/> Subdivision Variance (§ 153.110-114) |
|---|--|

Application Information

Date Submitted 03/22/2023		Planning Case Number (City will fill out)	
Property Address 804 3rd St SE Kasson, MN 55944		PID #	
Applicant Isabella Carlson	Phone # (651) 212-3760 Email isabellagladinata@gmail.com	Address 804 3rd St SE Kasson, MN 55944	
Property Owner Isabella Carlson Travis Carlson	Phone # (651) 212-3760 Email travis19@gmail.com isabellagladinata@gmail.com	Address 804 3rd St SE Kasson, MN 55944	
Engineer/Architect N/A	Phone # N/A Email N/A	Address N/A	
Use of Property Current: Proposed: Fence to property line on west and east of property	Land Use Designation Current: Residential Proposed: N/A	Zoning District Current: Lindon Manor Block 5, Plot 3 Proposed: N/A	
<small>Application must be signed by all owners of the subject property</small>			
Signature of Property Owner(s) Isabella Carlson <i>[Signature]</i>		Date 03/22/2023 03/22/2023	
<small>The undersigned applicant hereby represents upon all of the penalties of law that all statements herein are true and that all work herein mentioned will be done in accordance with the ordinances of the City of Kasson, the State of Minnesota, and any other applicable laws and regulations</small>			
Signature of Applicant Isabella Carlson <i>[Signature]</i>		Date 03/22/2023 03/23/2023	

FOR CITY OFFICE USE ONLY

City Zoning Office Tracking

Planning Case #: _____

<input type="checkbox"/>	Date Submitted	
<input type="checkbox"/>	Completeness Review Deadline (15 business days after submittal)	
<input type="checkbox"/>	60-Day Review Deadline	
<input type="checkbox"/>	60-Day Extension Notice – New Deadline	
<input type="checkbox"/>	120-Day Review Deadline (Preliminary Plat Only)	
<input type="checkbox"/>	Application Distributed for Technical Review	
<input type="checkbox"/>	Public Hearing notice published	
<input type="checkbox"/>	Public Hearing notice mailed	
<input type="checkbox"/>	Technical Review Complete	
<input type="checkbox"/>	Public Hearing Date	
<input type="checkbox"/>	Planning and Zoning Commission Meeting Date	
<input type="checkbox"/>	City Council Meeting Date	
<input type="checkbox"/>	Applicant notified of Decision (in writing)	
<input type="checkbox"/>	Decision recorded with County (Applicant responsible)	

Application was _____ APPROVED / _____ DENIED _____ (circle one)

by _____ ZONING ADMINISTRATOR / _____ CITY COUNCIL _____ (circle one) on _____ (Date)

Related Resolution: _____ Res # _____

Related Ordinance: _____ Ord # _____



City of Kasson
401 Fifth Street S.E.
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Conditional Use Permit Application – Supplemental Information

This form provides information related to the procedures and requirements for a Conditional Use Permit (CUP) Application with the City of Kasson. For full information on CUPs, please refer to § 154.067 of the City Code.

Date Submitted: 03/22/2023

Planning Case Number: _____
(City will fill out)

Pre-Application Meeting Date: 03/17/2023

A pre-application meeting with the City of Kasson Zoning Administrator pursuant to § 154.065(D) is required prior to submitting a CUP application.

Criteria for a Complete Submittal:

Submit one (1) printed Full-Size copy, one (1) printed 8 ½ X 11 copy, and one (1) digital (PDF or Similar) copy to the Zoning Administrator of the following:

<input type="checkbox"/>	Completed Application Form
<input type="checkbox"/>	Accurate Boundary Description
<input type="checkbox"/>	Evidence of ownership or enforceable option on the property
<input type="checkbox"/>	A development plan of the property drawn to scale showing the existing or proposed buildings, streets, access roads, driveways, parking spaces and signs
<input type="checkbox"/>	Landscaping and screening plans
<input type="checkbox"/>	Any submittal materials pertaining to a Site Plan Review, as may be required at the discretion of the Zoning Administrator <i>Attach a Site Plan Review Application Supplemental Information form to this application</i>
<input type="checkbox"/>	Any additional information deemed necessary by the Zoning Administrator to determine the suitability of the particular site for the proposed use

Conditional Use Information:

Zoning District: Lindon Manor, Block 5 Plot 3

Proposed Use: Fence to property line on West and East of property

Use-Specific Standards (Section Number): _____

Use-Specific Standards (List or Attach): _____

Criteria for Review:

In making the determination, whether or not the conditional use is to be allowed, the City Council shall consider:

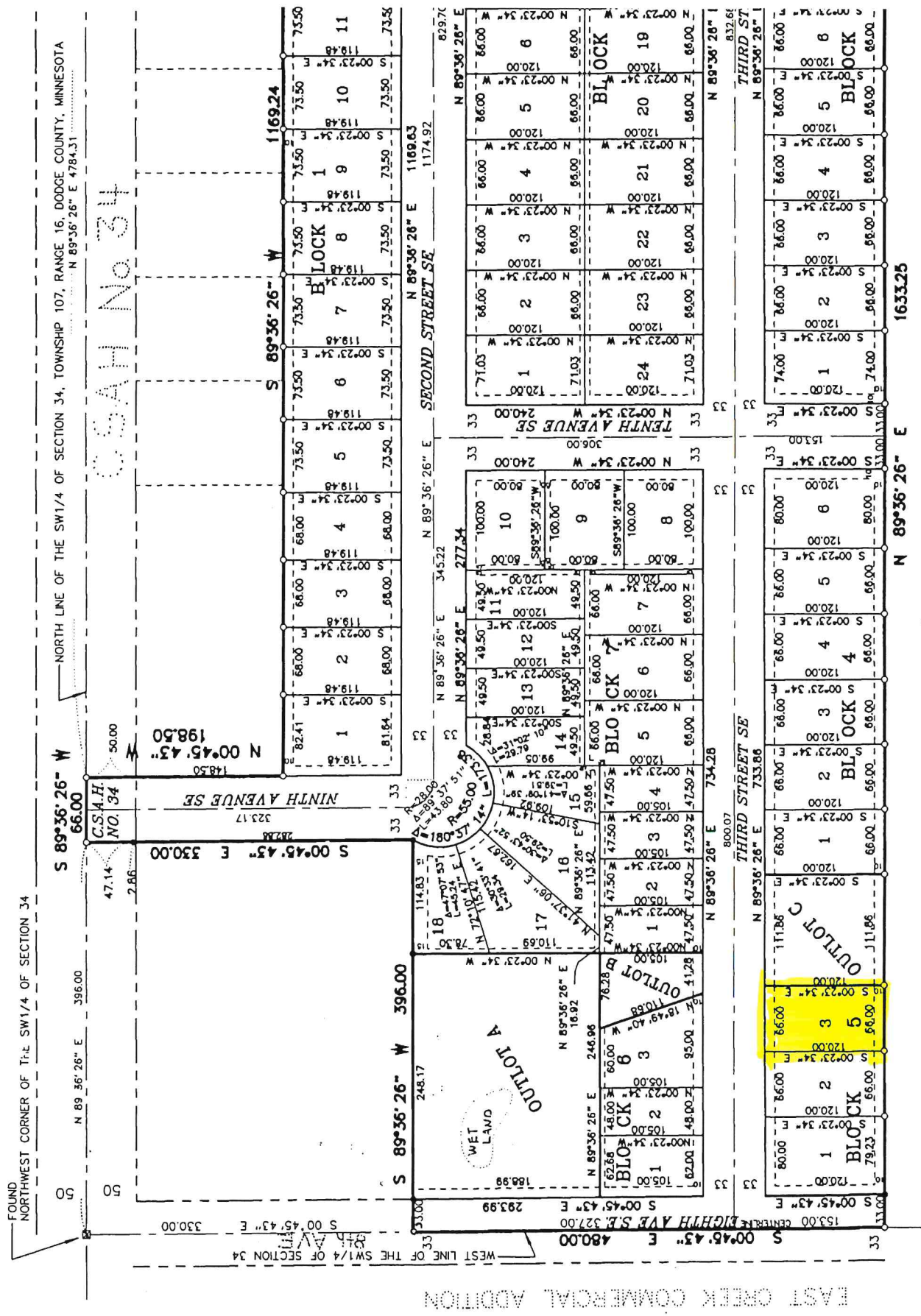
- *The effects of the proposed use on the Comprehensive Plan; and*
- *The effects of the proposed use upon the health, safety and general welfare of occupants of surrounding lands.*

Among other things, the City Council shall make the following findings where applicable:

- *The proposed conditional use meets all of the applicable use-specific standards listed within Sections 154.175 through 154.257 of Chapter 154 Zoning of the City Code.*
- *The use is not in conflict with the Comprehensive Plan of the City.*
- *The use is consistent with the purpose of Chapter 154 Zoning of the City Code and the purposes of the zoning district in which the applicant intends to locate the proposed use.*
- *The use will not cause traffic hazards and the traffic generated by the proposed use can be safely accommodated on existing or planned street systems; and the existing public roads providing access to the site will not need to be upgraded or improved by the City in order to handle the additional traffic generated by the use.*
- *Adequate measures have been taken or are proposed to prevent or control offensive odor, fumes, dust, noise, vibration or lighting which would otherwise disturb the use of neighboring property.*
- *Adequate utilities, parking, drainage and other necessary facilities will be provided.*
- *The proposed use will not impede the normal and orderly development or improvements of the surrounding property.*
- *The proposed use will not be injurious to the use and enjoyment of other property in the neighborhood and will not significantly diminish or impair the values of the property.*
- *The use will not disrupt the character of the neighborhood.*
- *The structure and site shall have an appearance that will not have an adverse effect upon adjacent residential properties.*

Additional conditions. *In permitting a new conditional use or in the amendment of an existing conditional use, the City may impose, in addition to the standards and requirements expressly specified by Chapter 154 Zoning of the City Code, additional conditions which the City considers necessary to protect the best interest of the surrounding area or the community as a whole. These conditions may include, but are not limited to, the following:*

- *Increasing the required yard setback dimension;*
- *Limiting the height, size or location of the buildings;*
- *Controlling the location and number of vehicle access points;*
- *Increasing the street width;*
- *Increasing the number of required off-street parking spaces;*
- *Limiting the number, size, location or lighting of signs;*
- *Requiring diking, fencing, screening, berming, landscaping or other facilities to protect adjacent or nearby property;*
- *Designating sites for open space; and*
- *Limiting the hours of operation.*



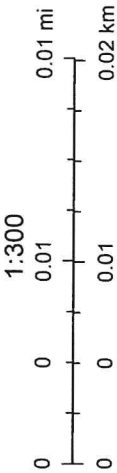


March 22, 2023

PIN

Name

Parcels



STAFF REPORT

TO: Planning Commission
FROM: Ian Albers, Community Development Assistant
Ali Abdi, Intern
DATE: March 22, 2023
SUBJECT: Carlson CUP for fence
APPLICANT: Isabella Carlson
OWNER: Isabella Carlson and Travis Carlson
LOCATION: 804 3rd St SE
MEETING DATE: **April 10, 2023**
COMPREHENSIVE PLAN: Low Density Residential
ZONING: R-1 Single Family Residential

BACKGROUND

The applicant, Isabella Carlson, has applied for a conditional use permit to place a fence on the west and east side property lines at her property at 804 3rd St SE. The proposed fence would connect to an existing fence on the west belonging to the neighbor, who has provided a letter of support for this proposal. A fence would also be constructed parallel to the rear property line, though this section would be at least 3 feet in from the property line. The proposed fence would then extend along the east side property line, which bounds land owned by the City of Kasson. A conditional use permit is required to allow the fence to be placed closer than 3 feet from the property line.

REVIEW PROCEDURE

60-Day Land Use Application Review Process

Pursuant to Minnesota State Statutes Section 15.99, local government agencies are required to approve or deny land use requests within 60 days. Within the 60-day period, an automatic extension of no more than 60 days can be obtained by providing the applicant written notice containing the reason for the extension and specifying how much additional time is needed. For the purpose of Minnesota Statutes Section 15.99, "Day 1" for the conditional use permit application was determined to be March 22, 2023. The City's deadline for action is on May 21, 2023.

Public Hearing

City Code § 154.312(B)(3) requires a public hearing for review of a conditional use permit to be held by the Planning and Zoning Commission. The public hearing notice for the CUP was published in the Dodge County Independent and mailed to all affected property owners located within 350 feet of the subject properties.

APPLICATION REVIEW

Existing Site Character

See attached pictures.

Conditional Use Permit Review

As described in Section 154.067(D)(4), the following should be considered during review of a conditional use permit application:

- (1) The effects of the proposed use on the comprehensive plan; and
- (2) The effects of the proposed use upon the health, safety and general welfare of occupants of surrounding lands.

Additionally, the following findings should be made, when applicable:

- (1) The proposed conditional use meets all of the applicable use specific standards listed within § 154.175 to 154.178;
- (2) The use is not in conflict with the comprehensive plan of the city;
- (3) The use is consistent with the purpose of this chapter and the purposes of the zoning district in which the applicant intends to locate the proposed use;
- (4) The use will not cause traffic hazards and the traffic generated by the proposed use can be safely accommodated on existing or planned street systems; and the existing public roads providing access to the site will not need to be upgraded by the city in order to handle additional traffic generated by the use;
- (5) Adequate measures have been taken or are proposed to prevent or control offensive odor, fumes, dust, noise, vibration or lighting which would otherwise disturb the use of the neighboring property;
- (6) Adequate utilities, parking, drainage and other necessary facilities will be provided;
- (7) The proposed use will not impede the normal and orderly development or improvements of the surrounding property;
- (8) The proposed use will not be injurious to the use and enjoyment of other property in the neighborhood and will not significantly diminish or impair the values of the property;
- (9) The use will not disrupt the character of the neighborhood; and
- (10) The structure and site shall have an appearance that will not have an adverse effect upon adjacent residential properties.

RECOMMENDATION

Staff recommends to the Planning Commission to approve the application for a CUP to allow a fence on the west and east side property lines, with the following conditions:

- (1) An access agreement shall be notarized and recorded with the property owners to the west and east so that the fence can be placed on the property line.
- (2) The property owner at 804 3rd St SE acknowledges that this fence is in a utility easement and can be dismantled at owner's expense if this easement is utilized.

In recommending approval of the conditional use permit, staff offers the following findings of fact:

- (1) The neighbor to the west has provided a letter of support for this proposal;
- (2) The City of Kasson is the owner of the property to the east;
- (3) The proposed fence would be at least 3 feet in from the rear property line; and
- (4) The property has a 10 foot utility easement along the south border in its entirety.

Site photos - Carlson CUP for fence



SE corner facing west



NW corner facing south



SE corner facing north

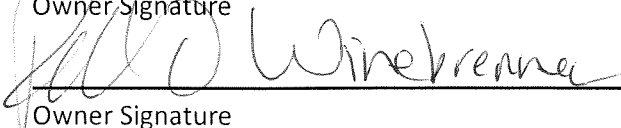
Neighbor with Existing Fence's Information:

Name: CHAD & RANDI WINEBRENNER
Address: 802 3RD ST SE
City/State/ZIP: KASSON MN 55944
Phone Number: 612-237-6316

I, CHAD & RANDI WINEBRENNER, give permission to my neighbor
Travis and Isabella Carlson who resides at
804 3rd St SE Kasson, MN 55944 to connect his/her fence to my
fence at 802 3rd St SE Kasson MN 55944.


Owner Signature

4/1/2023
Date


Owner Signature

4/1/2023
Date

Ian Albers

From: Don <dlmarti2@kmtel.com>
Sent: Wednesday, April 5, 2023 3:56 PM
To: Ian Albers
Cc: dlmarti2@kmtel.com
Subject: Isabella Carlson's request for CUP

Hi Ian, I am fine with the Carlson's request for a fence. I just want to be on record for suggesting to locate the corner pins for the lot or having a survey done if the pins can't be located. I have had to deal with fences being placed on my property in the past and do not want to have that happen again. I am sending this email to have for my records, and voiced at the meeting Monday evening, as I will not be able to attend. Thanks, Don Marti.

MEMO

TO: The Planning Commission
FROM: Ian Albers, Community Development Assistant
DATE: April 10, 2023
RE: Downtown Parking Study

A parking study has been proposed to be conducted in downtown Kasson during the summer of 2023. The purpose of this parking study is to gather data on parking utilization at various times and locations, with the ultimate goal of informing a plan to improve safety.

Support for the proposed parking study is drawn from input provided by Kasson residents during the survey conducted by Rethos in the spring of 2022. Many respondents of that survey had generally negative opinions regarding their experience downtown, and these were largely motivated by concerns with parking and safety. Taking the survey results into account, Rethos recommended that a parking study be conducted.

With the planned improvements to Hwy 57, some disruption is expected to occur on Main St during the construction period. The parking study would not begin until after construction is completed, as waiting for this would yield more accurate results.

The areas of downtown that to be included in the study may include street parking on Main St between 2nd Ave NE and 5th Ave NW, street parking within 1-block of Main St on north/south avenues, and off-street parking lots in downtown (Anytime Fitness, Hy-Vee, Kasson Liquor, Mayo Family Clinic, etc). The number of vehicles parked would be recorded at various times of the day for a number of times until a sufficient data sample is reached.

This proposal is in accordance with one of the priorities set by the EDA for 2023, which is to create a plan for downtown and the EDA lots on Main St. Specific actions attached to this priority include identifying potential sites and needs for off-street parking and exploring options for beautification and improved safety.

After the conclusion of the parking study, a plan could be proposed that would take the results into account. This plan may include changing the angled parking on Main St to parallel parking, adding curb bump outs at Main St intersections, or implementing a parking lot between 2nd Ave SW and 3rd Ave SW. There are many options available to improve the downtown experience, and this parking study would be an important step in moving forward.

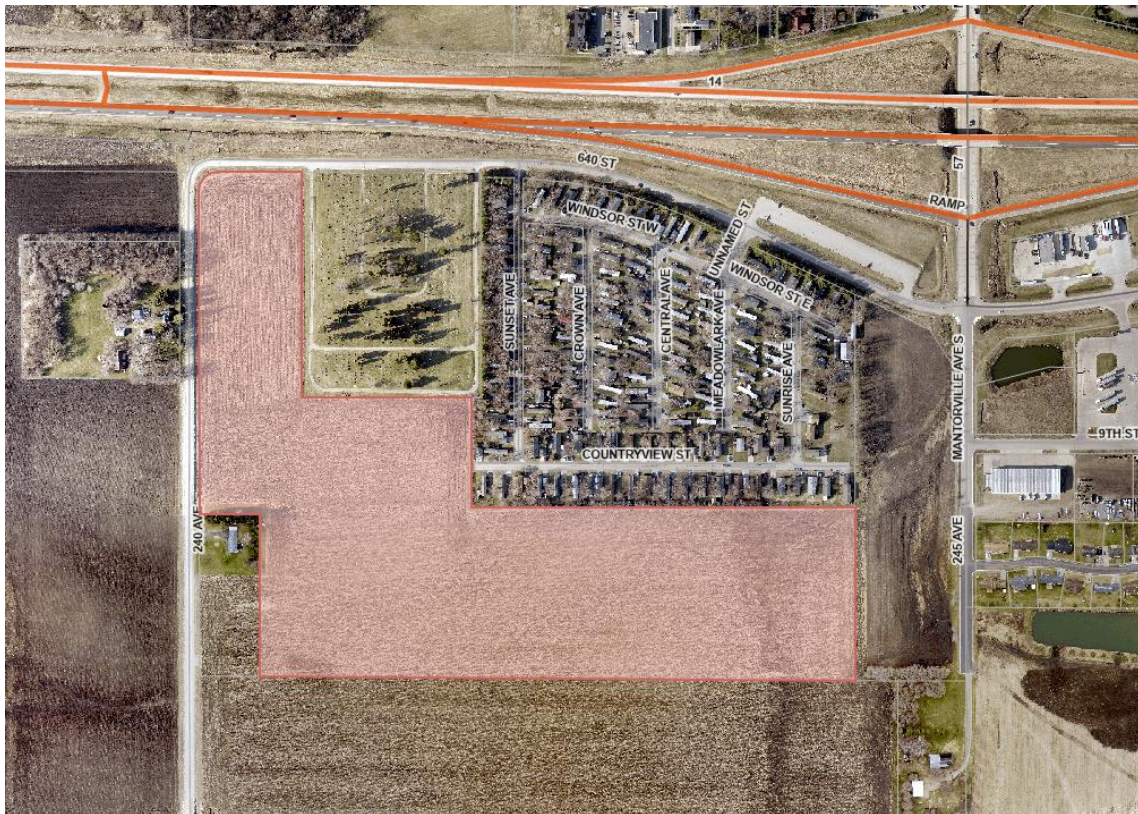
REQUEST FOR PROPOSALS
Development of City-Owned Property
Kasson Crossing

SECTION 1 PROJECT SUMMARY

The City of Kasson ("City") is seeking development proposals ("Proposals") from qualified firms, developers, purchasers, and builders ("Developers") for the opportunity to purchase and develop City-owned property ("Property"). The intended outcome of this Request for Proposals ("RFP") process is the creation of a development/purchase agreement ("Agreement") that will establish terms and conditions, and further define the scope, design, overall use, and development of the Property.

PROPERTY DESCRIPTION

The Property is approximately 44 acres in SW Kasson, identified as Parcel ID 24.004.1300. Currently, the property is zoned D-H Development Holding. The surrounding property to the east, south, and west is agricultural land within Canisteo Township. The property to the north consists of a manufactured home community and Maple Grove Cemetery. Nearby, Hwy 14 and Hwy 57 provide convenient access to the region and beyond.



DEVELOPMENT VISION

The vision for the property's development is a combination of light industrial, housing, commercial, and parkland. Rezoning from D-H Development Holding will be required before development occurs. The City may accept other uses beneficial to and in harmony with the neighborhood.

ASKING PRICE

The price will be based on the market value of the parcel. Price is negotiable after the submission period of the RFP is over and dependent on the end purpose served by the proposed development.

SECTION 2 GENERAL CONDITIONS

The City reserves the right to request any and all additional information from proposers during and after the RFP period. After the RFP period is over, the City will negotiate with proposer(s) the details of a purchase agreement, and as applicable, development, subsidy, and/or other agreements. These negotiations may cover information not contained in the original proposal or this RFP. The City intends to employ a City-option buy-back clause in the purchase agreement, should the Developer not meet the terms of the development, subsidy, and/or other agreement(s).

The City also reserves the right to reject all proposals, select any proposal, and/or negotiate with the proposer(s) it selects to develop a purchase agreement and (if applicable) development, subsidy, and/or other agreement(s).

SECTION 3 LICENSE TO INSPECT

During the RFP period, Developers and their employees, agents, or representatives, shall have the right of reasonable access to the property during normal business hours for the purposes of inspection, undertaking any necessary soils tests, and otherwise conducting due diligence to ensure that the Property is suitable for Developer's intended use. Developers should coordinate with the City for access to the property.

Notwithstanding anything else in this RFP, Developer shall defend, indemnify, and hold the City, its employees, officers, and agents, harmless from any injury, property damage, or liability arising out of the exercise by Developer of this access license, other than injury, property damage, or liability relating to the gross negligence or willful misconduct of the City or its officers, agents, or employees.

SECTION 4 PROPOSAL REQUIREMENTS

QUESTIONS

Proposals must respond to the following questions in order to be considered by the City:

1. Description of the Developer's proposed project:
 - a. Size in acres and/or square feet of building space
 - b. Type of use(s) planned (e.g., commercial, industrial, business park, or a mixed-use combination)
 - c. Conceptual designs if available
2. Description of the Developer's experience developing the proposed type of project and/or operating the proposed use:
 - a. Name and location of project(s)
 - b. Description of project(s)
 - c. Completion date of project(s)
 - d. Experience in dealing with private development
3. Explanation of the Developer's organization and a list of other partners and their roles (if any).
4. The proposed general timeframe for the development of the Developer's proposed project. If multiple components or phases are planned, a list of all.
5. Description of the benefit(s) your proposed project could bring to the City including but not limited to:
 - a. Projected property tax revenues from the project.
 - b. Any anticipated incentives (forgivable loans, reduced purchase price, tax abatements, tax credits, or grants) necessary to complete the project.
 - c. Projected sales tax and other revenues from the project (if applicable)
 - d. Projected number of direct jobs (if applicable)
 - e. Projected number of housing units (if applicable).
 - f. Rent levels if applicable
 - g. Property sale amount if applicable
 - h. Served demographics of the community
 - i. Other benefits to the City

SECTION 5 TIMELINE

The timeline may be extended if no viable proposals are received or if other information is deemed necessary to fully evaluate the proposals.

Release Request for Proposals..... April 28, 2023
Deadline for Proposal Submissions4:30 PM, May 19, 2023
Preliminary presentations to City Council..... May 24, 2023
Public Hearing and Consideration of Development Agreement June 28, 2023

SECTION 6 DEVELOPER'S RESPONSIBILITIES

Following Developer selection and execution of an agreement, Developer shall proceed with detailed due diligence, pre-development, and other activities while working with City to negotiate an Agreement, including the purchase and sale of the property.

PRE-DEVELOPMENT COSTS

The selected Developer shall bear all pre-development costs relating to this project. All fees and expenses of engineers, architects, financial consultants, attorneys, planning or other consultants or contractors retained by Developer for any study, analysis, evaluation, report, schedule, estimate, environmental review, surveys, planning and/or design activities, drawings, specifications or other activity or matter relating to the project shall be the sole responsibility of and undertaken at the sole cost and expense of Developer.

DEPOSIT

The selected Developer shall reimburse the City for the actual out-of-pocket costs and expenses incurred in the event the developer does not proceed as proposed. A non-refundable deposit of \$5,000 will be required within seven (7) days of being notified of selection and shall be applied to the purchase price at closing. This deposit excludes any potential deposit or cost requirements for tax abatement or tax increment financing.

LEGISLATIVE ACTION

City and Developer acknowledge that the City must exercise its independent legislative authority in making any and all findings and determinations required of it by law concerning the Property. Developer selection does not restrict the legislative authority of the City in any manner whatsoever and does not obligate the City to enter into the Agreement.

CONSTRUCTION

The Developer shall be responsible for demolition, construction, and commissioning of the project including obtaining all permits, fees, and approvals necessary for the construction of the project.

SECTION 7 PROPOSAL INSTRUCTIONS

Developers should provide a complete, concise, and professional response to this RFP, addressing the reasons why the proposal is the highest use of the property for the City, and showcasing the developer's experience and commitment to the proposed project. Proposals must demonstrate that the approach, design, and financing plan for the project will allow for successful development and delivery.

The following minimum information should be provided in each proposal and will be used to evaluate each proposal submitted. To expedite the evaluation of proposals, it is recommended submittals should be no more than twenty (20) pages. Proposals should include the following items:

- Proposal Cover Sheet
- Completion of Questions 1-5 in Section 4 above. Please answer in a format that is easy to follow related to the questions asked.
- Proposed offer price to purchase the property.

The City will not be liable for any expenses incurred by Developers responding to this solicitation. All material submitted will be kept by the City.

The City reserves the right to retain all proposals submitted and to use any ideas in a proposal, regardless of whether that proposal is selected. Submission of a proposal indicates acceptance by the proposing Developer of the conditions contained in this Request for Proposals, unless clearly and specifically noted.

The City is not liable for any costs incurred by the Developers in preparing and submitting proposals.

SECTION 8 SELECTION PROCESS

CRITERIA

The City will review each proposal to determine which proposal as a whole will most closely meet the City's goals and provide the highest value for the property. Criteria for review include, but are not limited to:

- The purchase price of the property.
- Short term tax impact.
- Long term tax impact.
- Environmental impact.
- Impact on housing needs (if applicable).
- Creation or maintenance of jobs (if applicable).
- Developer history.

SECTION 9 PROJECT INDEMNIFICATION

Developer shall indemnify, defend, and hold the City, their officers, agents, and employees harmless from any and all claims, damages, losses, causes of action, and demands, including, without limitation, the payment of all consequential damages, expert witness fees, reasonable attorney's fees, and other related costs and expenses, incurred in connection with or in any manner arising out of Developer's performance of the work contemplated by this RFP.

Submitting a response to this RFP signifies that the Developer is not covered under the City's general liability insurance, employee benefits, or worker's compensation. Developer's obligation to indemnify shall survive expiration or termination of this RFP and shall not be restricted to insurance proceeds, if any, received by the City, and their officers, agents, and employees.

Developer shall defend, with counsel of City's choosing and at Developer's own cost, expense and risk, any and all claims, suits, actions or other proceedings of every kind that may be brought or instituted against City, and their officers, agents, and employees as a result of any work contemplated by a response to this RFP. Developer shall pay and satisfy any judgment, award, or decree that may be rendered against City, and their officers, agents, and employees as part of any such claim, suit, action, or other proceedings. Developer shall also reimburse City for the cost of any settlement paid by City, and their officers, agents, and employees as part of any such claim, suit, action, or other proceedings. Such reimbursement shall include payment for City's attorney's fees and costs, including expert witness fees. Developer shall reimburse City, and their officers, agents, and employees for any and all legal expenses and costs incurred by each of them in connection therewith or in enforcing the indemnity herein provided.

SECTION 10 RFP ADDENDA

The City may determine it is necessary to revise any part of this RFP. Revisions will be made by written addenda and it is the Developer's responsibility to understand and comply with any addenda to this solicitation. Addenda shall be posted at <https://cityofkasson.com/> and vendors may use the contact information below if they have any further questions:

City of Kasson, MN

Attn: Ian Albers, Community Development Assistant
401 5th SE
Kasson, MN 55944

Email: eda@cityofkasson.com

Phone: 507.634.6328

