



### ***City Council Memorandum***

**To:** Mayor Fasbender & City Council Members  
**From:** Ryan Stempski – Public Works Director  
**Date:** September 3, 2024  
**Item:** Water Service Repair Assessment Request – 527 Tiffany Drive

#### **COUNCIL ACTION REQUESTED**

Jacob Van Meeteren is requesting the costs associated with a water service line repair at 527 Tiffany Drive be assessed to the afore mentioned property. The City of Hastings will pay for the repairs upfront, with all costs being reimbursed through the tax assessment process. The overall cost of the work in this case was \$8,000.00.

#### **BACKGROUND INFORMATION**

The property owner (Jacob Van Meeteren) observed water leaking in his yard and contacted public works to investigate the issue. The problem was determined to be in the private water service line. The property owner and their contractor determined that the service line required excavation and replacement to repair the leak. All work was completed on August 6, 2024.

#### **ATTACHMENTS**

- Invoice for Work Completed
- Resident Request for Financing
- Data Practices Compliance Acknowledgement
- Assessment Agreement



**Bauer Services of Welch, LLC**

**Aaron Bauer**  
**26469 130th Ave**  
**Welch, MN 55089**  
**651-246-9153**  
**bauerservices@hotmail.com**

DATE: August 6, 2024  
FOR: Van Meeteren  
INVOICE # 08062024-6155

Jake Van Meeteren  
527 Tiffany Drive  
Hastings, MN 55033

City of Hastings  
Attn: Joe Spagnoletti  
1225 Progress Drive  
Hastings, MN 55033  
jspagnoletti@hastingsmn.gov

*DESCRIPTION* *AMOUNT*

Water Service Replacement @ 527 Tiffany Drive Hastings, MN

- ~ Temporary water hookup
- ~ Locates
- ~ Permit
- ~ Materials
- ~ Labor

**Total Due** **\$8,000.00**

**Thank you for your business!**

Please make check payable to Bauer Services.  
Please feel free to contact Aaron Bauer with any questions regarding this invoice  
at 651-246-9153 or at bauerservices@hotmail.com.

Jacob Van Meeteren  
527 Tiffany Drive  
Hastings, MN 55033

8-5-2024

I am requesting to add \$8,000<sup>00</sup> to my property taxes for a waterline repair at above address. Bauer Services to make the repair. The \$8,000.00 to be on a Payment Plan over 5 years.

Jacob Van Meeteren  
651-707-2429

**City of Hastings  
Acknowledgment of Compliance with  
Minnesota Government Data Practices Act**

Every city in Minnesota must comply with the Minnesota Government Data Practices Act (MGDPA), which, in conjunction with other state and federal laws, classifies all government data. Government data are classified in different categories depending on whether they are accessible by the public

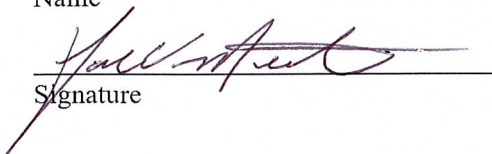
Government data means all data collected, created, received, maintained or disseminated by the city regardless of its physical form, storage media or conditions of use. There is a presumption that government data are public and are accessible by the public for inspection and copying unless there is a federal law, state statute or temporary classification of data that provides differently.

Utility Service Assessment Request

When a property owner requests a utility service repair be assessed, it is the policy of the City of Hastings to obtain a written request from the property owner for such request and the City Attorney to prepare an agreement and waiver of assessment appeal, spelling out the conditions and terms of the assessment and protecting the City from an assessment appeal. This written request, and any additional information obtained from a property owner related to the request, may be included in supporting documentation presented to the City Council as background information for acting on the request. The request, and supporting documentation, whether included in the City Council packet or other City documentation, is classified as public data under MGDPA.

I have read and understand that documentation submitted to the City Council may be available and/or released in compliance with MGDPA.

Jacob Van Meeteren  
Name

  
Signature

8-5-24  
Date

\_\_\_\_\_  
Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

City Staff: 

Date: 8-5-24

**PRIVATE WATER SERVICE REPAIR SPECIAL ASSESSMENT  
AGREEMENT**

**THIS AGREEMENT** is made this \_\_\_\_ day of \_\_\_\_\_, 2024, by and between the City of Hastings, a Minnesota municipal corporation (“City”), and Jacob A. Meeteren and Kacie M. Vaccaro, both single persons (the “Owners”).

**RECITALS**

- A. The Owners are the fee owners of a parcel located at 527 Tiffany Drive, in the City of Hastings, Dakota County, Minnesota, legally described as:

Lot 10, Block 1, Cari Park Fourth Addition, according to the recorded plat thereof, and situate in Dakota County, Minnesota

PID: 19-16403-01-100

Abstract Property

(“Subject Property”).

- B. The City has found that certain repairs to the private water service are required.
- C. The Owners will cause the construction of the required private water service repairs.
- D. The Owners have requested that the City assess the costs of construction of the required private water service repairs to serve the Subject Property.

- E. The Owners acknowledge that the required private water service repairs will benefit the Subject Property.

**NOW, THEREFORE, IN CONSIDERATION OF THEIR MUTUAL COVENANTS THE PARTIES AGREE AS FOLLOWS:**

**1. PRIVATE WATER SERVICE REPAIRS.** The Owners will hire and approve a contractor of their choice to construct private water service repairs (“Improvements”) that serve the Subject Property.

**2. SPECIAL ASSESSMENTS.** The City agrees to advance the funds necessary for the water line repairs in return for Owners’ agreement to have the costs assessed against the Subject Property as provided for in this Agreement. The Owners agree to pay one hundred percent (100%) of the cost of the Repairs through the assessment process. The City will assess the Subject Property the following principal amount for the Repairs: \$8,000.00 (“Assessment Amount”). The Assessment Amount shall be deemed adopted on the date this Agreement is signed by the City. The Assessment Amount shall be paid over a 5-year period without deferment, together at a rate of 4.36% interest on the unpaid balance. Interest shall begin accruing thirty (30) days after the City Council’s approval of this Agreement. The Owners further agree that the Assessment Amount may be exceeded if the increases are a result of requests made by the Owners or otherwise approved by the Owners in a subsequent written document. The first installment shall be due and payable with first half of property taxes in 2025. The Owners further agree that the City can assess an additional \$50.00 which represents \$5.00 per year for the term of the assessment to offset the fees imposed by Dakota County for this assessment, plus the City’s administrative fee.

**3. WAIVER OF APPEAL.** The Owners hereby authorize the City to certify to the Dakota County Auditor/Property Tax Assessor a special assessment against the Subject Property up to the Assessment Amount. The Owners hereby waive all rights to assessment notices, hearings, appeals, and procedural and substantive objections and all other rights pursuant to Minn. Stat. §429.061, §429.071 and §429.081 for the special assessment against the Subject Property up to the Assessment Amount, including, but not limited to, any claim that the Assessment Amount against the Subject Property exceeds the benefit to the Subject Property for the Improvement. The Owners acknowledge and agree that the benefit of the Improvement to the Subject Property does in fact equal or exceed the Assessment Amount. The Owners also acknowledge and agree that the Subject Property receives a special benefit equal to or exceeding the Assessment Amount.

**4. BINDING EFFECT; RECORDING.** This Agreement shall be binding upon the Owners and the Owners’ successors and assigns. This Agreement may be recorded against the title to the subject property.

**[remainder of page intentionally blank]**

**CITY:**  
**CITY OF HASTINGS**

By: \_\_\_\_\_  
Mary Fasbender  
Mayor

By: \_\_\_\_\_  
Kelly Murtaugh  
City Clerk

**STATE OF MINNESOTA**           )  
  )  
**COUNTY OF DAKOTA**           )  
  ) **ss.**

On this \_\_\_ day of \_\_\_\_\_, 2024, before me a Notary Public within and for said County, personally appeared Mary Fasbender and Kelly Murtaugh, to me personally known, who being each by me duly sworn, each did say that they are respectively the Mayor and City Clerk of the City of Hastings, the municipality named in the foregoing instrument, and that the seal affixed to said instrument was signed and sealed on behalf of said municipality by authority of its City Council and said Mayor and City Clerk acknowledged said instrument to be the free act and deed of said municipality.

\_\_\_\_\_  
Notary Public

**This instrument was drafted by  
and after recording return to:**

Korine L. Land, #262432  
LeVander, Gillen & Miller, P.A.  
1305 Corporate Center Drive, Suite 300  
Eagan, MN 55121  
651-451-1831

**OWNERS:  
JACOB A. VAN MEETEREN AND KACIE M. VACCARO**

By: \_\_\_\_\_  
Jacob A. Van Meeteren

By: \_\_\_\_\_  
Kacie M. Vaccaro

**STATE OF MINNESOTA            )**  
**) ss.**  
**COUNTY OF DAKOTA            )**

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_  
\_\_\_\_\_, 2024 by Jacob A. Van Meeteren and Kacie M. Vaccaro, both single persons.

\_\_\_\_\_  
Notary Public