Appendix C

Pequot Lakes City Council Resolutions

RESOLUTION 04-002

A RESOLUTION FOR THE CITY OF PEQUOT LAKES
REGARDING THE HIGHWAY 371 PROJECT

WHEREAS, the Minnesota Department of Transportation (MnDOT) is proposing an expansion and improvement of State Trunk Highway 371 through the City of Pequot Lakes (The City); and

WHEREAS, MnDOT has requested a resolution from the City as to its preference of alignment for the highway expansion by February 9, 2004; and

WHEREAS, the City representatives and others have participated in public meetings addressing concerns of the stakeholders in the highway; and

WHEREAS, MnDOT quantitative analysis indicates the greatest cost-benefit ratio is achieved by selecting the through-town route; and

WHEREAS, approximately 239 fewer acres of woods and wetlands would be destroyed and the rural character of the City would be protected by selecting the through-town route; and

WHEREAS, the through-town route meets MnDOT stated objectives for safety and reduced congestion and there is little or no advantage in these factors by choosing other alternatives; and

WHEREAS, the through-town route is consistent with over twenty years of planning by State, County, City, and Township governing bodies. Business owners made their decisions assuming certain access to Highway 371, residents bought country property never imagining a four-lane expressway through their back yard; and

WHEREAS, the through-town route provides the greatest potential for benefits to existing commercial businesses and displaces the fewest residential and commercial property owners.

NOW, THEREFORE BE IT RESOLVED, that it is the preference of the City of Pequot Lakes, as expressed by this duly elected City Council, that Trunk Highway 371 continue to be located, and any improvements within the City, be made along its existing alignment.

Passed and adopted by the Pequot Lakes City Council this 3rd day of February, 2004.

Cathy Malecha

Cathy Malecha, Mayor

ATTEST:

Sandra Peine

Sandra Peine, City Clerk

RESOLUTION 06-23

A RESOLUTION FOR THE CITY OF PEQUOT LAKES IN SUPPORT OF RE-ROUTING HIGHWAY 371 TO A CORRIDOR EAST OF TOWN

WHEREAS, the City of Pequot Lakes is charged by law to protect its citizens from unnecessary harm and to provide for their general well-being; and

WHEREAS, after meeting on numerous occasions with MnDOT and carefully examining MnDOT's plan for a through-town four lane expansion of Trunk Highway 371; and

WHEREAS, said plan clearly and without remedy divides the City into two separate halves and provides no reliably safe way for school children and other citizens to pass from one half to the other; and

WHEREAS, the avowed design standard for the expanded roadway would be an average 55 mile per hour speed limit, with speeds through the downtown part of the City estimated at 40 to 45 mph; and

WHEREAS, closing the majority of existing access and egress points onto and off of the highway would create undeniable congestion and inconvenience for residents and visitors alike; and

WHEREAS, the projected cost to the City of 5 million dollars to make the proposed through-town route workable is far beyond the City's capacity to handle without a severe increase in taxes; and

WHEREAS, the lengthy disruption to downtown businesses caused by the proposed expansion of the through-town roadway might prove destructive to their continued well-being.

NOW, THEREFORE BE IT RESOLVED, we the City Council of Pequot Lakes do hereby request the re-routing of Trunk Highway 371 to a corridor east of town, and further request that MnDOT furnish an estimate of the costs to the City that such re-routing would generate.

Passed and adopted by the Pequot Lakes City Council this 6th day of June, 2006.

Cathy Malecha, Mayor

ATTEST:

Sandra Peine, City Clerk

RESOLUTION 07-32

RESOLUTION IDENTIFYING THE ALTERNATE ALIGNMENT AS THE PREFERRED ALTERNATIVE FOR THE EXPANSION OF T.H. 371 IN THE CITY OF PEQUOT LAKES

WHEREAS, the City of Pequot Lakes, as a municipality, has the power and authority to plan for future development, as enumerated in Minnesota Statute 462.351 and 462.353, and

BY PLANNING for future development, the legislature has found, in Minnesota Statute 462.351, that municipalities may insure a safer, more pleasant and more economical environment for residential, commercial, industrial and public activities, preserve agricultural and other open land and promote the public health, safety and general welfare, and

BY PROVIDING a public guide to future municipal action, the legislature has found, in Minnesota Statute 462.351, that public and private agencies are enabled to plan their activities in harmony with the municipality's plans, thereby bringing about a significant savings in both public and private expenditures, and

WHEREAS, in the Spring of 2002, the Minnesota Department of Transportation (Mn/DOT) began a study on a four-lane expansion of Highway 371 from Nisswa to Pine River, including the portion through Pequot Lakes,

WHEREAS, Mn/DOT considered two alignments that had a direct impact on Pequot Lakes, one which would be a widening of the existing alignment and a second that would be a realignment of TH 371 to the east of the Pequot Lakes Downtown, and

WHEREAS, the City of Pequot Lakes was involved in the determination of the preferred alignment, including involvement in public hearings and open houses to solicit public input related to the proposed alignment alternatives listed in the Draft Environmental Impact Statement; and

WHEREAS, on February 3, 2004, the Pequot Lakes City Council adopted Resolution 04-002 to support the through-town option as defined by the Draft Environmental Impact Statement.; and

WHEREAS, following work on the Final Environmental Impact Statement, the City established a committee to work with Mn/DOT to further develop the details of the through-town alignment; and

WHEREAS, the committee met several times in 2005 to discuss major issues involved with the through-town route involving access points, service roads, speed limits, safety, and other items; and

WHEREAS, the City Council held special Council Meetings in 2005 to hear testimony from Mn/DOT representatives and from the Committee representatives regarding the through town issues identified by the Committee and Mn/DOT; and

WHEREAS, during these meetings it became increasingly difficult for the City and Mn/DOT to come to agreements on the final configuration of Highway 371 due to issues involving safety and closure of accesses; and

WHEREAS, on June 6, 2006, the Pequot Lakes City Council adopted Resolution 06-23 in support of re-routing Highway 371 to a corridor east of town, which identified that the through-town alignment:

- clearly and without remedy divides the City into two separate halves and provides no reliably safe way for school children and other citizens to pass from one half to the other, and
- closes the majority of existing access and egress points onto and off of the highway and, in doing so, would create undeniable congestion and inconvenience for residents and visitors alike, and
- the projected cost to the City of five million dollars to make the proposed through-town route workable is far beyond the City's capacity to handle without a severe increase in taxes, and
- the lengthy disruption to downtown businesses caused by the proposed expansion of the through-town roadway might prove destructive to their continued well-being; and

WHEREAS, in January of 2007, the City Council established the T.H. 371 Study Group consisting of members of the City Council and the Planning Commission, for the expressed purpose of studying the issues and impacts of an easterly alternate route for Highway 371 so as to develop the best corridor alignment possible, and

WHEREAS, the T.H. 371 Study Group met nine times between February and August 2007 to hear expert testimony and receive public feedback regarding an alternate alignment for T.H. 371, and

WHEREAS, following its study of the alternate route, the committee identified all issues that were studied in a report entitled "Highway 371 Alternate Route Study Group Report", which included findings that:

- There would be no adverse impact to school bus routes, and
- The old highway will likely become property of Crow Wing County once the alternate alignment is built, and
- The MN Power substation will not be physically impacted by the construction, and
- Some work will need to be done to the City's water and wastewater systems, but the alternate route will not have a significant impact on the viability, or future expansion, of the City's utility systems, and
- That Mn/DOT is responsible to provide a separated crossing for the Paul Bunyan Trail (a crossing that goes over or under the new highway), and
- That all of the new highway intersections will be at-grade, and
- That only minor change to the local street system will be required to accommodate the alternate route when it is built, and

- That the business park will be accessed from the south end of the alignment and that the construction of an alternate alignment would not inhibit future expansion of the business park, and
- That the construction of an alternate route is consistent with the City's Comprehensive Plan, the proposed Downtown Plan and the City's overall approach to land use controls, and
- That the alternate route will infringe on the land proposed for a new cemetery, and
- That there are no significant environmental issues or concerns with the construction of the alternate alignment, and

WHEREAS, the T.H. 371 Study Group heard testimony that the expansion of the existing alignment will cost the taxpayers of Pequot Lakes significantly more than the construction of the Alternate Alignment, and

WHEREAS, the Study Group also heard testimony that, while there is certain to be impacts to individual businesses before, during and after the construction of an alternate route, compelling evidence exists that the overall impact to businesses and the City's tax base would be positive, and

WHEREAS, there are no indications that an alternate route would be destructive to the economic health of the City of Pequot Lakes, and found substantial evidence to the contrary, and

WHEREAS, the Study Group was also presented with a number of initiatives that the City can undertake to strengthen the economic health of the City before construction, as part of the construction project and then in the years following, and

WHEREAS, the T.H. 371 Study Group identified no issues or impacts that would cause the City to reconsider a decision to route T.H. 371 east of the downtown and, in fact, found many factors that favor an alternate alignment, and

WHEREAS, the Planning Commission reviewed the T.H. 371 Study Group report in September, 2007 and accepted the report and recommended to the Council that the easterly alternate alignment be approved; and

WHEREAS, Mn/DOT is required, as per State Statute 161.164, to obtain the consent of the City of Pequot Lakes for proceeding with an expansion of T.H. 371 within the city limits and has therefore worked closely with the City of Pequot Lakes to address outstanding issues and concerns, and

WHEREAS, the City Council approved, on August 7, 2007, and amended, on October 2, 2007, a Memorandum of Understanding between the City of Pequot Lakes and Mn/DOT that establishes guidelines for Mn/DOT to follow in reevaluating the Environmental Impact Statement and reconsidering an alternate alignment, and

WHEREAS, the City Council recognizes that, in order to attract quality, long-term investment, the City of Pequot Lakes must create a stable and predicable economic, social

and cultural environment in the City of Pequot Lakes and, in order to provide such an environment, it is essential that the City provide a clear, decisive and definitive statement on the T.H. 371 expansion project.

THEREFORE BE IT RESOLVED, that the City of Pequot Lakes does hereby rescind Resolution 04-002 and Resolution 06-23, and does hereby affirm the City's preference and support for expansion of T.H. 371 along the Alternate Alignment to the east of the downtown area.

BE IT FURTHER RESOLVED, that based on the afore mentioned Memorandum of Understanding, the schematics of the Alternate Alignment as presented by Mn/DOT and the City's stated preference for the alternate alignment, the City of Pequot Lakes intends to, at the earliest possible time, grant municipal consent for the expansion of T.H. 371 along the Alternate Alignment.

Those voting in favor of the resolution: **Council Members Craig Nagel, Jim Oraskovich, Dave Sjoblad, and Mayor Cathy Malecha**

Those voting against the resolution: Council Member Tom Ryan

Passed and adopted by the Pequot Lakes City Council with a 4 to 1 vote, this 18th day of December, 2008.

Cathy Malecha

Cathy Malecha, Mayor

ATTEST:

Sandra Peine

Sandra Peine, City Clerk