



REQUEST FOR ACTION

Septic System/Sanitary Sewer Utility Connection Agreement with the Kevin and Sandra Westling Living Trust - 5904 Country View Ct NW

MEETING DATE:

November 4, 2024

ORIGINATING DEPT:

Public Works

AGENDA SECTION:

Consent Agenda

PRESENTER:

Dillon Dombrowski

Action Requested:

Authorizing a Septic System/Sanitary Sewer Utility Connection Agreement with Kevin C. Westling and Sandra D. Westling, trustees of the Kevin and Sandra Westling Living Trust, to allow for repair or replacement of the current septic system serving their property until the property can be connected to municipal sanitary sewer at a later date.

Report Narrative:

Kevin C. Westling and Sandra D. Westling, trustees of the Kevin and Sandra Westling Living Trust, are the Owners of the real estate described as Lot 5, Block 3, 55th Street Estates First Subdivision, Olmsted County, Minnesota. The property address is 5904 Country View Ct NW. The Owners' current septic system is non-compliant pursuant to the Olmsted County Subsurface Sewage Treatment System Ordinance.

At this time, the City is unable to provide the sanitary sewer service needed to serve the property; therefore, the City has agreed to allow the Owners to replace/repair the existing septic system pursuant to Olmsted County regulations, and execution of an agreement for connection and payment of the charges upon the availability of City sanitary sewer to serve the Owners' property.

A Septic System/Sanitary Sewer Utility Connection Agreement has been created that covers the following major items:

- The City shall recommend that the Olmsted County Planning Department issue a septic system permit for the replacement/repair of a septic system to serve the property.
- Owners agree to connect the property to the City sanitary sewer system within three years of the date that the sanitary sewer is adjacent to the property, except the City shall not require connection sooner than 10 years from the date that the City executes this agreement.
- Owners acknowledge that the property is subject to various charges to connect to the sanitary sewer system and are willing to pay said charges consistent with the policies that are in place at the time of connection.

Priorities & Foundational Principles:

Economic Vibrancy & Growth Management
Quality Services for Quality Living

Policy Considerations & DEI Impact:

For the safety and health of the citizens of the City, as well as the environment, Chapter 12-2, Sanitary Sewage Disposal, of the Rochester City Code of Ordinances (RCO), regulates the disposal, collection, and treatment of sewage and wastewater within the jurisdiction of the City. Per RCO Sec.12-2-4, Private Wastewater Disposal, when the public sanitary sewer is not available, the building sewer shall be connected to a private wastewater disposal system complying with the provisions of this section, and the owner shall obtain a permit issued by the city engineer before the commencement of construction of a private wastewater disposal system. The subject Septic System/Sanitary Sewer Utility Connection Agreement shall serve as the permit for the private wastewater disposal system (septic system) to serve the Owners' property.

Prior Legislative Actions & Community Engagement:

This agreement is a stand-alone item. There are no prior actions or community engagement.

Fiscal & Resource Impact:

Public Works collects a fee of \$146 for the preparation and recording of the subject Septic System/Sanitary Sewer Utility Connection Agreement.

Alternative Action(s):

No alternative actions suggested at this time.

Prepared By:

Jamie Miller

Attachments:

[Location Map - Septic System/Sanitary Sewer Utility Connection Agreement - Westling Trust- 5904 Country View Ct NW](#)

[Septic System/Sanitary Sewer Utility Connection Agreement - Westling Trust - 5904 Country View Ct NW](#)