

*Our Mission is to Provide Quality Public Services
in a Fiscally Responsible Manner While
Preserving the City's Open Space Character*

NOTICE OF MEETING

**City of Lake Elmo
3800 Laverne Avenue North
City Council Meeting
Tuesday, October 2, 2012 7:00 p.m.**

AGENDA

- A. CALL TO ORDER**
- B. PLEDGE OF ALLEGIANCE**
- C. ROLL CALL**
- D. APPROVAL OF AGENDA**
- E. ORDER OF BUSINESS/GROUND RULES**
- F. ACCEPT MINUTES**
 - 1) Accept September 11, 2012 City Council Minutes
 - 2) Accept September 18, 2012 City Council Minutes
- G. PUBLIC COMMENTS/INQUIRIES**
- H. PRESENTATIONS**
 - a) Utility Infrastructure Financial Plan – Tammy Omdahl
 - b) Quality Star Recognition – Jaycees
 - c) Quality Star Recognition – Rock Point Church
- I. CONSENT AGENDA**

Note: Items listed under the Consent Agenda will be enacted by one motion with no separate discussion. If discussion on an item is desired, the item will be removed from the Consent Agenda for separate consideration.

- 3) Approve Payment of Disbursements and Payroll
- 4) Resolution 2012-49 Designating Data Practice Officials and Approving City's Data Practices Policy
- 5) Resolution 2012-50 Approving Tax Forfeited Parcels for Public Auction
- 6) 2012 Seal Coat Project – Pay Request No. 1 (Final)
- 7) I94 Corridor East Gravity Sewer – Approve Engineering Services to Prepare Revised Easement Exhibit
- 8) Resolution 2012-51 Approving Delinquent Storm Water Assessments
- 9) Resolution 2012-48 Approving Joint Powers Agreement for Building Services Pool
- 10) Demontreville Park Purchase of Benches and Foul Line Fence

J. **REGULAR AGENDA**

- 11) Keats Avenue North MSA Street and Trunk Watermain Improvement Public Hearing and Resolution 2012-42 Ordering Improvements and Preparation of Plans and Specifications
- 12) Approve Ordinance 2012-63 Amending City Code Section 150.250 Pertaining to Shoreland Standards

K. **NEW BUSINESS**

Discussion Only Item: Sale of Interim Library/Art Center Building

L. **SUMMARY REPORTS AND ANNOUNCEMENTS**

- Mayor and Council
- Administrator
- City Attorney
- City Engineer
- Planning Director
- Finance Director

M. Adjourn to ***Closed Session*** per MN State Statute 13D.05 Subd. 3(b) Attorney-Client Privilege regarding the Detachment Appeal

N. ***CLOSED SESSION: DETACHMENT APPEAL***

O. Adjourn

**LAKE ELMO CITY COUNCIL MINUTES
SEPTEMBER 11, 2012**

**CITY OF LAKE ELMO
CITY COUNCIL SPECIAL MEETING MINUTES
SEPTEMBER 11, 2012**

Mayor Johnston called the meeting to order at 7:00 P.M.

PRESENT: Mayor Johnston, Council Members Emmons, and Pearson [Council Member Smith arrived at 7:31 P.M.]

Also Present: City Administrator Zuleger, City Attorney Snyder, Finance Director Bendel, Planning Director Klatt, and City Clerk Thone.

ITEM B: City Administrator Zuleger provided an administrative overview of the proposed 2013 Budget. A small discussion was had to remind everyone of the possible need to add or include additional funds for traffic issues. Several other points were highlighted, including the elimination of the use of the internal service funds for backfilling shortfalls, the inclusion of contingency funds, and the proposed paying down of debt to maintain a high bond rating. Mr. Zuleger noted that the staff attempted to provide a true operating cost budget. The proposed budget increases the Levy \$50,342.

ITEM C: GENERAL OPERATING ACCOUNT REVIEW

Finance Director Bendel informed the Council the City anticipates about \$3,000,000 in gross revenue which is a little less than in the past due to a reduction in grant money and other anticipated revenue reductions. There is an anticipation of increased permit revenue coming in.

The 2012 budget was \$2,900,000. The city came in at \$2,950,000. The overage was primarily due to the transfers coming in higher because of paying down the \$200,000 in debt. The 2013 figures are increased by about \$100,000 mostly due to staff additions.

Council Member Pearson and the mayor asked for clarification on the increase in the Fire Department budget. Finance Director Bendel explained that those funds had historically been in the CIP fund and are now in the operating budget. City Administrator Zuleger explained the policy change for the Council.

ITEM D: ENTERPRISE/UTILITY ACCOUNT REVIEW

Finance Director Bendel noted that the funds are cash-flowing, which is vital for future planning. At the end of 2011 the enterprise fund had \$839,000. The staff is projecting \$971,000 in the 2013 budget available for future infrastructure development.

City Administrator Zuleger also explained that this year the staff did not allocate a significant portion of surface water revenue to fund the Finance Department. The realigned expenditures correct past misallocations.

Council Member Emmons sought clarification regarding the status and funding of the Water Fund. Mr. Zuleger clarified that the Water Fund is cash-flowing for the day-to-day operations, but the looming debt service needs to be addressed.

LAKE ELMO CITY COUNCIL MINUTES SEPTEMBER 11, 2012

ITEM E: SPECIAL ACCOUNTS REVIEW

Finance Director Bendel explained that this section is actually the Internal Service funds. The recommendation is to expend the funds currently available, but to not transfer any additional funds into that account.

The "Radio Replacement Fund" currently has about \$72,000. All proposed expenditures will be brought to the Council separately. One item that is needed is a new large format printer for the Planning Department.

The "IT Fund" currently sits at about \$24,000. One expected expenditure will be required upgrading of staff computers.

The "Furniture, Fixtures, & Equipment Fund" were mostly expended performing the renovations to city hall.

A discussion was had with council members, and City Administrator Zuleger explained all large expenditures not laid out in the budget will be brought to the Council for approval instead of using the Internal Service Funds. The difference in the CIP Fund process was distinguished from the standard expenditure submission to the council.

[Council Member smith arrived at 7:31 P.M.]

ITEM F: 2013-2015 CIP REVIEW

Finance Director Bendel and City Administrator Zuleger explained this was a preliminary draft pro forma. Some work items are still outstanding regarding the pro forma. It was noted that it does not include any revenue from 3M litigation. Finance Director Bendel noted that the CIP will not impact the 2013 Budget Levy. It will impact the 2014 Levy and forward.

In response to Council Member Emmons inquiry about the CIP numbers being placeholders until more specific information is brought back to Council, City Administrator Zuleger advised that the Levy motion should include language regarding the pending issues. Mr. Zuleger also pointed out that the council needs to re-hear and re-vote on the Keats Avenue Trunk Water Main. If it did not pass, it would affect the Inwood Avenue Trunk Water Main and booster station and require a redesign, which would have an impact on the figures. Also, there is additional sewer work that needs more investigation in the Legion Avenue/Lake Elmo Avenue area that may affect the calculations. Lastly, it was reiterated that the need for additional fire apparatus will have an impact as well.

Mayor Johnston raised the issue of traffic safety enforcement. City Administrator Zuleger explained the estimated cost of \$70,000-80,000, but noted that further information is still needed, including the enforcement report of the pilot program and discussion with Washington County Sheriff's Office.

Council Member Smith expressed her wish to refrain from traffic enforcement discussions at this time.

**LAKE ELMO CITY COUNCIL MINUTES
SEPTEMBER 11, 2012**

A discussion was had between council and staff regarding once the levy is set, it can be reduced, but it cannot be increased. The need for additional staff was discussed. All members agreed that more information regarding the traffic issue is needed before a final decision on funding a solution can be made.

ITEM G: PUBLIC COMMENTS/INQUIRIES:

No public comments.

ITEM H: ADOPTION OF PROPOSED LEVY

MOTION: COUNCIL MEMBER SMITH MOVED TO ADOPT THE RECOMMENDED BUDGET LEVY OF \$3,163,359 REFLECTING AN INCREASE \$50,342. MOTION SECONDED BY COUNCIL MEMBER PEARSON.

*MAYOR JOHNSTON MOVED TO AMEND THE MOTION BY ADDING AN ADDITIONAL \$70,000 PLACEHOLDER FOR TRAFFIC ENFORCEMENT OR ANY OTHER NEED WITH THE OPTION TO REMOVE IT. MOTION SECONDED BY COUNCIL MEMBER PEARSON. **MOTION CARRIED 4-0.***

*AMENDED MOTION: ADOPT THE AMENDED BUDGET LEVY OF \$3,233,359, REFLECTING AN INCREASE \$120,342. **MOTION CARRIED 4-0.***

ITEM I: DESIGNATION OF DATE AND TIME OF PUBLIC HEARING

The staff recommends the date and time of December 4, 2012, during the regular City Council meeting at 7:00 P.M. for the 2013 budget public hearing.

MOTION: COUNCIL MEMBER SMITH MOVED TO DESIGNATE THE DATE AND TIME OF THE 2013 BUDGET PUBLIC HEARING AS DECEMBER 4, 2012 AT 7:00 P.M. MOTION SECONDED BY MAYOR JOHNSTON. **MOTION CARRIED 4-0.**

Council members held a very brief discussion regarding the future of the Arts Center. It was agreed upon that that item would be placed on an agenda in the near future.

ADJOURN: The meeting adjourned at 8:15 P.M.

LAKE ELMO CITY COUNCIL

Dean A. Johnston, Mayor

Sandie Thone, City Clerk

**LAKE ELMO CITY COUNCIL MINUTES
SEPTEMBER 18, 2012**

**CITY OF LAKE ELMO
CITY COUNCIL MINUTES
SEPTEMBER 18, 2012**

Mayor Johnston called the meeting to order at 7:00 P.M.

PRESENT: Mayor Johnston, Council Members, Smith, Pearson [Council Member Emmons arrived at 7:03 P.M.; Council Member Park arrived at 7:15 P.M.]

Also Present: City Administrator Zuleger, City Attorney Snyder, City Engineer Griffin, Finance Director Bendel, Planning Director Klatt and City Clerk Thone.

APPROVAL OF AGENDA

*MOTION: Council Member Pearson moved to approve the September 18, 2012 City Council Agenda as presented. Council Member Smith seconded the motion. **Motion passed 3-0.***

Council Member Emmons arrived at 7:03 P.M.

ACCEPTED MINUTES

ITEM 1: THE SEPTEMBER 4, 2012 CITY COUNCIL MINUTES WERE APPROVED AS AMENDED (PAGES 3, 6 AND 6) BY CONSENSUS OF THE CITY COUNCIL.

PUBLIC COMMENTS/INQUIRIES:

Charlie Stockwell, representing the Minnesota Boat Club, announced that his organization along with the Minneapolis Rowing Club and several other Twin Cities rowing clubs will be submitting a proposal for a rowing competition on Lake Elmo to be held on August 3 and 4, 2013. The group is seeking support of residents living on the lake; if they receive unanimous support they will bring forth a formal request for approval for the event. Past similar events were held in 1976 and 2009. The group is working with the Lake Elmo Park Reserve, Washington County, and the local Lake Elmo business community.

PRESENTATIONS:

No presentations.

CONSENT AGENDA

2. Accept Financial Report dated August 31, 2012
3. Accept Building Permit Report dated August 31, 2012
4. Approve Payment of Disbursements and Payroll of \$254,454.60
5. 2012 Crack Seal Project - Receive Contractor Quotes and Award Contract
6. 2012 Street and Water Quality Improvements - Pay Request No. 1
7. Approve Resolution 2012-44 to Set Hearing for 2013 Budget and Levy Discussion

*MOTION: Council Member Smith moved to approve the Consent Agenda as presented. Council Member Emmons seconded the motion. **MOTION PASSED 4-0.***

**LAKE ELMO CITY COUNCIL MINUTES
SEPTEMBER 18, 2012**

REGULAR AGENDA

ITEM 8: 2011 STREET AND WATER QUALITY IMPROVEMENTS - FINAL ASSESSMENT HEARING

City Engineer Jack Griffin presented information on the 2011 Street and Water Quality Improvements. The three project areas were Tartan Meadows, David Nelson Estates, and the 50th Street and Kimbro Avenue area. He provided an overview of the costs of the projects stating the final project costs came in at \$604,000 with savings due to favorable construction bids. The final proposed assessments for included properties are as follows: Tartan Meadows: \$2,700. David Nelson Estates: \$3,200; 50th Street/Kimbrow Avenue: \$5,400. The city's share of the cost dropped from \$578,000 to \$453,000. All figures are lower than expected. Mr. Griffin also provided an overview of the financing terms..

OPEN PUBLIC HEARING AT 7:11 P.M.

No public comments.

CLOSE PUBLIC HEARING AT 7:12 P.M.

Council member Smith commented on how pleased she was about the savings and expressed her appreciation for the work of staff.

MOTION: Council Member Pearson moved to approve RESOLUTION 2012-45 ADOPTING THE FINAL ASSESSMENT ROLL FOR THE 2011 STREET AND WATER QUALITY IMPROVEMENTS. Council Member Smith seconded the motion. MOTION PASSED 4-0.

ITEM 9: ORDINANCE 2012-62 ZONING AMENDMENT CODIFICATION; APPROVE RESOLUTION 2012-46 AUTHORIZATION OF SUMMARY PUBLICATION OF ORDINANCE 2012-62

Planning Director Kyle Klatt explained this amendment is the same as presented at the August 21, 2012 meeting. The purpose for bringing the item back to council is to approve the ordinance codification and summary publication.

MOTION: Council Member Pearson moved to adopt ORDINANCE 2012-62 APPROVING ZONING TEXT AMENDMENT AND RESOLUTION 2012-46 AUTHORIZING SUMMARY PUBLICATION OF ORDINANCE 2012-62. Council Member Emmons seconded the motion. MOTION PASSED PASS 5-0.

Council Member Park arrived at 7:15 P.M.

ITEM 10: APPROVE PROPOSED GENERAL LEVY AND PROPOSED 2013 BUDGET; RESOLUTION 2012-47

The Council was asked to reconfirm the council action taken on September 11, 2012 by resolution.

MOTION: Council Member Smith moved to approve RESOLUTION 2012-47. Council Member Park seconded the motion. MOTION PASSED 5-0.

**LAKE ELMO CITY COUNCIL MINUTES
SEPTEMBER 18, 2012**

ITEM 11: (Taken up later in meeting to accommodate additional public comments)

ITEM 12: LEGION AVENUE SEWER SURVEY RESULTS

City Administrator Zuleger explained the survey process and results (nine YES responses, six NO responses) and provided the current status of the project. Many of the respondents inquired about the cost. He expressed that the costs will be estimated by staff and should be completed in October. Staff is planning on extending the survey south to include additional properties on Lake Elmo Avenue.

Council Member Emmons inquired about specific sections (specifically south of 30th Street) of the area and whether they would or should be included in the survey. He expressed his interest to keep the area in consideration going forward.

Mayor Johnston inquired whether the survey is necessary for the properties across the street if state law required connection regardless. City Attorney Snyder explained that the Council has discretion in conducting a survey. He explained the options of neighborhood meetings, workshops, and surveys and the respective pros and cons of each. Ultimately, terms of hook-up and timing are up to the City's discretion. City Administrator Zuleger recommended continuing with the survey for consistency and data integrity.

Council Member Park inquired how the south side of the area would hook up to the sewer line. City Engineer Griffin stated if the sewer is made available a service stub would be available and property outside of the area would not receive a stub so the value of the survey is to determine the interest and to determine if the MUSA needs amending. The specific design of the project has not been done yet, so specifics such as pipe location are undetermined. Council Member Smith reminded the Council that staff was previously directed to consider this area.

Justin Bloyer, 8881 Jane Road North, approached the council and asked whether these units would count towards the rec units, to which Mayor Johnston replied in the affirmative.

SUMMARY REPORTS AND ANNOUNCEMENTS

Council Member Pearson reported meeting with the City of Oakdale to discussed truck sharing. He asked for the Council's support of the program, and all members confirmed their support. Mr. Pearson also reported the library board had a meeting and was discussing hiring a fulltime librarian. He asked whether there would be council support for this action. Council Member Emmons inquired how this would fit in the previous plans. Mr. Pearson responded that the Board would best be able to answer that question, but previous plans included paying off the existing debt. City Attorney Snyder asked that council put this on as an agenda item for a future meeting. Mr. Pearson just asked that council be aware of the discussion. Mayor Johnston asked that the library board present the item at a later meeting. City Administrator Zuleger added that he met with Judy Gibson of the library board, and they are working on 2013 objectives and goals, which includes staffing needs.

LAKE ELMO CITY COUNCIL MINUTES SEPTEMBER 18, 2012

Council Member Smith reported she would like to see a list of expenditures for the library to date. She thanked all volunteers at Lake Elmo Days and stated the event was very successful and expressed her appreciation for the sporting events and especially thanked staff who helped make the event such a great success.

Council Member Emmons also thanked the many volunteers at Lake Elmo Days.

Council Member Park expressed her excitement for all of the new staff: Deputy Clerk Adam Bell, Taxpayer Services and Communications Coordinator Alyssa MacLeod and Building Official Rick Chase.

Mayor Johnston reported participating in a meeting at Cimarron with residents and Washington County. That meeting also included a discussion about a book exchange with the library. The Mayor also reported working at Lake Elmo Days for the Rotary, touring with the Metropolitan Parks and Open Space Commission at Lake Elmo Park Reserve, attending a Metropolitan Council meeting and appointed chair of the Parks and Open Space Commission. He also gave a brief update on the gateway corridor stating the transportation was mainly proposed in Woodbury.

City Administrator Zuleger reported he and Finance Director met with Northland Securities. Staff will be submitting a Utilities Pro Forma that does not include any legal settlement in order to provide a baseline. Along with Public Works Director Bouthilet, he met with the Parks Commission. The Commission has developed a plan of work for 2013. Mr. Zuleger reported the new weekly newsletter called "Fresh" will begin being published soon. He reported that he had a discussion with the Oakdale City Administrator about providing water service to the Keats Avenue/Eagle Point area of Lake Elmo as well as public works and safety collaboration. Mr. Zuleger provided a recap of the 9/12 staff retreat. Staff is addressing train whistle issues that have emerged.

City Attorney Snyder reported the detachment hearing had been sustained by the Washington County District Court, and an appeal may be necessary. He proposed a closed/executive meeting on the ongoing litigation.

City Engineer Griffin had no additional report other than his written report previously provided to council.

Planning Director Klatt reported scheduling a town hall meeting regarding the Village Land Use Plan. Staff has also been working with the Minnesota Land Trust to identify options for open space preservation. A Village work group meeting is also scheduled before the town hall meeting.

Finance Director Bendel reported she has primarily been wrapping up budget items. October will entail storm water assessments, street assessments in November, and regular water assessments in December. She also notified the Council that she will be attending a Government Finance Officers Association conference.

City Administrator Zuleger noted that Planning Director Klatt will be attending the upcoming American Planning Association conference. Mr. Zuleger also will be attending and lecturing at a lean government conference in Steven's Point, WI.

**LAKE ELMO CITY COUNCIL MINUTES
SEPTEMBER 18, 2012**

[Council called a five minute recess at 7:48 P.M. Council returned from recess at 7:56 P.M.]

ITEM 11: LAKE ELMO TRAFFIC ENFORCEMENT UPDATE (Item moved to accommodate additional public wishing to comment)

City Administrator Zuleger presented information on the current concerns of the city's traffic enforcement and highlighted the red zone traffic policing in the community in the past six months. He expressed the practice has produced data from 11 different sites in the city on speed, time of day, and number of vehicles. He stated staff has been working closely with MnDOT, Washington County and the Safe Route to School program regarding traffic concerns on Lake Elmo Avenue and Highway 5. He stated they have specifically requested traffic calming efforts in these areas and reported the speed trailer will be on Highway 5 beginning on September 19, 2012. Recommendations and requests include the following:

- 1) Speed limit reduction on Lake Elmo Avenue from 40mph to 30mph from 20th Street to Highway 5.
- 2) Zero tolerance for speeding (writing citations at the lowest possible speed over the limit).
- 3) Speed limit reduction on Highway 5 from Jamaca Avenue (the roundabout) to Klondike Avenue from 55mph to 45mph. In addition, a reduction to 30mph from Klondike Avenue to Manning Avenue is requested.
- 4) Perform Road Safety Audit on Highway 5.

Mayor Johnston inquired whether the Parks Commission had discussed a trail or sidewalk on either stretch of road, and City Administrator Zuleger replied in the affirmative and those discussions are beginning.

Council Member Smith recalled a project discussion involving Lake Elmo Avenue in the past and asked City Engineer Griffin if he recalled the property owners were opposed to the trail on Lake Elmo Avenue to which Mr. Griffin replied he did recall the discussion similarly.

Discussion was had regarding staff's work on the traffic enforcement overtime approved at the last council meeting but the additional officers have yet to begin the increased traffic enforcement for the approved 30 day period of extra patrol. Mayor Johnston explained that adding an officer fulltime would cost the city approximately \$120,000 annually and approximately \$40 per household in taxes annually to put it in to perspective for residents.

Council Member Park supported the speed limit reduction on Highway 5 and stated how difficult the traffic has become in this area. Mayor Johnston suggested a parked squad car as a traffic calming advice. City Administrator Zuleger reiterated how the zero-tolerance enforcement policy works. Mayor Johnston noted that the code-red enforcement has been mildly successful with non-residents, but fairly successful with residents.

PUBLIC COMMENTS:

**LAKE ELMO CITY COUNCIL MINUTES
SEPTEMBER 18, 2012**

Tammy Saeger, 2813 Lake Elmo Avenue, expressed her concerns about the speeding on Lake Elmo Avenue and explained her dog was killed by a car on the road in front of their house. She also noted a woman was killed many years ago riding her bike on the road.

Teresa Schmidt, 3240 Lake Elmo Avenue, expressed her concerns over the speeding near downtown.

John Butenhoff, 2976 Lake Elmo Avenue, commended and supported what the city was doing to rectify the situation.

Paul Larson, 2041 Lake Elmo Avenue, expressed his concern that 30 mph from 20th Street was not far enough and recommended it begin at the bottom of the hill and maybe add a flasher – it is forty five in front of his house where his grandchildren cross to the lake.

Donald Durand, 2901 Lake Elmo Avenue, expressed his concern of the out of control speed of the vehicles on Lake Elmo Avenue and cited the 29 tickets over the past three weeks. He cited the volume of human traffic crossing, walking, jogging, biking along and to the lake and he personally has been almost hit several times. He stated there are 36 residents who need to cross road to access the lake He stated the worst times are in the morning and early evening work-drive times.

Stephen Johnson, 2915 Lake Elmo Avenue, expressed his thanks for the council addressing the resident's concerns regarding this issue and supported all of the previous public comments.

City Administrator Zuleger stated staff will work to implement the increased enforcement and expects a report from Washington County Sheriff's office after the 30-day increased enforcement and calming efforts. Staff is continuing to work with MnDOT and Washington County Transportation and will bring the issue back to council after that study is concluded. The Mayor expressed concern that the affected residents receive notice of the issue back on the agenda. Mr. Zuleger confirmed that notice will be provided through all the regular channels.

Council Member Park asked City Engineer Griffin if the City can independently implement the proposed traffic calming measures or if it would need to work with the county. Mr. Griffin confirmed that the county would need to be involved.

A brief discussion was had regarding the source of the traffic.

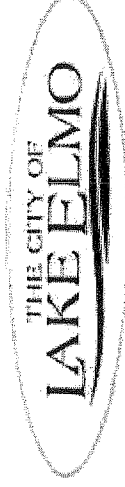
*MOTION: Council Member Park moved to adopt the four traffic management recommendations presented by staff. Mayor Johnston seconded the motion. **MOTION PASSED 5-0.***

ADJOURN: The meeting adjourned at 8:48 P.M.

LAKE ELMO CITY COUNCIL

Dean A. Johnston, Mayor

Sandie Thone, City Clerk



**City of Lake Elmo, MN
Financial Management Plan For
Water, Sanitary Sewer, and
Storm Sewer Utility Services**

DRAFT 2012 REPORT

As of October 2, 2012



NORTHLAND STRATEGIES
Special Projects Group

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NORTHLAND SECURITIES



October 2, 2012

Dean Zuleger
City Administrator
Lake Elmo City Hall
3800 Laverne Avenue North
Lake Elmo, MN 55042

RE: Financial Management Plan for City Utility Funds

Dear Dean:

Northland Securities, Inc. was hired for financial planning services for utility system user charges and rates. Services include performing a utility rate analysis for the Water, Sanitary Sewer, and Storm Water Utility Systems of the City of Lake Elmo. The analysis and report includes a review of the past performance of the Systems, determines the adequacy of current revenues, and provides recommendation on future rates which reflect recent and projected cost experience in addition to anticipated capital project expenditures and estimated future debt service.

The report is presented to you as a draft pending further review by the City. We will incorporate feedback from the City in preparing the final report.

We appreciate the opportunity to work with the City of Lake Elmo.

Sincerely,

Tammy Omdal
Manager of Northland Strategies/Senior Vice President

45 South 7th Street, Suite 2000, Minneapolis, MN 55402
Main: (612) 851-5900 / Direct: (612) 851-4992 / Email: tfhfield@northlandsecurities.com
Member FINRA and SIPC



EXECUTIVE SUMMARY

The report is intended to serve as a guide for the financial management of the City's utility services, including water, sanitary sewer, and storm sewer. The report contains information on capital improvement plans to increase capacity of the utility systems, estimated future utility rates needed to support operations and capital improvement plans, and multi-year financial plans for each of the three utility funds that includes all projected sources and uses of funds and resulting estimated cash balances by year.

The financial plans included in the report are built around identified key assumptions, including cost drivers and projected utility rate increases. To the extent the assumptions in the report change in the months and years ahead, which they will, the City will need to adjust its financial plans accordingly.

Study Approach

This report was prepared by Northland Securities. The following steps were taken as part of the study process:

- City provided information on historical spending and revenues, volume of water sold by different tiers and customer, capital improvement plans, and prior years budget information.
- City provided information on projected growth from future residential and commercial development.
- Information provided by the City was organized, analyzed, and used to support the development of financial plans.

- Once the initial financial plans were developed then different scenarios were considered and analyzed to determine impact on utility rates.

- City staff offered input and feedback on the assumptions and desired outcomes.

It is also important to note aspects of financial performance not reviewed as part of this study:

- The validity of the assumptions and figures provided by the City on future growth was not reviewed.
- Analysis of the basis for the City's determination of current sewer and water availability charges was not reviewed.
- The financial impact to the City of potential changes to the existing customer tier structure for charging for water and sanitary sewer services was not reviewed as part of this study.

Conclusions from Study

The following conclusions were identified as a result of this study:

1. To meet projected service demands, the City is planning to expand its capacity to deliver water and sanitary sewer services. This is driven by the City's projections for future development; the addition of housing and commercial units. The City plans to pay for the improvements through a combination of projected available cash, issuance of debt, grants and other intergovernmental proceeds.
2. Higher utility service fees for existing customers will be needed if projected development does not occur at the rates estimated by the City (as shown

on page 34). The issuance of debt to finance the identified improvements for water and sanitary sewer will require increased revenue in the utility funds to cover annual debt service. The City anticipates an increase in revenue from a combination of fee increases and changes to how it charges new residential and commercial units for availability and connection to water and sanitary sewer services. If development occurs at a faster pace than projected by the City, it may allow for the City to adjust the increases shown for utility charges in the report.

3. Projections show the City will maintain sufficient cash in the utility funds to meet the City's goal of having cash in the utility funds equivalent to 50 percent of operating expenditures. The fees and charges included in the report, combined with the projected historical volume of water sold, plus the projected "new" revenue from new residential equivalent units (REU) will provide the cash needed to operate and cover debt service.

Recommendations

The following recommendations are offered based on the Conclusions from the Study.

1. The City should adopt a new charge for the cost of connecting to municipal sanitary sewer and increase the amount it presently charges for connection to municipal water. This charge should reflect the City's cost of infrastructure for providing service. This new and increased charge is included in the report and reflected in the revenue shown in the financial plans.
2. The City should consider implementing a uniform

availability charge. The report anticipates the City will collect an availability charge from property owners or developer(s) when water and sanitary sewer services become available through construction of new infrastructure. While the report recommends an availability charge, the process of collecting charges to pay for the infrastructure could also continue to be in the form of levying a special assessment against the benefiting property.

3. The City should plan to structure future debt in a conservative manner (delaying certain maturities) to provide the City with time for future development to occur and increase revenue. If development does not occur at the rates projected by the City it will require higher fees and charges to existing customers to pay for the infrastructure that will be financed and in place.

4. The City should adopt a formal fund balance policy. This policy will provide guidance for financial management and will inform future decisions on adjustments to utility fees and charges. The report is based on direction from City staff to plan for achieving a cash (fund) balance at 50 percent of anticipated annual operating expenditures.

Organization of Report

The report is organized into five sections:

5. Executive Summary provides information on the organization of the report, study approach, using the report, and conclusions and recommendations.
6. Background discusses the historical context (i.e., growth and development of the community) and financial status of the utilities.
7. Capital Improvement Plan provides information

management plan update.

on the City's identified plans for expanding the capacity of the water and sanitary sewer systems. This includes estimates on project costs and sources of funds to pay for the improvements. Information on debt service is also included.

8. Utility Rates provides both historical, current, and future projected utility rates that will be necessary to maintain a positive financial condition for the Water and Sanitary Sewer Funds. Information is provided in the Appendix of the report on what proposed rate increases will mean to customers of the utility systems with respect to quarterly bills.
9. Financial Plans are provided for the Water, Sanitary Sewer, and Storm Sewer Funds. The financial plans provide both historical, current, and future projected sources and uses of funds. Financial plans take into account capital improvement plans and rate structure.
10. Appendix provides charts of data from the financial plans and information on projected growth in residential and commercial customers.

Using the Report

This report is intended to be a practical guide for City staff and the City Council on the on-going management of the City's Water, Sanitary Sewer, and Storm Sewer Funds. Much of the information in this report has enduring value and will serve to continue to guide management decisions over a number of years. However, management of enterprise funds is a dynamic system. Customer base changes, statutes and rules change, cost of labor and materials and supplies will vary from assumptions from year-to-year. This report should be the foundation of an annual review and

BACKGROUND

The City of Lake Elmo is located on the eastern edge of the Twin Cities metropolitan area. The City's 2030 Comprehensive Plan forecasts and provides for approximately eight times the growth in households and population during the 2000-2030 planning period than was experienced during the 1980-2000 period.

The City reports an estimated 2010 population of 8,069 and 2,774 households (2010 Census). Population is estimated to increase to 18,403 by 2020 and households to 6,324 (2030 Comprehensive Plan). The land area for the City encompasses approximately 15,250 acres.

The City's 2030 Comprehensive Plan provides guidance on the City's plans for managing future demand for utility infrastructure.

Water Utility

Lake Elmo owns, operates and maintains a municipal water supply and distribution system. The City has a goal to serve existing population desiring public water supply while preparing the system to allow people to connect as development occurs or existing areas request service. This policy guides the City's capital improvement planning and the need to maintain a flexible and responsive water system. Capital planning includes projects to correct existing deficiencies and to expand the system.

The City uses an enterprise fund to account for its water operations. The unrestricted assets in the Water Fund totaled \$1,072,022 and a cash balance of \$752,658 at December 31, 2011. There were no significant transactions to report for the year ended December 31, 2011.

Sanitary Sewer Utility

Property owners in the City are served by individual sewer systems or in limited areas by municipal sewer. Capital plans will provide for an increase in the number of properties to be served by municipal sewer and connection to the Regional Sewer System. The Metropolitan Council Environmental Services (MCES) plans to extend regional sewer service to serve a greater area of the City.

The City uses an enterprise fund to account for its sewer operations. The unrestricted assets in the Sewer Fund totaled \$62,994 and a cash balance of \$27,062 at December 31, 2011. There were no significant transactions to report for the year ended December 31, 2011.

Storm Sewer Utility

The City operates a storm sewer utility. The system of conveyances is owned and operated by the City and designed for collecting or conveying storm water, and that is not used for collecting or conveying sewer. The City collects an annual fee from property owners that is used to pay for the cost of constructing and maintaining the system.

by the City as the community develops and infrastructure ages and requires major maintenance and/or replacement.

CAPITAL IMPROVEMENT PLAN AND DEBT SERVICE

Source of Funding for Capital Projects

The source of funding for the planned capital projects includes either one of the following sources or a combination thereof: fund balance (cash); bond proceeds; levying of special assessments; grants, tax increment revenue collections, and intergovernmental revenue.

To the extent future development expectations exceed or fall short of the City's projections, the City may want to adjust the amount of water project costs to be paid for with bond proceeds versus cash.

Debt Service

The current CIP for water and sanitary sewer utilities anticipates the use of bonds to undertake needed improvements while keeping fees as low as possible.

The projections assume that the City will issue general obligation bonds and use utility revenues to pay all principal and interest. This approach provides the lowest cost of debt. These bonds will not count against the City's debt limit. Debt management is an important factor in the City's ongoing capital improvements planning.

The City has the authority to issue pure revenue bonds for these improvements. With general obligation bonds, the City pledges to levy property taxes to cover any shortfall in utility revenues. Revenue bonds are backed solely by utility revenues. The alternative use of revenue bonds without a general obligation pledge would have several financial implications for the City:

- Interest rates will be higher. The difference will

The City has developed a multi-year capital project plan for its utilities. The Capital Improvement Plan (CIP) provides details on project costs by year and proposed funding sources. Identified funding sources include the planned issuance of debt.

The CIP provides important input for the financial plans included in the report. The financial plans are inclusive of all sources and uses of funds, both operating and non-operating, including capital spending plans.

At this time the City does not anticipate any capital improvements for the storm sewer utility in the next five years. A CIP summary is therefore not included in the report for storm sewer projects.

Capital Projects

The projects included in the CIP include projects to expand the capacity and correct deficiencies of the water and sanitary sewer systems. The City of Lake Elmo is a developing community with significant utility expansion needs.

Projects include expansion of the City's water supply capacity and distribution system. Sanitary sewer services will be expanded through the construction of connections to the Regional Sewer System.

As a developing community, the City's capital improvement plans focus on expansion and does not presently include capital spending for maintenance of existing systems. This will need future consideration

depend on the terms of the issue and the operation of the Utility.

- The City will be required to set fees that will create revenues that produce net income in excess of debt service. Any scenarios with ongoing annual deficits would not be viable.
- The bond issue would include a debt service reserve fund. A portion of the bond proceeds would be set aside to make payments in the event of revenue shortfalls.

As a result, higher fees will be required with the use of revenue bonds to finance planned improvements.

The finance plans and related fee schedules included in the report anticipate the issuance of general obligation (G.O.) revenue bonds to finance certain capital improvements. The estimates for debt service are based on bonds to be paid generally over 20 years. The estimated interest rates used to calculate annual debt service were conservatively estimated based on today's current rate environment (today's rates for a Aa2 rating plus 25 basis points for anticipated 2013 bonding and 50 basis points for later years). The actual interest rates will depend on final structure and market conditions at time of issuance.

Beginning on page 9, a summary of estimated annual debt service is provided for years 2012 to 2021 which is the planning horizon for the financial plans. On pages 10 and 11, detail on the annual estimated debt service for future water and sanitary sewer bond issuances is shown. The chart on page 12 provides a longer term view of projected annual debt service for years 2012 through 2035, or over the life of the City's existing bonds and the life of future estimated bond issuances included in the report.

Capital Improvement Plan and Debt Service

CITY OF LAKE ELMO

WATER and SANITARY SEWER FUNDS

SUMMARY OF CAPITAL IMPROVEMENT PLAN (CIP)

| | 2012 | 2013 | 2014 | 2015 | 2016 | 2017 | 2018 | 2019 | 2020 | 2021 | Total |
|--|------|-----------|---------|-----------|-----------|---------|------|------|------|------|------------|
| WATER FUND | | | | | | | | | | | |
| <i>Water Capital Projects</i> | | | | | | | | | | | |
| Water supply well No. 4 and pumphouse /connection | - | 1,500,000 | - | - | - | - | - | - | - | - | 1,500,000 |
| Keats Ave 16" trunk watermain extension | - | - | - | - | - | - | - | - | - | - | - |
| Phase I: Western 194 Corridor (Inwood to Keats) | - | 1,050,000 | - | - | - | - | - | - | - | - | 1,050,000 |
| Segment 1: Water booster pump | - | 610,000 | - | - | - | - | - | - | - | - | 610,000 |
| Segment 2: Inwood Ave 16" trunk watermain extension | - | 1,600,000 | - | - | - | - | - | - | - | - | 1,600,000 |
| Segment 3: 10th St to EP Bus Park 16" trunk watermain ext | - | 780,000 | - | - | - | - | - | - | - | - | 780,000 |
| Alt Segment 3: Azur Prop 16" trunk watermain extension | - | - | 400,000 | - | - | - | - | - | - | - | 400,000 |
| Alt Segment 5: 12" trunk watermain to non-contiguous East | - | - | - | 600,000 | - | - | - | - | - | - | 600,000 |
| Alt Segment 7: Ground storage tank | - | - | - | - | - | - | - | - | - | - | - |
| Phase II: Eastern 194 Corridor (Lake Elmo Ave. to Manning) | - | - | - | - | 2,775,000 | - | - | - | - | - | 2,775,000 |
| Segment 4: Lake Elmo Ave 12" trunk watermain extension | - | - | - | - | - | - | - | - | - | - | - |
| Phase IIIb: Village Area (East to Village Parkway) | - | - | - | 900,000 | - | - | - | - | - | - | 900,000 |
| Replace/upgrade watermain as streets disturbed | - | - | - | - | 400,000 | 600,000 | - | - | - | - | 1,000,000 |
| Village Parkway/39th Street | - | 5,540,000 | 400,000 | 1,500,000 | 3,175,000 | 600,000 | - | - | - | - | 11,215,000 |
| Total | - | 5,540,000 | 400,000 | 1,500,000 | 3,175,000 | 600,000 | - | - | - | - | 11,215,000 |
| <i>Funding Source for Water Capital Projects</i> | | | | | | | | | | | |
| Cash from Water Fund | - | - | - | 1,500,000 | 925,000 | 250,000 | - | - | - | - | 2,675,000 |
| Bond proceeds | - | 3,540,000 | - | - | 2,000,000 | - | - | - | - | - | 5,540,000 |
| Grants (Met Council) | - | 1,000,000 | - | - | - | - | - | - | - | - | 1,000,000 |
| Intergovernmental | - | 1,000,000 | - | - | - | - | - | - | - | - | 1,000,000 |
| Tax Increment /Developer Contribution | - | - | 400,000 | - | 250,000 | 350,000 | - | - | - | - | 1,000,000 |
| Total | - | 5,540,000 | 400,000 | 1,500,000 | 3,175,000 | 600,000 | - | - | - | - | 11,215,000 |

Capital Improvement Plan and Debt Service

CITY OF LAKE ELMO WATER and SANITARY SEWER FUNDS SUMMARY OF CAPITAL IMPROVEMENT PLAN (CIP)

| | 2012 | 2013 | 2014 | 2015 | 2016 | 2017 | 2018 | 2019 | 2020 | 2021 | Total |
|---|------|-----------|-----------|-----------|---------|---------|---------|------|------|------|-----------|
| SANITARY SEWER FUND | | | | | | | | | | | |
| <i>Sanitary Sewer Capital Projects</i> | | | | | | | | | | | |
| Segment 4: New lift station at Hudson & Keats, Connecting FM | - | - | 900,000 | - | - | - | - | - | - | - | 900,000 |
| Segment 6: Hudson Blvd lift station replacement, connecting FM to WONE | - | - | - | - | - | - | 300,000 | - | - | - | 300,000 |
| Phase II: Easter 194 Corridor (Lake Elmo Ave. to Manning) | - | - | - | - | - | - | - | - | - | - | - |
| Option A: 27/30" trunk sewer extension from MCES connectoin | - | - | - | - | - | - | - | - | - | - | - |
| Option B: 18/27" trunk sewer extension from MCES connection | - | 700,000 | 500,000 | - | - | - | - | - | - | - | 1,200,000 |
| Option B: Future lift station west of Lake Elmo Ave. | - | - | 200,000 | - | - | - | - | - | - | - | 200,000 |
| Phase IIIb: Village Area (East to Village Parkway) | - | 3,800,000 | - | - | - | - | - | - | - | - | 3,800,000 |
| Village lift station and forcemain | - | - | - | 1,100,000 | - | - | - | - | - | - | 1,100,000 |
| Segment 1: Lake Elmo Ave & 30th St & 39th St | - | - | - | - | 600,000 | 600,000 | - | - | - | - | 1,200,000 |
| Segment 2: Village Parkway to TH5 | - | 4,500,000 | 1,600,000 | 1,100,000 | 600,000 | 600,000 | 300,000 | - | - | - | 8,700,000 |
| Total | - | 4,500,000 | 1,600,000 | 1,100,000 | 600,000 | 600,000 | 300,000 | - | - | - | 8,700,000 |
| <i>Funding Source for Sanitary Sewer Capital Projects</i> | | | | | | | | | | | |
| Cash from Sewer Fund | - | - | - | - | - | - | 300,000 | - | - | - | 300,000 |
| Bond proceeds | - | 3,500,000 | 1,200,000 | 1,100,000 | - | - | - | - | - | - | 5,800,000 |
| Grants (Met Council) | - | 1,000,000 | - | - | - | - | - | - | - | - | 1,000,000 |
| Intergovernmental | - | - | - | - | 180,000 | 180,000 | - | - | - | - | 360,000 |
| Tax Increment/Developer Contribution (future IIF districts and development) | - | - | 400,000 | - | 420,000 | 420,000 | - | - | - | - | 1,240,000 |
| Total | - | 4,500,000 | 1,600,000 | 1,100,000 | 600,000 | 600,000 | 300,000 | - | - | - | 8,700,000 |

**Capital Improvement
Plan and Debt Service**

**CITY OF LAKE ELMO
WATER, SANITARY SEWER, AND STORM SEWER FUNDS
SUMMARY OF DEBT SERVICE (YEARS 2012 TO 2021)**

| | 2012 | 2013 | 2014 | 2015 | 2016 | 2017 | 2018 | 2019 | 2020 | 2021 |
|---|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|
| <u>WATER UTILITY FUND</u> | | | | | | | | | | |
| <i>Annual Debt Service for Water Utility Projects</i> | | | | | | | | | | |
| GO Water Rev Bond 2005A | 175,025 | 300,025 | 320,650 | 315,250 | - | - | - | - | - | - |
| GO Ref Bond 2009A (Refund 2002B) | 54,680 | 53,680 | 52,480 | 51,280 | 49,880 | 53,680 | 52,128 | 55,575 | 53,850 | 51,925 |
| GO Ref Bond 2012A (Refund 2005A) | - | - | - | - | 281,043 | 272,143 | 293,343 | 284,043 | 279,843 | 270,643 |
| EST GO Water Rev 2013 Bonds | - | 95,455 | 125,455 | 125,275 | 125,065 | 124,810 | 124,495 | 164,120 | 163,070 | 161,880 |
| EST GO Water Rev 2016 Bonds | - | - | - | - | 53,560 | 128,560 | 127,585 | 126,460 | 125,148 | 148,685 |
| Total | 229,705 | 449,160 | 498,585 | 491,805 | 509,548 | 579,193 | 597,551 | 630,198 | 621,911 | 633,133 |

SANITARY SEWER UTILITY FUND

Annual Debt Service on Sanitary Sewer Projects

| | | | | | | | | | | |
|-----------------------------|----------|---------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|--------|
| EST GO Sewer Rev 2013 Bonds | 81,430 | 181,430 | 180,830 | 180,130 | 179,280 | 178,230 | 176,980 | 175,480 | 173,780 | |
| EST GO Sewer Rev 2014 Bonds | - | 57,313 | 57,100 | 56,863 | 56,588 | 56,263 | 80,888 | 80,013 | 79,038 | |
| EST GO Sewer Rev 2015 Bonds | - | - | - | 55,513 | 55,275 | 55,000 | 54,675 | 54,300 | 78,863 | 77,888 |
| Total | - | 81,430 | 238,743 | 293,443 | 292,268 | 290,868 | 312,168 | 334,355 | 330,705 | |

STORM SEWER UTILITY FUND

No existing or anticipated outstanding debt

| | | | | | | | | | | |
|------------------------------------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|
| TOTAL ANNUAL COMBINED DEBT SERVICE | 229,705 | 530,590 | 737,328 | 785,248 | 801,816 | 870,061 | 886,718 | 942,366 | 956,266 | 963,838 |
| <i>annual dollar change</i> | | 300,885 | 206,738 | 47,920 | 16,568 | 68,245 | 16,658 | 55,648 | 13,900 | 7,573 |
| <i>annual % change</i> | | 131.0% | 39.0% | 6.5% | 2.1% | 8.5% | 1.9% | 6.3% | 1.5% | 0.8% |

Notes:

EST (estimated) amounts are shown for bonds with dates after 2012. Estimates are based on the capital improvement plan included in the report. Annual debt service figures are preliminary. Actual structure may vary depending on financial management decisions made by the City. Interest rates and terms will vary. Detail on estimated interest rates and terms are provided on pages 10 and 11.

Capital Improvement Plan and Debt Service

City of Lake Elmo, MN Estimated Future G.O. Water Revenue Bonds

Analysis of Possible Future Estimated Debt Service Based on Capital Improvement Plan (CIP) (Terms shown including maturities and rates are for preliminary planning purposes only)

| 2013 G.O. Water Revenue Bonds | | | | | | | | | | 2016 G.O. Water Revenue Bonds | | | | | | | | | |
|-------------------------------|--------------------|----------------|--------------------|---------------------|--------------|-----|--------------------|----------------|--------------------|-------------------------------|------|-----|-----------|----------------|--------------------|---------------------|-----|-----|--|
| Year | Principal | Interest Rates | Total Debt Service | Outstanding Balance | Year | Beg | Principal | Interest Rates | Total Debt Service | Outstanding Balance | Year | Beg | Principal | Interest Rates | Total Debt Service | Outstanding Balance | | | |
| | | | | | | | | | | | | | | | | | Est | Est | |
| 2013 | \$0 | 0.55% | \$97,208 | \$3,630,000 | 2013 | | \$0 | 0.80% | \$0 | \$2,060,000 | | | | | | | | | |
| 2014 | \$30,000 | 0.60% | \$127,208 | \$3,600,000 | 2014 | | \$0 | 0.85% | \$0 | \$2,060,000 | | | | | | | | | |
| 2015 | \$30,000 | 0.70% | \$127,028 | \$3,570,000 | 2015 | 0 | \$0 | 0.95% | \$0 | \$2,060,000 | | | | | | | | | |
| 2016 | \$30,000 | 0.85% | \$96,818 | \$3,540,000 | 2016 | 1 | \$0 | 1.10% | \$57,243 | \$2,060,000 | | | | | | | | | |
| 2017 | \$30,000 | 1.05% | \$126,563 | \$3,510,000 | 2017 | 2 | \$75,000 | 1.30% | \$57,243 | \$1,985,000 | | | | | | | | | |
| 2018 | \$30,000 | 1.25% | \$96,248 | \$3,480,000 | 2018 | 3 | \$75,000 | 1.50% | \$56,268 | \$1,910,000 | | | | | | | | | |
| 2019 | \$70,000 | 1.50% | \$95,873 | \$3,410,000 | 2019 | 4 | \$75,000 | 1.75% | \$55,143 | \$1,835,000 | | | | | | | | | |
| 2020 | \$70,000 | 1.70% | \$94,823 | \$3,340,000 | 2020 | 5 | \$75,000 | 1.95% | \$53,830 | \$1,760,000 | | | | | | | | | |
| 2021 | \$75,000 | 1.85% | \$93,633 | \$3,265,000 | 2021 | 6 | \$75,000 | 2.10% | \$52,368 | \$1,685,000 | | | | | | | | | |
| 2022 | \$150,000 | 2.00% | \$92,245 | \$3,115,000 | 2022 | 7 | \$75,000 | 2.25% | \$50,793 | \$1,610,000 | | | | | | | | | |
| 2023 | \$150,000 | 2.10% | \$89,245 | \$2,965,000 | 2023 | 8 | \$75,000 | 2.35% | \$49,105 | \$1,535,000 | | | | | | | | | |
| 2024 | \$150,000 | 2.20% | \$86,095 | \$2,815,000 | 2024 | 9 | \$75,000 | 2.45% | \$47,343 | \$1,460,000 | | | | | | | | | |
| 2025 | \$150,000 | 2.30% | \$82,795 | \$2,665,000 | 2025 | 10 | \$75,000 | 2.55% | \$45,505 | \$1,385,000 | | | | | | | | | |
| 2026 | \$150,000 | 2.40% | \$79,345 | \$2,515,000 | 2026 | 11 | \$125,000 | 2.65% | \$43,593 | \$1,260,000 | | | | | | | | | |
| 2027 | \$150,000 | 2.50% | \$75,745 | \$2,365,000 | 2027 | 12 | \$125,000 | 2.75% | \$40,280 | \$1,135,000 | | | | | | | | | |
| 2028 | \$150,000 | 2.60% | \$71,995 | \$2,215,000 | 2028 | 13 | \$125,000 | 2.85% | \$36,843 | \$1,010,000 | | | | | | | | | |
| 2029 | \$150,000 | 2.70% | \$68,095 | \$2,065,000 | 2029 | 14 | \$75,000 | 2.95% | \$33,280 | \$935,000 | | | | | | | | | |
| 2030 | \$150,000 | 2.80% | \$64,045 | \$1,915,000 | 2030 | 15 | \$75,000 | 3.05% | \$31,068 | \$860,000 | | | | | | | | | |
| 2031 | \$325,000 | 2.90% | \$59,845 | \$1,590,000 | 2031 | 16 | \$175,000 | 3.15% | \$28,780 | \$685,000 | | | | | | | | | |
| 2032 | \$325,000 | 3.00% | \$50,420 | \$1,265,000 | 2032 | 17 | \$175,000 | 3.25% | \$23,268 | \$510,000 | | | | | | | | | |
| 2033 | \$325,000 | 3.10% | \$40,670 | \$940,000 | 2033 | 18 | \$175,000 | 3.35% | \$17,580 | \$335,000 | | | | | | | | | |
| 2034 | \$425,000 | 3.20% | \$30,595 | \$515,000 | 2034 | 19 | \$175,000 | 3.45% | \$11,718 | \$160,000 | | | | | | | | | |
| 2035 | \$515,000 | 3.30% | \$16,995 | \$0 | 2035 | 20 | \$160,000 | 3.55% | \$5,680 | \$0 | | | | | | | | | |
| Total | \$3,630,000 | | \$1,773,528 | \$5,403,528 | Total | | \$2,060,000 | | \$796,925 | \$2,856,925 | | | | | | | | | |

Application of Funds:

| | |
|----------------------|--------------------|
| Construction | \$3,540,000 |
| Other Costs/Rounding | \$90,000 |
| Total | \$3,630,000 |

Application of Funds:

| | |
|----------------------|--------------------|
| Construction | \$2,000,000 |
| Other Costs/Rounding | \$60,000 |
| Total | \$2,060,000 |

Capital Improvement Plan and Debt Service

City of Lake Elmo, MN

Estimated Future G.O. Sewer Revenue Bonds

Analysis of Possible Future Estimated Debt Service Based on Capital Improvement Plan (CIP)

(Terms shown including maturities and rates are for preliminary planning purposes only)

| Projected Future 2013 G.O. Sewer Revenue Bonds | | | | | | Projected Future 2014 G.O. Sewer Revenue Bonds | | | | | | Projected Future 2015 G.O. Sewer Revenue Bonds | | | | | |
|--|-------------|----------------|-------------|--------------------|---------------------|--|-------------|----------------|-----------|--------------------|---------------------|--|-------------|----------------|-----------|--------------------|---------------------|
| Est | | | | | | Est | | | | | | Est | | | | | |
| Year | Principal | Interest Rates | Interest | Total Debt Service | Outstanding Balance | Year | Principal | Interest Rates | Interest | Total Debt Service | Outstanding Balance | Year | Principal | Interest Rates | Interest | Total Debt Service | Outstanding Balance |
| Beg | | | | | \$3,605,000 | Beg | | | | | \$1,250,000 | Beg | | | | | \$1,150,000 |
| 2013 | \$0 | 0.55% | \$81,430 | \$81,430 | \$3,605,000 | 2013 | \$0 | 0.80% | \$0 | \$0 | \$1,250,000 | 2013 | \$0 | 0.80% | \$0 | \$0 | \$1,150,000 |
| 2014 | \$1,000,000 | 0.60% | \$81,430 | \$181,430 | \$3,505,000 | 2014 | \$25,000 | 0.85% | \$32,313 | \$57,313 | \$1,225,000 | 2014 | \$0 | 0.85% | \$0 | \$0 | \$1,150,000 |
| 2015 | \$1,000,000 | 0.70% | \$80,830 | \$180,830 | \$3,405,000 | 2015 | \$25,000 | 0.95% | \$32,100 | \$57,100 | \$1,200,000 | 2015 | \$25,000 | 0.95% | \$30,513 | \$55,513 | \$1,125,000 |
| 2016 | \$1,000,000 | 0.85% | \$80,130 | \$180,130 | \$3,305,000 | 2016 | \$25,000 | 1.10% | \$31,863 | \$56,863 | \$1,175,000 | 2016 | \$25,000 | 1.10% | \$30,275 | \$55,275 | \$1,100,000 |
| 2017 | \$1,000,000 | 1.05% | \$79,280 | \$179,280 | \$3,205,000 | 2017 | \$25,000 | 1.30% | \$31,588 | \$56,588 | \$1,150,000 | 2017 | \$25,000 | 1.30% | \$30,000 | \$55,000 | \$1,075,000 |
| 2018 | \$1,000,000 | 1.25% | \$78,230 | \$178,230 | \$3,105,000 | 2018 | \$25,000 | 1.50% | \$31,263 | \$56,263 | \$1,125,000 | 2018 | \$25,000 | 1.50% | \$29,675 | \$54,675 | \$1,050,000 |
| 2019 | \$1,000,000 | 1.50% | \$76,980 | \$176,980 | \$3,005,000 | 2019 | \$50,000 | 1.75% | \$30,888 | \$80,888 | \$1,075,000 | 2019 | \$25,000 | 1.75% | \$29,300 | \$54,300 | \$1,025,000 |
| 2020 | \$1,000,000 | 1.70% | \$75,480 | \$175,480 | \$2,905,000 | 2020 | \$50,000 | 1.95% | \$30,013 | \$80,013 | \$1,025,000 | 2020 | \$50,000 | 1.95% | \$28,863 | \$78,863 | \$975,000 |
| 2021 | \$1,000,000 | 1.85% | \$73,780 | \$173,780 | \$2,805,000 | 2021 | \$50,000 | 2.10% | \$29,038 | \$79,038 | \$975,000 | 2021 | \$50,000 | 2.10% | \$27,888 | \$77,888 | \$925,000 |
| 2022 | \$200,000 | 2.00% | \$71,930 | \$271,930 | \$2,605,000 | 2022 | \$50,000 | 2.25% | \$27,988 | \$77,988 | \$925,000 | 2022 | \$50,000 | 2.25% | \$26,838 | \$76,838 | \$875,000 |
| 2023 | \$200,000 | 2.10% | \$67,930 | \$267,930 | \$2,405,000 | 2023 | \$50,000 | 2.35% | \$26,863 | \$76,863 | \$875,000 | 2023 | \$50,000 | 2.35% | \$25,713 | \$75,713 | \$825,000 |
| 2024 | \$225,000 | 2.20% | \$63,730 | \$288,730 | \$2,180,000 | 2024 | \$75,000 | 2.45% | \$25,688 | \$100,688 | \$800,000 | 2024 | \$50,000 | 2.45% | \$24,538 | \$74,538 | \$775,000 |
| 2025 | \$225,000 | 2.30% | \$58,780 | \$283,780 | \$1,955,000 | 2025 | \$75,000 | 2.55% | \$23,850 | \$98,850 | \$725,000 | 2025 | \$75,000 | 2.55% | \$23,313 | \$98,313 | \$700,000 |
| 2026 | \$225,000 | 2.40% | \$53,605 | \$278,605 | \$1,730,000 | 2026 | \$75,000 | 2.65% | \$21,938 | \$96,938 | \$650,000 | 2026 | \$75,000 | 2.65% | \$21,400 | \$96,400 | \$625,000 |
| 2027 | \$225,000 | 2.50% | \$48,205 | \$273,205 | \$1,505,000 | 2027 | \$75,000 | 2.75% | \$19,950 | \$94,950 | \$575,000 | 2027 | \$75,000 | 2.75% | \$19,413 | \$94,413 | \$550,000 |
| 2028 | \$225,000 | 2.60% | \$42,580 | \$267,580 | \$1,280,000 | 2028 | \$75,000 | 2.85% | \$17,888 | \$92,888 | \$500,000 | 2028 | \$75,000 | 2.85% | \$17,350 | \$92,350 | \$475,000 |
| 2029 | \$295,000 | 2.70% | \$36,730 | \$331,730 | \$985,000 | 2029 | \$100,000 | 2.95% | \$15,750 | \$115,750 | \$400,000 | 2029 | \$75,000 | 2.95% | \$15,213 | \$90,213 | \$400,000 |
| 2030 | \$295,000 | 2.80% | \$28,765 | \$323,765 | \$690,000 | 2030 | \$100,000 | 3.05% | \$12,800 | \$112,800 | \$300,000 | 2030 | \$80,000 | 3.05% | \$13,000 | \$93,000 | \$320,000 |
| 2031 | \$295,000 | 2.90% | \$20,505 | \$315,505 | \$395,000 | 2031 | \$100,000 | 3.15% | \$9,750 | \$109,750 | \$200,000 | 2031 | \$80,000 | 3.15% | \$10,560 | \$90,560 | \$240,000 |
| 2032 | \$295,000 | 3.00% | \$11,950 | \$306,950 | \$100,000 | 2032 | \$100,000 | 3.25% | \$6,600 | \$106,600 | \$100,000 | 2032 | \$80,000 | 3.25% | \$8,040 | \$88,040 | \$160,000 |
| 2033 | \$100,000 | 3.10% | \$3,100 | \$103,100 | \$0 | 2033 | \$100,000 | 3.35% | \$3,350 | \$103,350 | \$0 | 2033 | \$80,000 | 3.35% | \$5,440 | \$85,440 | \$80,000 |
| 2034 | | 3.20% | \$0 | \$0 | \$0 | 2034 | | 3.45% | \$0 | \$0 | \$0 | 2034 | \$80,000 | 3.45% | \$2,760 | \$82,760 | \$0 |
| Total | \$3,605,000 | | \$1,215,380 | \$4,820,380 | | Total | \$1,250,000 | | \$461,475 | \$1,711,475 | | Total | \$1,150,000 | | \$420,088 | \$1,570,088 | |

Application of Funds:

| | |
|----------------------|-------------|
| Construction | \$3,500,000 |
| Other Costs/Rounding | \$105,000 |
| Total | \$3,605,000 |

Application of Funds:

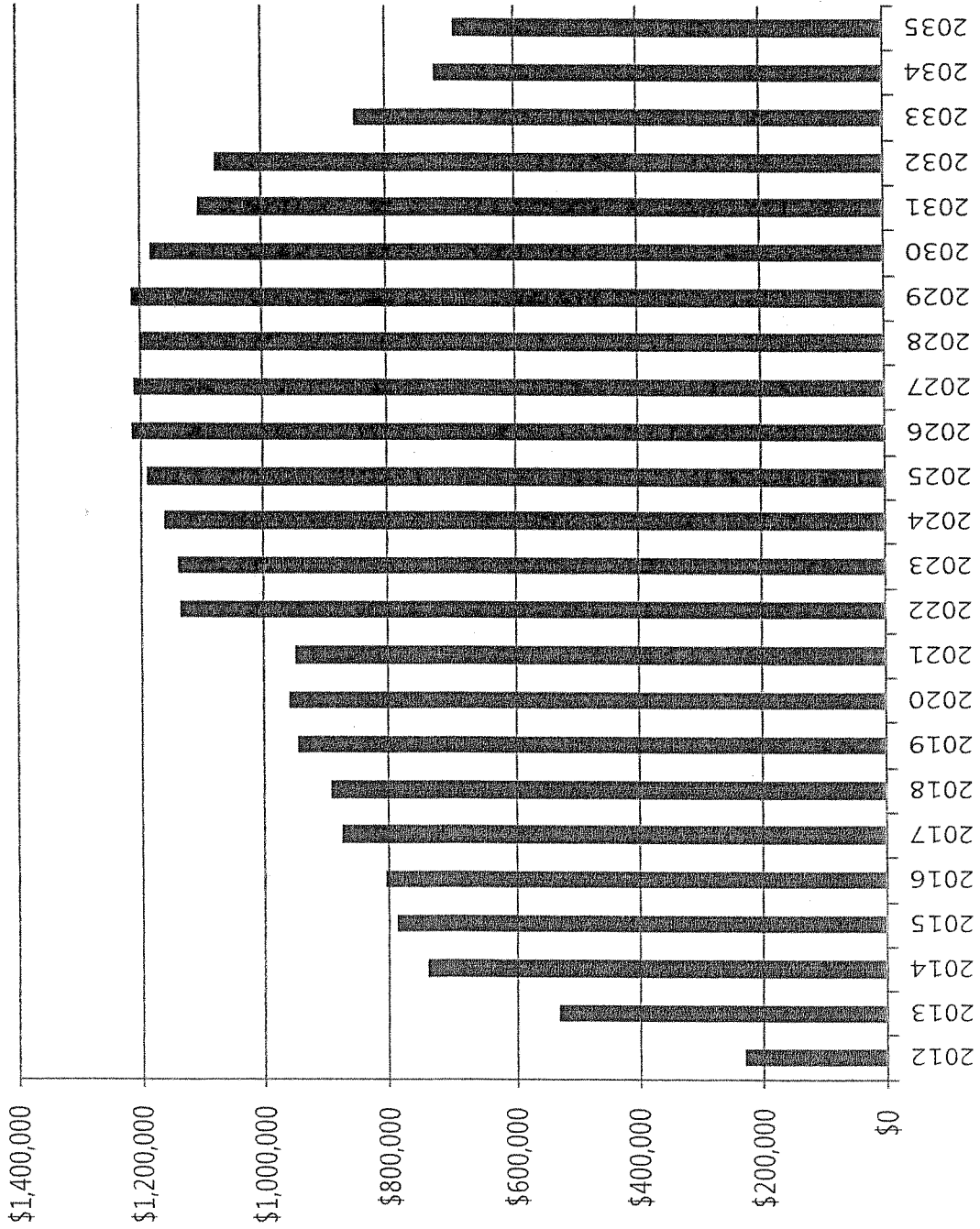
| | |
|----------------------|-------------|
| Construction | \$1,200,000 |
| Other Costs/Rounding | \$50,000 |
| Total | \$1,250,000 |

Application of Funds:

| | |
|----------------------|-------------|
| Construction | \$1,100,000 |
| Other Costs/Rounding | \$50,000 |
| Total | \$1,150,000 |

**Capital Improvement
Plan and Debt Service**

**City of Lake Elmo
Annual Estimated Debt Service Based on Future Bonding Plans in CIP and Estimated
Structure and Future Rates**



The annual estimated debt service amounts shown in this chart include general obligation water revenue bonds and general obligation sewer revenue bonds. The annual amounts include both existing debt service (on outstanding bonds) and future estimated debt service on bonds anticipated to be issued in future years and paid from utility revenues. Future bond issuance estimates are based on the City's capital improvement plan.

This chart includes debt supported by utility revenue only and does not include existing or future estimated debt that is paid from property tax levy.

UTILITY RATES

Key Factors

To project future utility rates necessary to maintain the financial stability of the City's utility operations requires development and analysis of the following key factors:

- Estimates for future annual operating expenditures, including personnel, materials and supplies, cost of electricity, and other operating expenses.
- Metropolitan Council Environmental Service (MCES) sewer fee charged to the City by the Metropolitan Council for regional collection and treatment of waste water. This is an operating expense that the City does not have direct control over.
- Annual capital expenditure to maintain and improve the existing systems.
- Annual debt service on bonds issued to finance capital improvements.
- Growth in customers using and paying for the systems. This growth will provide additional revenue to the systems but will also create additional demand for services.
- Available other revenue sources other than fees and charges to users of the water and sanitary sewer services.

Annual Operating Expenditures

Costs incurred in operating the water and sewer systems, which are used up in the period in which

acquired, are recorded as operating expenditures. Annual growth in operating expenditures, not including the MCES charge, has been modest. It is anticipated that growth in future years will be about 2 percent per year. Approximately a third of the operating expense (not including depreciation) is for personnel costs (labor) and the balance for materials, supplies, and other operating expense.

Depreciation is shown under operating expenditures and is the process of allocating the costs of an asset over its useful life in a systematic and rational manner. Depreciation is projected to remain constant over the financial planning horizon for the study. Estimate for future depreciation was not part of the study.

Metropolitan Council Environmental Services

The MCES charge to cities for regional collection and treatment has been volatile in recent years. MCES has experienced revenue loss from the significant drop in regional development which has caused a corresponding decline in revenue collected by the Council for Sewer Availability Charges (a one time fee for new connections). For projection purposes, the study assumes that future charges paid to MCES for collection and treatment will increase by 2 percent annually. This is shown as an annual operating expense to the City's Sewer Fund which is paid from revenue collected from the City's utility customers in the form of fees and charges.

Annual Capital Expenditures

The City anticipates paying for future capital improvement project costs with a combination of revenue sources. The City anticipates future development will provide significant revenue support to the City for

paying for utility expansion through the collection of development fees (availability and connection charges). The City will reduce the amount of bonding to pay for capital improvements to the extent cash from collection of these charges is available in the utility funds to do so.

Paying for annual planned capital improvement projects with cash may be a sound strategy depending on the details of the project. It avoids incurring annual interest expense. However, this strategy requires advance planning and implementation of utility fees and charges that provide adequate cash flow.

For large (non-routine) capital expenditures or unanticipated capital expenditures, the use of bonding to fund capital minimizes annual rate increases that otherwise would be necessary. It also allows the City to charge future customers the cost of infrastructure with a longer useful life, versus putting the entire burden on today's customers. The City's CIP does anticipate bonding for certain project costs. The resulting annual debt service on the bonds is included in the financial plans.

Debt Service

Debt service in the Water and Sanitary Sewer Funds is paid from revenue collected from utility fees and availability and connection (development) charges. Presently the City has debt outstanding in the Water Fund but does not report debt outstanding in the Sanitary Sewer or Storm Water Funds. The CIP anticipates the City will issue debt in the next five years that will be supported by revenue in the Water and Sanitary Sewer Funds.

All current and future debt is accounted for in the fi-

ancial plans that are included in the report. The estimated debt service is based on generally 20 years bonds payable at estimated interest rates. Future estimated utility fees and charges reflect the cost of the estimated increase for debt service.

Growth in Customers

Growth in customers from future land development is a major factor in determining the projections for future utility rates. New development will bring an increase in revenue to the City's utility funds through the collection of availability and connection charges and fees collected for service. Availability charges and connection charges are one time charges collected at the time of development. Estimating the increase in future customers from growth in residential and commercial development is the most volatile factor in developing financial projections for the utility funds. The last page of the report, page 34, in the Appendix Section, includes information on the assumed growth in residential equivalent units ("REU") from future development. The projected annual growth in REU's was established by City staff and provided to Northland for the study and report.

Growth in customers will allow the City to spread existing fixed costs, including overhead, over more units and volume. Growth in customers will allow the City to minimize future increases in utility fees that otherwise will be necessary.

Available Other Revenues

There is limited other revenues that provide a source of funding for utility services. The majority of the cost to operate and maintain the system is paid from fees and charges collected from those using the system.

Other revenue includes interest income on cash balances, special assessments, grants, and rents.

Historical Utility Rates

Information on historical rates is provided on page 16. This includes a summary of prior years approved utility rates for years 2007 - 2011. Rates shown are billed quarterly, with the exception of the storm water fee which is billed to customers receiving this charge on an annual basis. The City charges a basic service fee for water only.

Comparison to Neighboring Cities

Information is provided that compares the City of Lake Elmo's utility fees (for year 2012) to the neighboring cities of Oakdale, Woodbury, and Stillwater. This can be found on page 32. Comparison of availability and connection charges between cities can be found on page 33. Generally, as a developing community the utility fees and charges for the City of Lake Elmo are higher than its neighboring cities.

Future Utility Rates

Information on future projected utility rates for years 2013 to 2021 is provided on page 17. Rates for year 2012 are also included for reference. The projected future rates reflect the rates necessary to maintain adequate cash (fund) balance in the utility funds. These rates (applied against the estimated volumes on page 18) were used to calculate the annual estimated operating revenue that is shown in the financial plans for each utility fund.

The tier structure the City uses for charging customers for water, based on volume of water sold, was not reviewed as part of this study and report.

Recommendation for Connection Charges

The City presently does not have a connection charge for sanitary sewer. A charge is included for future years, beginning at \$3,500 in year 2013 and inflated annually at 4.5 percent, a rate necessary to maintain sufficient revenue to pay for debt service on capital projects. This is reflected in the revenue shown in the financial plans for the Sanitary Sewer Fund.

In addition, the report and financial plans are based on the City increasing the amount it charges for connection to municipal water to a level needed to fund infrastructure expansion. The amount is shown at \$3,500 for year 2013, which is an increase from the \$140 presently charged. This amount is shown to increase annually by 4.5 percent.

Projected Volumes of Water Sold and Sanitary Sewer Billed

Annual estimated volume of water sold by tier and estimated sanitary sewer billed by year is included on page 18. The chart on page 19 provides a break-down of the increase in volume of water sold comparing the estimated amount sold by year to existing customers, which is based on 2011 volumes, to the estimated amount that is attributed to growth in the customer base from future projected development. Information on the projected increase in residential equivalent units by year is provided on page 34, the last page of the report.

Utility Rates

CITY OF LAKE ELMO FEE SCHEDULE FOR PRIOR YEARS

| | 2007 | 2008 | 2009 | 2010 | 2011 |
|---|---------|---------|---------|---------|---------|
| <u>WATER SERVICE</u> | | | | | |
| <u>Residential</u> | | | | | |
| Water Basic Service fee (per meter or per unit/qtr) | \$23.50 | \$23.75 | \$25.00 | \$25.00 | \$25.00 |
| Water (per meter or per unit per 1,000 gallons): | | | | | |
| Tier 1: Water usage per first 15,000 gallons | \$1.80 | \$2.05 | \$2.15 | \$2.10 | \$2.14 |
| Tier 2: Water usage +15,000 gallons to 30,000 gallons | \$1.80 | \$2.05 | \$2.15 | \$2.80 | \$2.86 |
| Tier 3: Water usage +30,000 gallons to 50,000 gallons | \$1.80 | \$2.05 | \$2.15 | \$3.70 | \$3.77 |
| Tier 4: Water usage +50,000 gallons to 80,000 gallons | \$1.80 | \$2.05 | \$2.15 | \$4.90 | \$5.00 |
| Tier 5: Water usage +80,000 gallons | \$1.80 | \$2.05 | \$2.15 | \$6.50 | \$6.63 |
| Sewer (per 1,000 gallons) | \$2.75 | \$3.71 | \$4.08 | \$4.35 | \$4.50 |
| <u>Commercial and Industrial</u> | | | | | |
| Water Basic Service fee (per meter or per unit/qtr) | \$23.50 | \$23.75 | \$25.00 | \$25.00 | \$25.00 |
| Water (per meter or per unit per 1,000 gallons): | | | | | |
| Tier 1: Water usage per first 10,000 gallons | \$2.75 | \$3.00 | \$3.10 | \$3.05 | \$3.11 |
| Tier 2: Water usage +10,000 gallons to 25,000 gallons | \$2.75 | \$3.00 | \$3.10 | \$3.20 | \$3.26 |
| Tier 3: Water usage +25,000 gallons | \$2.75 | \$3.00 | \$3.10 | \$3.70 | \$3.77 |
| Tier 4: Water usage +29,000 gallons to next Tier | \$2.75 | \$3.00 | \$3.10 | \$4.90 | \$5.00 |
| Tier 5: Water usage +36,000 gallons to next Tier | \$2.75 | \$3.00 | \$3.10 | \$6.50 | \$6.63 |
| Sewer (per 1,000 gallons) | \$2.75 | \$3.71 | \$4.08 | \$4.35 | \$4.50 |
| <u>SURFACE WATER</u> | | | | | |
| Residential (flat fee charged annually) | \$30.00 | \$30.00 | \$35.00 | \$40.00 | \$50.00 |
| Non-Residential (flat fee charged annually based on equivalent res. unit) | \$30.00 | \$30.00 | \$35.00 | \$40.00 | \$50.00 |
| <u>SEWER CONNECTION CHARGES</u> | | | | | |
| Single family, duplex, townhouse, mobile home (per unit) | \$0 | \$0 | \$0 | \$0 | \$0 |
| Comm/Industrial, churches, schools, hospitals, nursing homes (per unit) | \$0 | \$0 | \$0 | \$0 | \$0 |
| <u>WATER CONNECTION CHARGES</u> | | | | | |
| Meter | \$275 | \$275 | \$285 | \$300 | \$300 |
| Single family, duplex, townhouse, mobile home (per unit) | \$140 | \$175 | \$130 | \$140 | \$140 |
| Comm/Industrial, churches, schools, hospitals, nursing homes (per unit) | \$140 | \$175 | \$130 | \$140 | \$140 |
| <u>TRUNK LINE AVAILABILITY CHARGES</u> | | | | | |
| Sewer availability charge per unit | \$3,500 | \$3,500 | \$3,500 | \$3,300 | \$3,500 |
| MCES connection charge (per unit) | \$2,150 | \$2,150 | \$2,150 | \$2,150 | \$2,230 |
| Water availability charge for new development per unit | \$3,675 | \$3,675 | \$3,675 | \$3,900 | \$3,900 |
| Water availability charge for existing structures within Old Village | \$800 | \$800 | \$800 | \$800 | \$800 |

Utility Rates

CITY OF LAKE ELMO FEE SCHEDULE

Future Estimates for Financial Plan

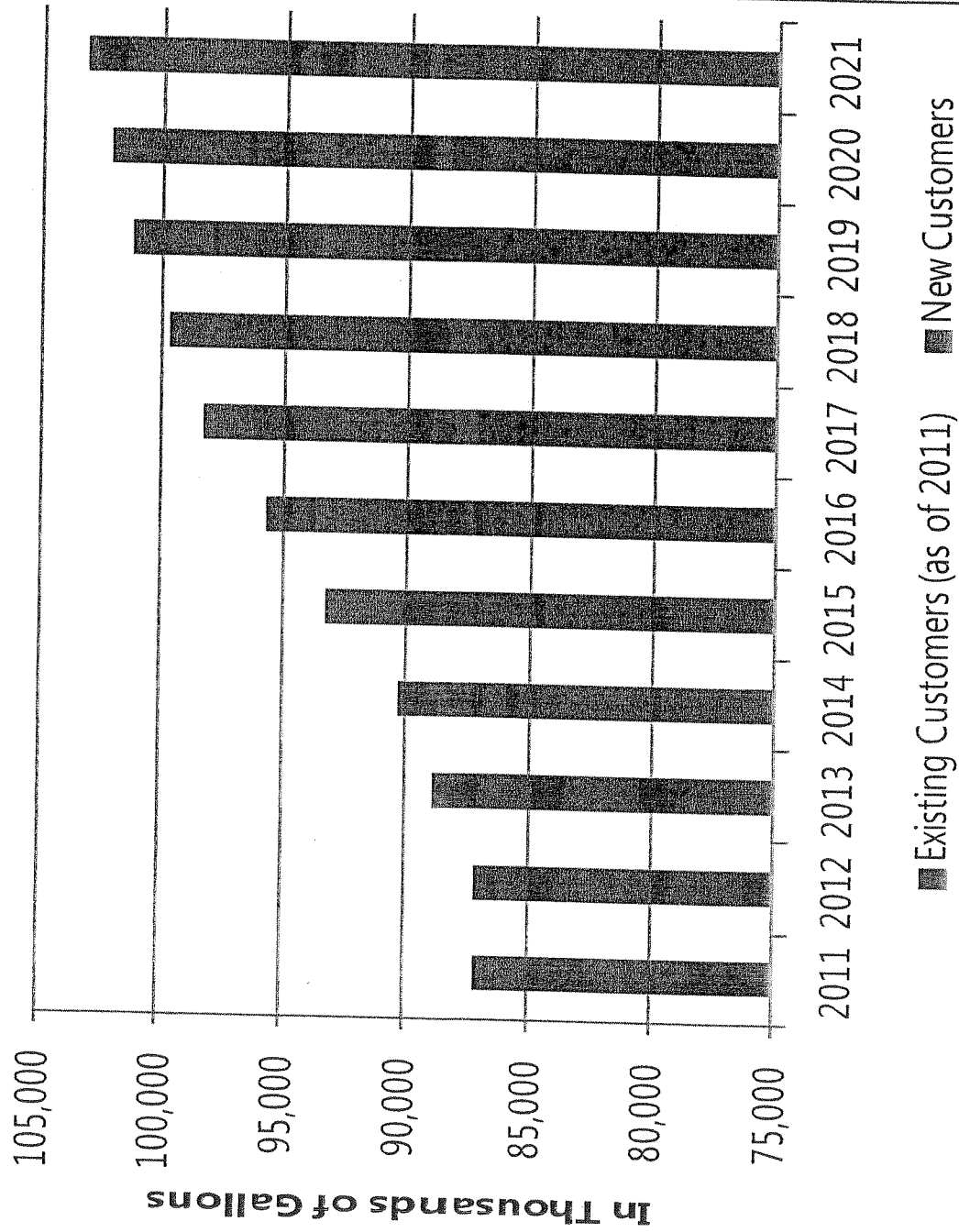
| | Annual % Incr | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 |
|---|---------------|-------------|---------|---------|---------|---------|---------|---------|---------|---------|---------|
| | Beg Yr 2013 | 2012 Budget | 2013 | 2014 | 2015 | 2016 | 2017 | 2018 | 2019 | 2020 | 2021 |
| WATER SERVICE | | | | | | | | | | | |
| Residential | | | | | | | | | | | |
| Water Basic Service fee (per meter or per unit/qtr) | 3.0% | \$25.00 | \$25.75 | \$26.52 | \$27.32 | \$28.14 | \$28.98 | \$29.85 | \$30.75 | \$31.67 | \$32.62 |
| Water (per meter or per unit per 1,000 gallons): | | | | | | | | | | | |
| Tier 1: Water usage per first 15,000 gallons | 3.0% | \$2.14 | \$2.20 | \$2.27 | \$2.34 | \$2.41 | \$2.48 | \$2.56 | \$2.63 | \$2.71 | \$2.79 |
| Tier 2: Water usage +15,000 gallons to 30,000 gallons | 3.0% | \$2.86 | \$2.95 | \$3.03 | \$3.13 | \$3.22 | \$3.32 | \$3.41 | \$3.52 | \$3.62 | \$3.73 |
| Tier 3: Water usage +30,000 gallons to 50,000 gallons | 3.0% | \$3.77 | \$3.88 | \$4.00 | \$4.12 | \$4.24 | \$4.37 | \$4.50 | \$4.64 | \$4.78 | \$4.92 |
| Tier 4: Water usage +50,000 gallons to 80,000 gallons | 3.0% | \$5.00 | \$5.15 | \$5.30 | \$5.46 | \$5.63 | \$5.80 | \$5.97 | \$6.15 | \$6.33 | \$6.52 |
| Tier 5: Water usage +80,000 gallons | 3.0% | \$6.63 | \$6.83 | \$7.03 | \$7.24 | \$7.46 | \$7.69 | \$7.92 | \$8.15 | \$8.40 | \$8.65 |
| Sewer (per 1,000 gallons) | 3.0% | \$4.50 | \$4.64 | \$4.77 | \$4.92 | \$5.06 | \$5.22 | \$5.37 | \$5.53 | \$5.70 | \$5.87 |
| Commercial and Industrial | | | | | | | | | | | |
| Water Basic Service fee (per meter or per unit/qtr) | 3.0% | \$25.00 | \$25.75 | \$26.52 | \$27.32 | \$28.14 | \$28.98 | \$29.85 | \$30.75 | \$31.67 | \$32.62 |
| Water (per meter or per unit per 1,000 gallons): | | | | | | | | | | | |
| Tier 1: Water usage per first 10,000 gallons | 3.0% | \$3.11 | \$3.20 | \$3.30 | \$3.40 | \$3.50 | \$3.61 | \$3.71 | \$3.82 | \$3.94 | \$4.06 |
| Tier 2: Water usage +10,000 gallons to 25,000 gallons | 3.0% | \$3.26 | \$3.36 | \$3.46 | \$3.56 | \$3.67 | \$3.78 | \$3.89 | \$4.01 | \$4.13 | \$4.25 |
| Tier 3: Water usage +25,000 gallons | 3.0% | \$3.77 | \$3.88 | \$4.00 | \$4.12 | \$4.24 | \$4.37 | \$4.50 | \$4.64 | \$4.78 | \$4.92 |
| Tier 4: Water usage +29,000 gallons to next Tier | 3.0% | \$5.00 | \$5.15 | \$5.30 | \$5.46 | \$5.63 | \$5.80 | \$5.97 | \$6.15 | \$6.33 | \$6.52 |
| Tier 5: Water usage +36,000 gallons to next Tier | 3.0% | \$6.63 | \$6.83 | \$7.03 | \$7.24 | \$7.46 | \$7.69 | \$7.92 | \$8.15 | \$8.40 | \$8.65 |
| Sewer (per 1,000 gallons) | 3.0% | \$4.50 | \$4.64 | \$4.77 | \$4.92 | \$5.06 | \$5.22 | \$5.37 | \$5.53 | \$5.70 | \$5.87 |
| SURFACE WATER | | | | | | | | | | | |
| Residential (flat fee charged annually) | 3.0% | \$50.00 | \$51.50 | \$53.05 | \$54.64 | \$56.28 | \$57.96 | \$59.70 | \$61.49 | \$63.34 | \$65.24 |
| Non-Residential (flat fee charged annually) | 3.0% | \$50.00 | \$51.50 | \$53.05 | \$54.64 | \$56.28 | \$57.96 | \$59.70 | \$61.49 | \$63.34 | \$65.24 |
| SEWER CONNECTION CHARGES | | | | | | | | | | | |
| Single family, duplex, townhouse, mobile home (per unit) | 4.5% | \$0 | \$3,500 | \$3,658 | \$3,822 | \$3,994 | \$4,174 | \$4,362 | \$4,558 | \$4,763 | \$4,977 |
| Comm/Industrial, churches, schools, hospitals, nursing homes (per unit) | 4.5% | \$0 | \$3,500 | \$3,658 | \$3,822 | \$3,994 | \$4,174 | \$4,362 | \$4,558 | \$4,763 | \$4,977 |
| WATER CONNECTION CHARGES | | | | | | | | | | | |
| Meter | | | | | | | | | | | |
| Single family, duplex, townhouse, mobile home (per unit) | 3.0% | \$300 | \$309 | \$318 | \$328 | \$338 | \$348 | \$358 | \$369 | \$380 | \$391 |
| Comm/Industrial, churches, schools, hospitals, nursing homes (per unit) | 4.5% | \$140 | \$3,500 | \$3,658 | \$3,822 | \$3,994 | \$4,174 | \$4,362 | \$4,558 | \$4,763 | \$4,977 |
| | 4.5% | \$140 | \$3,500 | \$3,658 | \$3,822 | \$3,994 | \$4,174 | \$4,362 | \$4,558 | \$4,763 | \$4,977 |
| TRUNK LINE AVAILABILITY CHARGES | | | | | | | | | | | |
| Sewer availability charge per unit | 4.5% | \$3,500 | \$3,658 | \$3,822 | \$3,994 | \$4,174 | \$4,362 | \$4,558 | \$4,763 | \$4,977 | \$5,201 |
| MCES connection charge (per unit) | 2.0% | \$2,230 | \$2,275 | \$2,320 | \$2,366 | \$2,414 | \$2,462 | \$2,511 | \$2,562 | \$2,613 | \$2,665 |
| Water availability charge for new development per unit | 4.5% | \$3,900 | \$4,076 | \$4,259 | \$4,451 | \$4,651 | \$4,860 | \$5,079 | \$5,307 | \$5,546 | \$5,796 |
| Water availability charge for existing structures within Old Village | 4.5% | \$800 | \$836 | \$874 | \$913 | \$954 | \$997 | \$1,042 | \$1,089 | \$1,138 | \$1,189 |

Utility Rates

CITY OF LAKE ELMO CUSTOMER EQUIVALENT UNITS, VOLUME OF WATER AND SANITARY SEWER SERVICE BILLED

| | Future Estimates for Financial Plan | | | | | | | | | | |
|--|-------------------------------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|------|
| | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | |
| | 2011 | 2012 Budget | 2013 | 2014 | 2015 | 2016 | 2017 | 2018 | 2019 | 2020 | 2021 |
| Volume figures below are annual amounts and shown in 1,000 of Gallons | | | | | | | | | | | |
| Residential | | | | | | | | | | | |
| Water Basic Service fee (per meter or per unit/qr) | 874 | 874 | 889 | 934 | 959 | 984 | 999 | 1,014 | 1,024 | 1,034 | |
| Sewer Basic Service fee (per meter or per unit/qr) | 874 | 874 | 889 | 934 | 959 | 984 | 999 | 1,014 | 1,024 | 1,034 | |
| Water (per meter or per unit): | | | | | | | | | | | |
| Tier 1: Water usage per first 15,000 gallons | 52,440 | 52,440 | 53,340 | 56,040 | 57,540 | 59,040 | 59,940 | 60,840 | 61,440 | 62,040 | |
| Tier 2: Water usage +15,000 gallons to 30,000 gallons | 7,500 | 7,500 | 7,629 | 8,015 | 8,229 | 8,444 | 8,573 | 8,701 | 8,787 | 8,873 | |
| Tier 3: Water usage +30,000 gallons to 50,000 gallons | 5,000 | 5,000 | 5,086 | 5,343 | 5,486 | 5,629 | 5,715 | 5,801 | 5,858 | 5,915 | |
| Tier 4: Water usage +50,000 gallons to 80,000 gallons | 6,841 | 6,841 | 6,958 | 7,311 | 7,506 | 7,702 | 7,819 | 7,937 | 8,015 | 8,093 | |
| Tier 5: Water usage +80,000 gallons | 15,500 | 15,500 | 15,766 | 16,032 | 17,007 | 17,451 | 17,717 | 17,983 | 18,160 | 18,338 | |
| Total Water Volume Sold | 87,281 | 87,281 | 88,779 | 93,273 | 95,769 | 98,266 | 99,764 | 101,262 | 102,261 | 103,259 | |
| Sewer (per 1,000 gallons) | 2,337 | 2,337 | 2,377 | 2,497 | 2,564 | 2,631 | 2,671 | 2,711 | 2,738 | 2,765 | |
| Commercial and Industrial | | | | | | | | | | | |
| Water Basic Service fee (per meter or per unit/qr) | 109 | 109 | 109 | 110 | 111 | 111 | 112 | 112 | 113 | 113 | |
| Sewer Basic Service fee (per meter or per unit/qr) | 109 | 109 | 109 | 110 | 111 | 111 | 112 | 112 | 113 | 113 | |
| Water (per meter or per unit): | | | | | | | | | | | |
| Tier 1: Water usage per first 10,000 gallons | 6,540 | 6,540 | 6,540 | 6,615 | 6,645 | 6,675 | 6,705 | 6,735 | 6,765 | 6,795 | |
| Tier 2: Water usage +10,000 gallons to 25,000 gallons | 1,000 | 1,000 | 1,000 | 1,011 | 1,016 | 1,021 | 1,025 | 1,030 | 1,034 | 1,039 | |
| Tier 3: Water usage +25,000 gallons | 1,000 | 1,000 | 1,000 | 1,011 | 1,016 | 1,021 | 1,025 | 1,030 | 1,034 | 1,039 | |
| Tier 4: Water usage +29,000 gallons to next Tier | 3,000 | 3,000 | 3,000 | 3,034 | 3,048 | 3,062 | 3,076 | 3,089 | 3,103 | 3,117 | |
| Tier 5: Water usage +36,000 gallons to next Tier | 19,416 | 19,416 | 19,416 | 19,639 | 19,728 | 19,817 | 19,906 | 19,995 | 20,084 | 20,173 | |
| Total Water Volume Sold | 30,956 | 30,956 | 30,956 | 31,311 | 31,453 | 31,595 | 31,737 | 31,879 | 32,021 | 32,163 | |
| Sewer (per 1,000 gallons) | 10,000 | 10,000 | 10,000 | 10,115 | 10,161 | 10,206 | 10,252 | 10,298 | 10,344 | 10,390 | |
| TOTAL ESTIMATED WATER BILLED (IN 1,000 OF GALLONS) | 118,237 | 118,237 | 119,735 | 124,584 | 127,222 | 129,861 | 131,501 | 133,141 | 134,282 | 135,422 | |

**City of Lake Elmo
Estimated Gallons of Water Sold**



FINANCIAL PLANS

Based on historical financial performance, current utility rates and structure, and anticipated future capital projects, the following financial plans (pro forma) have been prepared for the utility funds.

Key Assumptions

The financial plans for each of the utility funds was developed based on several key assumptions which are as follows:

- Operating expenditures, including personnel costs and materials supplies and all other operating expense will increase by 2 percent per year.
- No change in existing tier structure for fees and charges.
- Depreciation is held constant in the financial plans. Future depreciation expense will increase with the addition of infrastructure assets but for the purposes of this report the amount was held constant.
- Current capital improvement plan will be implemented at estimated project costs and sources of funding. This includes an increase in future debt service for payment on bonds to be issued.
- Utility fees for use of the system (i.e., volume of water) are shown to increase at the rate of 3.0 percent per year for years 2013 to 2021. The percent increase is across all elements of the City's current rate structure, including the base and tier rates. Actual year to year activity (i.e., volume of water sold, operating expenditures, etc) and actual expenditure on capital projects will determine what

actual rates will need to be set at in order to maintain adequate cash in the utility funds.

- Connection and availability charges are shown to increase at the rate of 4.5 percent per year. Revenue from these charges will be needed to pay for the expansion of the system and the planned capital projects and related debt service.
- Water connection charge is increased from \$140 in 2012 to \$3,500 beginning in year 2013. The water connection charge is than adjusted annually at the rate of 4.5 percent.
- Sewer connection charge is implemented beginning in year 2013. The City presently does not charge for sewer connection. Initially shown to be set at \$3,500 than adjusted annually at the rate of 4.5 percent.
- Metropolitan Council Environmental Services (MCES) connection charge is shown to increase by an estimated 2 percent per year. The actual annual amounts will be set by MCES.
- The proposed future utility fees and charges are shown to increase at a level that is adequate to maintain a positive cash balance in the funds and to meet a policy of maintaining cash (fund) balance at 50 percent of operating expenditures.

Appendix

The Appendix to this Report includes information from the financial plans presented in chart format. The use of charts helps to illustrate trends. Also included in the Appendix Section is information on what example customers of the water and sewer services would pay based on assumptions in the report.

Financial Plans

CITY OF LAKE ELMO WATER FUND FINANCIAL PLAN

| | Notes | 2010 | 2011 | 2012 Budget | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 |
|--|-------|------------------|----------------|----------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|----|
| | | 2010 | 2011 | 2012 Budget | 2013 | 2014 | 2015 | 2016 | 2017 | 2018 | 2019 | 2020 | 2021 | |
| SOURCE OF FUNDS: | | | | | | | | | | | | | | |
| Operating: | | | | | | | | | | | | | | |
| Customer Billing Revenue | | 502,464 | 511,474 | 440,000 | 582,318 | 606,650 | 641,267 | 673,578 | 707,251 | 737,189 | 768,287 | 797,855 | 828,507 | |
| Bulk water sales | | - | 6,667 | - | 6,000 | 6,000 | 6,000 | 6,000 | 6,000 | 6,000 | 6,000 | 6,000 | 6,000 | |
| Special assessments | | 3,774 | (327) | 2,500 | 4,000 | 4,000 | 4,000 | 4,000 | 4,000 | 4,000 | 4,000 | 4,000 | 4,000 | |
| Water meter sales | | 11,121 | 9,165 | 5,000 | 18,540 | 19,096 | 40,977 | 34,441 | 35,474 | 22,209 | 22,876 | 15,961 | 16,440 | |
| Water Connections, Development Fees | | 78,000 | 74,100 | 48,000 | 454,530 | 474,984 | 1,034,079 | 881,780 | 921,460 | 585,308 | 611,647 | 432,987 | 452,471 | |
| Investment earnings | 1% | 10,580 | 9,903 | 4,000 | 7,199 | 9,983 | 12,680 | 6,553 | 4,557 | 9,260 | 13,051 | 17,053 | 19,535 | |
| Rents | 1% | 45,226 | 48,555 | 36,000 | 27,600 | 27,600 | 27,600 | 27,600 | 27,600 | 27,600 | 27,600 | 27,600 | 27,600 | |
| Total Operating Sources | | 651,165 | 659,537 | 535,500 | 1,100,187 | 1,148,313 | 1,766,604 | 1,633,951 | 1,706,342 | 1,391,566 | 1,453,460 | 1,301,457 | 1,354,553 | |
| Non-Operating: | | | | | | | | | | | | | | |
| Bond Proceeds | | 23,928 | 56,226 | - | 3,540,000 | - | - | 2,000,000 | - | - | - | - | - | |
| Grants | | - | - | - | 1,000,000 | - | - | - | - | - | - | - | - | |
| Intergovernmental | | - | - | - | 1,000,000 | - | - | - | - | - | - | - | - | |
| Trsf In from Other/TIF/Developer | | - | - | - | - | 400,000 | - | 250,000 | 350,000 | - | - | - | - | |
| Trsf In from Other/Due From Oth Funds | | 50,000 | 50,000 | 25,000 | - | - | - | - | - | - | - | - | - | |
| Contribution of capital assets | | 187,401 | - | - | - | - | - | - | - | - | - | - | - | |
| Total Non-Op Sources | | 261,329 | 106,226 | 25,000 | 5,540,000 | 400,000 | - | 2,250,000 | 350,000 | - | - | - | - | |
| Total Source of Funds | | 912,494 | 765,763 | 560,500 | 6,640,187 | 1,548,313 | 1,766,604 | 3,883,951 | 2,056,342 | 1,391,566 | 1,453,460 | 1,301,457 | 1,354,553 | |
| USE OF FUNDS: | | | | | | | | | | | | | | |
| Operating: | | | | | | | | | | | | | | |
| Personnel | | 102,711 | 103,651 | 103,845 | 105,922 | 108,040 | 110,201 | 112,405 | 114,653 | 116,946 | 119,285 | 121,671 | 124,104 | |
| NonPersonnel | 2% | 272,216 | 220,119 | 259,725 | 264,920 | 270,218 | 275,622 | 281,135 | 286,757 | 292,493 | 298,342 | 304,309 | 310,395 | |
| Depreciation* | 2% | 324,818 | 324,192 | 340,000 | 340,000 | 340,000 | 340,000 | 340,000 | 340,000 | 340,000 | 340,000 | 340,000 | 340,000 | |
| Total Operating Uses | | 699,745 | 647,962 | 703,570 | 710,841 | 718,258 | 725,823 | 733,540 | 741,411 | 749,439 | 757,628 | 765,980 | 774,500 | |
| Non-Operating: | | | | | | | | | | | | | | |
| Capital improvements/acquisition | | 33,320 | 12,831 | - | 5,540,000 | 400,000 | 1,500,000 | 3,175,000 | 600,000 | - | - | - | - | |
| Surface Water Loan Payment | | 56,226 | - | - | - | - | - | - | - | - | - | - | - | |
| GO Water Rev Bond 2005A | | 175,025 | 175,025 | 175,025 | 300,025 | 320,650 | 315,250 | 49,880 | 53,680 | 52,128 | 55,575 | 53,850 | 51,925 | |
| GO Ref Bond 2009A (Refund 2002B) | | 51,131 | 55,069 | 54,680 | 53,680 | 52,480 | 51,280 | 281,043 | 272,143 | 293,343 | 284,043 | 279,843 | 270,643 | |
| GO Ref Bond 2012A (Refund 2005A) | | - | - | - | 97,208 | 127,208 | 127,028 | 184,060 | 258,805 | 257,515 | 296,015 | 293,653 | 296,000 | |
| Future Debt Service on Bonds | | 7,418 | 7,418 | 7,418 | 6,277 | 6,277 | 6,277 | 6,277 | 6,277 | 6,277 | 6,277 | 6,277 | 6,277 | |
| Bond Discount Amortization* | | 2,402 | 11,818 | - | - | - | - | - | - | - | - | - | - | |
| Other (Adjustments) | | - | - | - | - | - | - | - | - | - | - | - | - | |
| Trsf out to Other/Due to Oth Funds | | - | - | - | - | - | - | - | - | - | - | - | - | |
| Total Non-Operating | | 325,522 | 262,161 | 237,123 | 5,997,190 | 906,615 | 1,999,835 | 3,696,260 | 1,190,905 | 609,263 | 641,910 | 633,623 | 624,845 | |
| Total Use of Funds | | 1,025,267 | 910,123 | 940,693 | 6,708,031 | 1,624,873 | 2,725,658 | 4,429,800 | 1,932,316 | 1,358,701 | 1,399,538 | 1,399,603 | 1,399,345 | |
| NET DIFFERENCE SOURCES AND USES | | | | | | | | | | | | | | |
| | | (112,773) | (144,360) | (380,193) | (67,844) | (76,559) | (959,054) | (545,849) | 124,026 | 32,865 | 53,923 | (98,146) | (44,792) | |
| CASH BALANCE | | | | | | | | | | | | | | |
| Available Cash Balance Purposes: | | | | | | | | | | | | | | |
| Maintain 50% of operating expense as reserve | | 323,981 | 351,785 | 355,421 | 359,129 | 362,912 | 366,770 | 370,705 | 374,719 | 378,814 | 382,980 | 387,250 | 398,867 | |
| Net available for capital | | 241,427 | 400,873 | 364,462 | 639,187 | 905,122 | 288,486 | 84,979 | 551,268 | 926,316 | 1,322,339 | 1,566,210 | 1,856,078 | |
| Ending Cash Balance | | 565,408 | 752,658 | 719,883 | 998,316 | 1,268,034 | 655,256 | 455,685 | 925,988 | 1,305,130 | 1,705,329 | 1,953,460 | 2,254,945 | |

Financial Plans

CITY OF LAKE ELMO SANITARY SEWER FINANCIAL PLAN

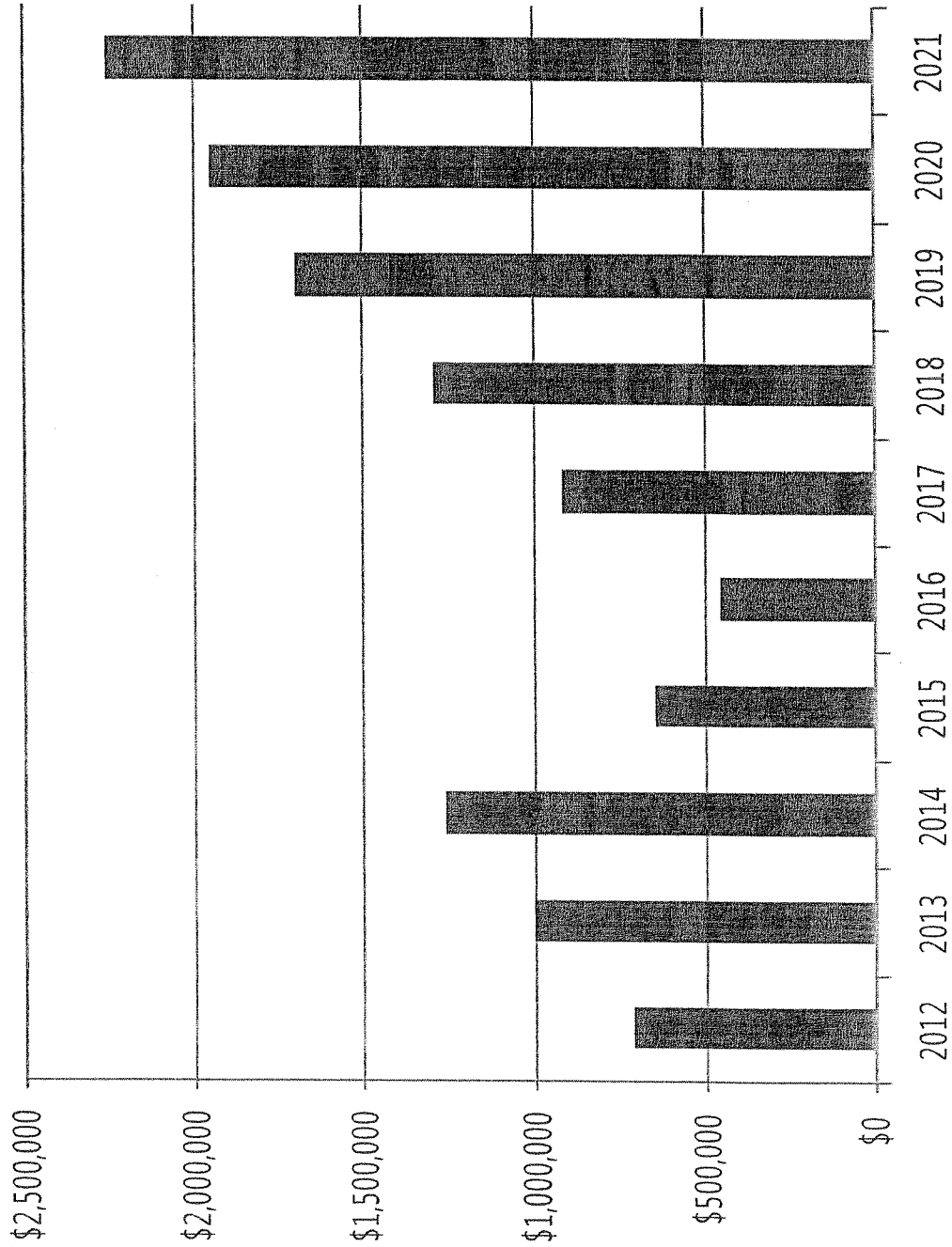
| | Notes | 2010 | 2011 | 2012 Budget | Projected | | | | | | | | |
|--|--------------|---------------|---------------|----------------|------------------|------------------|------------------|------------------|------------------|----------------|----------------|----------------|----------------|
| | | | | | 2013 | 2014 | 2015 | 2016 | 2017 | 2018 | 2019 | 2020 | 2021 |
| SOURCE OF FUNDS: | | | | | | | | | | | | | |
| Operating: | | | | | | | | | | | | | |
| Customer Billing Revenue | | 48,508 | 53,012 | 50,000 | 57,367 | 59,279 | 62,016 | 64,448 | 66,969 | 69,440 | 71,999 | 74,573 | 77,236 |
| Interest Income | 1% | 631 | 417 | 100 | (166) | 2,929 | 4,675 | 11,183 | 16,332 | 21,927 | 21,423 | 23,937 | 24,570 |
| Special assessments | SEE AUDIT | - | - | - | - | - | - | - | - | - | - | - | - |
| Sewer Connection Fees (Development) incl MCES | SEE SCHED | 2,400 | 1,785 | - | 565,926 | 587,981 | 1,272,833 | 1,079,335 | 1,121,750 | 708,715 | 736,715 | 518,833 | 539,437 |
| Total Operating Sources | | 51,539 | 55,214 | 50,100 | 623,127 | 650,189 | 1,339,525 | 1,154,966 | 1,205,052 | 800,082 | 830,137 | 617,343 | 641,244 |
| Non-Operating: | | | | | | | | | | | | | |
| Bond Proceeds | SEE CIP | - | - | - | 3,500,000 | 1,200,000 | 1,100,000 | - | - | - | - | - | - |
| Grants | SEE CIP | - | - | - | 1,000,000 | - | - | - | - | - | - | - | - |
| Intergovernmental | SEE CIP | - | - | - | - | - | - | 180,000 | 180,000 | - | - | - | - |
| Trsf in from Other/TIF/Developer | SEE CIP | - | - | - | - | 400,000 | - | 420,000 | 420,000 | - | - | - | - |
| Total Non-Op Sources | | - | - | - | 4,500,000 | 1,600,000 | 1,100,000 | 600,000 | 600,000 | - | - | - | - |
| Total Source of Funds | | 51,539 | 55,214 | 50,100 | 5,123,127 | 2,250,189 | 2,439,525 | 1,754,966 | 1,805,052 | 800,082 | 830,137 | 617,343 | 641,244 |
| USE OF FUNDS: | | | | | | | | | | | | | |
| Operating: | | | | | | | | | | | | | |
| Personnel | 2% | 22,996 | 22,837 | 23,403 | 23,871 | 24,348 | 24,835 | 25,332 | 25,839 | 26,356 | 26,883 | 27,420 | 27,969 |
| NonPersonnel (Incl. Pmt to Met Council) | 2% | 29,777 | 41,521 | 70,400 | 208,284 | 212,450 | 370,521 | 322,413 | 328,862 | 234,985 | 239,685 | 192,222 | 196,067 |
| Depreciation | 2% | 8,740 | 9,000 | 9,200 | 9,200 | 9,200 | 9,200 | 9,200 | 9,200 | 9,200 | 9,200 | 9,200 | 9,200 |
| Total Operating Uses | | 61,513 | 73,358 | 103,003 | 241,355 | 245,998 | 404,556 | 356,945 | 363,900 | 270,541 | 275,767 | 228,843 | 233,236 |
| Non-Operating: | | | | | | | | | | | | | |
| Capital | SEE CIP | - | - | - | 4,500,000 | 1,600,000 | 1,100,000 | 600,000 | 600,000 | 300,000 | - | - | - |
| Existing Debt Service | SEE DEBT | - | - | - | - | - | - | - | - | - | - | - | - |
| Future Debt Service on Bonds to be Issued | SEE DEBT | - | - | - | 81,430 | 238,743 | 293,443 | 292,268 | 290,868 | 289,168 | 312,168 | 334,355 | 330,705 |
| Other (Adjustments) | REC TO AUDIT | 17,015 | (6,980) | - | - | - | - | - | - | - | - | - | - |
| Trsf out to Other/Due to Oth Funds | NONE | - | - | - | - | - | - | - | - | - | - | - | - |
| Total Non-Operating | | 17,015 | (6,980) | - | 4,581,430 | 1,838,743 | 1,393,443 | 892,268 | 890,868 | 589,168 | 312,168 | 334,355 | 330,705 |
| Total Use of Funds | | 78,528 | 66,378 | 103,003 | 4,822,785 | 2,084,741 | 1,797,999 | 1,249,213 | 1,254,768 | 859,708 | 587,935 | 563,198 | 563,941 |
| NET DIFFERENCE SOURCES AND USES | | | | | | | | | | | | | |
| | | (26,989) | (11,164) | (52,903) | 300,342 | 165,449 | 641,526 | 505,753 | 550,284 | (59,626) | 242,202 | 54,145 | 77,303 |
| CASH BALANCE | | | | | | | | | | | | | |
| Available Cash Balance Purposes: | | | | | | | | | | | | | |
| Estimate of 50% of operating expense for reserve | | 36,679 | 51,502 | 120,678 | 122,999 | 202,278 | 178,473 | 181,950 | 135,270 | 137,884 | 114,421 | 116,618 | 120,116 |
| Net available for capital | | (7,453) | (24,440) | (137,319) | 169,901 | 265,271 | 939,802 | 1,451,278 | 2,057,441 | 2,004,402 | 2,279,266 | 2,340,415 | 2,423,419 |
| Ending Cash Balance | | 29,226 | 27,062 | (16,641) | 292,901 | 467,549 | 1,118,275 | 1,633,228 | 2,192,711 | 2,142,286 | 2,393,687 | 2,457,032 | 2,543,536 |

Financial Plans

CITY OF LAKE ELMO STORM SEWER FINANCIAL PLAN

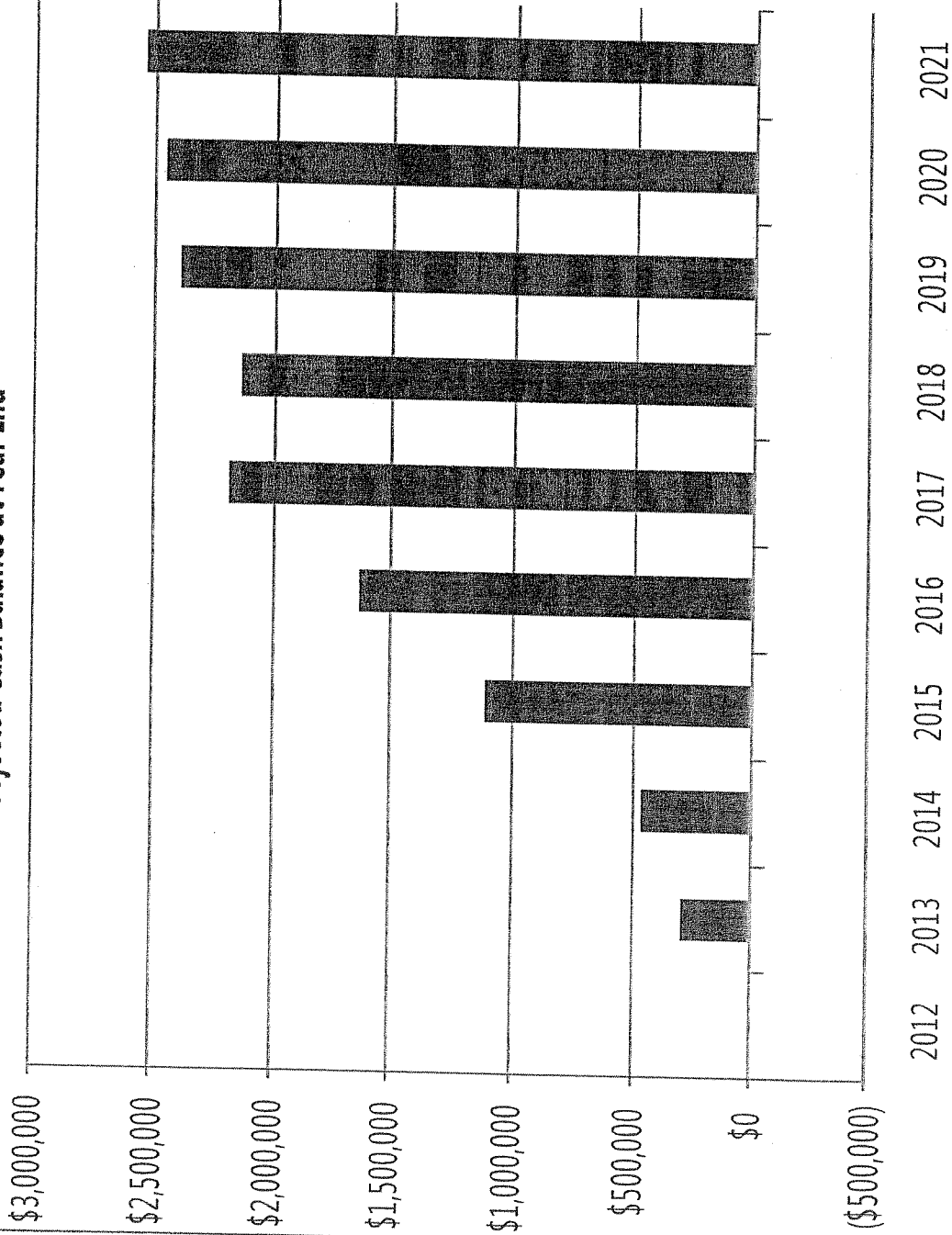
| | Notes | 2010 | 2011 | 2012 Budget | 1 | 2 | 2013 | 2014 | 3 | 2015 | 4 | 2016 | 5 | Projected | | | | | |
|--|--------------|----------------|----------------|----------------|---|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|---|---|---|----|--|
| | | | | | | | | | | | | | | 6 | 7 | 8 | 9 | 10 | |
| SOURCE OF FUNDS: | | | | | | | | | | | | | | | | | | | |
| Operating: | | | | | | | | | | | | | | | | | | | |
| Customer Billing Revenue | | 185,245 | 235,252 | 150,000 | | 285,472 | 294,036 | 302,857 | 311,943 | 321,301 | 330,940 | 340,869 | 351,095 | 361,628 | | | | | |
| Interest Income | 1% | (83) | 468 | - | | 71 | 1,256 | 2,506 | 3,822 | 5,207 | 6,665 | 8,197 | 9,807 | 11,497 | | | | | |
| Other Miscellaneous | SEE AUDIT | 32,721 | 17,000 | 17,500 | | | | | | | | | | | | | | | |
| Total Operating Sources | | 217,883 | 252,720 | 167,500 | | 285,543 | 295,293 | 305,363 | 315,765 | 326,509 | 337,605 | 349,065 | 360,901 | 373,125 | | | | | |
| Non-Operating: | | | | | | | | | | | | | | | | | | | |
| Bond Proceeds | SEE CIP | - | - | - | | - | - | - | - | - | - | - | - | - | | | | | |
| Grants | SEE CIP | - | - | - | | - | - | - | - | - | - | - | - | - | | | | | |
| Trsf In from Other/TIF/Developer | SEE CIP | - | - | - | | - | - | - | - | - | - | - | - | - | | | | | |
| Total Non-Op Sources | | - | - | - | | - | - | - | - | - | - | - | - | - | | | | | |
| Total Source of Funds | | 217,883 | 252,720 | 167,500 | | 285,543 | 295,293 | 305,363 | 315,765 | 326,509 | 337,605 | 349,065 | 360,901 | 373,125 | | | | | |
| USE OF FUNDS: | | | | | | | | | | | | | | | | | | | |
| Operating: | | | | | | | | | | | | | | | | | | | |
| Personnel | 2% | 39,855 | 41,134 | 40,532 | | 41,343 | 42,169 | 43,013 | 43,873 | 44,751 | 45,646 | 46,559 | 47,490 | 48,439 | | | | | |
| NonPersonnel | 2% | 96,341 | 95,062 | 123,200 | | 125,664 | 128,177 | 130,741 | 133,356 | 136,023 | 138,743 | 141,518 | 144,348 | 147,235 | | | | | |
| Depreciation | 2% | 15,188 | 15,188 | 15,188 | | 15,188 | 15,188 | 15,188 | 15,188 | 15,188 | 15,188 | 15,188 | 15,188 | 15,188 | | | | | |
| Increase in O&M from future improv | 2% | 151,384 | 151,384 | 178,920 | | 182,195 | 185,535 | 188,942 | 192,417 | 195,961 | 199,577 | 203,265 | 207,026 | 210,863 | | | | | |
| Total Operating Uses | | 217,883 | 217,883 | 217,883 | | 217,883 | 217,883 | 217,883 | 217,883 | 217,883 | 217,883 | 217,883 | 217,883 | 217,883 | | | | | |
| Non-Operating: | | | | | | | | | | | | | | | | | | | |
| Capital | SEE CIP | - | - | - | | - | - | - | - | - | - | - | - | - | | | | | |
| Existing Debt Service | NONE | - | - | - | | - | - | - | - | - | - | - | - | - | | | | | |
| Future Debt Service on Bonds to be Issued | SEE DEBT | - | - | - | | - | - | - | - | - | - | - | - | - | | | | | |
| Other (Adjustments) | REC TO AUDIT | 81,687 | 113,197 | - | | - | - | - | - | - | - | - | - | - | | | | | |
| Trsf out to Other/Due to Oth Funds | NONE | - | - | - | | - | - | - | - | - | - | - | - | - | | | | | |
| Total Non-Operating | | 81,687 | 113,197 | - | | - | - | - | - | - | - | - | - | - | | | | | |
| Total Use of Funds | | 233,071 | 264,581 | 178,920 | | 182,195 | 185,535 | 188,942 | 192,417 | 195,961 | 199,577 | 203,265 | 207,026 | 210,863 | | | | | |
| NET DIFFERENCE SOURCES AND USES | | | | | | | | | | | | | | | | | | | |
| | | (15,188) | (11,861) | (11,420) | | 103,348 | 109,758 | 116,421 | 123,348 | 130,547 | 138,028 | 145,801 | 153,875 | 162,262 | | | | | |
| CASH BALANCE | | | | | | | | | | | | | | | | | | | |
| Available Cash Balance Purposes: | | | | | | | | | | | | | | | | | | | |
| Estimate of 50% of operating expense for reserve | | 75,692 | 89,460 | 91,097 | | 92,767 | 94,471 | 96,208 | 97,981 | 99,788 | 101,632 | 103,513 | 105,431 | 108,594 | | | | | |
| Net available for capital | | (75,692) | (86,133) | (84,002) | | 32,864 | 156,106 | 285,978 | 422,742 | 566,670 | 718,042 | 877,150 | 1,044,295 | 1,218,582 | | | | | |
| Ending Cash Balance | | - | 3,327 | 7,095 | | 125,631 | 250,577 | 382,187 | 520,723 | 666,458 | 819,674 | 980,663 | 1,149,727 | 1,327,176 | | | | | |

City of Lake Elmo
Water Fund
Projected Cash Balances at Year End



The decrease in cash balance in year 2015 and 2016 is due to the planned use of cash for capital improvement projects in year 2015 and 2016 in lieu of bonding. The City may determine to instead increase the planned issuance of bonds depending on the amount of cash available in the Fund in future years.

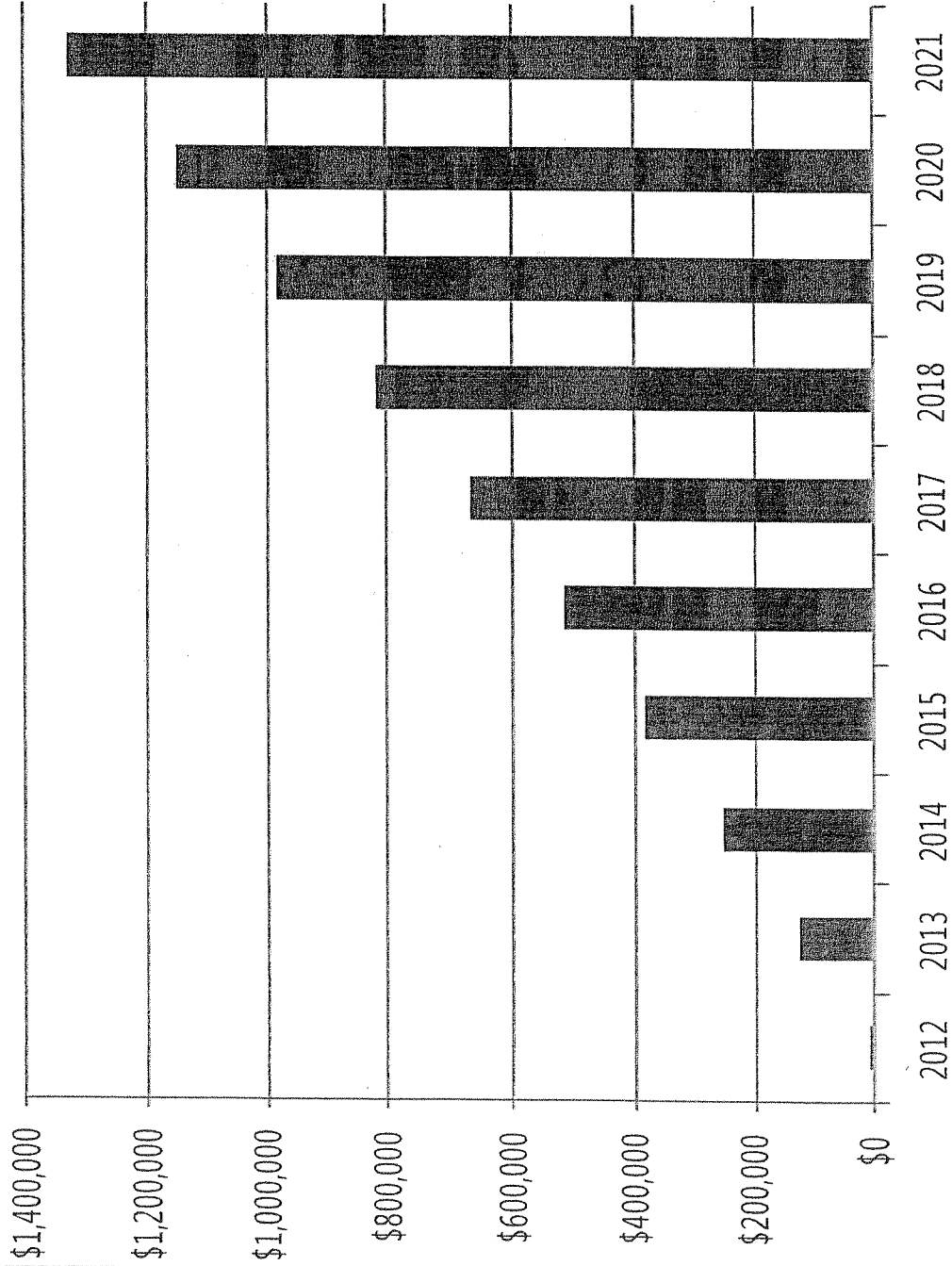
**City of Lake Elmo
Sanitary Sewer Fund
Projected Cash Balance at Year End**



The City's CIP anticipates bonding to pay for capital improvement projects, with the exception of \$300,000 in year 2018. The City may determine in the future to reduce the issuance of bonds and instead use available cash to pay for capital improvements. This decision will depend on the amount of cash available which is a factor of the rate of development growth and the timing of collection of connection and availability charges.

City of Lake Elmo
Storm Sewer Fund

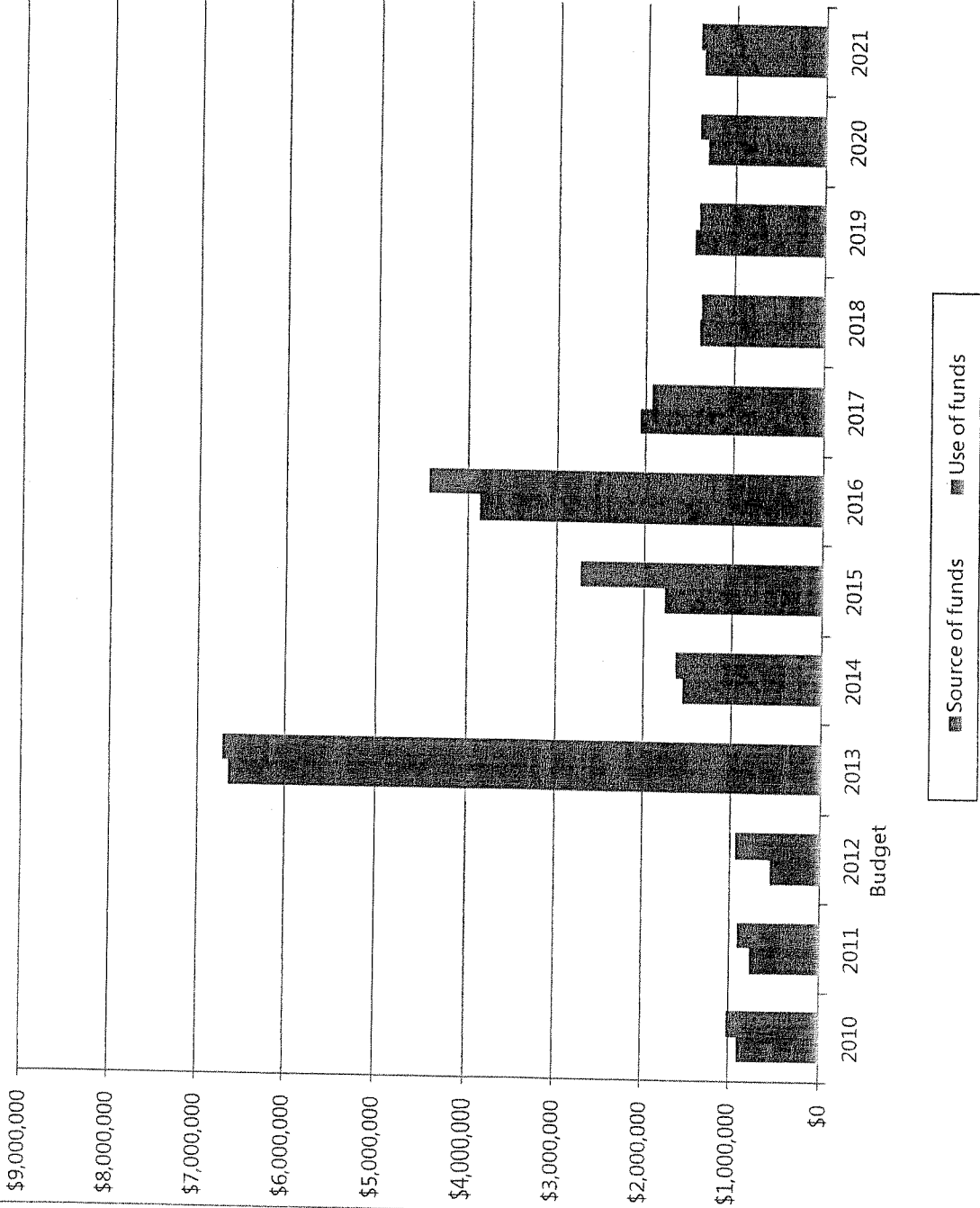
Projected Cash Balances at Year End



The steady increase in cash balance in the Storm Sewer Fund is due to the assumption that the annual charge for service will increase by 3 percent annually and growth in expenditures will increase by 2 percent annually. The Storm Sewer Fund has no outstanding debt or planned use of cash for capital improvements at this time. Possible addition of capital spending in the future will impact the projected cash balances. If there is no future introduction of plans for capital improvements, the City may determine that future rate increases may not be necessary at the level included in the report.

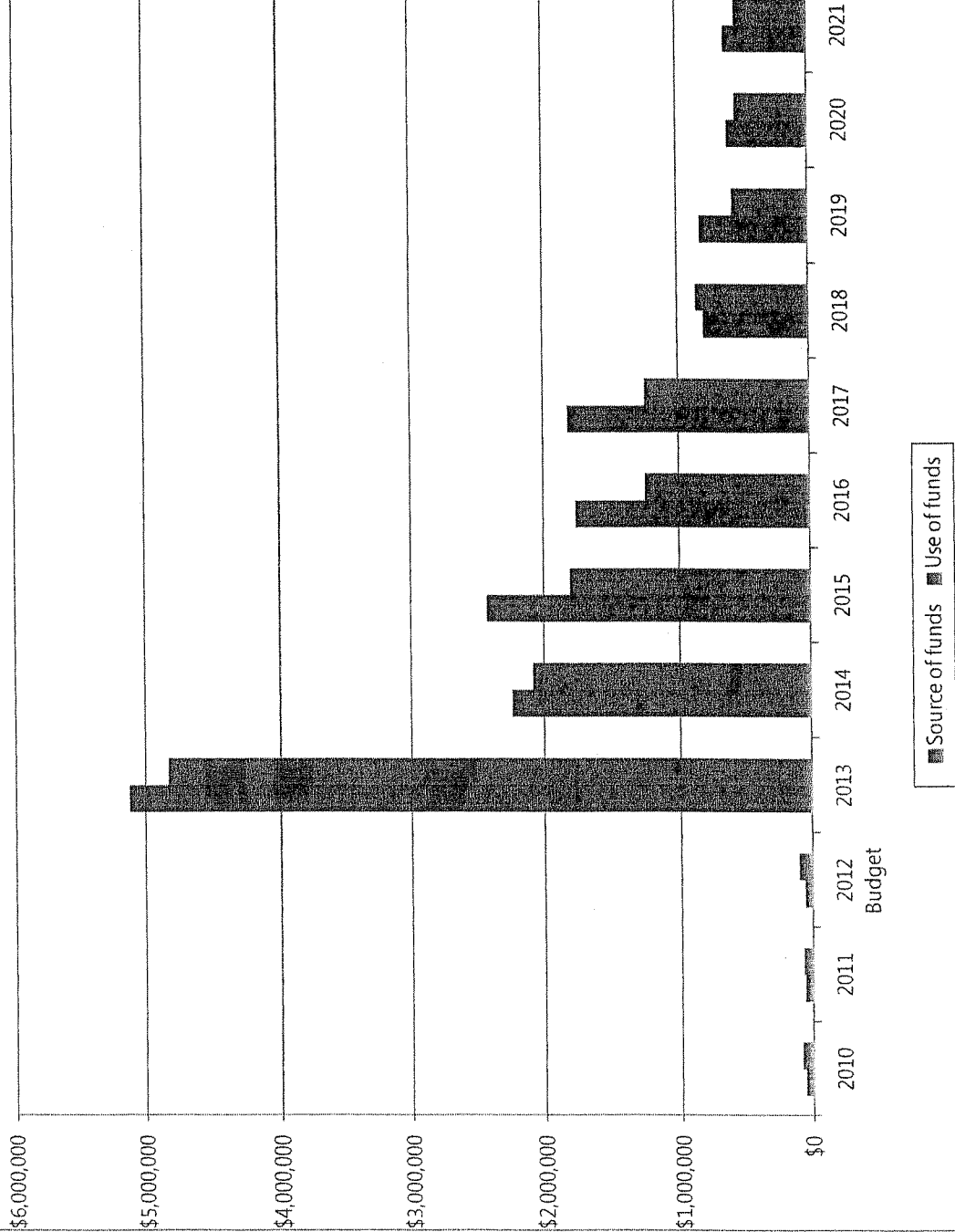
Appendix

City of Lake Elmo
Water Fund
Source and Use of Funds



The annual projected source and use of funds varies due to the timing of capital improvement projects and planned use of cash. The other major factor is payment of debt service. For example, in year 2015 and 2016, the City plans to use \$1,500,000 and \$925,000 of cash for capital improvements, respectively by year.

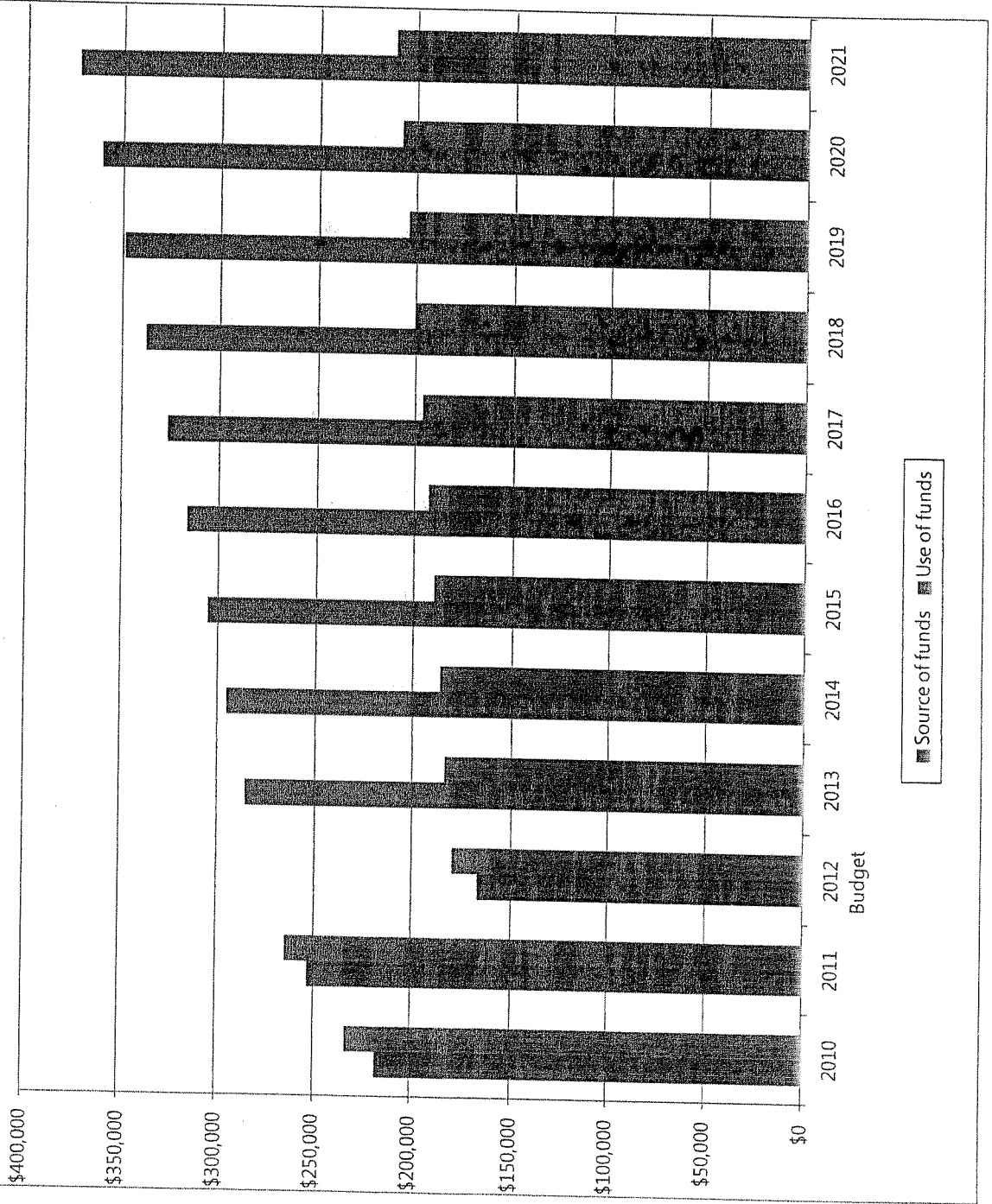
City of Lake Elmo
Sanitary Sewer Fund
Source and Use of Funds



Projected source of funds exceeds use of funds, with the exception of year 2018. In year 2018, the City anticipates the use of \$300,000 of cash from the fund for capital improvements.

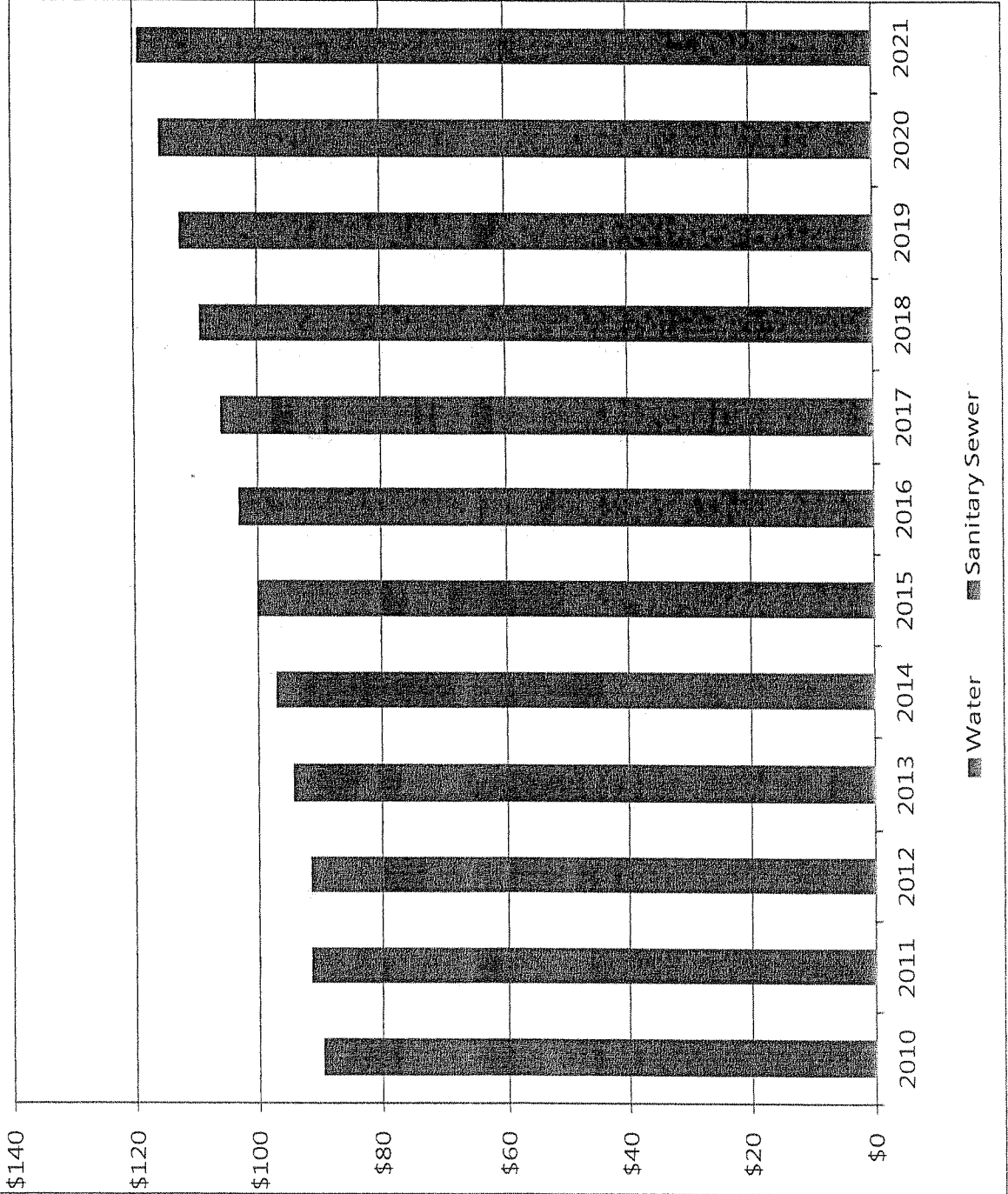
Appendix

City of Lake Elmo
Storm Sewer Fund
Source and Use of Funds



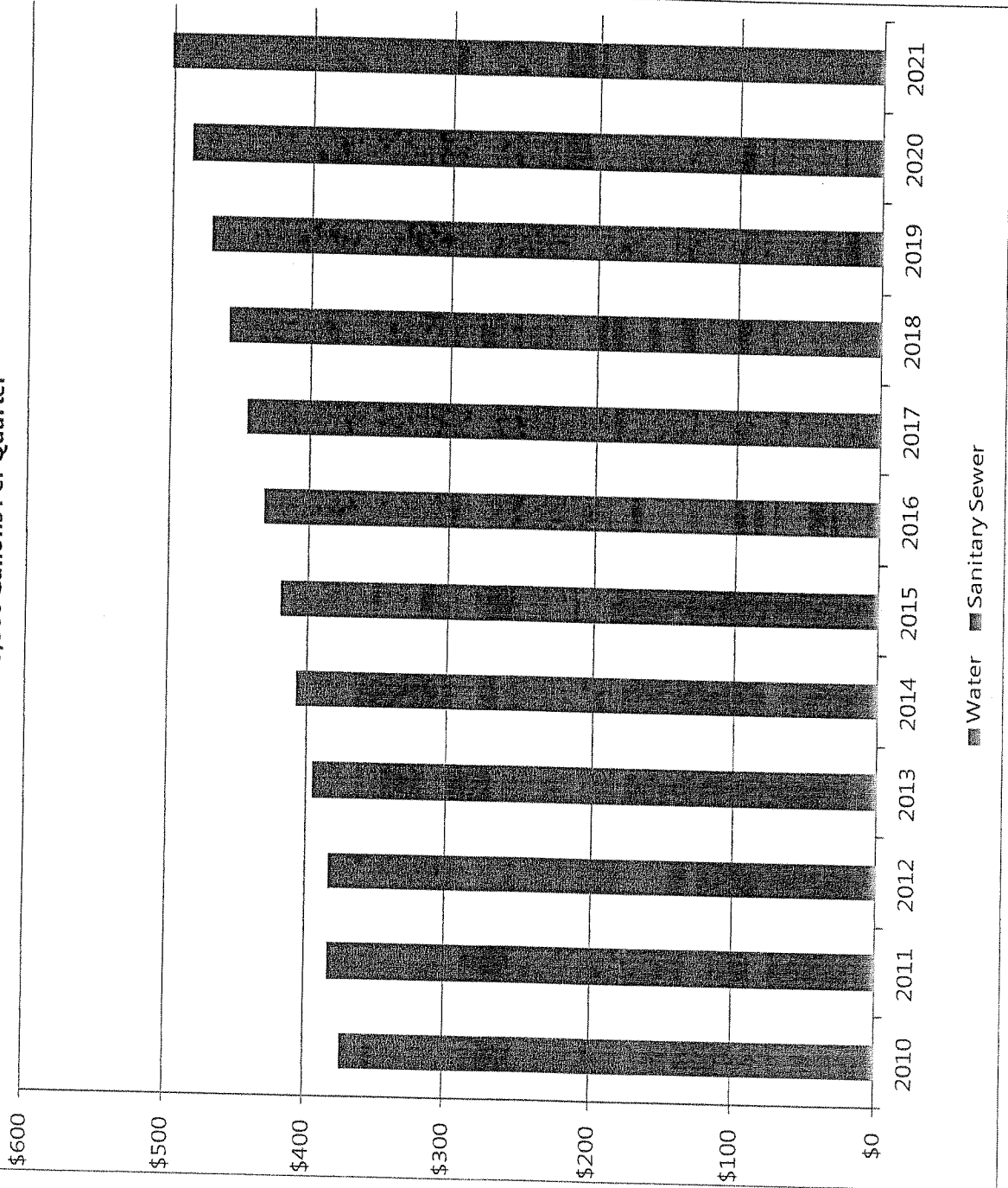
The source of funds is projected to exceed the use of funds each year due to the projected 3 percent increase in the fee charged and 2 percent increase in annual operating expenditures. The Storm Sewer Fund has no outstanding debt or planned use of cash for capital improvements at this time. Possible addition of capital spending in the future will impact the projected cash balances and the draw-down of fund balance. The City may determine to reduce the planned increase in the fee depending on actual expenditures.

City of Lake Elmo
 Example Residential Quarterly Water and Sanitary Sewer Bill
 Based on 10,010 Gallons Per Quarter



The quarterly charge amounts shown in this chart are based on the fee schedule shown on page 17. The estimated volume of 10,000 is for household water usage. Property with a sprinkler system may have a higher average volume.

City of Lake Elmo
 Example Commercial Quarterly Water and Sanitary Sewer Bill
 Based on 45,500 Gallons Per Quarter



The quarterly charge amounts shown in this chart are based on the fee schedule shown on page 17.

City of Lake Elmo
 Comparison of 2012 Utility Rates to Other Communities
 For Residential Single Family Units

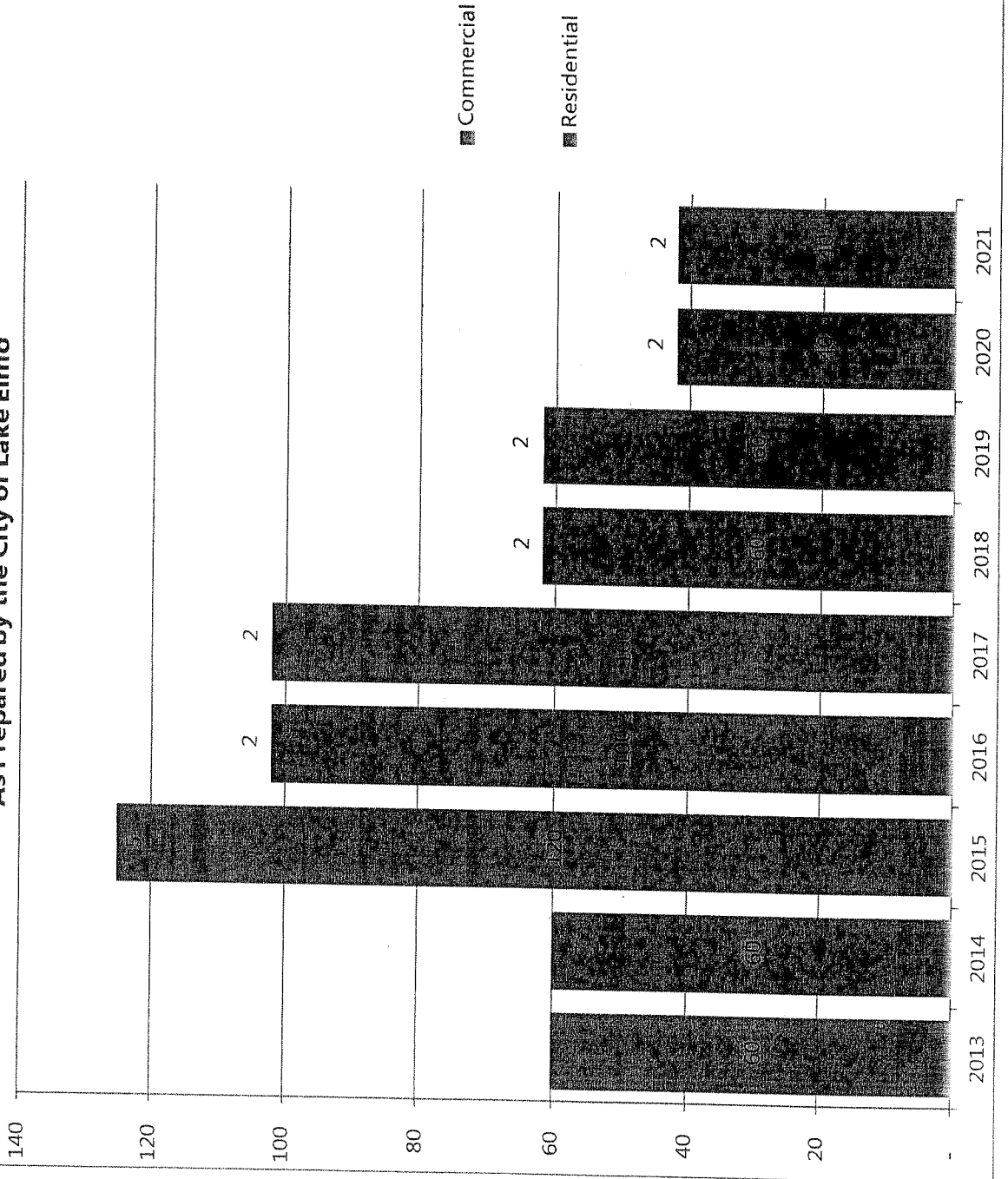
| | Lake Elmo | Oakdale | Woodbury | Stillwater ¹ |
|---|-----------|---------|----------|-------------------------|
| WATER | | | | |
| Water Basic Service fee (per meter or per unit/qtr) | \$25.00 | \$7.50 | \$10.40 | |
| <i>Water (per meter or per unit per 1,000 gallons):</i> | | | | |
| Tier 1: Water usage per first 15,000 gallons | \$2.14 | | | |
| Alt Tier 1: Water usage per first 36,000 gallons | | \$1.57 | \$0.88 | |
| Alt Tier 1: Water usage + 8,000 gallons to 30,000 gallons | | | | |
| Tier 2: Water usage + 15,000 gallons to 30,000 gallons | \$2.86 | | | |
| Alt Tier 2: Water usage + 36,000 gallons to 51,000 gallons | | \$1.72 | \$1.88 | |
| Alt Tier 2: Water usage + 30,000 gallons to 60,000 gallons | | | | |
| Tier 3: Water usage + 30,000 gallons to 50,000 gallons | \$3.77 | | | |
| Alt Tier 3: Water usage + 51,000 gallons | | \$1.86 | \$2.88 | |
| Alt Tier 3: Water usage + 60,000 gallons to 90,000 gallons | | | | |
| Tier 4: Water usage + 50,000 gallons to 80,000 gallons | \$5.00 | | | |
| Alt Tier 4: Water usage + 90,000 gallons to 150,000 gallons | | | \$3.88 | |
| Tier 5: Water usage + 80,000 gallons | \$6.63 | | \$4.88 | |
| Alt Tier 5: Water usage + 150,000 gallons | | | | |
| SEWER | | | | |
| Sewer Basic Service fee (per meter or per unit/qtr) | \$0.00 | \$15.00 | \$0.00 | \$39.00 |
| Sewer Base charge per 1,000 gallons | \$4.50 | \$2.90 | \$40.29 | |
| Alt Sewer: minimum charge for first 8,000 gallons | | | \$2.47 | |
| Alt Tier 1: Water usage + 8,000 gallons | | | | |
| STORM SEWER | | | | |
| Basic fee per unit | \$12.50 | \$5.00 | \$17.30 | \$10.00 |
| EXAMPLE CUSTOMER CONSUMING 10,010 GALLONS OF WATER PER QUARTER | | | | |
| Water | \$46.42 | \$23.22 | \$12.17 | |
| Sanitary Sewer | \$45.05 | \$44.03 | \$45.25 | |
| Storm Sewer | \$12.50 | \$20.00 | \$17.30 | |
| Total | \$103.97 | \$87.24 | \$74.72 | |

The comparative cities were chosen due to their adjacency to the City of Lake Elmo. The comparative cities are developed communities and their fees structures are generally lower than the City of Lake Elmo.

¹ Information for the City of Stillwater has been requested and will be included in the final report.

Appendix

**City of Lake Elmo
Projected New Residential Equivalent Units Added Per Year
As Prepared by the City of Lake Elmo**



The estimates on future growth from development, shown in residential equivalent units, was prepared by City staff. This data was provided to Northland Securities as an input for the study and report. The data provides important information on future projected growth in "residential equivalent units" that are projected to pay into the utility funds in the future. Payment will include initial one time up-front costs for availability charges and connection fees and on-going payment for use of the systems.

NORTHLAND  SECURITIES

Northland Securities, Inc.
45 South 7th Street , Suite 2000
Minneapolis, MN 55402

Toll Free 1-800-851-2920 Main 612-851-5900

www.northlandsecurities.com

Member FINRA and SIPC



MAYOR AND COUNCIL COMMUNICATION

DATE: 10/02/2012
CONSENT
 ITEM #: 3
MOTION Consent Agenda

AGENDA ITEM: Approve Disbursements in the Amount of \$297,285.85

SUBMITTED BY: Cathy Bendel, Finance Director

REVIEWED BY: Dean Zuleger, City Administrator

SUMMARY AND ACTION REQUESTED: As part of its Consent Agenda, the City Council is asked to approve disbursements in the amount of \$297,285.85. No specific motion is needed, as this is recommended to be part of the overall approval of the *Consent Agenda*.

BACKGROUND INFORMATION: The City of Lake Elmo has fiduciary authority and responsibility to conduct normal business operation. Below is a summary of current claims to be disbursed and paid in accordance with State law and City policies and procedures.

| Claim # | Amount | Description |
|-----------------|----------------------|--|
| ACH | \$ 9,620.85 | Payroll Taxes to IRS & MN Revenue 9/20/2012 |
| ACH | \$ 5,014.18 | Payroll Retirement to PERA 9/20/12 |
| ACH | \$ 571.69 | Payroll Benefits to Reliance Std 9/25/12 |
| DD4181 – DD4217 | \$ 31,796.42 | Payroll Dated 9/20/12 (Direct Deposit) |
| 38959-38960 | \$ 1,019.91 | Payroll Dated 9/20/2012 (Payroll Paper Checks) |
| 38961-38968 | \$ 15,579.66 | Accounts Payable Manual 9/25/12 |
| 38969-39023 | \$ 233,263.14 | Accounts Payable Dated 10/2/12 |
| 1586-1592 | \$ 420.00 | Accounts Payable 10/2/12 (Library Checks) |
| TOTAL | \$ 297,285.85 | |

STAFF REPORT: City staff has complied and reviewed the attached set of claims. All appears to be in order and consistent with City budgetary and fiscal policies and Council direction.

RECOMMENDATION: It is recommended that the City Council approve as part of the Consent Agenda proposed disbursements in the amount of \$297,285.85.

Alternatively, the City Council does have the authority to remove this item from the Consent Agenda or a particular claim from this item and further discuss and deliberate prior to taking action. If done so, the appropriate action of the Council following such discussion would be:

**“Move to approve the October 2, 2012, Disbursements as
Presented *[and modified]* herein.”**

ATTACHMENTS:

1. Accounts Payable Dated 10/2/2012

SUGGESTED ORDER OF BUSINESS *(if removed from the Consent Agenda):*

- Questions from Council to Staff Mayor Facilitates
- Call for Motion Mayor & City Council
- Discussion Mayor & City Council
- Action on Motion Mayor Facilitates

Accounts Payable To Be Paid Proof List

User: joan z

Printed: 09/27/2012 - 11:44 AM

Batch: 011-09-2012

| Invoice # | Inv Date | Amount | Quantity | Pmt Date | Description | Reference | Task | Type | PO # | Close POLine # |
|--|----------------------|----------|----------|------------|-----------------------------------|-----------|------|------|------|----------------|
| ACEHARD Ace Hardware, Inc 126326 | 08/17/2012 | 9.47 | 0.00 | 10/02/2012 | 1 Window Repair - Arts Building | | - | No | | 0000 |
| 101-450-5200-44010 | Repairs/Maint Bldg | | | | | | | | | |
| | 126326 Total: | 9.47 | | | | | | | | |
| | ACEHARD Total: | 9.47 | | | | | | | | |
| ADAMBELL Bell Adam 09/17/2012 | 09/17/2012 | 7.77 | 0.00 | 10/02/2012 | Mileage - CC Packet Delivery | | - | No | | 0000 |
| 101-410-1320-43310 | Mileage | | | | | | | | | |
| | 09/17/2012 Total: | 7.77 | | | | | | | | |
| | ADAMBELL Total: | 7.77 | | | | | | | | |
| ADVANCED Advanced Eng & Environ Service 31866 | 08/31/2012 | 7,827.50 | 0.00 | 10/02/2012 | Water System Design Phasing Study | | - | No | | 0000 |
| 601-494-9400-43030 | Engineering Services | | | | | | | | | |
| | 31866 Total: | 7,827.50 | | | | | | | | |
| | ADVANCED Total: | 7,827.50 | | | | | | | | |
| AIRGAS Airgas North Central 9904442671 | 09/01/2012 | 13.34 | 0.00 | 10/02/2012 | Acetelyn Tank Lease | | - | No | | 0000 |
| 101-430-3100-43150 | Contract Services | | | | | | | | | |
| | 9904442671 Total: | 13.34 | | | | | | | | |
| | AIRGAS Total: | 13.34 | | | | | | | | |
| ANCOM ANCOM COMMUNICATIONS, INC. 32125 | 09/19/2012 | 10.00 | 0.00 | 10/02/2012 | Shipping for pager repair | | - | No | | 0000 |
| 101-420-2220-43230 | Radio | | | | | | | | | |
| | 32125 Total: | 10.00 | | | | | | | | |
| | ANCOM Total: | 10.00 | | | | | | | | |

| Invoice # | Inv Date | Amount | Quantity | Pmt Date | Description | Reference | Task | Type | PO # | Close POLine # |
|---------------------------------------|--------------------------------|--------|----------|------------|--|-----------|------|------|------|----------------|
| ARAM Aramark, Inc. | | | | | | | | | | |
| 629-7575614 | 09/06/2012 | 23.78 | 0.00 | 10/02/2012 | Uniforms | | - | | No | 0000 |
| 101-430-3100-44170 | Uniforms | | | | | | | | | |
| | 629-7575614 Total: | 23.78 | | | | | | | | |
| 629-7577417 | 09/26/2012 | 23.78 | | | | | | | | |
| 101-410-1940-44010 | Repairs/Maint Contractual Bldg | 31.62 | 0.00 | 10/02/2012 | City Hall - mats and Linen | | - | | No | 0000 |
| | 629-7577417 Total: | 31.62 | | | | | | | | |
| 629-7580304 | 09/13/2012 | 23.78 | 0.00 | 10/02/2012 | Uniforms | | - | | No | 0000 |
| 101-430-3100-44170 | Uniforms | | | | | | | | | |
| | 629-7580304 Total: | 23.78 | | | | | | | | |
| 629-7582068 | 09/17/2012 | 38.22 | 0.00 | 10/02/2012 | City Hall Mats & Linen | | - | | No | 0000 |
| 101-410-1940-44010 | Repairs/Maint Contractual Bldg | | | | | | | | | |
| | 629-7582068 Total: | 38.22 | | | | | | | | |
| 629-7585041 | 09/20/2012 | 23.78 | 0.00 | 10/02/2012 | Uniforms | | - | | No | 0000 |
| 101-430-3100-44170 | Uniforms | | | | | | | | | |
| | 629-7585041 Total: | 23.78 | | | | | | | | |
| | ARAM Total: | 141.18 | | | | | | | | |
| <hr/> | | | | | | | | | | |
| BATTYPL Batteries Plus Woodbury, Corp | | | | | | | | | | |
| 32-759142 | 09/18/2012 | 15.94 | 0.00 | 10/02/2012 | Door opener and welding helmet batteries | | - | | No | 0000 |
| 101-430-3100-42150 | Shop Materials | | | | | | | | | |
| 32-759142 | 09/18/2012 | 332.85 | 0.00 | 10/02/2012 | Truck Batteries 98-2 | | - | | No | 0000 |
| 101-430-3120-42210 | Equipment Parts | | | | | | | | | |
| | 32-759142 Total: | 348.79 | | | | | | | | |
| | BATTYPL Total: | 348.79 | | | | | | | | |
| <hr/> | | | | | | | | | | |
| BENDEL Bendel Cathy | | | | | | | | | | |
| 09/21/2012 | 09/21/2012 | 310.00 | 0.00 | 10/02/2012 | GFAOA Conference | | - | | No | 0000 |
| 101-410-1520-44370 | Conferences & Training | | | | | | | | | |
| 09/21/2012 | 09/21/2012 | 195.80 | 0.00 | 10/02/2012 | Lodging GFAOA Conference | | - | | No | 0000 |
| 101-410-1520-44370 | Conferences & Training | | | | | | | | | |
| 09/21/2012 | 09/21/2012 | 84.36 | 0.00 | 10/02/2012 | Mileage to Alexandria | | - | | No | 0000 |
| 101-410-1520-43310 | Mileage | | | | | | | | | |
| 09/21/2012 | 09/21/2012 | 84.36 | 0.00 | 10/02/2012 | Mileage from Alexandria | | - | | No | 0000 |
| 101-410-1520-43310 | Mileage | | | | | | | | | |
| | 09/21/2012 Total: | 674.52 | | | | | | | | |
| 09/25/2012 | 09/25/2012 | 32.64 | 0.00 | 10/02/2012 | Office Materials | | - | | No | 0000 |
| 101-410-1320-44350 | Books | | | | | | | | | |
| | 09/25/2012 Total: | 32.64 | | | | | | | | |
| | BENDEL Total: | 707.16 | | | | | | | | |

| Invoice # | Inv Date | Amount | Quantity | Pmt Date | Description | Reference | Task | Type | PO # | Close POLine # |
|---|--|----------|----------|------------|--|-----------|------|------|------|----------------|
| BIFFS Biff's Inc. Multiple 101-450-5200-44120 | 09/19/2012 Rentals - Buildings | 714.18 | 0.00 | 10/02/2012 | Portable Restrooms | | - | | No | 0000 |
| | Multiple Total: | 714.18 | | | | | | | | |
| W472636 204-450-5200-43150 | 09/11/2012 Contract Services | 623.47 | 0.00 | 10/02/2012 | Elmo Days Portable Restrooms | | - | | No | 0000 |
| | W472636 Total: | 623.47 | | | | | | | | |
| | BIFFS Total: | 1,337.65 | | | | | | | | |
| CARQUEST Car Quest Auto Parts 2055-270594 | 09/25/2012 Repairs/Maint Eqpt | 197.13 | 0.00 | 10/02/2012 | Speed Trailer Batteries | | - | | No | 0000 |
| 101-430-3100-44040 | 2055-270594 Total: | 197.13 | | | | | | | | |
| | CARQUEST Total: | 197.13 | | | | | | | | |
| CURBMAST Curbmasters, Inc. 4723 | 09/12/2012 Contract Services | 3,450.00 | 0.00 | 10/02/2012 | 100 Feet Concrete Curb Repair (3) | | - | | No | 0000 |
| 101-430-3120-43150 | 4723 Total: | 3,450.00 | | | | | | | | |
| | CURBMAST Total: | 3,450.00 | | | | | | | | |
| DAVEBUCH Bucheck Dave 08/10/2012 | 08/10/2012 Building Repair Supplies | 38.69 | 0.00 | 10/02/2012 | Reimburse - Library Supplies | | - | | No | 0000 |
| 206-450-5300-42230 | 08/10/2012 Total: | 38.69 | | | | | | | | |
| | DAVEBUCH Total: | 38.69 | | | | | | | | |
| DELAPP DelApp Steve 08/10/2012 | 08/10/2012 Repairs/Maint Bldg | 1,246.52 | 0.00 | 10/02/2012 | Building Repair and Furnishings- Librar | | - | | No | 0000 |
| 206-450-5300-44010 | 08/10/2012 Total: | 1,246.52 | | | | | | | | |
| | DELAPP Total: | 1,246.52 | | | | | | | | |
| DELTA Delta Dental Of Minnesota 4946179 | 09/15/2012 Medical Insurance | 1,640.75 | 0.00 | 10/02/2012 | Sept 2012 Dental Coverage | | - | | No | 0000 |
| 101-000-0000-21706 | 4946179 Total: | 1,640.75 | | | | | | | | |
| | DELTA Total: | 1,640.75 | | | | | | | | |

| Invoice # | Inv Date | Amount | Quantity | Pmt Date | Description | Reference | Task | Type | PO # | Close POLine # |
|-------------------------------|--------------------------------|-----------|----------|------------|--------------------------------------|-----------|------|------|------|----------------|
| DEMCO Demco | | | | | | | | | | |
| 4721903 | 09/05/2012 | 75.47 | 0.00 | 10/02/2012 | Glossy Label Protectors - Library | | - | | No | 0000 |
| 206-450-5300-42500 | Library Collection Maintenance | | | | | | | | | |
| | 4721903 Total: | 75.47 | | | | | | | | |
| | DEMCO Total: | 75.47 | | | | | | | | |
| DIANEWIG Wigglesworth Diane | | | | | | | | | | |
| 09/25/2012 | 09/25/2012 | 200.00 | 0.00 | 10/02/2012 | Cleanning fee for NOLA for LE Days | | - | | No | 0000 |
| 204-450-5200-44300 | Miscellaneous | | | | | | | | | |
| | 09/25/2012 Total: | 200.00 | | | | | | | | |
| | DIANEWIG Total: | 200.00 | | | | | | | | |
| DPCINDUS DPC Industries, Inc. | | | | | | | | | | |
| 82701654-12 | 09/11/2012 | 833.57 | 0.00 | 10/02/2012 | Flouride & Chlorine | | - | | No | 0000 |
| 601-494-9400-42160 | Chemicals | | | | | | | | | |
| | 82701654-12 Total: | 833.57 | | | | | | | | |
| | DPCINDUS Total: | 833.57 | | | | | | | | |
| E.G.RUD E.G. Rud & Sons, Inc. | | | | | | | | | | |
| 26516 | 09/11/2012 | 372.00 | 0.00 | 10/02/2012 | Well No 4 Site Acquisition - Land | | - | | No | 0000 |
| 409-480-8000-45300 | Improvements Other Than Bldgs | | | | | | | | | |
| | 26516 Total: | 372.00 | | | | | | | | |
| | E.G.RUD Total: | 372.00 | | | | | | | | |
| FINLEY Finley Bros. Inc. | | | | | | | | | | |
| 12-00737 | 08/21/2012 | 15,940.00 | 0.00 | 10/02/2012 | Lions Park Tennis Court Re-Surfacing | | - | | No | 0000 |
| 404-480-8000-45300 | Improvements Other Than Bldgs | | | | | | | | | |
| | 12-00737 Total: | 15,940.00 | | | | | | | | |
| | FINLEY Total: | 15,940.00 | | | | | | | | |
| FIORILLO Fiorillo Megan | | | | | | | | | | |
| Cable Oper | 09/24/2012 | 55.00 | 0.00 | 10/02/2012 | Cable Operator 9/4/12 | | - | | No | 0000 |
| 101-410-1450-43620 | Cable Operations | | | | | | | | | |
| Cable Oper | 09/24/2012 | 55.00 | 0.00 | 10/02/2012 | Cable Operator 9/11/12 | | - | | No | 0000 |
| 101-410-1450-43620 | Cable Operations | | | | | | | | | |
| Cable Oper | 09/24/2012 | 55.00 | 0.00 | 10/02/2012 | Cable Operator 9/18/12 | | - | | No | 0000 |
| 101-410-1450-43620 | Cable Operations | | | | | | | | | |
| | Cable Oper Total: | 165.00 | | | | | | | | |
| | FIORILLO Total: | 165.00 | | | | | | | | |

| Invoice # | Inv Date | Amount | Quantity | Pmt Date | Description | Reference | Task | Type | PO # | Close POLine # |
|-------------------------------|----------------------|-----------|----------|------------|----------------------------------|-----------|------|------|------|----------------|
| FOCUS Focus Engineering, Inc. | | | | | | | | | | |
| 326 & 327 | 09/27/2012 | 4,931.79 | 0.00 | 10/02/2012 | General Engineering | | - | | No | 0000 |
| 101-410-1930-43030 | Engineering Services | | | | | | | | | |
| 326 & 327 | 09/27/2012 | 298.00 | 0.00 | 10/02/2012 | General Engineering | | - | | No | 0000 |
| 101-410-1910-43030 | Engineering Services | | | | | | | | | |
| 326 & 327 Total: | | | | | | | | | | |
| 328 | 09/27/2012 | 5,229.79 | 0.00 | 10/02/2012 | General Engineering-VRA | | - | | No | 0000 |
| 101-420-2400-43030 | Engineering | | | | | | | | | |
| 328 | 09/27/2012 | 2,080.37 | 0.00 | 10/02/2012 | General Engineering-VRA | | - | | No | 0000 |
| 101-410-1910-43030 | Engineering Services | | | | | | | | | |
| 328 | 09/27/2012 | 1,779.14 | 0.00 | 10/02/2012 | General Engineering-VRA | | - | | No | 0000 |
| 404-480-8000-43030 | Engineering Services | | | | | | | | | |
| 328 | 09/27/2012 | 180.00 | 0.00 | 10/02/2012 | General Engineering-VRA | | - | | No | 0000 |
| 101-430-3100-43030 | Engineering Services | | | | | | | | | |
| 328 | 09/27/2012 | 786.00 | 0.00 | 10/02/2012 | General Engineering-VRA | | - | | No | 0000 |
| 601-494-9400-43030 | Engineering Services | | | | | | | | | |
| 328 | 09/27/2012 | 1,249.00 | 0.00 | 10/02/2012 | General Engineering-VRA | | - | | No | 0000 |
| 602-495-9450-43030 | Engineering Services | | | | | | | | | |
| 328 | 09/27/2012 | 45.00 | 0.00 | 10/02/2012 | General Engineering-VRA | | - | | No | 0000 |
| 603-496-9500-43030 | Engineering Services | | | | | | | | | |
| 328 Total: | | 562.50 | 0.00 | 10/02/2012 | General Engineering-VRA | | - | | No | 0000 |
| 329 | 09/27/2012 | 6,682.01 | 0.00 | 10/02/2012 | Transportation & Traffic Systems | | - | | No | 0000 |
| 409-480-8000-43030 | Engineering Services | | | | | | | | | |
| 329 | 09/27/2012 | 937.96 | 0.00 | 10/02/2012 | Street Maintenance | | - | | No | 0000 |
| 409-480-8000-43030 | Engineering Services | | | | | | | | | |
| 329 | 09/27/2012 | 2,451.14 | 0.00 | 10/02/2012 | Capitol Improvement Planning | | - | | No | 0000 |
| 409-480-8000-43030 | Engineering Services | | | | | | | | | |
| 329 | 09/27/2012 | 3,857.75 | 0.00 | 10/02/2012 | Trunk Hwy 36 Planning | | - | | No | 0000 |
| 409-480-8000-43030 | Engineering Services | | | | | | | | | |
| 329 | 09/27/2012 | 133.50 | 0.00 | 10/02/2012 | Wash Demo Trail Reclamation Proj | | - | | No | 0000 |
| 409-480-8000-43030 | Engineering Services | | | | | | | | | |
| 329 | 09/27/2012 | 539.27 | 0.00 | 10/02/2012 | Mn Dot Hilton Trail Interchange | | - | | No | 0000 |
| 409-480-8000-43030 | Engineering Services | | | | | | | | | |
| 329 | 09/27/2012 | 118.00 | 0.00 | 10/02/2012 | 2012 Seal Coat Project | | - | | No | 0000 |
| 409-480-8000-43030 | Engineering Services | | | | | | | | | |
| 329 Total: | | 2,131.63 | 0.00 | 10/02/2012 | Whistling Valley III | | - | | No | 0000 |
| 330 | 09/27/2012 | 10,169.25 | 0.00 | 10/02/2012 | Sanctuary | | - | | No | 0000 |
| 409-480-8000-43030 | Engineering Services | | | | | | | | | |
| 330 Total: | | 429.66 | 0.00 | 10/02/2012 | 2011 Seal Coat Project | | - | | No | 0000 |
| 331 | 09/27/2012 | 429.66 | 0.00 | 10/02/2012 | Sanctuary | | - | | No | 0000 |
| 409-480-8000-43030 | Engineering Services | | | | | | | | | |
| 331 Total: | | 52.00 | 0.00 | 10/02/2012 | 2011 Seal Coat Project | | - | | No | 0000 |
| 332 | 09/27/2012 | 52.00 | 0.00 | 10/02/2012 | Sanctuary | | - | | No | 0000 |
| 409-480-8000-43030 | Engineering Services | | | | | | | | | |
| 332 Total: | | 514.50 | 0.00 | 10/02/2012 | 2011 Seal Coat Project | | - | | No | 0000 |
| 332 | 09/27/2012 | 514.50 | 0.00 | 10/02/2012 | 2011 Seal Coat Project | | - | | No | 0000 |
| 409-480-8000-43030 | Engineering Services | | | | | | | | | |
| 332 Total: | | 514.50 | 0.00 | 10/02/2012 | 2011 Seal Coat Project | | - | | No | 0000 |

| Invoice # | Inv Date | Amount | Quantity | Pmt Date | Description | Reference | Task | Type | PO # | Close POLine # |
|----------------------------------|----------------------|-----------|----------|------------|--|-----------|------|------|------|----------------|
| 334 | 09/27/2012 | 67.50 | 0.00 | 10/02/2012 | 10th Street Infrastructure | | - | | | 0000 |
| 420-480-8000-43030 | Engineering Services | | | | | | | | | No |
| | 334 Total: | 67.50 | | | | | | | | |
| 335 | 09/27/2012 | 813.50 | 0.00 | 10/02/2012 | 3M Litigation | | - | | | 0000 |
| 601-494-9400-43030 | Engineering Services | | | | | | | | | No |
| | 335 Total: | 813.50 | | | | | | | | |
| 336 | 09/27/2012 | 3,949.10 | 0.00 | 10/02/2012 | Keats Ave MSA Street | | - | | | 0000 |
| 601-494-9400-43030 | Engineering Services | | | | | | | | | No |
| | 336 Total: | 3,949.10 | | | | | | | | |
| 337 | 09/27/2012 | 45.00 | 0.00 | 10/02/2012 | LE Water Chlorination System | | - | | | 0000 |
| 601-494-9400-43030 | Engineering Services | | | | | | | | | No |
| | 337 Total: | 45.00 | | | | | | | | |
| 338 | 09/27/2012 | 15,175.89 | 0.00 | 10/02/2012 | Demontreville Highlands area Street Impr | | - | | | 0000 |
| 419-480-8000-43030 | Engineering Services | | | | | | | | | No |
| | 338 Total: | 15,175.89 | | | | | | | | |
| 339 | 09/27/2012 | 277.00 | 0.00 | 10/02/2012 | Olson Lake Trail Sewer Ext Feasibility | | - | | | 0000 |
| 409-480-8000-43030 | Engineering Services | | | | | | | | | No |
| | 339 Total: | 277.00 | | | | | | | | |
| 340 | 09/27/2012 | 187.00 | 0.00 | 10/02/2012 | Inwood Ave Trunk Watermain | | - | | | 0000 |
| 601-494-9400-43030 | Engineering Services | | | | | | | | | No |
| | 340 Total: | 187.00 | | | | | | | | |
| 341 | 09/27/2012 | 413.00 | 0.00 | 10/02/2012 | Organized Solid Waste Collection | | - | | | 0000 |
| 409-480-8000-43030 | Engineering Services | | | | | | | | | No |
| | 341 Total: | 413.00 | | | | | | | | |
| | FOCUS Total: | 44,005.20 | | | | | | | | |
| FXL FXL, Inc. | | | | | | | | | | |
| Sept 12 | 10/01/2012 | 2,000.00 | 0.00 | 10/02/2012 | Assessing Services - Sept 2012 | | - | | | 0000 |
| 101-410-1320-43100 | Assessing Services | | | | | | | | | No |
| | Sept 12 Total: | 2,000.00 | | | | | | | | |
| | FXL Total: | 2,000.00 | | | | | | | | |
| GIBSONJU Gibson Judy | | | | | | | | | | |
| Y-78970 | 09/27/2012 | 213.55 | 0.00 | 10/02/2012 | Library Wrapping supplies | | - | | | 0000 |
| 206-450-5300-42000 | Office Supplies | | | | | | | | | No |
| | Y-78970 Total: | 213.55 | | | | | | | | |
| | GIBSONJU Total: | 213.55 | | | | | | | | |
| HAGBERGS Hagbergs Country Market | | | | | | | | | | |
| 09/26/2012 | 09/26/2012 | 14.37 | 0.00 | 10/02/2012 | Misc Supplies | | - | | | 0000 |
| 101-410-1320-44300 | Miscellaneous | | | | | | | | | No |
| | 09/26/2012 Total: | 14.37 | | | | | | | | |

| Invoice # | Inv Date | Amount | Quantity | Pmt Date | Description | Reference | Task | Type | PO # | Close POLine # |
|--------------------------------|------------------------|----------|----------|------------|------------------------------------|-----------|------|------|------|----------------|
| | HAGBERGS Total: | 14.37 | | | | | | | | |
| HALASONB Sonbol Hala | | | | | | | | | | |
| 09/25/2012 | 09/25/2012 | 50.00 | 0.00 | 10/02/2012 | Refund Registration Fees LE Days | | - | No | | 0000 |
| 204-000-0000-36230 | Donations | | | | | | | | | |
| | 09/25/2012 Total: | 50.00 | | | | | | | | |
| | HALASONB Total: | 50.00 | | | | | | | | |
| HOLIDAYC Holiday Credit Office | | | | | | | | | | |
| 09/15/2012 | 09/15/2012 | 359.80 | 0.00 | 10/02/2012 | Fuel | | - | No | | 0000 |
| 101-420-2220-42120 | Fuel, Oil and Fluids | | | | | | | | | |
| | 09/15/2012 Total: | 359.80 | | | | | | | | |
| | HOLIDAYC Total: | 359.80 | | | | | | | | |
| KAMCO Kamco, Corp | | | | | | | | | | |
| 3335 | 09/19/2012 | 125.00 | 0.00 | 10/02/2012 | 3 Large stumps ground in ROW | | - | No | | 0000 |
| 101-430-3120-43150 | Contract Services | | | | | | | | | |
| | 3335 Total: | 125.00 | | | | | | | | |
| | KAMCO Total: | 125.00 | | | | | | | | |
| KLATT Klatt Kyle | | | | | | | | | | |
| 09/26/2012 | 09/26/2012 | 325.00 | 0.00 | 10/02/2012 | MN APA Conference Reg - Reimb | | - | No | | 0000 |
| 101-410-1910-44370 | Conferences & Training | | | | | | | | | |
| | 09/26/2012 Total: | 325.00 | | | | | | | | |
| | KLATT Total: | 325.00 | | | | | | | | |
| LEOIL Lake Elmo Oil, Inc. | | | | | | | | | | |
| 12095 | 08/31/2012 | 1,563.22 | 0.00 | 10/02/2012 | Fuel | | - | No | | 0000 |
| 101-430-3120-42120 | Fuel, Oil and Fluids | | | | | | | | | |
| | 12095 Total: | 1,563.22 | | | | | | | | |
| | LEOIL Total: | 1,563.22 | | | | | | | | |
| LINDERSA Linder Sarah | | | | | | | | | | |
| 08/12/2012 | 08/12/2012 | 339.56 | 0.00 | 10/02/2012 | Receipt printer paper - Library | | - | No | | 0000 |
| 206-450-5300-45800 | Other Equipment | | | | | | | | | |
| | 08/12/2012 Total: | 339.56 | | | | | | | | |
| 152602 | 08/10/2012 | 42.26 | 0.00 | 10/02/2012 | Pizza for Sat Volunteers - Library | | - | No | | 0000 |
| 206-450-5300-44010 | Repairs/Maint Bldg | | | | | | | | | |
| | 152602 Total: | 42.26 | | | | | | | | |

| Invoice # | Inv Date | Amount | Quantity | Pmt Date | Description | Reference | Task | Type | PO # | Close POLine # |
|------------------------------------|--------------------------------|----------|----------|------------|-------------------------------------|-----------|------|------|------|----------------|
| LINDERSA Total: | | 381.82 | | | | | | | | |
| LOFF Loffler Companies, Inc. | | | | | | | | | | |
| 1455390 | 09/26/2012 | 421.92 | 0.00 | 10/02/2012 | Copy Machines Overage & Base - Sept | - | - | No | | 0000 |
| 101-410-1940-44040 | Repairs/Maint Contractual Eqpt | | | | | | | | | |
| 1455390 Total: | | 421.92 | | | | | | | | |
| LOFF Total: | | 421.92 | | | | | | | | |
| MARONEYS Maroney's Sanitation, Inc | | | | | | | | | | |
| 446235 | 08/31/2012 | 108.32 | 0.00 | 10/02/2012 | Waste Removal - City Hall | - | - | No | | 0000 |
| 101-410-1940-43840 | Refuse | | | | | | | | | |
| 446235 | 08/31/2012 | 47.68 | 0.00 | 10/02/2012 | Waste Removal - Fire | - | - | No | | 0000 |
| 101-420-2220-43840 | Refuse | | | | | | | | | |
| 446235 | 08/31/2012 | 207.82 | 0.00 | 10/02/2012 | Waste Removal - Public Works | - | - | No | | 0000 |
| 101-430-3100-43840 | Refuse | | | | | | | | | |
| 446235 | 08/31/2012 | 207.82 | 0.00 | 10/02/2012 | Waste Removal - Parks | - | - | No | | 0000 |
| 101-450-5200-43840 | Refuse | | | | | | | | | |
| 446235 Total: | | 571.64 | | | | | | | | |
| MARONEYS Total: | | 571.64 | | | | | | | | |
| MCDONALD McDonald Construction | | | | | | | | | | |
| Check Req | 09/27/2012 | 5,000.00 | 0.00 | 10/02/2012 | Refund Escrow 2972 Jonquil #8004 | - | - | No | | 0000 |
| 803-000-0000-22900 | Deposits Payable | | | | | | | | | |
| Check Req Total: | | 5,000.00 | | | | | | | | |
| MCDONALD Total: | | 5,000.00 | | | | | | | | |
| MENARDSO Menards - Oakdale | | | | | | | | | | |
| 37083 | 09/13/2012 | 8.94 | 0.00 | 10/02/2012 | Asphalt Crack Fill | - | - | No | | 0000 |
| 101-430-3120-42240 | Street Maintenance Materials | | | | | | | | | |
| 37083 | 09/13/2012 | 28.73 | 0.00 | 10/02/2012 | Ballast city Hall | - | - | No | | 0000 |
| 101-410-1940-42230 | Building Repair Supplies | | | | | | | | | |
| 37083 | 09/13/2012 | 4.96 | 0.00 | 10/02/2012 | Electric Plugs | - | - | No | | 0000 |
| 101-430-3100-42150 | Shop Materials | | | | | | | | | |
| 37083 Total: | | 42.63 | | | | | | | | |
| 3877 | 09/20/2012 | 8.19 | 0.00 | 10/02/2012 | Wax Rings toilet City Hall | - | - | No | | 0000 |
| 101-410-1940-42230 | Building Repair Supplies | | | | | | | | | |
| 3877 Total: | | 8.19 | | | | | | | | |
| 3886 & 3891 | 09/20/2012 | 16.92 | 0.00 | 10/02/2012 | Toilet Seat and Supply Line | - | - | No | | 0000 |
| 101-410-1940-42230 | Building Repair Supplies | | | | | | | | | |
| 3886 & 3891 | 09/20/2012 | -5.44 | 0.00 | 10/02/2012 | Toilet Seat Return | - | - | No | | 0000 |
| 101-410-1940-42230 | Building Repair Supplies | | | | | | | | | |
| 3886 & 3891 Total: | | 11.48 | | | | | | | | |

| Invoice # | Inv Date | Amount | Quantity | Pmt Date | Description | Reference | Task | Type | PO # | Close POLine # |
|---|-------------------|----------|----------|------------|---|-----------|------|------|------|----------------|
| | MENARDSO Total: | 62.30 | | | | | | | | |
| MFRA McCombs Frank Roos Assoc Inc. 71234 | 09/01/2012 | 450.00 | 0.00 | 10/02/2012 | General planning Assistance - Comp Plan | | - | | No | 0000 |
| 101-410-1910-43150 Contract Services | 71234 Total: | 450.00 | | | | | | | | |
| MFRA Total: | | 450.00 | | | | | | | | |
| MITCHELL Mitchell Paul | 09/25/2012 | 1,265.00 | 0.00 | 10/02/2012 | Labor & Reimb - Pig Roast LE Days | | - | | No | 0000 |
| 204-450-5200-44300 Miscellaneous | 09/25/2012 Total: | 1,265.00 | | | | | | | | |
| MITCHELL Total: | | 1,265.00 | | | | | | | | |
| MUNICI-P Muncici-Pals | 09/26/2012 | 148.00 | 0.00 | 10/02/2012 | Municipals Annual Fall Business Mtg | | - | | No | 0000 |
| 101-410-1320-44370 Conferences & Training | 09/26/2012 Total: | 148.00 | | | | | | | | |
| MUNICI-P Total: | | 148.00 | | | | | | | | |
| NCPERS 566200-NCPERS MINNESOTA | 09/21/2012 | 96.00 | 0.00 | 10/02/2012 | October 2012 Deductions | | - | | No | 0000 |
| 5662812 | 09/21/2012 | 96.00 | | | | | | | | |
| 101-000-0000-21708 Other Benefits | 5662812 Total: | 96.00 | | | | | | | | |
| NCPERS Total: | | 96.00 | | | | | | | | |
| NEXTEL Nextel Communications | 761950227-108 | 129.29 | 0.00 | 10/02/2012 | Cell Phone - Administration | | - | | No | 0000 |
| 101-410-1940-43210 Telephone | 761950227-108 | 90.04 | 0.00 | 10/02/2012 | Cell Phone - Fire Dept | | - | | No | 0000 |
| 761950227-108 | 10/01/2012 | 267.57 | 0.00 | 10/02/2012 | Cell Phone - Building Dept | | - | | No | 0000 |
| 101-420-2220-43210 Telephone | 761950227-108 | 35.10 | 0.00 | 10/02/2012 | Cell Phone - Public Works Dept | | - | | No | 0000 |
| 761950227-108 | 10/01/2012 | 89.49 | 0.00 | 10/02/2012 | Cell Phone - Parks Dept | | - | | No | 0000 |
| 101-430-3100-43210 Telephone | 761950227-108 | 229.48 | 0.00 | 10/02/2012 | Cell Phone - Taxpayer Services | | - | | No | 0000 |
| 761950227-108 | 10/01/2012 | 18.19 | 0.00 | 10/02/2012 | Cell Phone - Planning Dept | | - | | No | 0000 |
| 101-450-5200-43210 Telephone | 761950227-108 | | 0.00 | 10/02/2012 | Cell Phone - Planning Dept | | - | | No | 0000 |
| 761950227-108 | 10/01/2012 | | 0.00 | 10/02/2012 | Cell Phone - Planning Dept | | - | | No | 0000 |
| 101-410-1450-43210 Telephone | 761950227-108 | | 0.00 | 10/02/2012 | Cell Phone - Planning Dept | | - | | No | 0000 |
| 761950227-108 | 10/01/2012 | | 0.00 | 10/02/2012 | Cell Phone - Planning Dept | | - | | No | 0000 |
| 101-410-1910-43210 Telephone | 761950227-108 | | 0.00 | 10/02/2012 | Cell Phone - Planning Dept | | - | | No | 0000 |

| Invoice # | Inv Date | Amount | Quantity | Pmt Date | Description | Reference | Task | Type | PO # | Close POLine # |
|------------|---|----------|----------|------------|--|-----------|------|------|------|----------------|
| | 761950227-108 Total: | 859.16 | | | | | | | | |
| | NEXTEL Total: | 859.16 | | | | | | | | |
| | <hr/> | | | | | | | | | |
| | NORTHSEC Northland Securities, Inc. | | | | | | | | | |
| 3038 | 09/11/2012 | 1,840.00 | 0.00 | 10/02/2012 | Financial Planning - Utility Enterprises | | - | | | 0000 |
| | 601-494-9400-43150 Contract Services | | | | | | | | | |
| | 3038 Total: | 1,840.00 | | | | | | | | |
| | NORTHSEC Total: | 1,840.00 | | | | | | | | |
| | <hr/> | | | | | | | | | |
| | OAKDRC Oakdale Rental Center | | | | | | | | | |
| 10084973 | 09/20/2012 | 73.73 | 0.00 | 10/02/2012 | Propane - Patching Trailer | | - | | | 0000 |
| | 101-430-3100-42240 Street Maintenance Materials | | | | | | | | | |
| | 10084973 Total: | 73.73 | | | | | | | | |
| | OAKDRC Total: | 73.73 | | | | | | | | |
| | <hr/> | | | | | | | | | |
| | PETTYFIR Petty Cash | | | | | | | | | |
| 09/26/2012 | 09/26/2012 | 47.50 | 0.00 | 10/02/2012 | Training | | - | | | 0000 |
| | 101-420-2220-44370 Conferences & Training | | | | | | | | | |
| 09/26/2012 | 09/26/2012 | 23.56 | 0.00 | 10/02/2012 | Vehicle Maintenance | | - | | | 0000 |
| | 101-420-2220-45500 Vehicle | | | | | | | | | |
| 09/26/2012 | 09/26/2012 | 32.20 | 0.00 | 10/02/2012 | Building Maintenance | | - | | | 0000 |
| | 101-420-2220-44010 Repairs/Maint Bldg | | | | | | | | | |
| 09/26/2012 | 09/26/2012 | 0.45 | 0.00 | 10/02/2012 | Postage | | - | | | 0000 |
| | 101-420-2220-44300 Miscellaneous | | | | | | | | | |
| | 09/26/2012 Total: | 103.71 | | | | | | | | |
| | PETTYFIR Total: | 103.71 | | | | | | | | |
| | <hr/> | | | | | | | | | |
| | PROSTAFF PROSTAFF | | | | | | | | | |
| 102-869340 | 08/16/2012 | 620.00 | 0.00 | 10/02/2012 | Temp Help W/E 8/12/12 | | - | | | 0000 |
| | 101-410-1320-43150 Contract Services | | | | | | | | | |
| | 102-869340 Total: | 620.00 | | | | | | | | |
| | PROSTAFF Total: | 620.00 | | | | | | | | |
| | <hr/> | | | | | | | | | |
| | PROVANTA Provantage | | | | | | | | | |
| 6459796 | 09/18/2012 | 432.05 | 0.00 | 10/02/2012 | Protective Film and Warranty for Tablet | | - | | | 0000 |
| | 101-420-2220-42400 Small Tools & Equipment | | | | | | | | | |
| | 6459796 Total: | 432.05 | | | | | | | | |
| | PROVANTA Total: | 432.05 | | | | | | | | |

| Invoice # | Inv Date | Amount | Quantity | Pmt Date | Description | Reference | Task | Type | PO # | Close PO Line # |
|-------------------------------|--------------------------|--------|----------|------------|--------------------------|-----------|------|------|------|-----------------|
| ROSEMARY Meier Rosemary | | | | | | | | | | |
| 08/10/12 | 08/10/2012 | 44.74 | 0.00 | 10/02/2012 | Paper Supplies - Library | | - | No | | 0000 |
| 206-450-5300-42230 | Building Repair Supplies | | | | | | | | | |
| | 08/10/12 Total: | 44.74 | | | | | | | | |
| | ROSEMARY Total: | 44.74 | | | | | | | | |
| S&T S&T Office Products, Inc. | | | | | | | | | | |
| 01PH9182 | 08/06/2012 | 27.30 | 0.00 | 10/02/2012 | Office Supplies | | - | No | | 0000 |
| 101-410-1320-42000 | Office Supplies | | | | | | | | | |
| | 01PH9182 Total: | 27.30 | | | | | | | | |
| 01PH9247 | 08/06/2012 | 136.84 | 0.00 | 10/02/2012 | Office Supplies | | - | No | | 0000 |
| 101-410-1320-42000 | Office Supplies | | | | | | | | | |
| | 01PH9247 Total: | 136.84 | | | | | | | | |
| 01PH9673 | 08/07/2012 | 108.07 | 0.00 | 10/02/2012 | Office Supplies | | - | No | | 0000 |
| 101-410-1320-42000 | Office Supplies | | | | | | | | | |
| | 01PH9673 Total: | 108.07 | | | | | | | | |
| 01PI1937 | 08/06/2012 | 78.05 | 0.00 | 10/02/2012 | Office Supplies | | - | No | | 0000 |
| 101-410-1910-42000 | Office Supplies | | | | | | | | | |
| | 01PI1937 Total: | 78.05 | | | | | | | | |
| 01PI1980 | 08/10/2012 | 121.30 | 0.00 | 10/02/2012 | Office Supplies | | - | No | | 0000 |
| 101-410-1320-42000 | Office Supplies | | | | | | | | | |
| | 01PI1980 Total: | 121.30 | | | | | | | | |
| 01PI4836 | 08/17/2012 | 185.89 | 0.00 | 10/02/2012 | Office Supplies | | - | No | | 0000 |
| 101-410-1320-42000 | Office Supplies | | | | | | | | | |
| | 01PI4836 Total: | 185.89 | | | | | | | | |
| 01PJ4452 | 09/11/2012 | 23.34 | 0.00 | 10/02/2012 | Office Supplies | | - | No | | 0000 |
| 101-410-1320-42000 | Office Supplies | | | | | | | | | |
| | 01PJ4452 Total: | 23.34 | | | | | | | | |
| 01PJ4452 | 09/11/2012 | 183.66 | 0.00 | 10/02/2012 | Office Supplies | | - | No | | 0000 |
| 101-410-1320-42000 | Office Supplies | | | | | | | | | |
| | 01PJ4452 Total: | 183.66 | | | | | | | | |
| 01PJ4452 | 09/11/2012 | 5.60 | 0.00 | 10/02/2012 | Office Supplies | | - | No | | 0000 |
| 101-410-1520-42000 | Office Supplies | | | | | | | | | |
| | 01PJ4452 Total: | 5.60 | | | | | | | | |
| 01PJ9322 | 09/27/2012 | 212.60 | 0.00 | 10/02/2012 | Business Cards | | - | No | | 0000 |
| 101-420-2400-42000 | Office Supplies | | | | | | | | | |
| | 01PJ9322 Total: | 212.60 | | | | | | | | |
| 01PJ9322 | 09/27/2012 | 26.16 | 0.00 | 10/02/2012 | Business Cards | | - | No | | 0000 |
| 101-410-1320-42000 | Office Supplies | | | | | | | | | |
| | 01PJ9322 Total: | 26.16 | | | | | | | | |
| 01PJ9322 | 09/27/2012 | 26.16 | 0.00 | 10/02/2012 | Business Cards | | - | No | | 0000 |
| 101-410-1450-42000 | Office Supplies | | | | | | | | | |
| | 01PJ9322 Total: | 26.16 | | | | | | | | |
| 01PJ9814 | 09/21/2012 | 78.48 | 0.00 | 10/02/2012 | Office Supplies | | - | No | | 0000 |
| 101-410-1320-42000 | Office Supplies | | | | | | | | | |
| | 01PJ9814 Total: | 78.48 | | | | | | | | |
| CM01PI0128 | 09/27/2012 | 102.09 | 0.00 | 10/02/2012 | Return Garbage Can Lid | | - | No | | 0000 |
| 101-410-1320-42000 | Office Supplies | | | | | | | | | |
| | 01PI0128 Total: | 102.09 | | | | | | | | |
| | ROSEMARY Total: | -55.13 | | | | | | | | |

| Invoice # | Inv Date | Amount | Quantity | Pmt Date | Description | Reference | Task | Type | PO # | Close POLine # |
|-----------------------------------|------------------------------|----------|----------|------------|--------------------------------|-----------|------|------|------|----------------|
| | CM01P10128 Total: | -55.13 | | | | | | | | |
| | S&T Total: | 995.49 | | | | | | | | |
| SAMSCLUB Sam's Club | | | | | | | | | | |
| 2539 | 09/10/2012 | 77.20 | 0.00 | 10/02/2012 | CH Supplies - Coffee & cups | | - | | No | 0000 |
| 101-410-1320-42000 | Office Supplies | | | | | | | | | |
| | 2539 Total: | 77.20 | | | | | | | | |
| | SAMSCLUB Total: | 77.20 | | | | | | | | |
| SCHWAAB Schwaab, Inc. | | | | | | | | | | |
| 57359 | 09/12/2012 | 52.47 | 0.00 | 10/02/2012 | Conveyance Stamp - City Clerk | | - | | No | 0000 |
| 101-410-1320-42000 | Office Supplies | | | | | | | | | |
| | 57359 Total: | 52.47 | | | | | | | | |
| PN67829 | 09/12/2012 | -31.50 | 0.00 | 10/02/2012 | Return Bldg Dept Stamp | | - | | No | 0000 |
| 101-420-2400-42000 | Office Supplies | | | | | | | | | |
| | PN67829 Total: | -31.50 | | | | | | | | |
| | SCHWAAB Total: | 20.97 | | | | | | | | |
| SHI SHI International | | | | | | | | | | |
| B00754733 | 09/05/2012 | 34.05 | 0.00 | 10/02/2012 | Cable for training simulations | | - | | No | 0000 |
| 101-420-2220-44370 | Conferences & Training | | | | | | | | | |
| | B00754733 Total: | 34.05 | | | | | | | | |
| | SHI Total: | 34.05 | | | | | | | | |
| STILLMED Stillwater Medical Group | | | | | | | | | | |
| 09/12/2012 | 09/12/2012 | 1,009.93 | 0.00 | 10/02/2012 | Physicals and Vaccinations | | - | | No | 0000 |
| 101-420-2220-43050 | Physicals | | | | | | | | | |
| | 09/12/2012 Total: | 1,009.93 | | | | | | | | |
| | STILLMED Total: | 1,009.93 | | | | | | | | |
| TASCH T.A. Schifsky & Sons Inc | | | | | | | | | | |
| 53878 | 09/10/2012 | 142.65 | 0.00 | 10/02/2012 | Asphalt | | - | | No | 0000 |
| 101-430-3120-42240 | Street Maintenance Materials | | | | | | | | | |
| | 53878 Total: | 142.65 | | | | | | | | |
| 53912 | 09/18/2012 | 141.19 | 0.00 | 10/02/2012 | Asphalt | | - | | No | 0000 |
| 101-430-3120-42240 | Street Maintenance Materials | | | | | | | | | |
| | 53912 Total: | 141.19 | | | | | | | | |
| | TASCH Total: | 283.84 | | | | | | | | |

| Invoice # | Inv Date | Amount | Quantity | Pmt Date | Description | Reference | Task | Type | PO # | Close | POLine # |
|----------------------------|------------------------|-----------|----------|------------|------------------------|-----------|------|------|------|-------|----------|
| TREGILGA Tregilgas Michael | | | | | | | | | | | |
| Cable Oper | 09/24/2012 | 55.00 | 0.00 | 10/02/2012 | Cable Operator | 9/24/12 | - | | | No | 0000 |
| 101-410-1450-43620 | Cable Operations | | | | | | | | | | |
| | Cable Oper Total: | 55.00 | | | | | | | | | |
| | TREGILGA Total: | 55.00 | | | | | | | | | |
| WASHTAX Washington County | | | | | | | | | | | |
| 1901 | 09/15/2012 | 276.00 | 0.00 | 10/02/2012 | Planning Documents | | - | | | No | 0000 |
| 101-410-1910-42030 | Printed Forms | | | | | | | | | | |
| 1901 | 09/15/2012 | 92.00 | 0.00 | 10/02/2012 | Rain Garden Agreements | | - | | | No | 0000 |
| 603-496-9500-44300 | Miscellaneous Expenses | | | | | | | | | | |
| | 1901 Total: | 368.00 | | | | | | | | | |
| | WASHTAX Total: | 368.00 | | | | | | | | | |
| WASRADIO WASHINGTON COUNTY | | | | | | | | | | | |
| 73392 | 09/21/2012 | 103.02 | 0.00 | 10/02/2012 | 800 Radio Fees | | - | | | No | 0000 |
| 101-430-3100-43230 | Radio | | | | | | | | | | |
| | 73392 Total: | 103.02 | | | | | | | | | |
| | WASRADIO Total: | 103.02 | | | | | | | | | |
| | Report Total: | 98,535.70 | | | | | | | | | |

Accounts Payable To Be Paid Proof List

User: joan z

Printed: 09/27/2012 - 12:19 PM

Batch: 013-09-2012

| Invoice # | Inv Date | Amount | Quantity | Pmt Date | Description | Reference | Task | Type | PO # | Close POLine # |
|-----------------------------|-------------------------------|------------|----------|------------|----------------------------------|---------------------|------|------|------|----------------|
| ALLBLAC Allied Blacktop Co. | | | | | | | | | | |
| Final Pay Rqst | 09/18/2012 | 82,942.56 | 0.00 | 10/02/2012 | 2012 Seal Coat Proj | Pay Est. #1 (Final) | - | | | 0000 |
| 409-480-8000-45300 | Improvements Other Than Bldgs | | | | | | | | | No |
| Final Pay Rqst | 09/18/2012 | 51,784.88 | 0.00 | 10/02/2012 | 2012 Seal Coat Proj - W Lakeland | | - | | | 0000 |
| 101-000-0000-11500 | Accounts Receivable | | | | Portion | | | | | No |
| | Final Pay Rqst Total: | 134,727.44 | | | | | | | | |
| | ALLBLAC Total: | 134,727.44 | | | | | | | | |
| | Report Total: | 134,727.44 | | | | | | | | |

Accounts Payable To Be Paid Proof List

User: joan z

Printed: 09/18/2012 - 3:43 PM

Batch: 009-09-2012

| Invoice # | Inv Date | Amount | Quantity | Pmt Date | Description | Reference | Task | Type | PO # | Close POLine # |
|--|------------|----------|----------|------------|------------------------------------|-----------|------|------|------|----------------|
| ALLIED Electrical Cont., Inc. 3225 101-420-2220-42400 Small Tools & Equipment | 08/20/2012 | 245.00 | 0.00 | 09/18/2012 | Installation of Ice machine | | - | No | | 0000 |
| 3225 Total: | | 245.00 | | | | | | | | |
| ALLIED Total: | | 245.00 | | | | | | | | |
| DADSPLUM Dad's Plumbing LLC 08/09/2012 101-420-2220-42400 Small Tools & Equipment | 08/08/2012 | 842.00 | 0.00 | 09/18/2012 | Plumbing for Ice Machine | | - | No | | 0000 |
| 08/09/2012 Total: | | 842.00 | | | | | | | | |
| DADSPLUM Total: | | 842.00 | | | | | | | | |
| LIGTENBE Ligtenberg Kevin & Charline Check Req 803-000-0000-22900 Deposits Payable | 09/18/2012 | 5,000.00 | 0.00 | 09/18/2012 | Refund Escrow 10125 Tapestry #8073 | | - | No | | 0000 |
| Check Req Total: | | 5,000.00 | | | | | | | | |
| LIGTENBE Total: | | 5,000.00 | | | | | | | | |
| PROVANTA Provantage 6407105 101-420-2220-42400 Small Tools & Equipment | 07/25/2012 | 307.00 | 0.00 | 09/18/2012 | Computer - Mobile Dock | | - | No | | 0000 |
| 6407105 Total: | | 307.00 | | | | | | | | |
| 6415572 101-420-2220-42400 Small Tools & Equipment | 08/03/2012 | 35.49 | 0.00 | 09/18/2012 | Computer - ball Mount | | - | No | | 0000 |
| 6415572 Total: | | 35.49 | | | | | | | | |
| 6438112 101-420-2220-42400 Small Tools & Equipment | 08/27/2012 | 2,635.50 | 0.00 | 09/18/2012 | Computer - Tablet | | - | No | | 0000 |
| 6438112 Total: | | 2,635.50 | | | | | | | | |
| PROVANTA Total: | | 2,977.99 | | | | | | | | |

| Invoice # | Inv Date | Amount | Quantity | Pmt Date | Description | Reference | Task | Type | PO # | Close POLine # |
|---------------------------------|-------------------------|-----------|----------|------------|-------------------------------------|-----------|------|------|------|----------------|
| SYSCO-MI Sysco-Minnesota Inc. | | | | | | | | | | |
| 208160525 | 08/22/2012 | 3,196.52 | 0.00 | 09/18/2012 | Ice Machine | | - | No | | 0000 |
| 101-420-2220-42400 | Small Tools & Equipment | | | | | | | | | |
| | 208160525 Total: | 3,196.52 | | | | | | | | |
| | SYSCO-MI Total: | 3,196.52 | | | | | | | | |
| VANZANDT Van Zandt Distributing | | | | | | | | | | |
| 5470 | 07/26/2012 | 2,898.15 | 0.00 | 09/18/2012 | 4-Pulse Oximeters (Budget & Rotary) | | - | No | | 0000 |
| 101-420-2220-42080 | EMS Supplies | | | | | | | | | |
| | 5470 Total: | 2,898.15 | | | | | | | | |
| | VANZANDT Total: | 2,898.15 | | | | | | | | |
| | Report Total: | 15,159.66 | | | | | | | | |

Accounts Payable To Be Paid Proof List

User: joan z
 Printed: 09/25/2012 - 12:58 PM
 Batch: 010-09-2012

| Invoice # | Inv Date | Amount | Quantity | Pmt Date | Description | Reference | Task | Type | PO # | Close POLine # |
|------------------------------------|------------------------|--------|----------|------------|---------------------------------------|-----------|------|------|------|----------------|
| MNFIRECH MN State Fire Chiefs Assn | | | | | | | | | | |
| 09/20/2012 | 09/25/2012 | 420.00 | 0.00 | 09/25/2012 | State chiefs Conf, malmqvist, Cornell | | - | | | No 0000 |
| 101-420-2220-44370 | Conferences & Training | 420.00 | | | | | | | | |
| | 09/20/2012 Total: | 420.00 | | | | | | | | |
| | MNFIRECH Total: | 420.00 | | | | | | | | |
| | Report Total: | 420.00 | | | | | | | | |



MAYOR AND COUNCIL COMMUNICATION

DATE: 10/2/2012
CONSENT
ITEM #: 4
MOTION Consent Agenda

AGENDA ITEM: Resolution 2012-49 Designating City's Data Practice Officials and Approving City Data Practices Policy
SUBMITTED BY: Sandie Thone, City Clerk
THROUGH: Dean A. Zuleger, City Administrator
REVIEWED BY: Adam Bell, Deputy Clerk

STAFF REPORT:

As part of the Consent Agenda the City Council is requested to consider approval of Resolution 2012-49 Designating City's Data Practices Officials and Approving City's Data Practices Policy. Minnesota State Statute Chapter 13 regulates the collection, creation, storage, maintenance, dissemination and access to government data in government entities. MN Statute 13.05 requires the government entity's Responsible Authority to annually update the city's Data Practices Policy and make any changes necessary to maintain the accuracy of the document. The policy identifies the types of data the city maintains and how each type of data is classified. In addition, the policy provides for written procedures to ensure data requests are received and complied with in an appropriate, permitted and prompt manner.

The city is required to have two officers to administer responsibilities set forth in the act. The required officers are the Responsible Authority and the Compliance Officer, who by state statute can be and often are the same person within a government entity. The Responsible Authority is responsible for collection, use and dissemination of any set of data. The Compliance Officer handles questions or issues with regard to data access. Both of these officials are required to be named specifically, not just as a position responsibility. It is recommended the city council designate City Clerk Sandie Thone as both the Responsible Authority and the Compliance Officer and Deputy Clerk Adam Bell as the Data Practices Designee.

RECOMMENDATION:

Staff recommends the City Council approve Resolution 2012-49 Designating City Data Practices Officials and Approving City's Data Practices Policy; City Clerk Sandie Thone as both the Responsible Authority and the Compliance Officer and Deputy Clerk Adam Bell as the Data Practices Designee. This action requires a simple majority vote.

**CITY OF LAKE ELMO
WASHINGTON COUNTY
STATE OF MINNESOTA**

RESOLUTION 2012-49

**A RESOLUTION DESIGNATING CITY'S DATA PRACTICES OFFICIALS AND
APPROVING CITY'S DATA PRACTICES POLICY**

WHEREAS, Minnesota Statutes, Chapter 13, requires the adoption of certain policies and procedures pertaining to government data practices; and

WHEREAS, the statute also requires the appointment of a data practices compliance official, a data practices responsible authority and designee(s) to enforce the data practices policies of government agencies.

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Lake Elmo, that the attached City of Lake Elmo Data Practices Policy, together with the exhibits attached thereto, are hereby adopted and approved as if fully set forth herein; and

BE IT FURTHER RESOLVED, that City Clerk Sandie Thone will be appointed to serve as the city's data practices compliance official and data practices responsible authority and that Deputy Clerk Adam Bell is hereby appointed as data practices designee.

**ADOPTED BY THE CITY COUNCIL OF THE CITY OF LAKE ELMO THIS
SECOND DAY OF OCTOBER 2012.**

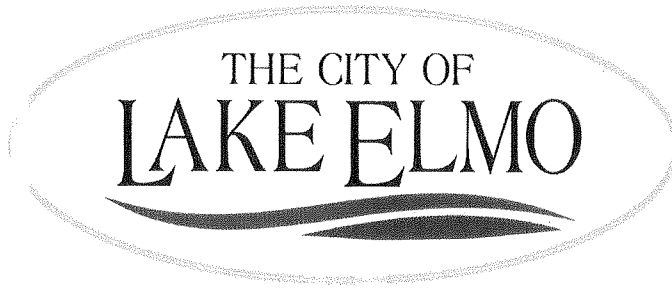
**CITY COUNCIL
CITY OF LAKE ELMO**

By: _____
Dean A. Johnston
Mayor

ATTEST:

Sandie Thone
City Clerk

2012



**DATA PRACTICES
CLASSIFICATION OF
GOVERNMENT DATA**

ACCESS TO DATA BY THE PUBLIC

Access To Data By The Public

While some data maintained by the city is data about individuals, which is presumed to be private, the broader assumption about government data in general is that it is public, and should be readily available to anyone who asks for it. Failure to disclose information that is public is a violation of data practices laws.

Any person (individual or non-individual) can have access to public data simply by making a request to the responsible authority that has jurisdiction over the data. The person has the right to inspect and copy the data at reasonable times and places, and, if the person so requests, will be informed of the data's meaning.

Inspection of Data

There is no fee for inspecting the data (Minn. Stat. Sec. 13.03, subd. 3.) Inspection includes visual inspection of the information in paper or some other medium, such as on the website. Inspection does not include printing copies, unless printing a copy is the only way to inspect the data.

For data stored in electronic form and available to the public through electronic remote access, inspection includes allowing the public to have access to the data so that they can print or download the data from their own computer equipment. The responsible authority may charge a reasonable fee for remote access to data if there is a specific statutory grant of authority.

Data with Commercial Value

When data requested by the public include data that have commercial value (such as a formula, pattern, compilation, program, device, method, technique, etc) and a substantial and discrete portion of the data was developed with a significant expenditure of public funds, the responsible authority may charge a reasonable fee for the information in addition to the costs of making, certifying and compiling the copies (Minn. Stat. Sec. 13.03, subd. 3(d)). Any fee charged must be clearly demonstrated by the agency to relate to the actual development costs of the information.

Computer Storage Medium

If the requested data is maintained in a computer storage medium, the responsible authority must provide a copy of the data contained in that medium in electronic form if the city can reasonably do so (Minn. Stat. Sec. 13.03, subd. 3(e)).

Time Limits For Response

Copies of public information should be disclosed as soon as reasonably possible. Work on compiling copies should begin immediately upon request. If the request cannot be honored immediately the city should, as a matter of courtesy, send a letter to the requester acknowledging receipt of the request and giving the requester an estimate of the time it will take to compile and send the information.

CLASSIFICATIONS OF GOVERNMENT DATA

Classifications of Government Data

The Minnesota Government Data Practices Act defines Government Data as all data collected, created, received, maintained or disseminated by any state agency, political subdivision, or statewide system regardless of its physical form, storage media or conditions of use (Minn. Stat. Sec. 13.02, subd. 7).

Government Data are separated into classifications and the classification of data determines their accessibility by the public. Information about individual people is classified by law as public, private, or confidential. A list of the private and confidential information maintained by the City is attached as Exhibit A.

Data On Individuals

Data on individuals are defined as government data in which any individual is or can be identified as the subject of that data, unless the appearance of the name or other identifying data can be clearly demonstrated to be only incidental to the data and the data is not accessed by the name or other identifying data of any individual.

There are three classifications of data on individuals :

- **Public** -- This is data about individuals which can be disclosed to anyone for any purpose, e.g. names and salaries of city employees.
- **Private** -- This is data about individuals which can be disclosed only to the subject of the data or to government entities and employees whose work assignments reasonably require access to the data.

- **Confidential** -- This is data about individuals that even the individuals themselves cannot be told, e.g., information from an investigation about welfare fraud or in adoption records. Note, however, that even if the confidential data itself cannot be disclosed to individuals, individuals do retain the right to know whether an agency is maintaining confidential data about them. Confidential information may be given to people who are authorized access by federal, state or local law or court order or people within the city staff, the city council, and outside agents (such as attorneys) whose work assignments or responsibilities reasonably require access.

Data Not On Individuals

Data not on individuals are government data about non-individuals, such as organizations including partnerships, corporations, associations, etc.

- **Public** -- This is data about non-individuals, such as businesses, which can be disclosed to anyone for any purpose, e.g., names of vendors who have contracts with the city.
- **Private** -- This is data about non-individuals which can be disclosed only to the subject of the data or to government entities and employees whose work assignments reasonably require access to the data, e.g., certain financial information about businesses.
- **Protected Non-public** -- This is data about non-individuals, which is available only to government entities with a legal right to know it. A corporation being investigated for fraud, for example, would not have a right to the information being collected during the investigation.

Information Technology Policy

Information Policy Compliance and Consequences

All City of Lake Elmo users, including employees, volunteers and contractors, who have rights to access or modify city information in any media, or who use city computers, business applications or electronic communication resources, must comply with Lake Elmo Information Policy, the federal Health Insurance Portability and Accountability Act (HIPAA), the Minnesota Government Data Practices Act and all other laws or rules governing the protection of data. Failure to comply is grounds for sanction and/or disciplinary action up to and including termination of employment, cancellation of contract and/or loss of resource privileges. Failure to comply may also result in notification to law enforcement officials and regulatory, accreditation and licensure organizations.

Use of any City of Lake Elmo information technology devices will be limited to employees. All files of any kind, including electronic mail disseminated or received utilizing city devices or software or which resides on computers within the City of Lake Elmo should not be considered as private and employees shall have no expectation of privacy. The contents of electronic mail will not normally be monitored, censured, or otherwise examined unless there is reason to believe the usage is being abused. City investigations, law enforcement investigations, or court order or data practices request may require the examination and release of any file or document, including electronic files such as electronic mail.

Electronic Mail (Email):

Purpose of Email: the email system is a tool to be used for matters directly related to the business activities of city employees and as a means to further the mission by providing services that are efficient, accurate, timely and complete.

Public Nature of Email: email is a public record like any other public document. Email may be searched for evidence in any legal proceeding. By using the email system, the employee consents that in the event of suspicious activity their email system may be searched for evidence gathering purposes.

E-mail messages are subject to regulation under the Minnesota Data Practices Act. As such, all e-mails unless private (content determines public or private) should be considered public information.

Policy: employees are responsible for adhering to business standards when email is created, sent, forwarded or saved. Failure to adhere puts the organization and the individual at risk for legal or financial liabilities, potential embarrassment and other consequences. Employees should not keep e-mail for an extended period of time. If it is a critical e-mail correspondence, it should be saved as a hard copy or as a text file and moved to the server. Delete all inbox, sent, and deleted messages that are no longer needed.

Members of the Public

Right to Access Public Data

The Data Practices Act (Minnesota Statutes, Chapter 13) presumes that all government data are public unless a state or federal law says the data are not public. Government data is a term that means all recorded information a government entity has, including paper, email, CD-ROMs, photographs, etc.

The Data Practices Act also provides that the City of Lake Elmo must keep all government data in a way that makes it easy for you, as a member of the public, to access public data.

You have the right to look at (inspect), free of charge, all public data that we keep.

You also have the right to get copies of public data. The Data Practices Act allows us to charge for copies. You have the right to look at data, free of charge, before deciding to request copies.

How to Make a Data Request

To look at data or request copies of data that the City of Lake Elmo keeps, make a written request. Make your written request for data to the appropriate individual listed in the Data Practices Contacts document on page eight. You may make your written request for data by mail, using the data request form on page ten.

If you choose not to use the data request form, your written request should include:

1. that you, as a member of the public, are making a request for data under the Data Practices Act, Minnesota Statutes, Chapter 13;
2. whether you would like to look at the data, get copies of the data, or both; and
3. a clear description of the data you would like to inspect or have copied.

The City of Lake Elmo cannot require you, as a member of the public, to identify yourself or explain the reason for your data request. However, depending on how you want us to process your request (if, for example, you want us to mail you copies of data), we may need some information about you. If you choose not to give us any identifying information, we will provide you with contact information so you may check on the status of your request. In addition, please keep in mind that if we do not understand your request and have no way to contact you, we will not be able to begin processing your request.

How We Respond to a Data Request

Upon receiving your written request, we will work to process it. If we do not have the data, we will notify you in writing as soon as reasonably possible. If we have the data, but the data are not public, we will notify you in writing as soon as reasonably possible and state which specific law says the data are not public.

If we have the data, and the data are public, we will respond to your request appropriately and promptly, within a reasonable amount of time by doing one of the following:

- 1) Arrange a date, time, and place to inspect data, for free, if your request is to view the data, or
- 2) Provide you with copies of the data as soon as reasonably possible.

You may choose to pick up your copies, or we will mail or fax them to you. If you want us to send you the copies, you will need to provide us with an address or fax number. We will provide electronic copies (such as email or CD-ROM) upon request if we keep the data in electronic format. Information about copy charges is on page nine.

If you do not understand some of the data (technical terminology, abbreviations, or acronyms), please let us know. We will provide you with an explanation.

The Data Practices Act does not require us to create or collect new data in response to a data request if we do not already have the data, or to provide data in a specific form or arrangement if we do not keep the data in that form or arrangement. (For example, if the data you request are on paper only, we are not required to create electronic documents to respond to your request.) If we agree to create data in response to your request, we will work with you on the details of your request, including cost and response time.

The Data Practices Act does not require us to answer questions that are not requests for data.

Requests for Summary Data

Summary data are statistical records or reports that are prepared by removing all identifiers from private or confidential data on individuals. The preparation of summary data is not a means to gain access to private or confidential data. The City of Lake Elmo will prepare summary data if you make your request in writing and pre-pay for the cost of creating the data. Upon receiving your written request – you may use the data request form on page ten – we will respond within ten business days with the data or details of when the data will be ready and what the cost will be.

Data Subjects

Data about You

The Data Practices Act (Minnesota Statutes, Chapter 13) says that data subjects have certain rights related to a government entity collecting, creating, and keeping government data about them. You are the subject of data when you can be identified from the data. Government data is a term that means all recorded information a government entity has, including paper, email, CD-ROMs, photographs, etc.

Classification of Data about You

The Data Practices Act presumes that all government data are public unless a state or federal law says that the data are not public. Data about you are classified by state law as public, private, or confidential. See below for some examples.

Public data: We must give public data to anyone who asks; it does not matter who is asking for the data or why. The following is an example of public data about you: *if you are an employee of a government entity, the fact that you work for the entity, and your job title and bargaining unit is public.*

Private data: We cannot give private data to the general public, but you have access when the data are about you. The following is an example of private data about you: *your Social Security number.*

We can share your private data with you, with someone who has your permission, with City of Lake Elmo staff who need the data to do their work, and as permitted by law or court order.

Confidential data: Confidential data have the most protection. Neither the public nor you can get access even when the confidential data are about you. The following is an example of confidential data about you: *if you register a complaint with a government entity concerning violations of state laws or local ordinances concerning the use of real property, your identity is confidential.*

We can share confidential data about you with City of Lake Elmo staff who need the data to do their work and to others as permitted by law or court order. We cannot give you access to confidential data.

Your Rights under the Data Practices Act

The City of Lake Elmo must keep all government data in a way that makes it easy for you to access data about you. Also, we can collect and keep only those data about you that we need for administering and managing programs that are permitted by law. As a data subject, you have the following rights.

Your Access to Your Data: You have the right to view (inspect), free of charge, public and private data that we keep about you. You also have the right to get copies of public and private data about you. The Data Practices Act allows us to charge for copies. You have the right to look at data, free of charge, before deciding to request copies. Also, if you ask, we will tell you whether we keep data about you and whether the data are public, private, or confidential.

As a parent, you may have the right to look at and get copies of public and private data about your minor children (under the age of 18). As a legally appointed guardian, you have the right to look at and get copies of public and private data about an individual for whom you are appointed guardian.

Minors have the right to ask the City of Lake Elmo not to give data about them to their parent or guardian. If you are a minor, we will tell you that you have this right. We may ask you to put your request in writing and to include the reasons that we should deny your parents access to the data. We will make the final decision about your request based on your best interests. Note: Minors do not have this right if the data in question are educational data maintained by an educational agency or institution.

When we Collect Data from You: When we ask you to provide data about yourself that are not public, we must give you a notice. The notice is sometimes called a Tennessee warning. The notice controls what we do with the data that we collect from you. Usually, we can use and release the data only in the ways described in the notice.

We will ask for your written permission if we need to use or release private data about you in a different way, or if you ask us to release the data to another person. This permission is called informed consent. If you want us to release data to another person, you must use the consent form we provide.

Protecting your Data: The Data Practices Act requires us to protect your data. We have established appropriate safeguards to ensure that your data are safe.

When your Data are Inaccurate and/or Incomplete: You have the right to challenge the accuracy and/or completeness of public and private data about you. You also have the right to appeal our decision. If you are a minor, your parent or guardian has the right to challenge data about you.

How to Make a Request for Your Data

To look at data, or request copies of data that the City of Lake Elmo keeps about you, your minor children, or an individual for whom you have been appointed legal guardian, make a written request. Make your request for data to the appropriate individual listed in the Data Practices Contacts document on page ten. You may make your written request by mail using the data request form on page twelve.

If you choose not use to use the data request form, your written request should include:

1. That you are making a request, under the Data Practices Act (Minnesota Statutes, Chapter 13), as a data subject, for data about you;
2. Whether you would like to inspect the data, have copies of the data, or both;
3. A clear description of the data you would like to inspect or have copied; and
4. Identifying information that proves you are the data subject, or data subject's parent/guardian.

The City of Lake Elmo requires proof of your identity before we can respond to your request for data. If you are requesting data about your minor child, you must show proof that you are the minor's parent. If you are a guardian, you must show legal documentation of your guardianship. Please see the Standards for Verifying Identity document located on page thirteen.

How We Respond to a Data Request

Once you make your written request, we will work to process your request. If it is not clear what data you are requesting, we will ask you for clarification.

- If we do not have the data, we will notify you in writing within 10 business days.
- If we have the data, but the data are confidential or private data that are not about you, we will notify you in writing within 10 business days and state which specific law says you cannot access the data.
- If we have the data, and the data are public or private data about you, we will respond to your request within 10 business days, by doing one of the following:
 1. Arrange a date, time, and place to inspect data, for free, if your request is to look at the data, or
 2. Provide you with copies of the data within 10 business days. You may choose to pick up your copies, or we will mail or fax them to you. We will provide electronic copies (such as email or CD-ROM) upon request if we keep the data in electronic format. Information about copy charges is on page nine.

After we have provided you with access to data about you, we do not have to show you the data again for six months unless there is a dispute or we collect or create new data about you. If you do not understand some of the data (technical terminology, abbreviations, or acronyms), please let us know. We will provide additional explanation.

The Data Practices Act does not require us to create or collect new data in response to a data request if we do not already have the data, or to provide data in a specific form or arrangement if we do not keep the data in that form or arrangement. (For example, if the data you request are on paper only, we are not required to create electronic documents to respond to your request.) If we agree to create data in response to your request, we will work with you on the details of your request, including cost and response time. In addition, we are not required under the Data Practices Act to respond to questions that are not requests for data.

CITY OF LAKE ELMO
Data Practices Contacts

Responsible Authority

Sandie Thone, City Clerk
3800 Laverne Avenue North, Lake Elmo, MN 55042
Phone: 651.747.3900
Fax: 651.747.3901
sthone@lakeelmo.org

Data Practices Designee

Adam Bell, Deputy Clerk
3800 Laverne Avenue North, Lake Elmo, MN 55042
Phone: 651.747.3900
Fax: 651.747.3901
abell@lakeelmo.org

Data Practices Compliance Official

Sandie Thone, City Clerk
3800 Laverne Avenue North, Lake Elmo, MN 55042
Phone: 651.747.3900
Fax: 651.747.3901
sthone@lakeelmo.org

Copy Costs – Members of the Public

The City of Lake Elmo charges members of the public for copies of government data. These charges are authorized under Minnesota Statutes, section 13.03, subdivision 3(c). Copies must be paid for prior to receiving.

For 100 or Fewer Paper Copies – 25 Cents per Page

100 or fewer pages of black and white, letter or legal size paper copies cost 25¢ for a one-sided copy, or 50¢ for a two-sided copy.

Most Other Types of Copies – Actual Cost

The charge for most other types of copies, when a charge is not set by statute or rule, is the actual cost of searching for and retrieving the data, and making the copies or electronically transmitting the data (e.g. sending the data by email).

In determining the actual cost of making copies, we factor in employee time, the cost of the materials onto which we are copying the data (paper, CD, DVD, etc.), and mailing costs (if any). If your request is for copies of data that we cannot reproduce ourselves, such as photographs, we will charge you the actual cost we must pay an outside vendor for the copies.

The cost of employee time to search for data, retrieve data, and make copies will be calculated at the actual hourly rate of the employee.

Copy Costs - Data Subjects

The City of Lake Elmo charges data subjects for copies of government data. These charges are authorized under section 13.04, subdivision 3. Copies must be paid for prior to receiving.

Actual Cost of Making the Copies

In determining the actual cost of making copies, we factor in employee time, the cost of the materials onto which we are copying the data (paper, CD, DVD, etc.), and mailing costs (if any). If your request is for copies of data that we cannot reproduce ourselves, such as photographs, we will charge you the actual cost we must pay an outside vendor for the copies.

The cost of employee time to make copies will be calculated at the actual hourly rate for the employee.

**City of Lake Elmo
Data Request Form – Members of the Public**

Date of request: _____

I am requesting access to data in the following way:

Note: inspection is free, for copies the City of Lake Elmo charges \$0.25 per page for 100 or fewer one-sided pages of black and white, letter or legal size paper copies cost or 50¢ for a two-sided copy.

Inspection Copies Inspection and copies

These are the data I am requesting:

Note: Describe the data you are requesting as specifically as possible. If you need more space, please use the back of this form.

Contact Information

Name: _____

Address: _____

Phone number: _____ Email address: _____

You do not have to provide any of the above contact information. However, if you want us to mail you copies of data, we will need some type of contact information. In addition, if we do not understand your request and need to get clarification from you, without contact information we will not be able to begin processing your request until you contact us.

City of Lake Elmo

Data Request Form – Data Subjects

Date of request: _____

To request data as a data subject, you must show a valid state ID, such as a driver’s license, military ID, or passport as proof of identity.

I am requesting access to data in the following way:

Inspection Copies Inspection and copies

Note: inspection is free, for copies we charge \$0.25 per page for up to 100 pages (\$0.50 two sided up to 50 pages) or employee time, the cost of the materials onto which we are copying the data (paper, CD, DVD, etc.), and mailing costs (if any). If your request is for copies of data that we cannot reproduce ourselves, such as photographs, we will charge you the actual cost we must pay an outside vendor for the copies. The cost of employee time to make copies is calculated at the actual hourly rate of the employee.

Description of data requested:

Note: Describe the data you are requesting as specifically as possible. If you need more space, please use the back of this form.

Contact Information

Data subject name _____

Parent/Guardian name (if applicable) _____

Address _____

Phone number _____

Email address _____

Signature of Data Subject or Parent/Guardian _____

Staff Verification

Identification provided _____

Standards for Verifying Identity

The following constitute proof of identity.

An **adult individual** must provide a valid photo ID, such as

- state driver's license
- military ID
- passport
- Minnesota ID
- Minnesota tribal ID

A **minor individual** must provide a valid photo ID, such as

- state driver's license
- military ID
- passport
- Minnesota ID
- Minnesota Tribal ID
- Minnesota school ID

The **parent or guardian of a minor** must provide a valid photo ID *and either* a certified copy of the minor's birth certificate *or* a certified copy of documents that establish the parent or guardian's relationship to the child, such as

- court order relating to divorce, separation, custody, foster care
- foster care contract
- affidavit of parentage

The **legal guardian for an individual** must provide a valid photo ID *and* a certified copy of appropriate documentation of formal or informal appointment as guardian, such as

- court order(s)
- valid power of attorney

Note: Individuals who do not exercise their data practices rights in person must provide *either* notarized or certified copies of the documents that are required *or* an affidavit of ID.

CITY OF LAKE ELMO

**NOTICE TO ALL APPLICANTS FOR MUNICIPAL PERMITS, LICENSES,
OR OTHER MUNICIPAL ACTION**

1. If you are requesting municipal action on any request for any of the above, you will be required to furnish certain information about yourself, the project you are involved in, or other matters pertaining to the application. Some of the information you are asked to provide is classified by state law as either private or confidential. Private data is information which generally cannot be given to the public but can be given to the subject of the data. Confidential data is information which generally cannot be given to either the public or the subject of the data.

2. The purpose of this information is to enable the City of Lake Elmo or other government agencies to evaluate relevant factors in considering your request. You are not legally required to provide this information. If you do not provide the requested information, the City may not act upon your request.

3. The information you supply will be public and available to any entity requesting to inspect the information.

**DATA PRACTICES ADVISORY
TENNESSEN WARNING
REQUIRED BY MINNESOTA STATUTES CHAPTER 13.04**

BY _____

COMPANY/TITLE: _____

NON-PUBLIC DATA MAINTAINED BY CITY (EXHIBIT A)

1. Personnel Data (Private)

Minn. Stat. §13.43

All data on all individuals who are or were an employee, an applicant for employment, volunteer, independent contractor, or member or applicant for advisory board or commission is private, except the following which is public:

- Name
- Employee identification number (not the employee's Social Security number)
- Actual gross salary
- Contract fees
- Actual gross pension
- Value and nature of employer paid fringe benefits
- Basis for and amount of added remuneration, including expense reimbursement
- Job description, job title and bargaining unit
- Education and training background
- Relevant test scores and rank on eligible list
- Previous work experience
- Date of first and last employment
- Veteran status
- The existence and status (but not nature) of any complaints or charges against the employee, regardless of whether the complaint or charge resulted in discipline
- Final disposition of any disciplinary action, together with specific reasons for the action and data documenting the basis of the action, excluding data that would identify confidential sources who are employees of the city
- Terms of any agreement settling any dispute arising from the employment relationship, including a "buyout" agreement
- Work availability
- Work location
- Work telephone number
- Honors and awards received
- Payroll time sheets or other comparable data that are only used to account for employee's work time for payroll purposes, except to the extent that release of time sheet data would reveal the employee's reasons for the use of sick or other medical leave or other non-public data

- Names and addresses of applicants for and members of an advisory board or commission
- Name, after being certified as eligible for appointment to a vacancy or when considered a finalist for a position of public employment (which occurs when the person has been selected to be interviewed by the appointing authority)

If it is necessary to protect an employee from harm to self or to protect another person who may be harmed by the employee, information that is relevant to the safety concerns may be released to (1) the person who may be harmed or to the person's attorney when relevant to obtaining a restraining order, (2) a pre-petition screening team in the commitment process, or (3) a court, law enforcement agency or prosecuting agency.

All other data is private but may be released pursuant to a court order. Data pertaining to an employee's dependents are private data on individuals.

2. Property Complaint Data (confidential) Minn. Stat. §13.44

The identities of individuals who register complaints concerning violations of state laws or local ordinances concerning the use of real property.

3. Security Information (Private) Minn. Stat. §13.37

Data which if disclosed would be likely to substantially jeopardize the security of information, possessions, individuals or property against theft, tampering, improper use, attempted escape, illegal disclosure, trespass, or physical injury. This includes crime prevention block maps and lists of volunteers who participate in community crime prevention programs and their home addresses and telephone numbers, but these may be disseminated to other volunteers participating in crime prevention programs. This also includes interior sketches, photos, or plans of buildings where detailed information about alarm systems or similar issues could jeopardize security.

4. Sealed bids (Non-public) Minn. Stat. §13.37

Sealed bids, including the number of bids received, prior to opening.

5. Trade Secret Information (Non-public) Minn. Stat. §13.37

Government data, including a formula, pattern, compilation, program, device, method, technique or process (1) that was supplied by the City, (2) that is the subject of efforts by the City that are reasonable under the circumstances to maintain its secrecy, and (3) that derives independent economic value, actual or potential, from not being generally known

to, and not being readily ascertainable by proper means by, other persons who can obtain economic value from its disclosure or use.

6. Examination Data **Minn. Stat. §13.34**

Completed versions of personnel and licensing examinations are private, unless the Responsible Authority determines that they should be confidential because access would compromise the objectivity, fairness, or integrity of the examination process.

7. Elected Officials Correspondence (Private) **Minn. Stat. §13.601**

Correspondence between individuals and elected officials, but either may make it public.

8. Federal Contracts Data (Non-public) **Minn. Stat. §13.35**

To the extent that a federal agency requires it as a condition for contracting with the city, all government data collected and maintained by the city is classified as private or nonpublic depending on whether the data are data on individuals or data not on individuals.

9. Civil Investigative Data **Minn. Stat. §13.39**

Data collected as part of an active investigation undertaken to commence or defend pending civil litigation, or which are retained in anticipation of pending civil litigation is confidential, except that a complainant's statement is private.

10. Appraisal Data (Confidential or Non-public) **Minn. Stat. §13.44**

- a. Estimated or appraised values of individual parcels of real property that are made by personnel of the city or by independent appraisers acting for the city for the purpose of selling or acquiring land through purchase or condemnation are classified as confidential data on individuals or protected nonpublic data.
- b. Appraised values of individual parcels of real property that are made by appraisers working for fee owners or contract purchasers who have received an offer to purchase their property from the city are classified as private data on individuals or nonpublic data.

The data become public upon the occurrence of any of the following:

- The data are submitted to a court-appointed condemnation commissioner;
- The data are presented in court in condemnation proceedings; or

The negotiating parties enter into an agreement for the purchase and sale of the property.

11. Personal and intangible property; appraisal data (Non-public)
Minn. Stat. §13.44

Preliminary and final market value appraisals, which are made by personnel of the city or by an independent appraiser acting on behalf of the city, of personal and intangible property owned by the city are classified as nonpublic data not on individuals until either (1) a purchase agreement is entered into; or (2) the parties negotiating the transaction exchange appraisals.

12. Social Security numbers (Private) **Minn. Stat. §13.355**

The Social Security numbers of individuals, whether provided in whole or in part, collected or maintained by a government entity are private data on individuals, except to the extent that access to the Social Security number is specifically authorized by law.

13. Recreation/Social Programs Data (Private) **Minn. Stat. §13.57**

People enrolling in recreational or other social programs: name, address, telephone number, any other data that identifies the individual, and any data which describes the health or medical condition of the individual, family relationships, living arrangements, and opinions as to the emotional makeup or behavior of an individual.

14. Planning Survey Data (Private/Non-public) **Minn. Stat. §13.43**

The following data collected in surveys of individuals conducted by the city for the purpose of planning, development and redevelopment are classified as private or nonpublic: names and addresses of individuals and the legal descriptions of property owned by the individuals, and the commercial use of the property to the extent disclosure of the use would identify a particular business.

15. City Attorney Records **Minn. Stat. §13.30**

The use, collection, storage, and dissemination of data by the city attorney are governed by statutes, rules, and professional standards concerning discovery, production of documents, introduction of evidence, and professional responsibility. Data which is the subject of attorney-client privilege is confidential. Data which is the subject of the "work product" privilege is confidential.

16. Electronic Access Data

Minn. Stat. §13.15

Data created, collected, or maintained about a person's access to a city computer for the purpose of gaining access to data or information, transferring data or information are private data on individuals or nonpublic data.

17. Service Cooperatives Claims Data

Minn. Stat. §13.43

Claims experience and all related information received from carriers and claims administrators participating in a group health or dental plan, including any long-term disability plan, offered through the Minnesota service cooperatives to the city, and survey information collected from employees and employers participating in these plans and programs, except when the executive director of a Minnesota service cooperative determines that release of the data will not be detrimental to the plan or program, are classified as nonpublic data not on individuals.

Consent to Release – Request from a Government Entity

Explanation of Your Rights

You have the right to choose what data we release. This means you can let us release all of the data, some of the data, or none of the data listed on this form. Before you give us permission to release the data, we encourage you to review the data listed on this form. You have the right to let us release the data to all, some, or none of the persons or entities listed on this form. This means you can choose which entities or persons may receive the data and what data they may receive.

You have the right to ask us to explain the consequences for giving your permission to release the data. You may withdraw your permission at any time. Withdrawing your permission will not affect the data that we have already released because we had your permission to release the data.

If you have a question about anything on this form, or would like additional information or explanation, please contact Sandie Thone, City Clerk, 3800 Laverne Avenue North, Lake Elmo, Minnesota 55042; 651.747.3900 or sthone@lakeelmo.org, before signing.

I, _____, give my permission for the City of Lake Elmo to release data about me to _____ as described on this form. I understand that my decision to allow release of the data to _____ is voluntary.

1) The specific data that the City of Lake Elmo may release:
_____.

2) I understand the City of Lake Elmo wants to release the data for this reason:
_____.

3) I understand that although the data are classified as private at the City of Lake Elmo, the classification/treatment of the data at _____ depends on laws or policies that apply to _____. This authorization to release the data expires on _____.

Individual data subject's signature _____

Date _____

Parent/guardian's signature [if necessary] _____

Date _____

CITY OF LAKE ELMO
DATA PRACTICES PROCEDURES
ADOPTED THE 18th DAY OF FEBRUARY, 2003

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procedures*

CITY OF LAKE ELMO
DATA PRACTICES PROCEDURES

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CITY OF LAKE ELMO

DATA PRACTICES PROCEDURES

1.0 Introduction

These procedures are adopted to comply with the requirements of the Minnesota Data Practices Act (the "Act"), specifically Minn. Stat. §13.03, Subd. 2; and 13.05, Subd. 5 and 8.

2.0 Responsible Authority

The person who is the responsible authority for the compliance with the Act is the Deputy Clerk.

3.0 Access to Public Data

All information maintained by the City is public unless there is a specific statutory designation, which gives it a different classification.

The City General Records Retention Schedule lists data series maintained by the City and their classifications.

- A. **People Entitled to Access.** Any person has the right to inspect and copy public data. The person also has the right to have an explanation of the meaning of the data. The person does not need to state his or her name or give the reason for the request.
- B. **Form of Request.** The request for public data may be verbal or written.
- C. **Time Limits.**
 - 1. **Requests.** Requests will be received and processed only during normal business hours.
 - 2. **Response.** If copies cannot be made at the time of the request, copies must be supplied as soon as reasonably possible.
- D. **Fees.** Fees, at the rate of \$.50 per page side, may be charged only if the requesting person asks for a copy, unless a significant time is required. In that case, the fee will include the actual cost of searching for, retrieving and copying or electronically transmitting the data. The fee may not include time necessary to separate public from non-public data.

The Deputy Clerk may also charge an additional fee if the copies have commercial value and are a substantial and discrete portion of a formula, compilation, program, process, or system developed with significant expenditure of public funds. This additional fee must relate to the actual development costs of the information.

4.0 Access to Data on Individuals.

Information about individual people is classified by law as public, private, or confidential. A list of the private and confidential information maintained by the City is contained in Appendix A.

A. People Entitled to Access.

1. *Public* information about an individual may be shown or given to anyone.
2. *Private* information about an individual may be shown or given to:
 - a. The individual, but only once every six months, unless a dispute has arisen or additional data has been collected.
 - b. A person who has been given access by the express written consent of the data subject. This consent must be on the form attached as Exhibit 1, or a form reasonably similar.
 - c. People who are authorized access by the federal, state, or local law or court order.
 - d. People about whom the individual was advised at the time the data was collected. The identity of those people must be part of the Tennessee warning described below.
 - e. People within the City staff, the City Council, and outside agents (such as attorneys) whose work assignments or responsibilities reasonably require access.
3. *Confidential* information may **not** be given to the subject of the data, but may be shown or given to:
 - a. People who are authorized access by federal, state, or local law or court order.
 - b. People within the City staff, the City Council, and outside agents (such as attorneys) whose work assignments or responsibilities reasonably require access.

- B. Form of Request.** Any individual may request verbally or in writing if the City has stored data about that individual and whether the data is classified as public, private, or confidential.

All requests to see or copy private or confidential information must be in writing. An *Information Disclosure Request*, attached as Exhibit 2, must be completed to document who requests and who receives this information. The Deputy Clerk or designee must complete the relevant portions of the form. The Deputy Clerk or designee may waive the use of this form if there is other documentation of the requesting party's identity, the information requested, and the City's response.

- C. Identification of Requesting Party.** The Deputy Clerk or designee must verify the identity of the requesting party as a person entitled to access. This can be through personal knowledge, presentation of written identification, comparison of the data subject's signature on a consent form with the person's signature in City records, or other reasonable means.

D. Time Limits.

- 1. Requests.** Requests will be received and processed only during normal business hours.
- 2. Response.** The response must be immediate, if possible, or within 5 working days-if an immediate response is not possible. The City may have an additional 5 working days to respond if it notifies the requesting person that it cannot comply within 5 days.

- E. Fees.** Fees may be charged in the same manner as for public information.

- F. Summary Data.** Summary data is statistical records and reports derived from data on individuals but which does not identify an individual by name or any other characteristic that could uniquely identify an individual. Summary data derived from private or confidential data is public. The Deputy Clerk or designee will prepare summary data upon request, if the request is in writing and the requesting party pays for the cost of preparation. The Deputy Clerk or designee must notify the requesting party about the estimated costs and collect those costs before preparing or supplying the summary data. This should be done within 10 days after receiving the request. If the summary data cannot be prepared within 10 days, the Deputy Clerk must notify the requester of the anticipated time schedule and the reasons for the delay.

Summary data may be prepared by "blacking out" personal identifiers, cutting out portions of the records that contain personal identifiers, programming computers to delete personal identifiers, or other reasonable means.

The Deputy Clerk may ask an outside agency or person to prepare the summary data if (1) the specific purpose is given in writing, (2) the agency or person agrees not to disclose the private or confidential data, and (3) the Deputy Clerk

determines that access by this outside agency or person will not compromise the privacy of the private or confidential data. The Deputy Clerk may use the form attached as Exhibit 3.

- G. Juvenile Records.** The following applies to *private* (not confidential) data about people under the age of 18.
1. **Parental Access.** In addition to the people listed above who may have access to private data, a parent may have access to private information about a juvenile data subject. "Parent" means the parent or guardian of a juvenile data subject, or individual acting as a parent or guardian in the absence of a parent or guardian. The parent is presumed to have this right unless the Deputy Clerk or designee has been given evidence that there is a state law, court order, or other legally binding document which prohibits this right. •
 2. **Notice to Juvenile.** Before requesting private data from juveniles, city personnel must notify the juveniles that they may request that the information not be given to their parent(s). This notice should be in the form attached as Exhibit 4.
 3. **Denial of Parental Access.** The Deputy Clerk or designee may deny parental access to private data when the juvenile requests this denial and the Deputy Clerk or designee determines that withholding the data would be in the best interest of the juvenile. The request from the juvenile must be in writing stating the reasons for the request. In determining the best interest of the juvenile, the Deputy Clerk or designee will consider:
 - a. Whether the juvenile is of sufficient age and maturity to explain the reasons and understand the consequences,
 - b. Whether denying access may protect the juvenile from physical or emotional harm,
 - c. Whether there is reasonable grounds to support the juvenile's reasons, and
 - d. Whether the data concerns medical, dental, or other health services provided under Minnesota Statutes § 144.341 to 144.347. If so, the data may be released only if failure to inform the parent would seriously jeopardize the health of the minor.

The Deputy Clerk or designee may also deny parental access without a request from the juvenile under Minnesota Statutes § 144.335.

5.0 Denial of Access.

If the Deputy Clerk or designee determines that the requested data is not accessible to the requesting party, the Deputy Clerk or designee must inform the requesting party orally at the time of the request or in writing as soon after that as possible. The Deputy Clerk or designee must give the specific legal authority, including statutory section, for withholding the data. The Deputy Clerk or designee must place an oral denial in writing upon request. This must also include the specific legal authority for the denial.

6.0 Collection of Data on Individuals.

The collection and storage of information about individuals will be limited to that necessary for the administration and management of programs specifically authorized by the state legislature, city council, or federal government.

When an individual is asked to supply private or confidential information about the individual, the City employee requesting the information must give the individual a *Tennessee* warning. This warning must contain the following:

- the purpose and intended use of the requested data,
- whether the individual may refuse or is legally required to supply the requested data,
- any known consequences from supplying or refusing to supply the information, and
- the identity of other persons or entities authorized by state or federal law to receive the data.

A *Tennessee* warning is not required when an individual is requested to supply investigative data to a law enforcement officer.

A *Tennessee* warning may be on a separate form or may be incorporated into the form which requests the private or confidential data. See attached Exhibit 5.

7.0 Challenge to Data Accuracy.

An individual who is the subject of public or private data may contest the accuracy or completeness of that data maintained by the City. The individual must notify the City's Deputy Clerk in writing describing the nature of the disagreement. Within 30 days, the Deputy Clerk or designee must respond and either (1) correct the data found to be inaccurate or incomplete and attempt to notify past recipients of

inaccurate or incomplete data, including recipients named by the individual, or (2) notify the individual that the authority believes the data to be correct.

An individual who is dissatisfied with the Deputy Clerk's action may appeal to the Commissioner of the Minnesota Department of Administration, using the contested case procedures under Minnesota Statutes Chapter 14. The Deputy Clerk will correct any data if so ordered by the Commissioner.

8.0 Data Protection.

A. Accuracy and Currency of Data.

All employees will be requested, and given appropriate forms, to provide updated personal information to the appropriate supervisor, City Clerk, or Finance Director, which is necessary for tax, insurance, emergency notification, and other personnel purposes. Other people who provide private or confidential information will also be encouraged to provide updated information when appropriate.

Department heads should periodically review forms used to collect data on individuals to delete items that are not necessary and to clarify items that may be ambiguous.

All records must be disposed of according to the City's records retention schedule.

B. Data Safeguards.

Private and confidential information will be stored in files or databases which are not readily accessible to individuals who do not have authorized access and which will be secured during hours when the offices are closed.

Private and confidential data must be kept only in City offices, except when necessary for City business.

Only those employees whose job responsibilities require them to have access will be allowed access to files and records that contain private or confidential information. These employees will be instructed to:

1. not discuss, disclose, or otherwise release private or confidential data to City employees whose job responsibilities do not require access to the data,
2. not leave private or confidential data where non-authorized individuals might see it, and
3. shred private or confidential data before discarding.

Exhibit 1

CONSENT TO RELEASE PRIVATE DATA

I, _____, authorize the City Of Lake Elmo ("City") to
(Print Name)

Release the following private data about me:

To the following person or people:

The person or people receiving the private data may use it only for the following purpose or purposes:

This authorization is dated _____ and expires on _____.

The expiration cannot exceed one year from the date of the authorization, except in the case of authorizations given in connection with applications for life insurance or non-cancelable or guaranteed renewable health insurance and identified as such, two years after the date of the policy.

I agree to give up and waive all claims that I might have against the City, its agents and employees for releasing data pursuant to this request.

X _____
Signature

IDENTIFY VERIFIED BY:

- Witness: X _____
Identification: Driver's License, State ID, Passport, other:
- Comparison with signature on file
- other: _____

Responsible Authority/Designee:

Exhibit 3

GOVERNMENT DATA ACCESS AND NONDISCLOSURE AGREEMENT

1. **AUTHORIZATION.** City of Lake Elmo ("City") hereby authorizes _____ ("Authorized Party") access to the following government data:

2. **PURPOSE.** Access to this government data is limited to the objective of creating summary data for the following purpose:

3. **COST.** (Check which applies):
 - The Authorized Party is the person who requested the summary data and agrees to bear the City's costs associated with the preparation of the data which has been determined to be \$_____.
 - The Authorized Party has been requested by the City to prepare summary data and will be paid in accordance with attached Exhibit A.
4. **SECURITY.** The Authorized Party agrees that it and any employees or agents under its control must protect the privacy interests of individual data subjects in accordance with the terms of this Agreement.

The Authorized Party agrees to remove all unique personal identifiers which could be used to identify any individual from data classified by state or federal law as not public Which IS Obtained from City records and incorporated into reports, summaries, compilations, articles, or any document or series of documents.

Data contained in files, records, microfilm, or other storage media maintained by the City are the City's property and are not to leave the City's custody. The Authorized Party agrees not to make reproductions of any data or remove any data from the site where it is provided, if the data can in any way identify an individual.

No data which is not public and which is irrelevant to the purpose stated above will ever be disclosed or communicated to anyone by any means.

The Authorized Party warrants that the following named individual(s) will be the only person(s) to participate in the collection of the data described above:

5. **LIABILITY FOR DISCLOSURE.** The Authorized Party is liable for any unlawful use or disclosure of government data collected, used and maintained in the exercise of this Agreement and classified as not public under state or federal law. The Authorized Party understands that it may be subject to civil or criminal penalties under those laws.

The Authorized Party agrees to defend, indemnify, and hold the City, its officers and employees harmless from any liability, claims, damages, costs, judgments, or expenses, including reasonable attorneys' fees, resulting directly or indirectly from an act or omission of the Authorized Party, its agents, employees or assignees under this Agreement and against all loss by reason of the Authorized Party's failure to fully perform in any respect all obligations under this Agreement.

6. **INSURANCE.** In order to protect itself as well as the City, the Authorized Party agrees at all times during the term of this Agreement to maintain insurance covering the Authorized Party's activities under this Agreement. The insurance will cover \$1,000,000 per claimant for personal injuries and/or damages and \$1,000,000 per occurrence. The policy must cover the indemnification obligation specified above.

7. **ACCESS PERIOD.** The Authorized Party may have access to the information described above from _____ to _____.

8. **SURVEY RESULTS.** (Check which applies):

- If the Authorized Party is the requestor, a copy of all reports, summaries, compilations, articles, publications or any document or series of documents which are created from the information provided under this Agreement must be made available to the City in its entirety.
- If the Authorized Party is a contractor of the City, all copies of reports, summaries, compilations, articles, publications or any document or series of documents which are created from the information provided under this Agreement must be provided to the City. The Authorized Party may retain one copy for its own records but may not disclose it without City permission, except in defense of claims brought against it.

AUTHORIZED PARTY:

By: _____
Title (if applicable): _____

Date: _____

CITY OF LAKE ELMO

By: _____
Its: _____

Date: _____

Exhibit 4

NOTICE TO PERSONS UNDER AGE OF 18

Some of the information you are asked to provide is classified as private under state law. You have the right to request that some of all of the information not be given to one or both of your parents/legal guardians. Please complete the form below if you wish to have information withheld.

Your request does not automatically mean that the information will be withheld. State law requires the City to determine if honoring the request would be in your best interest. The City is required to consider:

- Whether you are of sufficient age and maturity to explain the reasons and understand the consequences,
- Whether denying access may protect you from physical or emotional harm,
- Whether there is reasonable grounds to support your reasons, and
- Whether the data concerns medical, dental, or other health services provided under Minnesota Statutes § 144.341 to 144.347. If so, the data may be released only if failure to inform the parent would seriously jeopardize your health.

NOTICE GIVEN TO: _____

DATE: _____

BY: _____
(name)

(title)

| REQUEST TO WITHHOLD INFORMATION | | |
|---|-------------------|------------------|
| I request that the following information: | | |
| | | |
| Be withheld from: | | |
| For these reasons: | | |
| | | |
| | | |
| Date: _____ | Print Name: _____ | Signature: _____ |
| | | |

Exhibit 5

DATA PRACTICES ADVISORY

Some or all of the information that you are asked to provide on the attached form is classified by state law as either private or confidential. Private data is information which generally cannot be given to the public but can be given to the subject of the data. Confidential data is information which generally cannot be given to either the public or the subject of the data.

Our purpose and intended use of this information is: _____

You are/are not legally required to provide this information. If you refuse to supply the information, the following may happen: _____

Other persons or entities who are authorized by law to receive this information are: _____

Exhibit 6

SAMPLE CONTRACT PROVISION

Data Practices Compliance. Contractor will have access to data collected or maintained by the City to the extent necessary to perform Contractor's obligations under this contract. Contractor agrees to maintain all data obtained from the City in the same manner as the City is required under the Minnesota Government Data Practices Act, Minn. Stat. Chap. 13 (the "Act"). Contractor will not release or disclose the contents of data classified as not public to any person except at the written direction of the City. Contractor agrees to defend and indemnify the City from any claim, liability, damage or loss asserted against the City as a result of Contractor's failure to comply with the requirements of the Act or this contract. Upon termination of this contract. Contractor agrees to return data to the City, as requested by the City.

APPENDIX A

PRIVATE AND CONFIDENTIAL DATA MAINTAINED BY CITY

1. Personnel Data (Private)

Minn. Stat. §13.43.

All data about an individual who is employed as, or an applicant to be, an undercover law enforcement officer. All data on all other individuals who are or were an employee, an applicant for employment, volunteer, independent contractor, or member or applicant for advisory board or commission, except the following which is public:

- Name
- Actual gross salary
- Salary range
- Contract fees
- Actual gross pension
- Value and nature of employer paid fringe benefits
- Basis for and amount of added remuneration, including expense reimbursement
- Job title
- Job description
- Education and training background
- Previous work experience
- Date of first and last employment
- The existence and status (but not nature) of any complaints or charges against the employee, whether or not resulting in discipline
- Final disposition of any disciplinary action, with specific reasons for the action and data documenting the basis of the action, excluding data that would identify confidential sources who are employees
- Terms of any agreement settling any dispute arising from the employment relationship, including a "buyout" agreement
- Work location
- Work telephone number
- Badge number
- Honors and awards received
- Payroll time sheets or other comparable data that are only used to account for employee's work time for payroll purposes, except to the extent that release of time sheet data would reveal the employee's reasons for the use of sick or other medical leave or other non-public data
- City and county of residence
- Names and home addresses of applicants for appointment to and members of an advisory board or commission

If it is reasonably necessary to protect an employee from harm to self or to protect another person who may be harmed by the employee, information that is relevant to the safety concerns may be released to (1) the person who may be harmed or to the person's attorney when relevant to obtaining a restraining order, (2) a prepetition screening team in the commitment process, or

(3) a court, law enforcement agency or prosecuting authority.

2. Employment Data (Private)

Minn. Stat. §13.43.

Data about current and former applicants for employment or appointment to an advisory board or commission, except the following which is public:

Veteran status

Relevant test scores

Rank on eligible list

Job history

Education and training

Work availability

Name, after being certified as eligible for appointment to a vacancy or when considered a finalist for a position of public employment (which occurs when the person has been selected to be interviewed by the appointing authority)

Names and addresses of applicants for and members of an advisory board or commission are public.

3. Property Complaint Data (Confidential)

Minn. Stat. §13.44.

The identities of individuals who register complaints concerning violations of state laws or local ordinances concerning the use of real property.

4. Security Information (Private)

Minn. Stat. §13.37.

Data which if disclosed would be likely to substantially jeopardize the security of information, possessions, individuals or property against theft, tampering, improper use, attempted escape, illegal disclosure, trespass, or physical injury. This includes crime prevention block maps and lists of volunteers who participate in community crime prevention programs and their home addresses and telephone numbers, but these may be disseminated to other volunteers participating in crime prevention programs.

5. Absentee Ballots (Private)

Minn. Stat. §13.37.

Sealed absentee ballots before opening by an election judge.

6. Sealed Bids (Private)

Minn. Stat. §13.37.

Sealed bids, including the number of bids received, prior to opening.

7. Labor Relations Information (Private)

Minn. Stat. §13.37.

Management positions on economic and noneconomic items that have not been presented during the collective bargaining process or interest arbitration, including information collected or create to prepare the management position.

8. Examination Data

Minn. Stat. §13.34.

Completed versions of personnel and licensing examinations are private, unless the Deputy Clerk determines that they should be confidential because access would compromise the objectivity, fairness, or integrity of the examination process.

9. Elected Officials Correspondence (Private) Minn. Stat. §13.33.

Correspondence between individuals and elected officials, but either may make it public.

10. Benefit Data (Private) Minn. Stat. §13.31.

All data about individuals participating in the City's housing rehabilitation program.

11. Civil Investigative Data Minn. Stat. §13.39.

Data collected as part of an active investigation undertaken to commence or defend pending civil litigation, or which are retained in anticipation of pending civil litigation is confidential, except that a complainant's statement is private.

12. Appraisal Data (Confidential) Minn. Stat. §13.50.

Appraisals made for the purpose of selling or acquiring land.

13. Recreation Data (Private) Minn. Stat. §13.57.

For people enrolling in recreational or other social programs: name, address, telephone number, any other data that identifies the individual, and any data which describes the health or medical condition of the individual, family relationships, living arrangements, and opinions as to the emotional makeup or behavior of an individual.

14. City Attorney Records Minn. Stat. §13.30.

The use, collection, storage, and dissemination of data by the city attorney is governed by statutes, rules, and professional standards concerning discovery, production of documents, introduction of evidence, and professional responsibility. Data which is the subject of attorney-client privilege is confidential. Data which is the subject of the "work product" privilege is confidential.

APPENDIX B

RECORD OF ANNUAL REVIEW

DATA PRACTICES PUBLIC DOCUMENT

Under the Minnesota Government Data Practices Act, I as the Deputy Clerk for the City of Lake Elmo am required to annually review the City's public document to update the document and ensure its accuracy. The following records the date on which I have done so.

DATE COMPLETED

SIGNATURE

When a contract with an outside party requires access to private or confidential information the contracting party will be required to use and disseminate the information consistent with the Act. The City may include in a written contract the language contained in Exhibit 6.

9.0 Annual Review

The Deputy Clerk shall review the data practice procedures annually for compliance with the Act and shall complete Appendix B.



MAYOR AND COUNCIL COMMUNICATION

DATE: 10/2/2012
CONSENT
ITEM #: 5
MOTION Consent Agenda

AGENDA ITEM: Resolution 2012-50 Approving Tax Forfeited Parcels for Public Auction or Auction to Adjacent Owners

SUBMITTED BY: Sandie Thone, City Clerk

THROUGH: Dean A. Zuleger, City Administrator

REVIEWED BY: Kyle Klatt, Director of Planning

STAFF REPORT:

As part of the Consent Agenda the City Council is requested to consider approval of Resolution 2012-50 Approving Tax-Forfeited Parcels for Public Auction or Auction to Adjacent Owners. Please find attached the letter received from Washington County on September 13, 2012 requesting the city's approval for the parcels located in the City of Lake Elmo described herein which have been forfeited to the State of Minnesota for non-payment of property taxes. The parcels have been classified as non-conservation land and include the following parcels:

- 1) Parcel ID: 34.029.21.11.0006; Lot A Stonegate 2nd Addition
- 2) Parcel ID: 36.029.21.33.0015; Section 36 Township 029 Range 021 PT of SW ¼

As required by MN Statute 282.01, the city is requested to either approve the parcels for public auction or auction to adjacent land owners or request a conveyance to the city for an authorized public use or public purpose.

RECOMMENDATION:

Staff recommends the City Council approve Resolution 2012-50 Approving Tax-Forfeited Parcels for Public Auction or Auction to Adjacent Owners. This action requires a simple majority vote.

**CITY OF LAKE ELMO
WASHINGTON COUNTY
STATE OF MINNESOTA**

RESOLUTION 2012-50

**A RESOLUTION APPROVING TAX FORFEITED PARCELS FOR PUBLIC
AUCTION OR AUCTION TO ADJACENT OWNERS**

WHEREAS, the parcels located in the City of Lake Elmo described herein have been forfeited to the State of Minnesota for non-payment of property taxes; and

WHEREAS, the parcels have been classified as non-conservation land and include Parcel ID: 34.029.21.11.0006; Lot A Stonegate 2nd Addition and Parcel ID: 36.029.21.33.0015; Section 36 Township 029 Range 021 PT of SW 1/4; and

WHEREAS, required by MN Statute 282.01, the city is requested to either approve the parcels for public auction or auction to adjacent land owners or request a conveyance to the city for an authorized public use or public purpose.

NOW THEREFORE BE IT RESOLVED, that the City of Lake Elmo approves the above mentioned parcels for sale.

**ADOPTED BY THE CITY COUNCIL OF THE CITY OF LAKE ELMO THIS SECOND
OF OCTOBER 2012.**

**CITY COUNCIL
CITY OF LAKE ELMO**

By: _____
Dean A. Johnston
Mayor

(Seal)

Sandie Thone
City Clerk



**Property Records and
Taxpayer Services**

Jennifer Wagenius
Director

Steve Gransee
Taxpayer Services Division Manager

September 13, 2012

Lake Elmo City Hall
City Clerk
3800 Laverne Ave. N
Lake Elmo, MN 55042

Re: **Tax Forfeited Parcels**

Lake Elmo City Clerk:

Enclosed is a classification listing of non-conservation land located in your city. The parcels described in the listing forfeited to the State of Minnesota for non-payment of property taxes. I will be requesting the County Board to classify the parcels as non-conservation at a September meeting.

As required under M.S. 282.01, we request that the City review and either approve the parcel(s) for public auction or auction to adjacent owners or request a conveyance to your city for an authorized public use or public purpose. We request a letter listing the parcel(s) approved for sale or to withhold from sale. If requesting a conveyance, contact us for specifics on required forms and other information.

Your request(s) will be contingent upon the Department of Natural Resources' approval of the classification and sale. Please keep in mind that the previous owner may still be allowed to repurchase their forfeited property at anytime during this period.

Special assessments that were levied before the forfeiture do not need to be certified to this office. They were canceled at forfeiture and will be paid from the sale price, if adequate funds are available. If the sale price is not high enough to fully pay the unpaid taxes and special assessments, some or all of the special assessments levied prior to forfeiture may be reassessed by the city. Special assessments that are levied after the forfeiture should be certified to this office. They will be added to the appraised value and paid from the sale price.

Please be advised that if the City Council fails to respond within sixty (60) days of the date of this letter, the classification and sale will be deemed to be approved by the city.

If you have any questions, please feel free to contact me by calling 651-430-8272 or by email at steve.gransee@co.washington.mn.us

Sincerely,

Steve Gransee
Taxpayer Services Division Manager

Enc. *Parcels Forfeited Listing*

Parcels Forfeited to State of MN on July 20, 2012

| ParcelId | Class | Hstd | TaxYear | CurTagDescr | PreviousOwnerName | SitusAddr | Descr |
|-------------------|-----------------------|------|-----------|--------------------------|--------------------------|-----------|---|
| 34.029.21.11.0006 | 140 Res. V Land/940 W | N | 2008-2011 | 3707 LAKE ELIMO-834.YBWS | TRAIL HEAD LAND DEV CORP | | Lot A STONEGATE 2ND ADD |
| 36.029.21.33.0015 | 140 Res V Land | N | 2008-2011 | 3707 LAKE ELIMO-834.YBWS | SECURE PROP INC | | Section 36 Township 029 Range 021 PT OF SW1/4 |



MAYOR AND COUNCIL COMMUNICATION

DATE: October 2, 2012

CONSENT

ITEM #: 6

MOTION

AGENDA ITEM: 2012 Seal Coat Project – Accept Improvements and Approve Pay Request No. 1 (Final)

SUBMITTED BY: Ryan Stempski, Assistant City Engineer

THROUGH: Dean A. Zuleger, City Administrator

REVIEWED BY: Jack Griffin, City Engineer
Mike Bouthilet, Public Works
Cathy Bendel, Finance Director

SUMMARY AND ACTION REQUESTED: The City Council is respectfully requested to consider accepting the improvements and approving Pay Request No. 1 (Final) in the amount of \$134,727.44 for the 2012 Seal Coat Project [*\$51,784.88 to be reimbursed by West Lakeland Township*].

STAFF REPORT: The 2012 Seal Coat Project has been fully completed. The Project Engineer has prepared a Certificate of Completion and is recommending acceptance of the improvements and release of the final retainage. The two-year warranty period will begin on October 2, 2012, and will extend to October 2, 2014.

Final Payment in the amount of \$134,727.44 has been requested by the Contractor, Allied Blacktop Company, based upon the work completed. The original construction contract was in the amount of \$128,814.51. The additional \$5,912.93 was due to an increase of 4,907 square yards of quantity on Lake Elmo streets as field measured and verified by the Project Engineer.

Of the total \$134,727.44 in construction cost, the City of Lake Elmo will be reimbursed \$51,784.88 by West Lakeland Township (WLT) for the streets seal coated in West Lakeland under this contract. The City of Lake Elmo has been previously reimbursed \$3,107.09 by WLT for engineering and administration fees.

The final total project cost for the Lake Elmo Project was \$91,943; \$82,942.56 in construction and \$9,000 for design and construction engineering services. This project came in roughly \$6,733 over the Project budget due mostly to the added quantities paid as measured in the field

vs. the planned quantities as measured from aerial photos. Construction engineering services also ran over budget by \$500 due to numerous resident issues with construction questions. The Project budget remained within the overall City budget of \$125,000 for 2012 Seal Coating.

RECOMMENDATION: Staff is recommending that the City Council consider accepting the improvements and approving Pay Request No. 1 (Final) for the 2012 Seal Coat Project, as part of the *Consent Agenda*. The recommended motion for this action is as follows:

“Move to accept the improvements and approve Pay Request No. 1 (Final) in the amount of \$134,727.44, for the 2012 Seal Coat Project [\$51,784.88 to be reimbursed by West Lakeland Township].”

ATTACHMENTS:

1. Pay Request No. 1 (Final)
2. Certificate of Completion

PROJECT PAY FORM

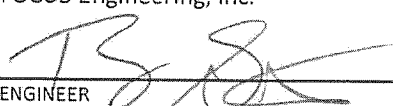
| | |
|---|--------------------------------|
| PARTIAL PAY ESTIMATE NO. <u>1 (FINAL)</u> | FOCUS ENGINEERING, inc. |
|---|--------------------------------|


| | |
|---|--|
| 2012 SEAL COAT PROJECT PROJECT NO. 2012.118 | PERIOD OF ESTIMATE FROM <u>6/7/2012</u> TO <u>9/18/2012</u> |
|---|--|

| | |
|---|--|
| PROJECT OWNER: CITY OF LAKE ELMO 3800 LAVERNE AVENUE NORTH LAKE ELMO, MN 55042 ATTN: JACK GRIFFIN, P.E., CITY ENGINEER | CONTRACTOR: ALLIED BLACKTOP COMPANY 10503 89TH AVENUE NORTH MAPLE GROVE, MN 55369 ATTN: PETER CAPISTRANT, PRESIDENT |
|---|--|

| CONTRACT CHANGE ORDER SUMMARY | | | | PAY ESTIMATE SUMMARY | |
|-------------------------------|---------------|------------|------------|------------------------------|---------------------|
| No. | Approval Date | Amount | | | |
| | | Additions | Deductions | | |
| 1 | 9/18/2012 | \$5,912.93 | | 1. Original Contract Amount | \$128,814.51 |
| | | | | 2. Net Change Order Sum | \$5,912.93 |
| | | | | 3. Revised Contract (1+2) | \$134,727.44 |
| | | | | 4. *Work Completed | \$134,727.44 |
| | | | | 5. *Stored Materials | \$0.00 |
| | | | | 6. Subtotal (4+5) | \$134,727.44 |
| | | | | 7. Retainage* <u>0.0%</u> | \$0.00 |
| | | | | 8. Previous Payments | \$0.00 |
| TOTALS | | \$5,912.93 | \$0.00 | 9. Amount Due (6-7-8) | \$134,727.44 |
| NET CHANGE | | \$5,912.93 | | *Detailed Breakdown Attached | |

| CONTRACT TIME | | | | | |
|-------------------------|------------------|---------------|------------|-------------|-------------------------------------|
| START DATE: | <u>6/7/2012</u> | ORIGINAL DAYS | <u>110</u> | ON SCHEDULE | |
| SUBSTANTIAL COMPLETION: | <u>8/17/2012</u> | REVISED DAYS | <u>0</u> | YES | <input checked="" type="checkbox"/> |
| FINAL COMPLETION: | <u>9/25/2012</u> | REMAINING | <u>7</u> | NO | <input type="checkbox"/> |

| | |
|--|---|
| ENGINEER'S CERTIFICATION: The undersigned certifies that the work has been reviewed and to the best of their knowledge and belief, the quantities shown in this estimate are correct and the work has been performed in accordance with the contract documents. | FOCUS Engineering, inc.  _____ ENGINEER <u>9-21-2012</u> _____ DATE |
|--|---|

| | |
|--|--|
| CONTRACTOR'S CERTIFICATION: The undersigned Contractor certifies that to the best of their knowledge, information and belief the work covered by this payment estimate has been completed in accordance with the contract documents, that all amounts have been paid by the contractor for work for which previous payment estimates was issued and payments received from the owner, and that current payment shown herein is now due. | CONTRACTOR  _____ BY <u>9/13/12</u> _____ DATE |
|--|--|

| | |
|--|------------|
| APPROVED BY OWNER: CITY OF LAKE ELMO, MINNESOTA | |
| BY _____ | BY _____ |
| DATE _____ | DATE _____ |

PAY ESTIMATE NO. 1 (FINAL)

FOCUS ENGINEERING, inc.

2012 SEAL COAT PROJECT
CITY OF LAKE ELMO & WEST LAKELAND TWP, MINNESOTA
FOCUS PROJECT NO. 2012.118

CONTRACT DATED JUNE 5, 2012

| ITEM NO. | DESCRIPTION | ESTIMATED QUANTITY | ACTUAL QUANTITY | UNIT | UNIT PRICE | TOTAL AMOUNT |
|------------------------------|--|--------------------|-----------------|------|------------|----------------------|
| CITY OF LAKE ELMO | | | | | | |
| 1 | BITUMINOUS SEAL COAT WITH 1/8" DRESSER TRAP ROCK | 63,925 | 68,832 | SY | 1.205 \$ | 82,942.56 |
| CITY OF WEST LAKELAND | | | | | | |
| 2 | BITUMINOUS SEAL COAT WITH 1/8" DRESSER TRAP ROCK | 42,975 | 42,975 | SY | 1.205 \$ | 51,784.88 |
| TOTAL | | | | | | 134,727.44 \$ |

CERTIFICATE OF COMPLETION

DATE OF ISSUANCE: October 2, 2012

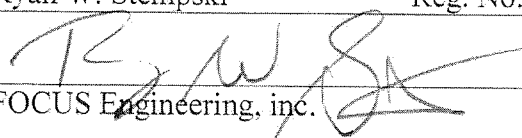
| | |
|---------------|--------------------------------|
| OWNER: | <u>CITY OF LAKE ELMO, MN</u> |
| CONTRACTOR: | <u>ALLIED BLACKTOP COMPANY</u> |
| PROJECT NAME: | <u>2012 SEAL COAT PROJECT</u> |
| PROJECT NO.: | <u>2012.118</u> |

- This Certification of Completion applies to all work under the Contract Documents
- This Certification of Completion applies to the following specified parts of the Contract Documents

I do hereby certify that the work to which this Certificate applies has been constructed in accordance with the Contract dated June 5, 2012. The above-mentioned improvement is hereby declared to be complete and acceptance of this work is recommended.

DATE OF COMPLETION: October 2, 2012

Ryan W. Stempki Reg. No. 45395


FOCUS Engineering, inc.

THE WARRANTY PERIOD BEGINS October 2, 2012 AND ENDS October 2, 2014



MAYOR AND COUNCIL COMMUNICATION

DATE: October 2, 2012

CONSENT

ITEM #: 7

MOTION

AGENDA ITEM: I94 East Corridor Gravity Sewer – Authorize Engineering Services to prepare revised Easement Exhibit

SUBMITTED BY: Jack Griffin, City Engineer

THROUGH: Dean A. Zuleger, City Administrator

REVIEWED BY: Ryan Stempski, Assistant City Engineer

SUMMARY AND ACTION REQUESTED: The City Council is respectfully requested to consider approving Engineering Services by TKDA to prepare a revised Easement Exhibit for the Trunk Gravity Sanitary Sewer line in the I94 East Corridor. Services would be provided in accordance with the TKDA Proposal dated September 12, 2012 for an estimated amount of \$2,800.

STAFF REPORT: The City Engineer is recommending that the City retain Professional Engineering Services to complete a revised Easement Exhibit for the potential alternative gravity sewer route in the I94 East Corridor (Lake Elmo Avenue to Manning Avenue) for the purpose of easement negotiations.

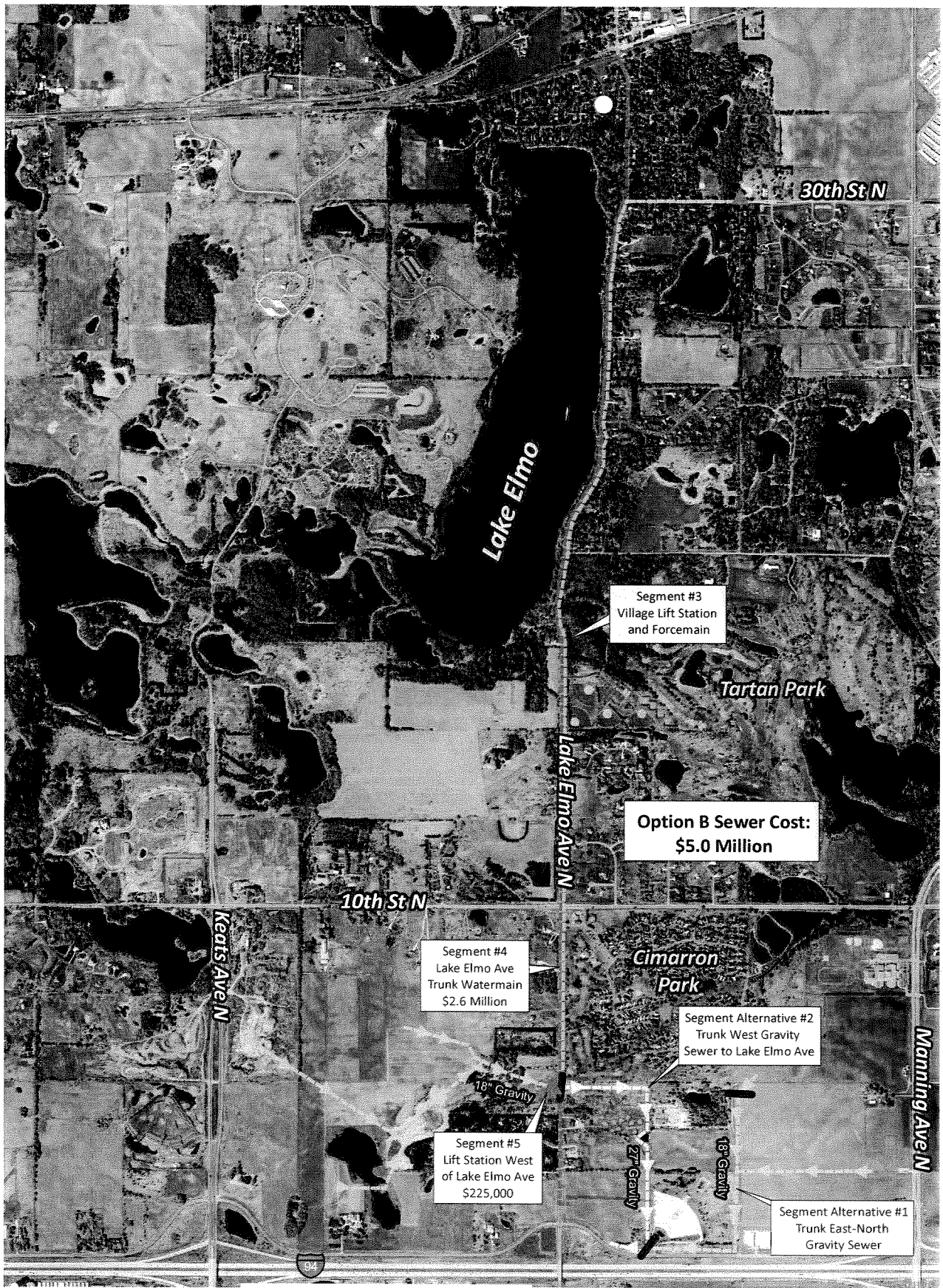
The City has previously completed engineering design work to potentially install trunk gravity sewer pipe in the area located south of 10th Street and through properties near or adjacent to Lake Elmo Avenue when the City proceeds with the Village Lift Station and Forcemain project. However utility easements remain to be negotiated and acquired to accommodate the gravity pipe. Easement Exhibits exist for the initial sewer route previously designed, however alternative routing and design may be required to implement the project. It is therefore recommended that staff proceed with obtaining a revised Easement Exhibit representative of the alternative routing to increase the City's negotiating capabilities.

RECOMMENDATION: Staff is recommending approval of the requested engineering services as part of the *Consent Agenda*. The recommended motion for this action is as follows:



























“Move to approve Engineering Services by TKDA to prepare a revised Easement Exhibit for the Trunk Gravity Sanitary Sewer line in the I94 East Corridor in accordance with the TKDA Proposal dated September 12, 2012 for an estimated amount of \$2,800.”

ATTACHMENTS:

1. I94 East Corridor Sewer Plan Exhibit – Option B
2. TKDA Proposal for Engineering Services, dated September 12, 2012.



Sewer and Water Utility Expansions: Eastern I-94 Corridor (Option B)

| | | | | | | | | | | | | | | | | | | |
|--|---|---|--------------------------|---|------------------------|---|--------------------|---|--------------------------|---|----------------|---|----------------------|---|---------|---|--------------------|---|
|  <p>City of Lake Elmo 5-8-12 Data Source: Washington County, MN</p> | <p style="text-align: center;">Legend</p> <table border="0"> <tr> <td></td> <td>Lift Station</td> <td></td> <td>Proposed Gravity Sewer</td> </tr> <tr> <td></td> <td>Existing Watermain</td> <td></td> <td>Proposed Forcemain Sewer</td> </tr> <tr> <td></td> <td>Existing Sewer</td> <td></td> <td>Future Gravity Sewer</td> </tr> <tr> <td></td> <td>Well #1</td> <td></td> <td>Proposed Watermain</td> </tr> </table> |  | Lift Station |  | Proposed Gravity Sewer |  | Existing Watermain |  | Proposed Forcemain Sewer |  | Existing Sewer |  | Future Gravity Sewer |  | Well #1 |  | Proposed Watermain | <p>0 750 1,500 3,000 Feet</p>  |
|  | Lift Station |  | Proposed Gravity Sewer | | | | | | | | | | | | | | | |
|  | Existing Watermain |  | Proposed Forcemain Sewer | | | | | | | | | | | | | | | |
|  | Existing Sewer |  | Future Gravity Sewer | | | | | | | | | | | | | | | |
|  | Well #1 |  | Proposed Watermain | | | | | | | | | | | | | | | |



444 Cedar Street, Suite 1500
Saint Paul, MN 55101
651.292.4400
tkda.com

September 12, 2012

Via Email Only: jack.griffin@focusengineeringinc.com

Mr. Jack Griffin, PE
City Engineer
City of Lake Elmo
3800 Laverne Avenue North
Lake Elmo, Minnesota 55042

Re: Proposal for Engineering Services
Lake Elmo Avenue Infrastructure Improvements, I-94 to 30th Street Project
Easement Exhibit

Dear Mr. Griffin:

Pursuant to communications with you, we propose to provide Engineering Services in connection with the Lake Elmo Avenue Infrastructure Improvements, I-94 to 30th Street Project, hereinafter called the Project. Our services will be provided in the manner described in this Proposal subject to the terms and conditions set forth in our General Agreement dated February 2, 1988.

I. PROJECT DESCRIPTION

The Lake Elmo Avenue Infrastructure Project consists of the installation of a sanitary sewer lift station and forcemain/gravity system to convey wastewater flow from Reid Park located on 30th Street to the MCES connection located on Hudson Boulevard. The City has requested Engineering Services to revise the current set of construction documents for the purpose of re-bidding the Project. The revised documents will replace the current alternate bid with a new alignment for the gravity connection south of 10th Street, approximately 4,500 feet in length.

This Proposal is for Engineering Services to provide a revised easement exhibit for the new alternative gravity sewer alignment south of 10th Street.

II. SERVICES TO BE PROVIDED BY TKDA

Based on TKDA'S understanding of the Project, we propose to provide the following services:

- A. Determine the trench width.
- B. Determine permanent easement and temporary easement for the identified alignment based on existing contour information.

Mr. Jack Griffin, PE
City of Lake Elmo
Proposal for Engineering Services - Easement Exhibit
Lake Elmo Avenue Infrastructure Improvements, I-94 to 30th Street Project
September 12, 2012
Page 2

- C. Prepare an exhibit with an aerial photograph background that identifies pertinent information suitable for preliminary discussions with the property owners.
- D. Revise the exhibit based on input received for no more than two variations of the alignment.

III. ADDITIONAL SERVICES

If authorized in writing by the City, we will furnish or obtain from others Additional Services of the types listed below which are not considered as basic services under this Proposal. Additional Services shall be billable on an Hourly Time and Materials basis and such billings shall be over and above any maximum amounts set forth in this Proposal.

- A. Meet with the City and/or property owners or other site visits.
- B. Survey the alignment to more accurately identify impacts.
- C. Stake proposed alignments.
- D. Review alignments in addition to those noted in SECTION II.

IV. CLIENT'S RESPONSIBILITIES

These responsibilities shall be as set forth in our Agreement and as further described or clarified hereinbelow:

- A. Designate one individual to act as a representative with respect to the work to be performed, and such person shall have complete authority to transmit instructions, receive information, interpret and define policies, and make decisions with respect to critical elements pertinent to the Project. This individual shall be identified in the signature block area of this Proposal.
- B. Provide TKDA with access to the site as required to perform services listed in SECTION II above.
- C. Provide parameters sufficient to identify the initial alignment.
- D. Provide parameters sufficient to identify the additional alignments.
- E. Provide reviews of materials furnished by TKDA in a reasonable and prompt manner so that the Project schedule can be maintained.

V. PERIOD OF SERVICE

We would expect to start our services promptly upon receipt of your written acceptance of this Proposal and to complete SECTION II services for each alignment within two weeks of receiving sufficient alignment parameters.

Mr. Jack Griffin, PE
City of Lake Elmo
Proposal for Engineering Services - Easement Exhibit
Lake Elmo Avenue Infrastructure Improvements, I-94 to 30th Street Project
September 12, 2012
Page 3

VI. COMPENSATION

Compensation to TKDA for services provided as described in SECTION II of this Proposal shall be on an Hourly Time and Materials basis in the estimated amount of \$2,800.

The level of effort required to accomplish SECTION II services can be affected by factors which are beyond our control. Therefore, if it appears at any time that charges for services rendered under SECTION II will exceed the above, we agree that we will not perform services or incur costs which will result in billings in excess of such amount until we have been advised by you that additional funds are available and our work can proceed.

VII. CONTRACTUAL INTENT

We thank you for the opportunity to submit this Proposal and are willing that this letter and attachments constitute a contract between us upon its signature by an authorized official of the City of Lake Elmo and the return of a signed original to us. This Proposal will be open for acceptance for 30 days, unless the provisions herein are changed by us in writing prior to that time.

Sincerely,



Ronald S. Quanbeck, PE
Project Manager



William E. Deitner, PE
CEO

RSQ:WED:adh
ATTACHMENT: PROJECT FEE ESTIMATE

ACCEPTED FOR THE CITY OF LAKE ELMO, MINNESOTA

By: _____
(signature) Printed Name/Title Date

CLIENT'S DESIGNATED REPRESENTATIVE:

Name/Title Phone Email



Project Fee Estimate

| Client: | City of Lake Elmo Easement Exhibit | Date: | 9/12/2012 | |
|-------------------------|--|-------------------|--------------|----------|
| Project: | Lake Elmo Ave. Infrastructure Project, I-94 to 30th Street | By: | RSQ | |
| Task | Task Description | Est. Person Hours | | Totals |
| | | Sr Reg Eng | Reg Eng | |
| | Billing Rate/Hr x Multiplier | \$ 143 | \$ 81 | |
| A | Determine Trench Width | | 4 | 4 |
| B | Determine Easement Requirements | 1 | 4 | 5 |
| C | Prepare Exhibit | | 3 | 3 |
| D | Revise Exhibit with no more than 2 Alignments | | | |
| | Determine Trench Width Revised Alignments (2) | 2 | 6 | 8 |
| | Determine Easement Requirements Revised Alignments (2) | 2 | 4 | 6 |
| | Prepare Exhibit Revised Alignments (2) | | 4 | 4 |
| TOTAL HOURS | | 5 | 25 | 30 |
| TOTAL LABOR COST | | \$ 715 | \$ 2,025 | \$ 2,740 |
| MILEAGE | | | | \$ 50 |
| TOTAL COST | | | | \$ 2,790 |
| TOTAL (ROUNDED) | | | | \$ 2,800 |



MAYOR AND COUNCIL COMMUNICATION

DATE: 10/02/2012

CONSENT

ITEM #: 8

MOTION Consent Agenda
Resolution 2012-51

AGENDA ITEM: Authorize Certification to Washington County Auditor for the Unpaid Surface Water Utility Bills

SUBMITTED BY: Cathy Bendel, Finance Director

REVIEWED BY: Adam Bell, Deputy Clerk

SUMMARY AND ACTION REQUESTED: As part of its Consent Agenda, the City Council is respectfully asked to approve the certification of the delinquent Surface Water Utility Bills to Washington County Auditor. No specific motion is needed, as this is recommended to be part of the overall approval of the *Consent Agenda*.

BACKGROUND INFORMATION: The City of Lake Elmo has authority by Minnesota State statute 444.075, subd.3 to assess property owners for unpaid surface water utilities and services. Affected homeowners with past due balances were sent notification of the proposed assessment. Homeowners have until October 12, 2012 to pay the balance due without additional fees.

STAFF REPORT: The City operated the water, sewer, and surface water under its Enterprise funds. Enterprise funds account for specific City operations that are financed and operated similar to a private business. Generally, the services are provided to identifiable beneficiaries, as well as the general public, and all or most of the costs come from user's fees.

The user fees collected are utilized to operate the City's respective water, sewer, and surface water systems. Assessing the property owners listed on Exhibit A (attached) for unpaid services will assure collection of charged fees. The deadline to certify the unpaid surface water utility to Washington County is October 15, 2012.

RECOMMENDATION: It is recommended the City Council authorize the certification of the delinquent surface water accounts to the Washington County Auditor.

Alternatively, the City Council does have the authority to remove this item from the Consent Agenda or a particular claim from this item and further discuss and deliberate prior to taking action.

ATTACHMENTS:

1. Resolution 2012-51
2. Exhibit A

**CITY OF LAKE ELMO
WASHINGTON COUNTY
STATE OF MINNESOTA**

RESOLUTION 2012-51

**RESOLUTION AUTHORIZING CERTIFICATION TO THE WASHINGTON
COUNTY AUDITOR FOR UNPAID SURFACE WATER UTILITY BILLS**

WHEREAS, Minn. Stat. 444.075, subd. 3, permits certification of unpaid charges to the county auditor for collection with taxes payable;

WHEREAS, the Municipal Code for the City of Lake Elmo contains a provision to certify delinquent accounts to the County Auditor for the collection with taxes payable.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAKE ELMO, MINNESOTA, THAT:

1. The list of delinquent accounts, a copy of which is attached hereto as Exhibit A, and made part hereof, is hereby accepted and shall be certified to the Washington County Auditor for collection with taxes payable.
2. The certified amount shall be payable over a period of one year, with interest as provided in Exhibit A.
3. The owner of the property may, at any time prior to certification to the County Auditor, pay the delinquent amount to the City Finance Director.
4. The City Finance Director shall forthwith transmit a certified duplicate of Exhibit A to the County Auditor to be extended on the property tax lists of Washington County. Such delinquent accounts shall be collected and paid over in the same manner as other municipal taxes.

**ADOPTED BY THE LAKE ELMO CITY COUNCIL ON THE SECOND DAY OF
OCTOBER, 2012.**

By: _____
Dean A. Johnston
Mayor

(Seal)

Sandie Thone, City Clerk

CITY OF LAKE ELMO

SW Assessments

October 15, 2012

| Account | Past Due Amount | Fee | Total | PIN |
|-----------------|--------------------|-------|----------|---------------|
| 05-0000240-00-1 | 142.73 | 25.00 | 167.73 | 302921220002 |
| 05-0000250-00-4 | 18.13 | 25.00 | 43.13 | 302921220005 |
| 05-0000260-00-7 | 2.41 | 25.00 | 27.41 | 302921230002 |
| 05-0000300-00-6 | 69.08 | 25.00 | 94.08 | 402921130002 |
| 05-0000320-00-2 | 41.02 | 25.00 | 66.02 | 402921140005 |
| 05-0000340-00-8 | 28.21 | 25.00 | 53.21 | 402921410002 |
| 05-0000350-00-1 | 63.05 | 25.00 | 88.05 | 402921410003 |
| 05-0000370-00-7 | 1,038.91 | 83.11 | 1,122.02 | 1002921120002 |
| 05-0000380-00-0 | 268.90 | 25.00 | 293.90 | 1002921130002 |
| 05-0000400-00-3 | 69.04 | 25.00 | 94.04 | 1002921240031 |
| 05-0000410-00-6 | 294.29 | 25.00 | 319.29 | 1002921310001 |
| 05-0000420-00-9 | 637.92 | 51.03 | 688.95 | 1002921420001 |
| 05-0000530-00-9 | 38.60 | 25.00 | 63.60 | 1102921410003 |
| 05-0000540-00-2 | 24.88 | 25.00 | 49.88 | 1102921410004 |
| 05-0000840-00-3 | 41.74 | 25.00 | 66.74 | 1402921310002 |
| 05-0000950-00-3 | 170.25 | 25.00 | 195.25 | 1502921410001 |
| 05-0001090-00-1 | 5.86 | 25.00 | 30.86 | 2602921330004 |
| 05-0001390-00-2 | 154.00 | 25.00 | 179.00 | 3602921420001 |
| 05-0001510-00-2 | 50.00 | 25.00 | 75.00 | 102921130003 |
| 05-0001520-00-5 | 50.00 | 25.00 | 75.00 | 102921140002 |
| 05-0001530-00-8 | 50.00 | 25.00 | 75.00 | 102921140003 |
| 05-0001650-00-1 | 12.68 | 25.00 | 37.68 | 1002921440007 |
| 05-0001720-00-9 | 50.00 | 25.00 | 75.00 | 1202921410002 |
| 05-0001730-00-2 | 26.55 | 25.00 | 51.55 | 1202921410024 |
| 05-0001740-00-5 | 50.00 | 25.00 | 75.00 | 1202921420008 |
| 05-0001750-00-8 | 50.00 | 25.00 | 75.00 | 1202921420011 |
| 05-0002190-00-7 | 55.00 | 25.00 | 80.00 | 102921340002 |
| 05-0002400-00-1 | 55.00 | 25.00 | 80.00 | 202921110012 |
| 05-0002460-00-9 | 55.00 | 25.00 | 80.00 | 202921230001 |
| 05-0002560-00-6 | 50.00 | 25.00 | 75.00 | 202921410009 |
| 05-0002590-00-5 | 55.00 | 25.00 | 80.00 | 202921410012 |
| 05-0002880-00-3 | 55.00 | 25.00 | 80.00 | 302921120003 |
| 05-0003120-00-5 | 55.00 | 25.00 | 80.00 | 302921210004 |
| 05-0003310-00-6 | 55.00 | 25.00 | 80.00 | 302921310009 |
| 05-0003510-00-0 | 55.00 | 25.00 | 80.00 | 302921320018 |
| 05-0003530-00-6 | 50.00 | 25.00 | 75.00 | 302921320020 |
| 05-0003550-00-2 | 55.00 | 25.00 | 80.00 | 302921330003 |
| 05-0003710-00-4 | 55.00 | 25.00 | 80.00 | 302921340001 |
| 05-0004100-00-8 | 55.00 | 25.00 | 80.00 | 302921430010 |

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| 05-00004130-00-7 | 55.00 | 25.00 | 80.00 302921430013 |
| 05-00004470-00-0 | 55.00 | 25.00 | 80.00 402921120014 |
| 05-00004530-00-5 | 70.00 | 25.00 | 95.00 402921210002 |
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| 05-00004610-00-6 | 55.00 | 25.00 | 80.00 402921210011 |
| 05-00004620-00-9 | 55.00 | 25.00 | 80.00 402921210012 |
| 05-00004640-00-5 | 78.84 | 25.00 | 103.84 402921210014 |
| 05-00004790-00-7 | 55.00 | 25.00 | 80.00 402921220012 |
| 05-00005050-00-5 | 60.00 | 25.00 | 85.00 402921230017 |
| 05-00005300-00-1 | 3.15 | 25.00 | 28.15 402921330001 |
| 05-00005320-00-7 | 15.28 | 25.00 | 40.28 402921330014 |
| 05-00005450-00-3 | 55.00 | 25.00 | 80.00 402921330038 |
| 05-00005530-00-4 | 55.00 | 25.00 | 80.00 402921330051 |
| 05-00005910-00-6 | 55.00 | 25.00 | 80.00 502921130004 |
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| 05-00006340-00-2 | 104.50 | 25.00 | 129.50 502921420026 |
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| 05-00007070-00-9 | 95.00 | 25.00 | 120.00 602920310014 |
| 05-00007630-00-9 | 16.64 | 25.00 | 41.64 602920320040 |
| 05-00007740-00-9 | 104.50 | 25.00 | 129.50 602920320051 |
| 05-00007800-00-4 | 55.00 | 25.00 | 80.00 602920320057 |
| 05-00008490-00-2 | 55.00 | 25.00 | 80.00 902921110004 |
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| 05-00008690-00-6 | 55.00 | 25.00 | 80.00 902921130004 |
| 05-00008950-00-5 | 55.00 | 25.00 | 80.00 902921220007 |
| 05-00009000-00-6 | 20.81 | 25.00 | 45.81 902921220013 |
| 05-00009010-00-9 | 55.00 | 25.00 | 80.00 902921220014 |
| 05-00009060-00-4 | 15.55 | 25.00 | 40.55 902921220023 |
| 05-00009250-00-5 | 55.00 | 25.00 | 80.00 902921240007 |
| 05-00009640-00-0 | 55.00 | 25.00 | 80.00 902921320003 |
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| 05-00009820-00-8 | 55.00 | 25.00 | 80.00 902921320022 |
| 05-00009840-00-4 | 55.00 | 25.00 | 80.00 902921320026 |
| 05-00010090-00-5 | 55.00 | 25.00 | 80.00 902921340002 |
| 05-00010200-00-2 | 55.00 | 25.00 | 80.00 902921340013 |
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| 05-00010570-00-4 | 55.00 | 25.00 | 80.00 902921420014 |
| 05-00010740-00-9 | 50.00 | 25.00 | 75.00 902921430005 |
| 05-00010870-00-5 | 55.00 | 25.00 | 80.00 902921430018 |
| 05-00010940-00-3 | 55.00 | 25.00 | 80.00 902921430025 |
| 05-00010980-00-5 | 50.00 | 25.00 | 75.00 902921430029 |
| 05-00011060-00-5 | 60.50 | 25.00 | 85.50 902921440006 |
| 05-00011100-00-4 | 55.00 | 25.00 | 80.00 902921440010 |

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| 05-00011190-00-1 | 55.00 | 25.00 | 80.00 902921440019 |
| 05-00011200-00-1 | 104.50 | 25.00 | 129.50 902921440020 |
| 05-00011260-00-9 | 55.00 | 25.00 | 80.00 902921440026 |
| 05-00011310-00-1 | 49.50 | 25.00 | 74.50 1002921140007 |
| 05-00011360-00-6 | 16.67 | 25.00 | 41.67 1002921210007 |
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| 05-00011760-00-4 | 99.00 | 25.00 | 124.00 1002921240009 |
| 05-00011790-00-3 | 55.00 | 25.00 | 80.00 1002921240012 |
| 05-00011970-00-1 | 55.00 | 25.00 | 80.00 1002921310004 |
| 05-00012100-00-3 | 73.99 | 25.00 | 98.99 1002921320005 |
| 05-00012170-00-4 | 9.38 | 25.00 | 34.38 1002921430005 |
| 05-00012190-00-0 | 55.00 | 25.00 | 80.00 1002921410015 |
| 05-00012220-00-6 | 50.00 | 25.00 | 75.00 1002921430002 |
| 05-00012230-00-9 | 7.50 | 25.00 | 32.50 1002921430003 |
| 05-00012250-00-5 | 189.92 | 25.00 | 214.92 1002921410003 |
| 05-00012350-00-2 | 55.00 | 25.00 | 80.00 1102921230003 |
| 05-00012400-00-4 | 55.00 | 25.00 | 80.00 1102921310002 |
| 05-00012520-00-7 | 104.50 | 25.00 | 129.50 1102921330019 |
| 05-00012580-00-5 | 88.00 | 25.00 | 113.00 1102921340012 |
| 05-00012620-00-4 | 55.00 | 25.00 | 80.00 1102921340016 |
| 05-00012850-00-7 | 55.00 | 25.00 | 80.00 1102921430009 |
| 05-00012930-00-8 | 104.50 | 25.00 | 129.50 1102921430017 |
| 05-00013170-00-3 | 55.00 | 25.00 | 80.00 1202921110030 |
| 05-00013490-00-0 | 155.00 | 25.00 | 180.00 1202921140013 |
| 05-00013610-00-0 | 55.00 | 25.00 | 80.00 1202921210003 |
| 05-00013930-00-7 | 50.00 | 25.00 | 75.00 1202921410030 |
| 05-00014000-00-4 | 55.00 | 25.00 | 80.00 1202921420019 |
| 05-00014010-00-7 | 104.50 | 25.00 | 129.50 1202921420020 |
| 05-00014050-00-9 | 55.00 | 25.00 | 80.00 1202921420024 |
| 05-00014070-00-5 | 55.00 | 25.00 | 80.00 1202921420026 |
| 05-00014120-00-7 | 104.50 | 25.00 | 129.50 1202921420031 |
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| 05-00014360-00-3 | 3.61 | 25.00 | 28.61 1202921440009 |
| 05-00014680-00-0 | 55.00 | 25.00 | 80.00 1302921230056 |
| 05-00014740-00-5 | 55.00 | 25.00 | 80.00 1302921240005 |
| 05-00014750-00-8 | 55.00 | 25.00 | 80.00 1302921240006 |
| 05-00015020-00-9 | 95.00 | 25.00 | 120.00 1302921320036 |
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| 05-00015300-00-4 | 55.00 | 25.00 | 80.00 1302921320089 |
| 05-00015450-00-6 | 104.50 | 25.00 | 129.50 1302921330018 |
| 05-00015470-00-2 | 104.50 | 25.00 | 129.50 1302921330020 |
| 05-00015500-00-8 | 55.00 | 25.00 | 80.00 1302921330024 |
| 05-00015860-00-7 | 104.50 | 25.00 | 129.50 1302921340025 |

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| 05-00015980-00-0 | 55.00 | 25.00 | 80.00 | 1302921430007 |
| 05-00016130-00-8 | 55.00 | 25.00 | 80.00 | 1402921210014 |
| 05-00016420-00-6 | 3.23 | 25.00 | 28.23 | 1402921320015 |
| 05-00016430-00-9 | 55.00 | 25.00 | 80.00 | 1402921320016 |
| 05-00016530-00-6 | 104.50 | 25.00 | 129.50 | 1402921410012 |
| 05-00016570-00-8 | 55.00 | 25.00 | 80.00 | 1402921410016 |
| 05-00016580-00-1 | 55.00 | 25.00 | 80.00 | 1402921410018 |
| 05-00016630-00-3 | 104.50 | 25.00 | 129.50 | 1402921410027 |
| 05-00016790-00-8 | 55.00 | 25.00 | 80.00 | 1402921440012 |
| 05-00016870-00-9 | 104.50 | 25.00 | 129.50 | 1402921440020 |
| 05-00017040-00-3 | 55.00 | 25.00 | 80.00 | 1502921310004 |
| 05-00017120-00-4 | 2.33 | 25.00 | 27.33 | 1502921320003 |
| 05-00017210-00-8 | 55.00 | 25.00 | 80.00 | 1502921320018 |
| 05-00017230-00-4 | 104.50 | 25.00 | 129.50 | 1502921320020 |
| 05-00017250-00-0 | 55.00 | 25.00 | 80.00 | 1502921320022 |
| 05-00017300-00-2 | 55.00 | 25.00 | 80.00 | 1502921320027 |
| 05-00017320-00-8 | 55.00 | 25.00 | 80.00 | 1502921320031 |
| 05-00017470-00-0 | 55.00 | 25.00 | 80.00 | 1502921330018 |
| 05-00017530-00-5 | 55.00 | 25.00 | 80.00 | 1502921330027 |
| 05-00017540-00-8 | 3.60 | 25.00 | 28.60 | 1502921330029 |
| 05-00017610-00-6 | 55.00 | 25.00 | 80.00 | 1502921340002 |
| 05-00017650-00-8 | 55.00 | 25.00 | 80.00 | 1502921340007 |
| 05-00017660-00-1 | 55.00 | 25.00 | 80.00 | 1502921420003 |
| 05-00018000-00-0 | 104.50 | 25.00 | 129.50 | 1602921140005 |
| 05-00018250-00-9 | 104.50 | 25.00 | 129.50 | 1602921140031 |
| 05-00018330-00-0 | 55.00 | 25.00 | 80.00 | 1602921210003 |
| 05-00018500-00-5 | 104.50 | 25.00 | 129.50 | 1602921210020 |
| 05-00018670-00-3 | 55.00 | 25.00 | 80.00 | 1602921220016 |
| 05-00018780-00-3 | 60.50 | 25.00 | 85.50 | 1602921220029 |
| 05-00018790-00-6 | 8.30 | 25.00 | 33.30 | 1602921220030 |
| 05-00019020-00-5 | 55.00 | 25.00 | 80.00 | 1602921410012 |
| 05-00019260-00-1 | 104.50 | 25.00 | 129.50 | 2102921120009 |
| 05-00019360-00-8 | 55.00 | 25.00 | 80.00 | 2102921120022 |
| 05-00019500-00-4 | 60.50 | 25.00 | 85.50 | 2102921120038 |
| 05-00019620-00-7 | 104.50 | 25.00 | 129.50 | 2102921120050 |
| 05-00019700-00-8 | 55.00 | 25.00 | 80.00 | 2102921130004 |
| 05-00019790-00-5 | 55.00 | 25.00 | 80.00 | 2102921130014 |
| 05-00019830-00-4 | 104.50 | 25.00 | 129.50 | 2102921130019 |
| 05-00019990-00-9 | 104.50 | 25.00 | 129.50 | 2102921210001 |
| 05-00020220-00-1 | 55.00 | 25.00 | 80.00 | 2102921220007 |
| 05-00020320-00-8 | 55.00 | 25.00 | 80.00 | 2102921230007 |
| 05-00020450-00-4 | 55.00 | 25.00 | 80.00 | 2102921240006 |
| 05-00020530-00-5 | 104.50 | 25.00 | 129.50 | 2102921330003 |
| 05-00020590-00-3 | 55.00 | 25.00 | 80.00 | 2102921330009 |
| 05-00020640-00-5 | 55.00 | 25.00 | 80.00 | 2102921330014 |

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| 05-00020670-00-4 | 55.00 | 25.00 | 80.00 2102921340004 |
| 05-00020900-00-4 | 55.00 | 25.00 | 80.00 2202921220012 |
| 05-00020920-00-0 | 55.00 | 25.00 | 80.00 2202921220014 |
| 05-00020960-00-2 | 55.00 | 25.00 | 80.00 2202921220019 |
| 05-00021100-00-7 | 14.32 | 25.00 | 39.32 2402921110006 |
| 05-00021160-00-5 | 55.00 | 25.00 | 80.00 2402921110012 |
| 05-00021260-00-2 | 104.50 | 25.00 | 129.50 2402921110024 |
| 05-00021290-00-1 | 55.00 | 25.00 | 80.00 2402921120003 |
| 05-00021530-00-4 | 55.00 | 25.00 | 80.00 2402921120036 |
| 05-00021710-00-2 | 55.00 | 25.00 | 80.00 2402921140010 |
| 05-00021760-00-7 | 24.00 | 25.00 | 49.00 2402921210007 |
| 05-00022210-00-6 | 55.00 | 25.00 | 80.00 2402921310004 |
| 05-00022350-00-5 | 55.00 | 25.00 | 80.00 2402921320003 |
| 05-00022360-00-8 | 5.33 | 25.00 | 30.33 2402921320004 |
| 05-00022600-00-1 | 104.50 | 25.00 | 129.50 2402921330012 |
| 05-00022680-00-5 | 55.00 | 25.00 | 80.00 2402921420003 |
| 05-00022900-00-2 | 55.00 | 25.00 | 80.00 2402921420025 |
| 05-00022980-00-6 | 55.00 | 25.00 | 80.00 2402921430009 |
| 05-00023540-00-5 | 50.00 | 25.00 | 75.00 2502921330005 |
| 05-00023560-00-1 | 55.00 | 25.00 | 80.00 2502921330007 |
| 05-00023740-00-9 | 50.00 | 25.00 | 75.00 2502921340006 |
| 05-00023920-00-7 | 55.00 | 25.00 | 80.00 2602921110002 |
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| 05-00024180-00-8 | 55.00 | 25.00 | 80.00 2702921420004 |
| 05-00024230-00-0 | 50.00 | 25.00 | 75.00 2702921420013 |
| 05-00024510-00-5 | 95.00 | 25.00 | 120.00 2802921130001 |
| 05-00024580-00-6 | 55.00 | 25.00 | 80.00 2802921130012 |
| 05-00024700-00-6 | 55.00 | 25.00 | 80.00 2802921140008 |
| 05-00024830-00-2 | 104.50 | 25.00 | 129.50 2802921440002 |
| 05-00024870-00-4 | 55.00 | 25.00 | 80.00 3402921120004 |
| 05-00024970-00-1 | 55.00 | 25.00 | 80.00 3402921210005 |
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| 05-00025110-00-6 | 55.00 | 25.00 | 80.00 3402921220002 |
| 05-00025260-00-8 | 55.00 | 25.00 | 80.00 3402921230008 |
| 05-00025270-00-1 | 55.00 | 25.00 | 80.00 3402921230009 |
| 05-00025590-00-8 | 55.00 | 25.00 | 80.00 3502921120004 |
| 05-00025600-00-8 | 55.00 | 25.00 | 80.00 3502921140003 |
| 05-00025820-00-8 | 55.00 | 25.00 | 80.00 3502921440007 |
| 05-00025850-00-7 | 50.00 | 25.00 | 75.00 3602921320006 |
| 05-00025930-00-8 | 55.00 | 25.00 | 80.00 102921110013 |
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| 05-00025950-00-4 | 50.00 | 25.00 | 75.00 102921110016 |

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| 05-00025960-00-7 | 55.00 | 25.00 | 80.00 | 102921110017 |
| 05-00025980-00-3 | 50.00 | 25.00 | 75.00 | 102921120011 |
| 05-00026070-00-6 | 50.00 | 25.00 | 75.00 | 102921130015 |
| 05-00026130-00-1 | 50.00 | 25.00 | 75.00 | 102921130021 |
| 05-00026150-00-7 | 50.00 | 25.00 | 75.00 | 102921130023 |
| 05-00026260-00-7 | 104.50 | 25.00 | 129.50 | 102921130036 |
| 05-00026360-00-4 | 50.00 | 25.00 | 75.00 | 102921140014 |
| 05-00026430-00-2 | 55.00 | 25.00 | 80.00 | 102921140023 |
| 05-00026460-00-1 | 50.00 | 25.00 | 75.00 | 102921440005 |
| 05-00026990-00-5 | 55.00 | 25.00 | 80.00 | 402921330015 |
| 05-00027060-00-2 | 185.00 | 25.00 | 210.00 | 702920220004 |
| 05-00027070-00-5 | 185.00 | 25.00 | 210.00 | 702920230010 |
| 05-00027090-00-1 | 50.00 | 25.00 | 75.00 | 802921140017 |
| 05-00027240-00-0 | 11.33 | 25.00 | 36.33 | 902921240018 |
| 05-00027350-00-0 | 60.50 | 25.00 | 85.50 | 1002921240008 |
| 05-00027410-00-5 | 50.00 | 25.00 | 75.00 | 1002921410016 |
| 05-00027530-00-8 | 17.69 | 25.00 | 42.69 | 1002921440005 |
| 05-00027540-00-1 | 203.74 | 25.00 | 228.74 | 1002921440006 |
| 05-00027620-00-2 | 66.50 | 25.00 | 91.50 | 1002921440015 |
| 05-00027630-00-5 | 80.00 | 25.00 | 105.00 | 1002921440016 |
| 05-00028060-00-1 | 55.00 | 25.00 | 80.00 | 1102921330021 |
| 05-00028070-00-4 | 55.00 | 25.00 | 80.00 | 1102921330022 |
| 05-00028190-00-7 | 185.00 | 25.00 | 210.00 | 1202921120002 |
| 05-00028260-00-5 | 2,070.72 | 165.66 | 2,236.38 | 1202921130012 |
| 05-00028280-00-1 | 46.23 | 25.00 | 71.23 | 1202921140004 |
| 05-00028290-00-4 | 50.00 | 25.00 | 75.00 | 1202921140005 |
| 05-00028300-00-4 | 155.00 | 25.00 | 180.00 | 1202921140009 |
| 05-00028350-00-9 | 50.00 | 25.00 | 75.00 | 1202921420010 |
| 05-00028360-00-2 | 50.00 | 25.00 | 75.00 | 1202921420012 |
| 05-00028370-00-5 | 185.00 | 25.00 | 210.00 | 1202921420014 |
| 05-00028380-00-8 | 7.48 | 25.00 | 32.48 | 1202921420048 |
| 05-00028390-00-1 | 18.62 | 25.00 | 43.62 | 1202921430012 |
| 05-00028400-00-1 | 185.00 | 25.00 | 210.00 | 1202921430013 |
| 05-00028420-00-7 | 152.65 | 25.00 | 177.65 | 1202921430015 |
| 05-00028570-00-9 | 50.00 | 25.00 | 75.00 | 1302921320085 |
| 05-00028650-00-0 | 55.00 | 25.00 | 80.00 | 1402921230004 |
| 05-00029090-00-9 | 55.00 | 25.00 | 80.00 | 2202921220026 |
| 05-00029190-00-6 | 50.00 | 25.00 | 75.00 | 2302921120001 |
| 05-00029210-00-9 | 95.00 | 25.00 | 120.00 | 2402921110004 |
| 05-00029220-00-2 | 95.00 | 25.00 | 120.00 | 2402921120018 |
| 05-00029230-00-5 | 95.00 | 25.00 | 120.00 | 2402921120019 |
| 05-00029240-00-8 | 95.00 | 25.00 | 120.00 | 2402921120020 |
| 05-00029250-00-1 | 95.00 | 25.00 | 120.00 | 2402921120021 |
| 05-00029260-00-4 | 95.00 | 25.00 | 120.00 | 2402921120022 |
| 05-00029270-00-7 | 84.23 | 25.00 | 109.23 | 2402921130004 |
| 05-00029280-00-0 | 95.00 | 25.00 | 120.00 | 2402921140005 |

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| 05-00029290-00-3 | 151.80 | 25.00 | 176.80 | 2402921220003 |
| 05-00029330-00-2 | 44.05 | 25.00 | 69.05 | 2502921320002 |
| 05-00029340-00-5 | 115.11 | 25.00 | 140.11 | 2502921320004 |
| 05-00029350-00-8 | 17.90 | 25.00 | 42.90 | 2502921320005 |
| 05-00029360-00-1 | 6.33 | 25.00 | 31.33 | 2502921320006 |
| 05-00029370-00-4 | 43.38 | 25.00 | 68.38 | 2502921320007 |
| 05-00029410-00-3 | 50.00 | 25.00 | 75.00 | 2702921410003 |
| 05-00029420-00-6 | 50.00 | 25.00 | 75.00 | 2702921410004 |
| 05-00029520-00-3 | 50.00 | 25.00 | 75.00 | 2702921420002 |
| 05-00029530-00-6 | 50.00 | 25.00 | 75.00 | 2702921420003 |
| 05-00029550-00-2 | 50.00 | 25.00 | 75.00 | 2702921420007 |
| 05-00029560-00-5 | 50.00 | 25.00 | 75.00 | 2702921420008 |
| 05-00029580-00-1 | 50.00 | 25.00 | 75.00 | 2702921430004 |
| 05-00029590-00-4 | 50.00 | 25.00 | 75.00 | 2702921430005 |
| 05-00029600-00-4 | 50.00 | 25.00 | 75.00 | 2702921430006 |
| 05-00029610-00-7 | 50.00 | 25.00 | 75.00 | 2702921430007 |
| 05-00029630-00-3 | 50.00 | 25.00 | 75.00 | 2702921430011 |
| 05-00029640-00-6 | 50.00 | 25.00 | 75.00 | 2702921430012 |
| 05-00029650-00-9 | 50.00 | 25.00 | 75.00 | 2702921430013 |
| 05-00029680-00-8 | 50.00 | 25.00 | 75.00 | 2702921440005 |
| 05-00029690-00-1 | 50.00 | 25.00 | 75.00 | 2702921440006 |
| 05-00029700-00-1 | 50.00 | 25.00 | 75.00 | 2702921440007 |
| 05-00029710-00-4 | 50.00 | 25.00 | 75.00 | 2702921440008 |
| 05-00029720-00-7 | 50.00 | 25.00 | 75.00 | 2702921440009 |
| 05-00029800-00-8 | 5.27 | 25.00 | 30.27 | 2802921120002 |
| 05-00029810-00-1 | 43.96 | 25.00 | 68.96 | 2802921120003 |
| 05-00029820-00-4 | 68.85 | 25.00 | 93.85 | 2802921130003 |
| 05-00029830-00-7 | 52.45 | 25.00 | 77.45 | 2802921130004 |
| 05-00029940-00-7 | 95.00 | 25.00 | 120.00 | 3602921330006 |
| 05-00029970-00-6 | 129.89 | 25.00 | 154.89 | 3602921120001 |
| 05-00029980-00-9 | 1,038.68 | 83.09 | 1,121.77 | 3602921130001 |
| 05-00029990-00-2 | 2,049.80 | 163.98 | 2,213.78 | 3602921210001 |
| 05-00030000-00-4 | 656.78 | 52.54 | 709.32 | 3602921210001 |
| 05-00030010-00-7 | 518.47 | 41.48 | 559.95 | 3602921230001 |
| 05-00030020-00-0 | 518.78 | 41.50 | 560.28 | 3602921230002 |
| 05-00030030-00-3 | 1,037.20 | 82.98 | 1,120.18 | 3602921240001 |
| 05-00030060-00-2 | 832.02 | 66.56 | 898.58 | 3302921440036 |
| 05-00030080-00-8 | 2,278.38 | 182.27 | 2,460.65 | 302921210003 |
| 05-00030610-00-9 | 17.68 | 25.00 | 42.68 | 1302921320048 |
| 05-00030620-00-2 | 17.68 | 25.00 | 42.68 | 1302921320049 |
| 05-00030680-00-0 | 11.53 | 25.00 | 36.53 | 1602921410017 |
| 05-00030690-00-3 | 11.53 | 25.00 | 36.53 | 1602921410018 |
| 05-00030780-00-7 | 4.77 | 25.00 | 29.77 | 1602921410029 |
| 05-00030820-00-6 | 314.69 | 25.18 | 339.87 | 1602921420002 |
| 05-00030990-00-4 | 1,465.95 | 117.28 | 1,583.23 | 3302921420015 |

| | | | | |
|------------------|------------------|-----------------|------------------|---------------|
| 05-00031190-00-7 | 9.80 | 25.00 | 34.80 | 3302921440023 |
| 05-00031350-00-9 | 794.75 | 63.58 | 858.33 | 3402921340004 |
| 05-00031600-00-5 | 1,101.09 | 88.09 | 1,189.18 | 202921210003 |
| 05-00031810-00-2 | 110.66 | 25.00 | 135.66 | 402921140004 |
| 05-00031830-00-8 | 27.80 | 25.00 | 52.80 | 1102921230001 |
| 05-00031840-00-1 | 27.68 | 25.00 | 52.68 | 1102921230007 |
| 05-00031910-00-9 | 160.67 | 25.00 | 185.67 | 3402921130001 |
| 05-00031930-00-5 | 45.97 | 25.00 | 70.97 | 3402921430002 |
| 05-00031940-00-8 | 136.82 | 25.00 | 161.82 | 3502921220001 |
| | <u>35,876.96</u> | <u>8,908.33</u> | <u>44,785.29</u> | |



MAYOR AND COUNCIL COMMUNICATION

DATE: 10/02/2012
CONSENT
ITEM #: 9
MOTION Consent Agenda

AGENDA ITEM: Approve Resolution of JPA with the City of Hugo

SUBMITTED BY: Rick Chase, Building Official

THROUGH: Dean A. Zuleger, City Administrator

REVIEWED BY: Sandie Thone, City Clerk

SUMMARY AND ACTION REQUESTED: As part of the Consent Agenda City Council is respectfully requested to approve Resolution 2012-48 for the City of Lake Elmo to enter in a joint powers agreement with the City of Hugo for administration of the State Building Code as needed.

STAFF REPORT:

With the hiring of the Rick Chase as the cities Building Official, there are times due to schedule, that additional inspection services are required. The city will be joining a pool of certified Building officials to provide for coverage as needed.

In addition please find the attached proposed Joint Powers Agreement between the City of Lake Elmo and the City of Hugo outlining the services and fees for the administration of the State Building Code.

RECOMMENDATION:

Staff recommends that the City Council approve Resolution 2012-48 a Joint Powers Agreement between the City of Hugo and the City of Lake Elmo to provide mutual assistance and cooperation in providing building inspection services, in the event the building official is unavailable.

**CITY OF LAKE ELMO
WASHINGTON COUNTY
STATE OF MINNESOTA**

RESOLUTION 2012-48

A RESOLUTION APPROVING A JOINT POWERS AGREEMENT FOR BUILDING SERVICES BETWEEN THE CITY OF HUGO AND THE CITY OF LAKE ELMO

WHEREAS, the City of Lake Elmo and the City of Hugo employ building officials on staff but encounter periods when the official/inspector cannot perform the daily duties of the position, and;

WHEREAS, the above referenced participating cities agree to enter into a Joint Powers Agreement pursuant to the authority granted under Minnesota Statutes section 471.59 to enable the parties to submit building inspectors to a general pool to be administered by the City of Hugo in order to allow participating cities to utilize inspectors from that pool to perform building inspections as needed.

NOW THEREFORE BE IT RESOLVED, that the City of Lake Elmo has approved entering into a Joint Powers Agreement for Building Services administered by the City of Hugo.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF LAKE ELMO THIS SECOND DAY OF OCTOBER 2012.

**CITY COUNCIL
CITY OF LAKE ELMO**

By: _____
Dean A. Johnston
Mayor

ATTEST:

Sandie Thone
City Clerk

**JOINT POWERS AGREEMENT ESTABLISHING SHARING OF BUILDING
INSPECTION SERVICES**

THIS JOINT POWERS AGREEMENT (“Agreement”), is made and entered into as of the ___ day of _____, 2012, by and between the City of Hugo, a municipal corporation and _____, a _____.

WITNESSETH:

WHEREAS, the above-referenced Cities (“participating City”) desire to provide mutual assistance and cooperation in furnishing building inspection services.

WHEREAS, the above referenced participating cities desire to enter into a joint powers agreement pursuant to the authority granted under Minnesota Statutes sections 471.59 to enable the parties to submit building inspectors to a general pool to be administered by the City of Hugo in order to allow the participating cities and other cities to utilize inspectors from that pool to perform building inspections when and as needed.

NOW THEREFORE, in consideration of the mutual terms, covenants, warranties and conditions set forth, the Parties hereto, intending to be legally bound hereby, mutually agree as follows:

ARTICLE I

- A. Each participating city shall at all times have an appointed Building Official registered by the State of Minnesota. Each City’s designated Building Official may choose to provide certified building inspector(s), licensed by the State of Minnesota as “Building Official” or “Building Official Limited,” for participation in rendering building inspection services and may withdraw any names previously supplied. The participating Building Inspectors will be included in a pool of available building inspectors to be drawn upon by any other participating city choosing to utilize those services according to the then current term sheet attached as Exhibit A hereto; and;
- B. Participating Building Inspectors shall conduct only those inspections for which they are licensed and qualified, and;
- C. The City of Hugo shall maintain the names, phone numbers, email addresses and Minnesota License Information, of the current pool of building inspectors available to perform building inspection services and shall provide the list to all participating cities upon request or when inspector names are added or deleted, and;
- D. Participating building inspectors shall only perform building inspection services and shall not conduct plan reviews, collect fees or issue permits, and;

- E. The City of Hugo shall not be responsible for administering or securing payment between participating cities. Payment shall be made according to the term sheet attached as Exhibit A, and;
- F. The City of Hugo will provide a method for participating Building Officials to communicate their inspection needs. Upon receiving a request for building inspection services from a participating city, the City of Hugo will make that request available to other participating cities. Arrangements for inspection services may occur between participating cities without involvement from the City of Hugo.
- G. Inspectors that are provided to the pool from any City shall take direction from the Building Official within the City that the inspection occurs. The inspector shall provide the required documentation of the inspection along with any correction notices.

ARTICLE II

Liability. For the purposes of the Minnesota Municipal Tort Liability Act, (Minnesota Statutes, Chapter 466), a building inspector providing services under this Agreement shall be deemed to be an employee of the party for which the services are being performed.

The party performing the building inspection services agrees to defend and indemnify the party providing the building inspector against any claims brought or actions filed against the party providing the building inspector for injury to, death of, or damage to the property of any third person or persons, arising from the performance and provision of any services pursuant to this Agreement.

Under no circumstances, however, shall a party be required to pay on behalf of itself and the other party, any amounts in excess of the limits on liability established in Minnesota Statutes, Chapter 466 applicable to any one party. The limits of liability for the parties may not be added together to determine the maximum amount of liability for any party. The intent of this provision is to impose on each party a limited duty to defend and indemnify the other party for claims subject to the limits of liability under Minnesota Statutes, Chapter 466. The purpose of creating this duty to defend and indemnify is to simplify the defense of claims by eliminating conflicts among defendants, and to permit liability claims against multiple defendants from a single occurrence to be defended by a single attorney.

Nothing herein shall be construed to provide insurance coverage or indemnification to an employee of any party for any act or omission for which the employee is guilty of malfeasance in office, willful neglect of duty, or bad faith.

Hold Harmless. Each party agrees that it shall indemnify and save harmless, protect and defend the other party, its employees and agents from any or all liability, suits or demands, including the legal defense thereof, for bodily injuries, including death, or property damages, including loss of use arising out of any activity by itself or its employees and agents under this Agreement.

Workers' Compensation. Each party shall be responsible for injuries or death of its own personnel. Each party will maintain workers' compensation insurance or self-insurance coverage, covering its own personnel while they are providing services pursuant to this Agreement. Each party waives the right to sue the other party for any workers' compensation benefits paid to its own employees or their dependents, even if the injuries were caused wholly or partially by the negligence of the other party or its officers, employees, or agents.

ARTICLE III

Authority, Binding Effect. Both parties represent and warrant that the individuals executing this Agreement on behalf of each of the parties have the full power and authority to execute and perform this Agreement, and this Agreement constitutes a legal, valid and binding obligation enforceable in accordance with its terms.

ARTICLE IV

Successors. All terms, covenants, and conditions of this Agreement shall be binding upon, and insure to the benefit of and be enforceable by the parties hereto and their respective successors and assigns. This Agreement and the rights and obligations of any party hereunder shall not be assignable except with the written consent of the other party hereto, which consent shall not be unreasonably withheld.

Severability. This Agreement is intended to be performed in accordance with, and only to the extent permitted by, all applicable laws, ordinances, rules and regulations. If any provision of this Agreement, or the application thereof to any person or circumstance, shall, for any reasons and to any extent, be invalid or unenforceable, the remainder of this Agreement and the application of such provision to other persons or circumstances shall not be affected thereby but rather shall be enforced to the extent permitted by law.

Termination. Any party may terminate its participation in this agreement at any time upon written notice provided however that the provisions of Articles II, III, and IV shall survive termination to the full extent needed for the protection of all parties.

Waivers and Amendments. This Agreement may be amended or superseded, and its terms or covenants hereof may be waived, only by a written instrument executed by the parties hereto or in the case of a waiver, by the party waiving compliance. The failure of any party at any time or times to require performance of any provisions hereof shall in no manner affect its right at a later time to enforce the same. No waiver by a party of the breach of any term or covenant contained in this Agreement or in any other such instrument, whether by conduct or otherwise, in anyone or more instances, shall be deemed to be, or construed as, a further or continuing waiver of any breach, or a waiver of the breach of any other term or covenant contained herein. Updates to the term sheet attached as Exhibit "A" may be made annually by the City of Hugo with general consensus among participating cities to ensure proper management and coordination of the pool.

Force Majeure. Neither party shall be held responsible for performance of this Agreement if the party's performance is prevented by acts or events beyond the party's reasonable control, including but not limited to: severe weather and storms, earthquake or other natural occurrences, strike and other labor unrest, power failures, electrical power surges or current fluctuations, nuclear or other civil military emergencies, or acts of legislative, judicial, executive or administrative authorities.

Entire Agreement. It is understood and agreed that this entire Agreement contains, supersedes and replaces any and all agreements and negotiations, whether oral or written, between the parties relating to the subject matters herein.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed on the dates listed below:

THE CITY OF HUGO

BY: _____
Bryan Bear, City Administrator

DATE: _____

BY: _____
Fran Miron, Mayor

DATE: _____

[INSERT PARTY]

BY: _____

DATE: _____

BY: _____

DATE: _____

BUILDING INSPECTOR SERVICES TERM SHEET
July 20, 2012

1. The City of Hugo will establish an e-mail list including all participating Building Officials.
2. Any member of the pool may request inspection services from other members of the pool at any time via the e-mail list, or by other means. The request for inspection services should include the time, date, and nature of the inspection(s).
3. Each participating Building Official should evaluate their workload before offering an inspector to provide the service. Any inspector that is provided is expected to perform the inspection according to the directions provided by the receiving City's Building Official, and shall arrive on time for the scheduled inspections.
4. Fees in the amount of \$43.00 per hour and mileage at the rate of \$0.555/mile, shall be payable to the providing city within 30 days of receipt of an invoice for the inspection services. The hourly rate is the average metro rate for a building inspector determined by the League of MN Cities annual survey multiplied by a factor of 1.4, then rounded to the nearest whole dollar. The mileage rate is that which is allowed in the most recent IRS determination. Participating cities may at their option, exchange services in lieu of paying the rates stated.
5. The building inspector shall only perform building inspection services and shall not conduct plan reviews, collect fees or issue permits. The Building Inspector shall provide to the receiving Building Official a copy of the proper inspection report with any correction notices.
6. The requesting City shall ensure that the building inspector has access to the improvements to be inspected to eliminate the need for multiple trips. In addition, the inspector shall have proper instructions from the Building Official and access to files and other important information that is needed for the inspection. The building inspector shall not be called upon to resolve disputes between the requesting city and the property owner or to render opinions reasonably judged by the inspector to be outside his area of expertise
7. The building inspector shall be entitled to decline any inspection which in his reasonable judgment may jeopardize human life, safety or welfare. The building inspector will coordinate with requesting city personnel as reasonably requested.
8. If the building inspector is required to offer testimony in connection with any work done or observations made, then the requesting city shall compensate the building inspector at then current rates.
9. The building inspector shall always conduct himself in a professional manner in any participating City, and shall be polite and respectful of contractors, residents, and their properties.



MAYOR AND COUNCIL COMMUNICATION

DATE: 9/26/2012
CONSENT
ITEM #: 10 – \$Fiscal Impact
MOTION

AGENDA ITEM: Demontreville Park Player Benches & Fence

SUBMITTED BY: Michael Bouthilet

THROUGH: Dean Zuleger

REVIEWED BY: Cathy Bendel/Parks Commission

SUMMARY AND ACTION REQUESTED:

Colin Fischer, an Eagle Scout Candidate, proposed an improvement project to the Lake Elmo Parks Commission. His project proposal is to re-establish the infield surface standard dimensions, add bases, player benches, and foul line fencing for the safety/protection of players on the bench.

BACKGROUND INFORMATION:

The current infield has been encroached by grass and could use re-definition. The player benches are older wood models that could use an upgrade. Our current practice is when we improve the benches; we also fence the area between the bench and the field to protect players seated from foul or errant balls.

STAFF REPORT:

Colin Fischer's project details, has his volunteers sod cutting, digging out a defined infield, installing the player benches, bases, and posts for the fencing. The Public Works Department will add and grade new infield material (park maintenance budget) and string the fence.

The Parks Commission approved a CIP funding for the benches and the fences. Three quotes were obtained for the 15 foot aluminum benches with back rests as follows:

- Tomark Sports.....\$1,015.85 (tax & shipping incl.)
- MN/WI Playgrounds.....\$1,199.00 (tax & shipping incl.)
- Miracle Recreation.....\$1,355.18 (tax & shipping incl.)

Two quotes were obtained for 2ea.30 foot sections of green vinyl coated sections of fence as follows:

- Midwest Fence.....\$1,196.00
- Sterling Fence.....\$1,892.00

RECOMMENDATION:

To purchase the player benches from Tomark for \$1,015.85 and fencing from Midwest Fence for \$1,196.00

ATTACHMENTS

Tomark quote. Midwest Fence quote.



P.O. Box 1088, Corona, CA 92878
 TEL: 1 800 959 1844 FAX: 1 800 986 6275
 Come Visit us at www.tomark.com

| Quotation | |
|---------------------|------------------|
| Repeat Printout | |
| Document Number: | 20459888 |
| P.O. Number | : Bench w/back |
| Doc. Creation Date: | 09/11/2012 |
| Customer Number: | 2024273 |
| Sales Rep | : Allison Bickel |
| Ordered by | : Mike Bouthilet |



Customer #:2024273
Sold To: LAKE ELMO PARK DEPT
 3800 LAVERNE AVE N
 LAKE ELMO MN 55042

Ship To: Lake Elmo Public Works
 3445 Ideal Ave North
 LAKE ELMO MN 55042

Payer: LAKE ELMO PARK DEPT
 3800 LAVERNE AVE N
 LAKE ELMO MN 55042

| Item Number | Item Description | Delivery DT(S) | SKU | Color/ Team/ Size | Qty/ UOM | Unit Price | Extended Price |
|-------------|--------------------------------|----------------|--------|-------------------|----------|------------|----------------|
| K10722 | 15' Surface Mount Bench w/Back | 09/18/2012 | BEPH15 | | 2EA | 387.75 | 775.50 |

Check your quote at www.tomark.com/?&ProgramID=20459888&zip=55042

| Merchandise Sub Total | Other | Freight | Sales Tax | Payment/Credit Applied | Total Order Amount |
|-----------------------|---------|-----------|-----------|------------------------|--------------------|
| \$ 775.50 | \$ 0.00 | \$ 175.00 | \$ 65.35 | \$ 0.00 | \$ 1,015.85 |

ESTIMATE / ORDER



**525 E. Villaume Ave.
So. St. Paul, MN 55075
Phone: 651-451-2222 Fax: 651-451-6939**

Gopher state (1) Call ID #464 _____ Ticket # _____
 Nearest Intersecting Street _____
 Hudson Page # _____ Hudson Grid # _____
 Township _____ County _____

Company: Lake Elmo Public Works Bill To: _____ Date: 9/12/2012
 Address: 3800 Laverne Avenue North Address: _____ Job No: _____
 City: Lake Elmo State: MN Zip: 55042 City: _____ State: _____ Zip: _____ Estimator: David Reiss
 Contact: Mike P.O. _____

Job Site Address: _____ Work Phone 651-248-7828
 _____ Fax #: _____
 _____ Other Phone _____

Terms _____ Down Payment
 _____ Progress Payment
 _____ Bal on Completion

| Quantity | Description | Amount |
|----------|---|--------|
| | 60 linear feet of 6' high galvanized chain link fence. | |
| | Fence fabric 9 gauge galvanized. | |
| | Top rail 1-5/8" O.D. SS30. | |
| | Line posts 2-1/2" O.D. SS30 | |
| | Terminal posts 3" O.D. SS30 | |
| | All fittings, ties, nuts, and bolts included. | |
| | Material Only \$974.00 | |
| | 60 linear feet of 6' high vinyl coated chain link fence. | |
| | All specifications same as above. | |
| | Material Only \$1,196.00 | |
| | Customer Pick Up at Midwest Fence. | |

| | | | |
|--|--|--------------|------|
| A Service charge of 1.5% (18% annually) will be applied on all past due balances. The purchaser shall be responsible for any and all collection and legal costs incurred by Midwest Commercial Fence in the event of this bill becoming past due. Midwest Fence reserves the right to lien the improved property if payment in full as agreed to in this contract is not received. | MATERIALS AND INSTALLATION | | \$ - |
| | <small>THIS ESTIMATE VALID FOR 30 DAYS FROM ABOVE DATE</small> | TAX | |
| | | TOTAL | \$ - |

Owner responsible for establishing correct property and fence lines. Any permits required shall be the sole responsibility of the owner. Owner responsible for removal of obstructions of every nature which will interfere with the installation of the fence. This contract assumes normal ground conditions. Should rocky or excessive hard digging be encountered, owner agrees to pay additional costs of such work. Midwest Fence shall furnish only the materials and labor specified in this contract. Any changes made from the above specifications will be billed at Midwest Fence's current retail prices.

THIS CONTRACT SUBJECT TO ACCEPTANCE BY MIDWEST FENCE'S CREDIT MANAGER.

I accept this contract on behalf of Midwest Commercial Fence

_____ Customer Signature _____ Date
 _____ Credit Manager _____ Date _____ Salesperson Signature _____ Date



MAYOR AND COUNCIL COMMUNICATION

DATE: October 2, 2012
IMPROVEMENT HEARING
ITEM #: 11
RESOLUTIONS

AGENDA ITEM: Keats Avenue North: MSA Street and Trunk Watermain Improvements – Public Improvement Hearing; Resolution No. 2012-42 Ordering Improvement and the Preparation of Plans and Specifications

SUBMITTED BY: Jack Griffin, City Engineer

THROUGH: Dean A. Zuleger, City Administrator

REVIEWED BY: Ryan Stempski, Assistant City Engineer
Sandie Thone, City Clerk
Cathy Bendel, Finance Director

SUMMARY AND ACTION REQUESTED: The city council is respectfully requested to open the Public Improvement Hearing for the Keats Avenue North: MSA Street and Trunk Watermain Improvements; and following the hearing, consider adopting Resolution 2012-42 ordering the improvement and the preparation of plans and specifications.

BACKGROUND INFORMATION: The Public Improvement Hearing for this project was opened on March 6, 2012 and subsequently continued until August 21, 2012. Following the Hearing, a vote of the City Council resulted in a 3-1 vote in favor of ordering the improvement and the preparation of plans and specifications. However, a 4/5ths majority vote of all council members is required to order the improvement. Therefore, the project has been scheduled and noticed to be Re-Heard on October 2 when it is anticipated that the full council will be in attendance.

STAFF REPORT: Pursuant to Minnesota Statutes, Sections 429.011 to 429.111, a Public Improvement Hearing was noticed for October 2, 2012, to consider making the following improvements:

- Street Reconstruction of Keats Avenue North, from 47th Street N. to Trunk Highway 36.
- Install 16-inch diameter Trunk Watermain from Julep Avenue (Tapestry Development) along 47th Street, then north along Keats Avenue to 59th Street (Rock Point Church).

The attached notice was published in the official newspaper and individual notifications were sent to each address that potentially will be impacted by these improvements.

An Amended Feasibility Report for the Keats Avenue North: MSA Street and Trunk Watermain Improvements, dated August, 2012, was approved by the City Council on August 21, 2012. The improvements include:

- The street reconstruction of Keats Avenue North as an Urban Section Road meeting state aid standards at 32 feet from back of curb to back of curb with concrete curb and gutter. The Estimated Total Project Cost is \$1,297,000.
- The installation of a 16-inch Trunk Watermain pipe connecting the existing watermain lines in the Tapestry development and Rock Point Church. The Estimated Total Project Cost is \$1,028,000.

The detailed findings of the report, project cost details, and associated assessment impacts are included in the Feasibility Report and will be presented at the meeting. This Report is available for review at City Hall.

FUNDING: Should the improvements be ordered, the project will be partially financed through special assessments. The Lake Elmo City Council adopted an assessment policy, dated November 16, 2010. The proposed assessments in the Report are consistent with this assessment policy. The project can be funded using special assessments as well as lateral benefit charges, Municipal State Aid Funds, DEED Water System Grant Funds, and Water Enterprise Funds.

For the Street Improvements of Keats Avenue North, the project can be primarily funded using the city's municipal state aid construction funds. In addition, there are 22 properties that are proposed to be specially assessed with an estimated unit assessment amount of \$3,400. The City cost share for use of state aid funds is therefore \$1,222,200.

The trunk watermain improvement project is being installed as a part of the community wide integrated water system. Therefore, the watermain extension project will be primarily funded using the City's \$1.0 million DEED water system grant with matching funds from the city's Water Enterprise Fund. These funds must be expended prior to December 31, 2014. Similar to a collector street improvement project, a local benefit will be realized by the properties adjacent to the trunk watermain line. It is recommended that the city consider assessing a water lateral benefit charge in the amount of \$5,800 to those 22 properties.

RECOMMENDATION: Staff is recommending that the City Council approve Resolution 2012-42, thereby ordering the improvement and the preparation of plans and specifications. Ordering a 429 Public Improvement project without a resident petition requires a super majority 4/5 vote. The suggested motion is as follows:

“Move to approve Resolution No. 2012-42, ordering the Improvement and the preparation of the Plans and Specifications for the Keats Avenue North: MSA Street and Trunk Watermain Improvements.”

ATTACHMENTS:

1. Resolution 2012-42
2. Notice of Hearing and Preliminary Assessment Rolls

3. Keats Avenue North: MSA Street and Trunk Watermain Improvements Feasibility Report, as Amended (available for review at City Hall)

**CITY OF LAKE ELMO
WASHINGTON COUNTY
STATE OF MINNESOTA**

RESOLUTION 2012-42

**A RESOLUTION ORDERING THE IMPROVEMENT AND
PREPARATION OF PLANS AND SPECIFICATIONS FOR THE
KEATS AVENUE NORTH: MSA STREET AND
TRUNK WATERMAIN IMPROVEMENTS**

WHEREAS, pursuant a resolution of the City Council adopted the 8th day of February, 2012, the Council ordered a hearing on Improvement for the Keats Avenue north: MSA Street and Trunk Watermain Improvements, and

WHEREAS, ten days' mailed notice and two weeks published notice of the hearing was given, and the hearing was held thereon on the second day of October, 2012, at which all persons desiring to be heard were given the opportunity to be heard thereon,

WHEREAS, the feasibility report, as amended and dated August 2012 states that the project is necessary, cost-effective, and feasible,

NOW, THEREFORE, BE IT RESOLVED,

1. Such improvement is deemed necessary, cost-effective, and feasible as detailed in the Feasibility Report as amended.
2. Such improvement is hereby ordered as proposed in the Council resolution adopted the second day of October, 2012.
3. The City Engineer is hereby designated as the engineer for this improvement. The engineer shall oversee the preparation of the Plans and Specifications for the making of such improvement.
4. The City Engineer shall retain the services of a consulting engineering firm to assist, where needed, to prepare Plans and Specifications for the making of such improvement, and to assist the City Engineer during the construction phase of the improvement as requested.
5. The City Council declares its official intent to reimburse itself for the costs of the improvement from the proceeds of tax exempt bonds.

ADOPTED BY THE COUNCIL THIS SECOND DAY OF OCTOBER, 2012.

**CITY OF LAKE ELMO
CITY COUNCIL**

(Seal)

By: _____
Dean A. Johnston, Mayor

Sandie Thone, City Clerk

| NO. | NAME | ADDRESS | PID | UNITS |
|-------|--|--------------------------|---------------|---------------|
| 1 | ZIERTMAN STEVEN R & JOAN M | 5761 KEATS AVE LAKE ELMO | 0202921220001 | \$ 5,800.00 |
| 2 | SLOMKOWSKI LEEANN M | 5415 KEATS AVE LAKE ELMO | 0202921310003 | \$ 5,800.00 |
| 3 | CROCKER GEORGE W & CYNTHIA L FOUSHEE | 5093 KEATS AVE LAKE ELMO | 0202921330003 | \$ 5,800.00 |
| 4 | SESSING DIANE L | 5699 KEATS AVE LAKE ELMO | 0202921230003 | \$ 5,800.00 |
| 5 | VOGEL WILLIAM J & CHERYL | 5055 KEATS AVE LAKE ELMO | 0202921330002 | \$ 5,800.00 |
| 6 | MAGILL JOSEPH M & MAUREEN M | 5275 KEATS AVE LAKE ELMO | 0202921310005 | \$ 5,800.00 |
| 7 | * DEGE GEORGE S & RHEIN-DEGE & KATHLEEN ANN RHEIN-DE | 5193 KEATS AVE LAKE ELMO | 0202921330001 | \$ 5,800.00 |
| 8 | DEGE GEORGE S & RHEIN-DEGE & KATHLEEN ANN RHEIN-DE | 5193 KEATS AVE LAKE ELMO | 0202921330001 | \$ - |
| 9 | MENZ RICHARD J | 5615 KEATS AVE LAKE ELMO | 0202921230001 | \$ 5,800.00 |
| 10 | DYER JAMES F | 5435 KEATS AVE LAKE ELMO | 0202921320002 | \$ 5,800.00 |
| 11 | HERMANSON CHRISTINE L | 5545 KEATS AVE LAKE ELMO | 0202921230005 | \$ 5,800.00 |
| 12 | EGERSDORF RICHARD J | 9960 57TH ST LAKE ELMO | 0302921140002 | \$ 5,800.00 |
| 13 | BOETTCHER JEFFREY A & KARISSA | 5630 KEATS AVE LAKE ELMO | 0302921140008 | \$ 5,800.00 |
| 14 | EGGEN PETER D & PAMELA K | 5250 KEATS AVE LAKE ELMO | 0302921410002 | \$ 5,800.00 |
| 15 | SPAETH KEVIN & KARI | 5010 KEATS AVE LAKE ELMO | 0302921440017 | \$ 5,800.00 |
| 16 | NELSON CYNTHIA JANE | 5240 KEATS AVE LAKE ELMO | 0302921410003 | \$ 5,800.00 |
| 17 | MEYER ROBERT F & MARIE | 5220 KEATS AVE LAKE ELMO | 0302921440004 | \$ 5,800.00 |
| 18 | SCHUBERT ROLF & KARIN A | 5222 KEATS AVE LAKE ELMO | 0302921440003 | \$ 5,800.00 |
| 19 | EDER MELVIN J & JANE R | 4890 KEATS AVE LAKE ELMO | 1002921110005 | \$ 5,800.00 |
| 20 | CARLSON JOHN F & CARRIE E | 4950 KEATS AVE LAKE ELMO | 1002921110004 | \$ 5,800.00 |
| 21 | * SULLWOLD GILBERT E & VIOLA TRS | 10190 47TH ST LAKE ELMO | 1102921210001 | \$ - |
| 22 | SULLWOLD GILBERT E & VIOLA TRS | 4855 KEATS AVE LAKE ELMO | 1102921220002 | \$ - |
| 23 | KELCH JOYCE E | 9825 47TH ST LAKE ELMO | 1102921220001 | \$ 5,800.00 |
| 24 | EDER RICHARD F & JANET M | 4515 JULEP AVE LAKE ELMO | 1002921140004 | \$ 5,800.00 |
| 25 | EDER DELMAR F & JOAN | | 1002921140007 | \$ 5,800.00 |
| TOTAL | | | | \$ 127,600.00 |

* METROPOLITAN AGRICULTURE PRESERVE PROGRAM

| NO. | NAME | ADDRESS | PID | AMOUNT |
|-------|--|--------------------------|---------------|--------------|
| 1 | ZIERTMAN STEVEN R & JOAN M | 5761 KEATS AVE LAKE ELMO | 0202921220001 | \$ 3,400.00 |
| 2 | SLOMKOWSKI LEEANN M | 5415 KEATS AVE LAKE ELMO | 0202921310003 | \$ 3,400.00 |
| 3 | CROCKER GEORGE W & CYNTHIA L FOUSHEE | 5093 KEATS AVE LAKE ELMO | 0202921330003 | \$ 3,400.00 |
| 4 | SESSING DIANE L | 5699 KEATS AVE LAKE ELMO | 0202921230003 | \$ 3,400.00 |
| 5 | VOGEL WILLIAM J & CHERYL | 5055 KEATS AVE LAKE ELMO | 0202921330002 | \$ 3,400.00 |
| 6 | MAGILL JOSEPH M & MAUREEN M | 5275 KEATS AVE LAKE ELMO | 0202921310005 | \$ 6,800.00 |
| 7 | * DEGE GEORGE S & RHEIN-DEGE & KATHLEEN ANN RHEIN-DE | 5193 KEATS AVE LAKE ELMO | 0202921330001 | \$ - |
| 8 | DEGE GEORGE S & RHEIN-DEGE & KATHLEEN ANN RHEIN-DE | 5193 KEATS AVE LAKE ELMO | 0202921310001 | \$ 3,400.00 |
| 9 | MENZ RICHARD J | 5615 KEATS AVE LAKE ELMO | 0202921230001 | \$ 3,400.00 |
| 10 | DYER JAMES F | 5435 KEATS AVE LAKE ELMO | 0202921320002 | \$ 3,400.00 |
| 11 | HERMANSON CHRISTINE L | 5545 KEATS AVE LAKE ELMO | 0202921230005 | \$ 3,400.00 |
| 12 | EGERSDORF RICHARD J | 9960 57TH ST LAKE ELMO | 0302921140002 | \$ 3,400.00 |
| 13 | BOETTCHER JEFFREY A & KARISSA | 5630 KEATS AVE LAKE ELMO | 0302921140008 | \$ 3,400.00 |
| 14 | EGGEN PETER D & PAMELA K | 5250 KEATS AVE LAKE ELMO | 0302921410002 | \$ 3,400.00 |
| 15 | SPAETH KEVIN & KARI | 5010 KEATS AVE LAKE ELMO | 0302921440017 | \$ 3,400.00 |
| 16 | NELSON CYNTHIA JANE | 5240 KEATS AVE LAKE ELMO | 0302921410003 | \$ 3,400.00 |
| 17 | MEYER ROBERT F & MARIE | 5220 KEATS AVE LAKE ELMO | 0302921440004 | \$ 3,400.00 |
| 18 | SCHUBERT ROLF & KARIN A | 5222 KEATS AVE LAKE ELMO | 0302921440003 | \$ 3,400.00 |
| 19 | EDER MELVIN J & JANE R | 4890 KEATS AVE LAKE ELMO | 1002921110005 | \$ 3,400.00 |
| 20 | CARLSON JOHN F & CARRIE E | 4950 KEATS AVE LAKE ELMO | 1002921110004 | \$ 3,400.00 |
| 21 | * SULLWOLD GILBERT E & VIOLA TRS | 10190 47TH ST LAKE ELMO | 1102921210001 | \$ - |
| 22 | SULLWOLD GILBERT E & VIOLA TRS | 4855 KEATS AVE LAKE ELMO | 1102921220002 | \$ 3,400.00 |
| 23 | KELCH JOYCE E | 4855 KEATS AVE LAKE ELMO | 1102921220001 | \$ 3,400.00 |
| TOTAL | | | | \$ 74,800.00 |

* METROPOLITAN AGRICULTURE PRESERVE PROGRAM

CITY OF LAKE ELMO
NOTICE OF RE-HEARING
KEATS AVENUE NORTH: MSA STREET AND
TRUNK WATERMAIN IMPROVEMENTS

Notice is hereby given that the City Council of Lake Elmo will meet in the council chambers of the city hall at or approximately after 7:00 P.M. on Tuesday, October 2, 2012, to re-hear and consider the making of the following improvements, pursuant to Minnesota Statutes, Sections 429.011 to 429.111;

The improvement will consist of the street reconstruction of Keats Avenue North, a Municipal State Aid route, from 47th Street North to Trunk Highway 36; and will concurrently include the construction of a Trunk Watermain connection from Julep Avenue North, easterly along 47th Street North, then north along Keats Avenue North to 59th Street North (Rock Point Church). The improvement will include the reconstruction of Keats Avenue North with the placement of a new bituminous surface in the current approximate location and grade.

The area proposed to be assessed for these improvements include properties abutting the above referenced streets or properties that gain direct driveway access to their property from the above referenced streets. The estimated total cost of the street improvements is \$1,297,000 and the estimated total cost of the trunk watermain improvements is \$1,028,000. A reasonable estimate of the impact of the assessment will be available at the hearing. Such persons as desire to be heard with reference to the proposed improvements will be heard at this meeting.

DATED: September 14, 2012

BY ORDER OF THE LAKE ELMO CITY COUNCIL

Dean Johnston, Mayor

(Published in the Oakdale-Lake Elmo Review on September 19, 2012 and September 26, 2012)



MAYOR AND COUNCIL COMMUNICATION

DATE: 10/2/2012

REGULAR

ITEM #: 12

MOTION

AGENDA ITEM: Zoning Text Amendment – Shoreland Standards

SUBMITTED BY: Nick M. Johnson, City Planner

THROUGH: Dean A. Zuleger, City Administrator

REVIEWED BY: Planning Commission
Kyle Klatt, Planning Director

SUMMARY AND ACTION REQUESTED:

Following up from a previous text amendment to the Shoreland Standards (§150.255), the Planning Commission reviewed and approved a proposed text amendment that would reduce the required setback from the Ordinary High Water (OHW) Level from 20 feet to 10 feet for water-oriented accessory structures on recreational development lakes. This setback would be consistent with State Statute and MN DNR standards related to shoreland management.

BACKGROUND INFORMATION:

The City's Shoreland Ordinance was adopted in 1993, which included a 20-foot setback for water-oriented accessory structures. After the previous text amendment related to the size of water-oriented structures was approved, the Planning Commission directed Staff to prepare a public hearing on the matter of the setback at the request of the previous applicant. The public hearing for this text amendment was held on September 24th, where the proposed amendment was unanimously approved.

STAFF REPORT:

It is important to note that the proposed amendment would only apply to water-oriented accessory structures on recreational development lakes. According to the Lake Elmo City Code, these structures include boathouses, gazebos, screen houses, fish houses, pump houses, and detached decks. Therefore, the proposed 10-foot setback from the OHW mark would only apply to these types of structures. In addition, the 10-foot setback would only apply on recreational development lakes, including DeMontreville, Elmo, Jane, and Olson. Finally, all the existing

performance standards governing water-oriented accessory structures, such as structure height, will remain in place.

As part of the review of the proposed text amendment, Staff received comments from the Valley Branch Watershed District regarding the proposed amendment. These commented noted that allowing a 10-foot setback for water-oriented structures would conflict with the Valley Branch’s requirement of an unmowed vegetative buffer strip of 35 feet around the recreational development lakes in Lake Elmo. However, this requirement is already in conflict with the City’s current Shoreland Standards, requiring a setback of 20 feet from the OHW for these structures. Regarding this conflict, the Planning Commission thought it better to be consistent with the State and DNR standard as opposed to the Valley Branch standard. For that reason, they approved the text amendment. The review comments from Valley Branch Watershed District are attached.

PLANNING COMMISSION RECOMMENDATION:

The Planning Commission recommends approval of the Zoning Text Amendment by taking the following action:

“Move to approve Ordinance 2012-63, amending §150.255, Shoreland Standards, of the Lake Elmo City Code as recommend by the Planning Commission.”

ATTACHMENTS:

- 1. Ordinance 2012-63
- 2. MN State Statute – Shoreland Management
- 3. Review Comments from Valley Branch Watershed District

SUGGESTED ORDER OF BUSINESS:

- Introduction of Item City Administrator
- Report/Presentation.....Planning Director
- Questions from Council to Staff Mayor Facilitates
- Public Input, if Appropriate Mayor Facilitates
- Call for Motion Mayor & City Council
- Discussion Mayor & City Council
- Action on Motion..... Mayor Facilitates

**CITY OF LAKE ELMO
COUNTY OF WASHINGTON
STATE OF MINNESOTA**

ORDINANCE 2012-63

**AN ORDINANCE AMENDING THE SHORELAND STANDARDS
SECTION OF THE GENERAL PROVISIONS TO REVISE THE
REQUIRED SETBACK FROM THE OHW LEVEL FOR WATER-
ORIENTED ACCESSORY STRUCTURES BASED ON
MINNESOTA STATE STATUTES**

**SECTION 1. The City Council of the City of Lake Elmo hereby amends Title XV:
Land Usage; Chapter 150: General Provisions, as follows:**

§ 150.255 SHORELAND STANDARDS

D) Placement, Design, and Height of Structures

(2) Design Criteria for Structures

b. Water-Oriented Accessory Structures

1. The structure or facility must not exceed 13 feet in height, exclusive of safety rails, and cannot occupy an area greater than 250 square feet. Detached decks must not exceed 8 feet above grade at any point.
2. The setback of the structure or facility landward from the ordinary high water level must be at least ~~20~~ 10 feet on a recreational development lake and 50 feet on a natural environment lake.
3. The structure or facility must be treated to reduce visibility as viewed from public waters and adjacent shorelands by vegetation, topography, increased setbacks, or color, assuming summer, leaf-on conditions.
4. The roof may be used as a deck with safety rails, but must not be enclosed or used as a storage area.
5. The structure or facility must not be designed or used for human habitation and must not contain water supply or sewage treatment facilities.
6. As an alternative for general development and recreational development waterbodies, water-oriented accessory structures used solely for watercraft storage, and including storage of related boating and water-oriented sporting equipment, may occupy an area up to 400 square feet provided the maximum width of the structure is 20 feet as measured parallel to the configuration of the shoreline.

SECTION 2. Effective Date

This ordinance shall become effective immediately upon adoption and publication in the official newspaper of the City of Lake Elmo.

SECTION 3. Adoption Date

This Ordinance No. 2012-63 was adopted on this 2nd day of October 2012, by a vote of ___ Ayes and ___ Nays.

Dean A. Johnston, Mayor

(Seal)

Sandie Thone, City Clerk

This Ordinance No 2012-63 was published on the ___ day of _____,
2012

MN State Statutes for Shoreland Management: Water-Oriented Accessory Structures

6120.3300 ZONING PROVISIONS.

H. Accessory structures and facilities. All accessory structures and facilities, except those that are water-oriented, must meet or exceed structure setback standards. If allowed by local government controls, each residential lot may have one water-oriented accessory structure or facility located closer to public waters than the structure setback if all of the following standards are met:

(1) The structure or facility must not exceed ten feet in height, exclusive of safety rails, and cannot occupy an area greater than 250 square feet. Detached decks must not exceed eight feet above grade at any point.

(2) The setback of the structure or facility from the ordinary high water level must be at least ten feet.

(3) The structure or facility must be treated to reduce visibility as viewed from public waters and adjacent shorelands by vegetation, topography, increased setbacks, color, or other means acceptable to the local unit of government, assuming summer, leaf-on conditions.

(4) The roof may be used as a deck with safety rails, but must not be enclosed or used as a storage area.

(5) The structure or facility must not be designed or used for human habitation and must not contain water supply or sewage treatment facilities.

(6) As an alternative for general development and recreational development waterbodies, water-oriented accessory structures used solely for watercraft storage, and including storage of related boating and water-oriented sporting equipment, may occupy an area up to 400 square feet provided the maximum width of the structure is 20 feet as measured parallel to the configuration of the shoreline.

(7) Any accessory structures or facilities not meeting the above criteria, or any additional accessory structures or facilities must meet or exceed structure setback standards.

Kyle Klatt

From: John P. Hanson [JHanson@barr.com]
Sent: Thursday, September 20, 2012 5:00 PM
To: Kyle Klatt
Subject: Zoning Text Amendment for Water-Oriented Accessory Structures

Hi Kyle,

I just received your request of comments on Monday and didn't get to it until today. I'm sorry for missing your deadline for comments.

I guess the only comment I have is that the VBWD requires unmowed vegetative buffers around lakes, wetland and streams and does not allow any impervious surface or structure to be placed within the buffer. The various applicable buffer requirements copied below.

For Lake DeMontreville, Lake Olson, Lake Jane, Lake Elmo, Horseshoe Lake, and Sunfish Lake, the following is the requirement: A minimum 35-foot wide buffer strip measured perpendicular to the OHW extending 35 feet inland shall be provided. A mowed access and shoreline is allowed, but must not exceed 30% of the landowner's shoreline width or 30 feet, whichever is less. For shorelines less than 20 feet wide, a 6 foot-wide access path is allowed. Access paths shall not be located where concentrated runoff will flow to the lake.

For other, smaller "lakes" and wetlands, the following is the requirement: A minimum 16.5 foot vegetative buffer strip around the delineated wetland boundary or the OHW, whichever is greater in elevation, shall be provided for all permitted activities. Average buffer widths at wetlands shall conform to Standard 10C and Appendix C of the VBWD Rules. A mowed access path within the buffer is allowed, but must not exceed a width of 6 feet. Access paths shall not be located where concentrated runoff will flow to the wetland.

For streams within the City, the following is the requirement: An average 50-foot wide vegetative buffer strip and a minimum 25-foot wide foot vegetative buffer strip measured perpendicular from and on both sides of the centerline shall be provided and maintained at all times for all permitted activities adjacent to the stream. Exceptions from this requirement for special situations, such as water crossings, are allowed if the permit applicant fully documents the circumstances and reasons that the buffer encroachment is necessary. A mowed access path within the buffer is allowed, but must not exceed a width of 6 feet. Access paths shall not be located where concentrated runoff will flow to the creek.

John

John P. Hanson, PE

Valley Branch Watershed District Engineer
Barr Engineering Company | 4700 W. 77th St. | Edina, MN 55435
Primary phone: 952.832.2622 | cell: 612.590.1785
VBWD project office: 651.748.4230

jhanson@barr.com | www.barr.com | www.vbwd.org

