

*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 Workshop
Tuesday, March 19, 2013 6:00 P.M.**

AGENDA

- A. Sewer Service to the Old Village**

**City Council Meeting
Tuesday, March 19, 2013 7:00 P.M.**

AGENDA

- A. Call to Order**
- B. Pledge of Allegiance**
- C. Roll Call**
- D. Order of Business**
- E. Approval of Agenda**
- F. Accept Minutes**
 - 1. Accept March 05, 2013 City Council Meeting Minutes**
- G. Public Comments/Inquiries**
- H. National Arbor Day/Month Proclamation**
 - 2. Approve and read proclamation**
- I. Consent Agenda**

3. Approve Payment of Disbursements and Payroll
4. Accept Financial Report dated February 28, 2013
5. Accept Building Permit Report dated February 28, 2013
6. Approve Letter of Understanding to join North Metro Mayors Association as an Associate Member; **Agreement**
7. Zoning Text Amendment - Rural Districts; **Ordinance 08-073, Resolution 2013-18**

J. Regular Agenda

8. Olson Lake Trail Sanitary Sewer Extension Improvements -Resolution to Accept Amended Report and Declare Amended Costs to Be Assessed; **Resolution 2013- 19**
9. **Public Hearing:** Improvement Hearing: Olson Lake Trail Sanitary Sewer Extension Improvements -Resolution Ordering the Improvement and the Preparation of Plans and Specifications; **Resolution 2013- 20**
10. **Public Hearing:** Assessment Hearing: Olson Lake Trail Sanitary Sewer Extension Improvements -Resolution Adopting Final Assessment Roll; **Resolution 2013- 21**
11. Lake Elmo Avenue Sewer Infrastructure Improvements: I-94 to 30th Street -Authorize the Preparation of Plans and Specifications and Approve Engineering Design and Construction Support Services Contract
12. South 1/2 of Section 34 (Lennar Project Area) Water and Sewer Utility Extension Improvements -Accept Petition and Authorize Feasibility Report; Preparation of Plans and Specifications; and Approve Engineering Report and Design Services Contract; **Resolution 2013-22, Agreement**
13. Re-designation of Planning Commission Members

K. Summary Reports and Announcements

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

L. Adjourn

**LAKE ELMO CITY COUNCIL MINUTES
MARCH 5, 2013**

**CITY OF LAKE ELMO
CITY COUNCIL MINUTES
March 5, 2013**

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

PRESENT: Mayor Pearson, Council Members Bloyer, Nelson, Smith, and Park

Also Present: City Administrator Zuleger, City Attorney Snyder, Planning Director Klatt, City Planner Johnson, City Engineer Griffin, Finance Director Bendel, and City Clerk Bell

PLEDGE OF ALLIGENCE

APPROVAL OF AGENDA

Discussion of the agenda was held. Council Member Nelson asked the summary reports be moved to after presentations. His reasoning was to allow staff to leave.

*MOTION: Council Member Park moved **TO APPROVE THE MARCH 5, 2013 CITY COUNCIL AGENDA AS PRESENTED**. Council Member Bloyer seconded the motion. **Motion passed 5-0.***

ACCEPT MINUTES

ITEM 1:

THE FEBRUARY 19, 2013 CITY COUNCIL MINUTES WERE APPROVED AS PRESENTED BY CONSENSUS OF THE CITY COUNCIL.

PRESENTATIONS:

ITEM 2: QUALITY STAR PRESENTATION: AL BEVER

City Administrator Zuleger gave overview of General Mills volunteer program and presented the quality star award to Al Bever. Mr. Bever performed audits of several buildings and infrastructure; the award is presented to Mr. Bever for his commitment to quality and stewardship of the tax dollar and dedication to making the infrastructure of local government safe and efficient.

Mayor Pearson thanked Mr. Bever for his service to Lake Elmo. Council Member Smith also encouraged Al to apply for position at city if a position opens up. She expressed her pleasure with his work.

PUBLIC COMMENTS/INQUIRIES:

Library Board Member Paul Ryberg spoke about the library. Attendance is up. Groups are meeting there. A renter has left, but budget does not account for rental revenue.

**LAKE ELMO CITY COUNCIL MINUTES
MARCH 5, 2013**

ITEM 3: FIRE RELIEF ASSOC RAFFLE DRAWING

District Chief Winkles presented overview of Fire Relief fund. It is the pension arm of the organization. The Relief Fund holds a raffle fundraiser every year. Mayor designated Council Member Nelson to draw winners. Winners are: \$25 Mary Burress of 55th St.; \$25 Gary Wright of 39th St. N.; \$25 Debbie Martin of Hilltop Ave.; \$25 Jacqueline Christiansen of Kirkwood Ave.; \$100 Al Bever; \$250 Russ Doepner of Mark Ave. Pancake breakfast in August- huff and puff weekend.

ITEM 4: SOUTH WASHINGTON WATERSHED DISTRICT

POSTPONED

SUMMARY REPORTS AND ANNOUNCEMENTS Part I

City Administrator Zuleger reported most activity has been related to growth issues. Met with landowners re: Lake Elmo Avenue gravity sewer/easements. Appeared before Met Council to testify. Testimony was well received. Continue to work with MN investment fund obtaining grant for business relocating to Lake Elmo. They will be closing on building next week. Electronic/print newsletter development; addressed Tri-Lakes Association at their recent meeting.

City Attorney Snyder reported working on finalizing documents for the Lennar project; worked on business relocation item; routine staff inquiries.

Planning Director Klatt reported meeting with Met Council, plan can now be implemented. Village comp plan is part of overall land use; Met Council passed resolution to amend MOU granting additional time to address deadlines. Also authorizes representative to negotiate with city. Attended Planning commission meeting. Will be taking up a couple zoning issues and tree preservation ord.; farm project applicant did submit prelim plat. Staff is currently reviewing for completeness. Will take a few days to determine if complete.

City Engineer Griffin reported Keats Ave project; request for utility extension for Lennar development; Another Olson Lake Trail resident requested to be added to sewer project.

Finance Director Bendel reported working through audit list; auditors will be back in April.

CONSENT AGENDA

5. Approve Payment of Disbursements and Payroll
6. Keats MSA Street and Trunk Watermain Improvements - Resolution Approving Plans and Specifications and Ordering Advertisement for Bids; **Resolution 2013-15**
- ~~7. Urban Residential Zoning District Minimum Standards; **Ordinance 08-071**~~
- ~~8. Approval of Contract with ISGMN for \$28,800 for the Completion of the 2013 City of Lake Elmo Park Survey; **Contract**~~

**LAKE ELMO CITY COUNCIL MINUTES
MARCH 5, 2013**

*MOTION: Mayor Pearson moved **TO MOVE CONSENT AGENDA ITEMS 7 & 8 TO AFTER ITEM 11 FOR DISCUSSION**. Council Member Smith seconded the motion. **MOTION PASSED 5-0**.*

*MOTION: Council Member Smith moved **TO APPROVE THE CONSENT AGENDA AS AMENDED**. Council Member Park seconded the motion. **MOTION PASSED 5-0**.*

REGULAR AGENDA

ITEM 9: ADOPTION OF STANDARD DEVELOPER'S AGREEMENT; RESOLUTION 2013-16

City Engineer Griffin explained the standard developer's agreement. He noted everyone who worked on it. The agreement was presented to council at workshop.

Council Member Nelson asked about letter of credit. Snyder stated it did not need to be specifically mentioned in agreement. Staff can note that in the approval checklist. It was explained that it is the baseline agreement and can be modified as needed.

Nelson asked about recording and the use of "may" language. City Attorney Snyder stated that it is always done.

*MOTION: Council Member Smith moved **TO ADOPT RESOLUTION 2013-16, ADOPTING THE STANDARD FORM OF DEVELOPMENT AGREEMENT**. Council Member Bloyer seconded the motion. **MOTION PASSED 5-0**.*

ITEM 10: SUBDIVISION ORDINANCE AMENDMENTS RELATED TO PUBLIC LAND DEDICATION; ORDINANCE 08-072, RESOLUTION 2013-17, FEE SCHEDULE AMENDMENT

Planning Director Klatt presented summary of subdivision ordinance amendments. Mr. Klatt explained the differences. Residential districts will remain at 10%. The new urban districts that Council has adopted require the update to the ordinance. The new districts will also be at 10% dedication. Council had recommended at the recent workshop to set a fee as opposed to percentage of land for commercial. Mr. Klatt explained need to revise the fee schedule by resolution. The proposed fee is \$4500 commercial.

Council Member Bloyer asked about reviewing fees yearly. It was explained by staff that it was City practice to review annually.

Discussion was had about the 4 or more lots versus 3 or less for commercial.

Council Member Smith explained the reasoning for not following the Parks Comm. recommendation. She explained the process and noted that it will be reviewed every year.

Council Member Bloyer asked about fee amendments and when it can be done. It can be done as needed. There is no waiting requirement.

**LAKE ELMO CITY COUNCIL MINUTES
MARCH 5, 2013**

Council Member Nelson expressed concerns that the entire cost of building in Lake Elmo has not been considered or researched enough. He wants to be competitive. Lake Elmo has higher additional costs (water/sewer). Wants to know all in costs compared to competitors.

Council Member Smith reminded everyone that council just had a workshop. The fee is lower than Woodbury and she believes Lake Elmo is competitive.

Council Member Park hopes that the Economic Development Authority can look at this. She believes it is competitive.

Mayor Pearson believes it is competitive and acknowledges that it is still a significant fee. The fee is almost 10%. He would like staff to list all fees city has.

Council directs staff to revisit in 3-4 months after determining all fees.

*MOTION: Council Member Smith moved **TO APPROVE TO ADOPT ORDINANCE 08-072 CONCERNING AMENDMENTS TO THE SUBDIVISION ORDINANCE AND RESOLUTION 2013-17, AMENDING THE 2013 FEE SCHEDULE TO REFLECT THE REQUIRED PARKLAND DEDICATION FEE FOR THE SUBDIVISION OF COMMERCIAL PROPERTIES.** Council Member Park seconded the motion. **MOTION PASSED 5-0.***

ITEM 11: COMPREHENSIVE PLAN AMENDMENT - VILLAGE LAND USE PLAN

[Council Member Bloyer left 7:43PM. Returned at 7:44PM]

City Administrator Zuleger introduced the overview of the comp plan process. He described the history of the work that has been done. Staff has met with all the affected landowners who are looking to develop. The Plan allows landowners to control own destiny and focuses on the downtown Lake Elmo Ave area. The Plan does call for a village green or center/public gathering area; the Plan addresses the buffer zone issue, and staff invites Council to address that item; lastly, the Plan provides a framework to allow market development. It was noted that Planning Comm. has many other tools to control development.

Planning Director Klatt presented a broader overview of the work done. Council is being asked to approve plan to submit to adjacent communities and then Met Council review. Each will have set time to review it. This review should go quicker due to no MOU issues to address. The Village Work Group and the Planning Comm. have both approved the Plan. A public hearing was held.

The entire process has included workgroup meetings; council members; planning comm., citizens at large; stakeholder meeting; technical groups (public agencies, MnDOT, Washington County) Planning comm. Meetings; an open house; town hall meeting; and council workshops.

Mr. Klatt described the overall comp plan update process. The Village area plan will be merged with the I-94 plan. Mr. Klatt explained the key decision points: REC units; consideration of a village green; elimination of HWY 5/County Road 14 realignment from current comp plan; establishment

LAKE ELMO CITY COUNCIL MINUTES
MARCH 5, 2013

of general mixed use; clarification concerning the intent and purpose of the open space and green belt areas; reconsideration of MUSA (metropolitan urban service area) boundaries; guiding land use for low, medium, and high density residential uses outside the mixed use areas.

Mr. Klatt noted that the vast majority of city area is still either park or open space. The proposed plan maintains this factor.

City Planner Johnson gave overview of the detailed village use plan. The four proposed residential categories: VLDR - low density residential; V-MDR - medium density residential; HDR - high density residential; VMX - village mixed use.

Mr. Johnson explained mixed use is key feature of plan to focus on the downtown. Secondly, the dedicated Park and recreation facility/space is provided. The Plan was going to be a range 900-1100. The Village Work Group chose 934 REC units.

Mr. Johnson explained implementation of the plan. The open space plan was described. He explained the implementation of OP overlay as well as rural vs. urban zoning. In order to protect long term preservation: there are two key strategies: 1. conservation easements; and 2. acquisition.

It was noted that the plan includes a MUSA amendment. Does not dictate where actual line must go, but shows where service can go at some point.

Three additional subjects the Plan addresses: Transportation- State HWY 5, Lake Elmo Ave. (CSAH 17), Manning Ave. (CSAH 15), and New Collector Road (Village Parkway); parks - Village Recreational Facility, Reid Park, and VFW and Lions Parks; and trails.

Mr. Johnson then explained involved land owners input and the resulting staff recommendations.

Mr. Klatt explained the remaining steps in the process. Adjacent Community review and Met Council review are next. Mr. Klatt explained AUAR impact. There will be environmental issues, among others, that will need addressing. Most items will be on at the development level.

Council discussed all the amendments to the plan with council and staff recommendations. *[See proposed draft and final approved versions for actual revisions]* Highlights included: Council Members Bloyer and Nelson identified issues that they have with certain text and phrasing. City Attorney Snyder explained what the purpose of the comp plan is and noted that the introduction is in the past tense. Smith noted that the workgroup was instructed to not wordsmith the document. Snyder did state that this was the time to address any language that is problematic to members.

The inclusion of the Village Green language was discussed. Council Member Smith asked that it stay because it has been present for many years. Council Member Nelson wanted the green to be developed privately. The concept of master planning was discussed. As opposed to simple site planning, master planning involves much larger scope. Council agreed to insert "explore options to"

LAKE ELMO CITY COUNCIL MINUTES
MARCH 5, 2013

provide the village green space. It was agreed that the Plan should recognize the existing character of the Village. The difference between mixed-use development and mixed-use zoning was discussed.

The target of 934 REC units was discussed. Councilman Bloyer wanted to avoid being confrontational with the Met Council. It was agreed that the Village Green project could be developed as part of a master plan led by private developers with the potential for city involvement.

It was agreed that City Hall may be considered as part of the Village Green. It was agreed that environmental considerations should be encouraged.

Greenbelt corridors/buffer zones and whether developers will plan accordingly on their own was discussed. Council Member Smith wanted to make sure that people know that the reduction of the corridor size does not change density. There were concerns about current residents keeping/protecting the open space they currently have. City Planner Johnson noted that by keeping corridor on map, it provides city's expectations to developers. Ms. Smith is concerned about the proximity of and walk-ability of developments. Staff recommends doing it at subdivision/zoning level. City Attorney Snyder noted that usually the technical details/performance standards, such as setbacks, street widths, etc, are not in comp plan. It was agreed that the buffer would be addressed at the zoning level.

The subject of existing ball field relocation was discussed. The definition of "auto oriented" was discussed. It refers to businesses that are reliant upon drive-up traffic as opposed to businesses which are related to automobiles. It was agreed upon that the ultimate goal was to create a pedestrian friendly district that provides excellent opportunities to live, work, and play. The last amendment was regarding the acquisition of land through either purchase or parkland dedication.

There was a discussion about receiving public comments at this time. City Attorney Snyder advised Council that it was not required, but Council may do so if it wishes. A motion was needed. *Mayor Pearson **MOVED TO OPEN MEETING FOR PUBLIC COMMENT. Seconded by Council Member Nelson. Motion Passed 5-0.***

Susan Dunn spoke on the comprehensive plan. There has been discussion about extending services to non-compliant septic systems. Ms. Dunn asked city looks into costs for new systems. She noted that she is in favor of form-based zoning and design standards. Likes open space and wants the concept continued and afforded to future developments/homes.

Design Standards and Form based codes were discussed. Messrs. Klatt and Johnson explained the status. The costs of city sewer were then discussed. It was noted that the actual costs are between \$13,000-18,000

*Council Member Nelson **MOVED TO CLOSE MEETING FOR PUBLIC COMMENT. Seconded by Council Member Bloyer. Motion Passed 5-0.***

**LAKE ELMO CITY COUNCIL MINUTES
MARCH 5, 2013**

*MOTION: Council Member Bloyer moved **TO AUTHORIZE DISTRIBUTION OF THE COMPREHENSIVE PLAN AMENDMENT - VILLAGE LAND USE PLAN FOR ADJACENT COMMUNITY AND METROPOLITAN COUNCIL REVIEW.** Council Member Nelson seconded the motion. **MOTION PASSED 5-0.***

Mayor Pearson - point of privilege - meeting recessed 10:08 PM; reconvened at 10:13 PM.

ITEM 7. URBAN RESIDENTIAL ZONING DISTRICT MINIMUM STANDARDS; ORDINANCE 08-071

Mayor Pearson asked for clarification on the change of minimum 70 to 60. City Planner Johnson explained the density stays the same. The change would allow for greater clustering and more open space.

*MOTION: Mayor Pearson moved **TO ADOPT ORDINANCE 08-071 AMENDING SECTION 154.452 OF THE ZONING ORDINANCE CONCERNING THE URBAN RESIDENTIAL DISTRICT STANDARDS.** Council Member Bloyer seconded the motion. **MOTION PASSED 5-0.***

ITEM 8. APPROVAL OF CONTRACT WITH ISGMN FOR \$28,800 FOR THE COMPLETION OF THE 2013 CITY OF LAKE ELMO PARK SURVEY; CONTRACT

Mayor Pearson is concerned with scope and cost. He would like it to include more. The Mayor is interested in also considering an in-house survey. City Administrator Zuleger explained that the Parks Commission has been focused on conservation and does not have a plan for park usage/development. The Parks Comm. wants independent professional analysis with low statistical errors. This survey would provide 500 sample phone responses. If in-house, Staff would mail out letter. Staff might not have resources. It was confirmed that funds would be out of Parks dedication fund. Mr. Zuleger said that staff could do it. The Parks Commission wanted an independent survey.

Council Member Nelson asked what Parks Comm. will do with the data once received. Mr. Zuleger stated that Commission will use it to determine how to use the parks funds. It was explained that the survey will be random, but targeted to specific parks based on location of respondent.

*MOTION: Mayor Pearson moved **TO APPROVE THE CONTRACT WITH ISGMN FOR \$28,800 FOR THE COMPLETION OF THE 2013 CITY OF LAKE ELMO PARK SURVEY.** Council Member Park seconded the motion. **MOTION PASSED 5-0.***

ITEM 12: APPROVAL FOR STAFF MODIFICATION SECTION 97.21 - WATERCRAFT AND WATER SURFACE REGULATIONS - TO BE CONSISTENT WITH MN STATE STATUTES

City Administrator Zuleger explained the background of the discussion. It was noted that Council Members Bloyer and Park requested this item be placed on the agenda. Working with the DNR to refine the code to bring within uniformity with state law.

LAKE ELMO CITY COUNCIL MINUTES
MARCH 5, 2013

Councilman Bloyer wants to establish committee to review rules and determine what is fair and equitable. Nelson asked what Councilman Bloyer's intentions were. Mr. Bloyer explained the process so far and that the city is the body that has the responsibility to address it. It cannot be left to DNR. Noted there are concerns from some residents

Mr. Zuleger said the DNR had concerns about past regulation proposals. Amending code would normalize and bring in line with the DNR regulations. Council Member Park asked about what the actual issue was. Mr. Zuleger said enforcement has been problematic because it is a DNR responsibility, but our code presents challenges.

Mr. Bloyer wants the entire chapter repealed except for the no wake rules between the lakes.

*Motion: Council Member Nelson moved **TO CREATE AD HOC COMMITTEE TO REVIEW LAKE ORDINANCE STARTING WITH CLEAN SLATE BY STRIKING §§ 97.21 (EXCEPT FOR (K)), 97.22, AND 97.23.** Seconded by Council Member Park.*

Mr. Zuleger noted his discomfort with acting on item without proper notice. City Attorney Snyder explained that the code needed to be amended by ordinance.

Council Member Park moved **TO AMEND MOTION BY DIRECTING STAFF TO BRING ORDINANCE TO REPEAL CURRENT LANGUAGE TO THE NEXT MEETING.**

*Council Member Nelson **WITHDREW HIS MOTION.***

*Council Member Park moved **TO FORM AD HOC REVIEW COMMITTEE MADE UP OF LAKE PROPERTY OWNERS AND STAFF TO REVIEW LAKE ORDINANCE BY STRIKING AND DIRECT STAFF TO BRING ORDINANCE TO REPEAL §§ 97.21 (EXCEPT FOR (K)), 97.22, AND 97.23 TO THE NEXT MEETING.** Seconded by Council Member Nelson.*

Mayor Pearson stated that he is in favor of the ad hoc committee but does not support amendment as proposed at this time. He would also like the Parks survey to consider lake usage.

Mr. Zuleger noted that he will not be in attendance at the next meeting.

*Council Member Park amended her motion **TO HAVE IT BE PUSHED OUT UNTIL THE 2ND MEETING IN APRIL.** Seconded by Council Member Nelson. **MOTION TO AMEND PASSED 5-0***

MAIN MOTION PASSED 4-1. PEARSON- NAY

SUMMARY REPORTS AND ANNOUNCEMENTS PART II

Council Member Smith no report.

Council Member Park no report .

LAKE ELMO CITY COUNCIL MINUTES
MARCH 5, 2013

Council Member Bloyer attended Met Council meeting. Saw sign at Sunfish Lake Park banning biking. City Clerk Bell advised him that there is no current ordinance in effect relating to biking. He asked staff to remove sign.

Mayor Pearson no report.

Council Member Nelson - reported attending Fire Relief Assoc meeting. They have a new investment advisor. The pension is up 10%, looking for 7% long term. Wants to bring pension increase to council. Would like item to be on June workshop. It has been a long time since changed. request capital spending and total indebtedness. Would like a plan for going forward. Zuleger noted that the city is going to do a serious CIP

Meeting adjourned at 11:06 P.M.

LAKE ELMO CITY COUNCIL

Mike Pearson, Mayor

ATTEST:

Adam R. Bell, City Clerk



MAYOR AND COUNCIL COMMUNICATION

DATE: 3/19/2013

PROCLAMATION

ITEM #: 2

AGENDA ITEM: Approval of 2013 Arbor Day Proclamation

SUBMITTED BY: Nick Johnson, City Planner

THROUGH: Dean A. Zuleger, City Administrator

REVIEWED BY: Adam Bell, City Clerk

SUMMARY AND ACTION REQUESTED: As a participant in the Tree City USA Program, the City of Lake Elmo is required to make a public Proclamation to designate Arbor Day, as well as host an official observance. As part of the proclamation, the City shall designate an official Arbor Day in the community, as well as an Arbor Month. The City of Lake Elmo is in its 10th year of participation in the Tree City USA Program.

BACKGROUND INFORMATION: The City of Lake Elmo has authority to make public proclamations, when appropriate and consistent with applicable City policy, state statutes and federal law. Traditionally, the City has made an annual Proclamation in observance of Arbor Day. In addition, the City has been involved in several tree planting events in years prior, which have served as the City’s official observance of Arbor Day.

STAFF REPORT: City staff has prepared and reviewed the attached Proclamation. All appears to be in order and consistent with policies and past Council action. Based upon past practice, the City should designate the last Friday in April, April 26th, as Arbor Day in Lake Elmo, as well as designate the month of May as Arbor Month.

STAFF RECCOMENDATION: It is suggested that Mayor Pearson read the attached Proclamation.

ATTACHMENTS:

- 1. Arbor Day Proclamation

SUGGESTED ORDER OF BUSINESS:

- Introduction of Item City Administrator
- Report/Presentation.....City Administrator
- 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

ARBOR DAY/MONTH PROCLAMATION

WHEREAS: Minnesota is home to many of our nation's natural resources, foremost among them are our beautiful and abundant forests; and

WHEREAS: Trees are an increasingly vital resource in Minnesota today, enriching our lives by purifying the air, conserving soil, water and energy, creating jobs through a large forest products industry, serving as recreational settings, providing habitat for wildlife of all kinds, and creating beautiful landscapes to make our communities more livable; and

WHEREAS: Disease and insects threaten our trees, creating the need for concerted action to ensure the future of community and rural forests in our state and throughout the country; and

WHEREAS: Each individual can act locally to improve the environment by planting trees and ensuring that these trees are protected and receive proper maintenance in the years ahead; and

WHEREAS: Each year on the last Friday in the month of April and throughout the month of May, the people of Minnesota pay special tribute to the vital natural resource that our trees represent and dedicate themselves to the continued vitality of our state's community and rural forests;

NOW, THEREFORE I, Mike Pearson, Mayor of the City of Lake Elmo, do hereby proclaim April 26, 2013 to be

ARBOR DAY

and the month of May, 2013 to be **ARBOR MONTH** in Lake Elmo, Minnesota.

Signed this March 19, 2013

Mike Pearson, Mayor

Tree City, U.S.A.



MAYOR AND COUNCIL COMMUNICATION

DATE: 03/19/2013
CONSENT
 ITEM #: 3
MOTION Consent Agenda

AGENDA ITEM: Approve Disbursements in the Amount of \$214,557.04

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 \$214,557.04. 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	\$ 10,941.30	Payroll Taxes to IRS & MN Dept of Revenue 3/07/13
ACH	\$ 5,601.97	Payroll Retirement to PERA 3/07/13
DD4465- DD4509	\$ 31,870.15	Payroll Dated 3/07/13 (Direct Deposits)
1884-1913	\$ 1,800.00	Library Card Reimbursements 3/19/13
39649-39653	\$ 27,521.65	Manual Check 3/5-3/8
39654-39718	\$ 136,821.97	Accounts Payable 3/19/13
TOTAL	\$ 214,557.04	

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 \$214,557.04.

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 March 19, 2013, Disbursements as
Presented *[and modified]* herein.”**

ATTACHMENTS:

1. Accounts Payable Dated 3/19/13

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: mike g

Printed: 03/14/2013 - 10:21 AM

Batch: 005-03-2013

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
ARAM Aramark, Inc.										
629-7695120	02/28/2013	55.67	0.00	03/19/2013	Uniforms		-	No		0000
101-430-3100-44170	Uniforms									
	629-7695120 Total:	55.67								
629-7696935	03/04/2013	43.75	0.00	03/19/2013	Linen City Hall		-	No		0000
101-410-1940-44010	Repairs/Maint Contractual Bldg									
	629-7696935 Total:	43.75								
629-7696936	03/04/2013	36.25	0.00	03/19/2013	Monthly Rug Service-Annex		-	No		0000
101-410-1940-44010	Repairs/Maint Contractual Bldg									
	629-7696936 Total:	36.25								
629-7699890	03/07/2013	24.78	0.00	03/19/2013	Uniforms		-	No		0000
101-430-3100-44170	Uniforms									
	629-7699890 Total:	24.78								
	ARAM Total:	160.45								
BACHPRIN Bachman Printing										
51214	02/21/2013	719.07	0.00	03/19/2013	Appellants Brief & Appendix, City v Nas		-	No		0000
101-410-1320-43040	Legal Services									
	51214 Total:	719.07								
	BACHPRIN Total:	719.07								
BERKLEY Insurance Trust League of MN Citi										
200012331	02/20/2013	35.00	0.00	03/19/2013	Worker's Comp Premium 2012		-	No		0000
101-410-1110-41510	Workers Compensation									
200012331	02/20/2013	888.00	0.00	03/19/2013	Worker's Comp Premium 2012		-	No		0000
101-410-1320-41510	Workers Compensation									
200012331	02/20/2013	104.00	0.00	03/19/2013	Worker's Comp Premium 2012		-	No		0000
101-410-1450-41510	Workers Compensation									
200012331	02/20/2013	494.00	0.00	03/19/2013	Worker's Comp Premium 2012		-	No		0000
101-410-1520-41510	Workers Compensation									
200012331	02/20/2013	916.00	0.00	03/19/2013	Worker's Comp Premium 2012		-	No		0000
101-410-1910-41510	Workers Compensation									

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close PO Line #
200012331	02/20/2013	9,805.00	0.00	03/19/2013	Worker's Comp Premium 2012		-	No		0000
101-420-2220-41510	Workers Compensation									
200012331	02/20/2013	485.00	0.00	03/19/2013	Worker's Comp Premium 2012		-	No		0000
101-420-2400-41510	Workers Compensation									
200012331	02/20/2013	9,022.00	0.00	03/19/2013	Worker's Comp Premium 2012		-	No		0000
101-430-3100-41510	Workers Compensation									
200012331	02/20/2013	5,006.00	0.00	03/19/2013	Worker's Comp Premium 2012		-	No		0000
101-450-5200-41510	Workers Compensation									
200012331	02/20/2013	1,562.00	0.00	03/19/2013	Worker's Comp Premium 2012		-	No		0000
601-494-9400-41510	Workers Compensation									
200012331	02/20/2013	927.00	0.00	03/19/2013	Worker's Comp Premium 2012		-	No		0000
602-495-9450-41510	Workers Compensation									
200012331	02/20/2013	983.00	0.00	03/19/2013	Worker's Comp Premium 2012		-	No		0000
603-496-9500-41510	Workers' Compensation									
	200012331 Total:	30,227.00								
	BERKLEY Total:	30,227.00								
BERTELSON Bertelson's										
wo-834827-1	02/25/2013	49.79	0.00	03/19/2013	Admin		-	No		0000
101-410-1320-42000	Office Supplies									
wo-834827-1	02/25/2013	13.46	0.00	03/19/2013	Building		-	No		0000
101-420-2400-42000	Office Supplies									
wo-834827-1	02/25/2013	14.46	0.00	03/19/2013	Planning		-	No		0000
101-410-1910-42000	Office Supplies									
wo-834827-1	02/25/2013	13.65	0.00	03/19/2013	Finance		-	No		0000
101-410-1520-42000	Office Supplies									
	wo-834827-1 Total:	91.36								
	BERTELSON Total:	91.36								
BOYER Boyer Trucks										
719640	02/27/2013	30.62	0.00	03/19/2013	Lamp Assembly 98-2		-	No		0000
101-430-3125-44040	Repairs/Maint Eqpt									
	719640 Total:	30.62								
	BOYER Total:	30.62								
BRO Brodart										
1-3544	02/27/2013	45.00	0.00	03/19/2013	Book wrapping supplies		-	No		0000
206-450-5300-42000	Office Supplies									
	1-3544 Total:	45.00								
	BRO Total:	45.00								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
BUELOW BueLOW Excavating										
6709	02/28/2013	3,144.00	0.00	03/19/2013	Contract Snow Plowing		-	No		0000
101-430-3125-43150	Contract Services									
	6709 Total:	3,144.00								
	BUELOW Total:	3,144.00								
C A C Companion Animal Control, LLC										
3	03/13/2013	500.00	0.00	03/19/2013	Animal Control Services - Feb		-	No		0000
101-420-2700-43150	Contract Services									
	3 Total:	500.00								
	C A C Total:	500.00								
CARQUEST Car Quest Auto Parts										
2055-283503	03/11/2013	73.65	0.00	03/19/2013	Shop Supplies		-	No		0000
101-430-3100-42150	Shop Materials									
2055-283503	03/11/2013	39.60	0.00	03/19/2013	Door Handle 98-1		-	No		0000
101-430-3100-42210	Equipment Parts									
	2055-283503 Total:	93.25								
2055-283566	03/12/2013	40.73	0.00	03/19/2013	Belt Purchase & returns		-	No		0000
101-430-3100-44010	Repairs/Maint Bldg									
	2055-283566 Total:	40.73								
	CARQUEST Total:	133.98								
CENTPOW Century Power Equipment										
583266	03/11/2013	42.40	0.00	03/19/2013	chain saw oils		-	No		0000
101-430-3120-42120	Fuel, Oil and Fluids									
	583266 Total:	42.40								
	CENTPOW Total:	42.40								
COLEMER Colemer, Jamie										
ClaimVouch	03/07/2013	89.88	0.00	03/19/2013	Work wear		-	No		0000
101-430-3100-44170	Uniforms									
	ClaimVouch Total:	89.88								
	COLEMER Total:	89.88								
COMCAST Comcast										
2/27	02/27/2013	7.92	0.00	03/19/2013	Monthly Service		-	No		0000
101-420-2220-44300	Miscellaneous									
	2/27 Total:	7.92								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
COMCAST Total:		7.92								
CONLEYMO Conley Morgan	02/25/2013	55.00	0.00	03/19/2013	CO 2/25/13 PC Meeting (4hours)		-	No		0000
101-410-1450-43620	Cable Operations									
	2/25 Total:	55.00								
2/28	02/25/2013	44.69	0.00	03/19/2013	CO 2/28/13 CC Workshop (3.75hours)		-	No		0000
101-410-1450-43620	Cable Operations									
	2/28 Total:	44.69								
	CONLEYMO Total:	99.69								
CTYBLOOM City of Bloomington	02/28/2013	31.50	0.00	03/19/2013	Lab Bacteria tests		-	No		0000
601-494-9400-42270	Utility System Maintenance									
	Feb-2013 Total:	31.50								
	CTYBLOOM Total:	31.50								
CTYOAKDA City of Oakdale	02/28/2013	2,684.25	0.00	03/19/2013	Water Service 1-94		-	No		0000
March12	02/28/2013	2,684.25								
601-494-9400-43820	Water Utility									
	March12 Total:	2,684.25								
	CTYOAKDA Total:	2,684.25								
CTYROSEV City of Roseville	03/01/2013	2,714.17	0.00	03/19/2013	Monthly IT - March		-	No		0000
217234	03/01/2013	2,714.17								
101-410-1450-43180	Information Technology/Web									
	217234 Total:	2,714.17								
217281	03/07/2013	107.13	0.00	03/19/2013	Software-Power Director		-	No		0000
101-410-1450-43180	Information Technology/Web									
	217281 Total:	107.13								
	CTYROSEV Total:	2,821.30								
DAMON Damon Farbar Associates	03/04/2013	8,219.24	0.00	03/19/2013	LE Theming Project (Jan - Feb Ser)		-	No		0000
23419	03/04/2013	8,219.24								
101-410-1910-43150	Contract Services									
	23419 Total:	8,219.24								
	DAMON Total:	8,219.24								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
DONALDSA Donald Salverda & Associates p-1302-6 03/01/2013 101-410-1320-44370 Conferences & Training p-1302-6 Total: DONALDSA Total:		600.00 600.00 600.00	0.00	03/19/2013	Leadership Growth Group (6 sess Jan- Nov)		-	No		0000
DPCINDUS DPC Industries, Inc. 827000269-13 02/26/2013 601-494-9400-42160 Chemicals 827000269-13 Total: 827000284-13 02/26/2013 601-494-9400-42160 Chemicals 827000284-13 Total: DPCINDUS Total:		105.81 105.81 487.81 487.81 593.62	0.00 0.00 0.00	03/19/2013 03/19/2013	Chlorine Flouride		-	No No		0000 0000
EMERGAPP Emergency Apparatus Maint. INC 66583 03/05/2013 101-420-2220-44040 Repairs/Maint Eqpt 66583 Total: EMERGAPP Total:		843.30 843.30 843.30	0.00	03/19/2013	Emergency pump repairs - EI		-	No		0000
ENVENTIS Enventis 3/13 03/01/2013 101-410-1940-43210 Telephone 3/13 Total: ENVENTIS Total:		53.89 53.89 53.89	0.00	03/19/2013	Phone Line Service-March		-	No		0000
FASTENAL Fastenal MNOAK2884,2885 01/11/2013 101-430-3100-42210 Equipment Parts MNOAK2884,2885 Total: FASTENAL Total:		15.99 15.99 15.99	0.00	03/19/2013	Hardware		-	No		0000
FIORILLO Fiorillo Megan 3/5 03/05/2013 101-410-1450-43620 Cable Operations 3/5 Total: FIORILLO Total:		55.00 55.00 55.00	0.00	03/19/2013	CO 3/5/13 CC Meeting (4 hours)		-	No		0000

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
FRANZ Franz Repographics										
116206	02/21/2013	423.23	0.00	03/19/2013	Plotter Ink			No		0000
101-410-1910-42000	Office Supplies									
	116206 Total:	423.23								
	FRANZ Total:	423.23								
GOPHER Gopher State One-Call										
63817	02/28/2013	37.65	0.00	03/19/2013	FTP Ticket & voice			No		0000
101-430-3100-43150	Contract Services									
	63817 Total:	37.65								
	GOPHER Total:	37.65								
JOHNNICK Johnson Nick										
3/5	03/05/2013	37.54	0.00	03/19/2013	Reimb. for purchase of shelf for plotter			No		0000
101-410-1910-42000	Office Supplies									
	3/5 Total:	37.54								
	JOHNNICK Total:	37.54								
JOHNSON& Johnson & Turner Attorneys										
27607	03/05/2013	22.50	0.00	03/19/2013	Legal Service - 3M			No		0000
601-494-9400-43040	Legal Services									
	27607 Total:	22.50								
27622	03/05/2013	4,260.50	0.00	03/19/2013	Legal Service - Prosecution			No		0000
101-420-2150-43045	Attorney Criminal									
	27622 Total:	4,260.50								
27984	03/05/2013	2,158.50	0.00	03/19/2013	Legal Service - Detachment Petition			No		0000
101-410-1320-43040	Legal Services									
	27984 Total:	2,158.50								
27986,27987	03/05/2013	4,693.00	0.00	03/19/2013	Legal Service - Civil (General)			No		0000
101-410-1320-43040	Legal Services									
	27986,27987 Total:	4,693.00								
	JOHNSON& Total:	11,134.50								
LARSON Larson Diesel Service, Corp										
130218008	02/18/2013	1,160.89	0.00	03/19/2013	New air tank and hyd hose 86-1			No		0000
101-430-3125-44040	Repairs/Maint Eqpt									
	130218008 Total:	1,160.89								
	LARSON Total:	1,160.89								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
LEAGMN League of MN Cities		299.00	0.00	03/19/2013	2013 Leadership Conf - Wally Nelson		-	No		0000
174087	03/13/2013	299.00								
101-410-1110-44370	Conferences & Training	299.00								
	174087 Total:	299.00								
	LEAGMN Total:	299.00								
LEOIL Lake Elmo Oil, Inc.		286.76	0.00	03/19/2013	Fuel(290001,298097,298037,350900,350891)		-	No		0000
2/13	03/13/2013	286.76								
101-430-3120-42120	Fuel, Oil and Fluids	286.76								
	2/13 Total:	211.25	0.00	03/19/2013	Fuel		-	No		0000
2/28	02/28/2013	211.25								
101-420-2220-42120	Fuel, Oil and Fluids	211.25								
	2/28 Total:	498.01								
	LEOIL Total:	498.01								
Lillie Newspapers Inc. Lillie Suburban		68.20	0.00	03/19/2013	2/13 Ordinance #08-067		-	No		0000
2/13	02/28/2013	68.20								
101-410-1320-43510	Legal Publishing	68.20								
2/13	02/28/2013	13.20	0.00	03/19/2013	2/13 Ordinance #08-068		-	No		0000
101-410-1320-43510	Legal Publishing	13.20								
2/13	02/28/2013	26.40	0.00	03/19/2013	2/13 Notice - Planning Commission		-	No		0000
101-410-1450-43510	Public Notices	26.40								
2/13	02/28/2013	63.80	0.00	03/19/2013	2/27 Notice - Olson Lake Trail		-	No		0000
101-410-1450-43510	Public Notices	63.80								
2/13	02/28/2013	13.20	0.00	03/19/2013	2/27 Ordinance #08-069		-	No		0000
101-410-1320-43510	Legal Publishing	13.20								
2/13	02/28/2013	33.00	0.00	03/19/2013	2/27 Ordinance #08-070		-	No		0000
101-410-1320-43510	Legal Publishing	33.00								
	2/13 Total:	217.80								
	Lillie Total:	217.80								
LOFF Loffler Companies, Inc.		371.98	0.00	03/19/2013	Copy machines Coverage & Base		-	No		0000
1534138	03/13/2013	371.98								
101-410-1940-44040	Repairs/Maint Contractual Eqpt	371.98								
	1534138 Total:	371.98								
	LOFF Total:	371.98								
MANKATOW Mankato Web Design		99.00	0.00	03/19/2013	Wordpress Update		-	No		0000
115	03/13/2013	99.00								
101-410-1450-43180	Information Technology/Web	99.00								
	115 Total:	99.00								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close PO Line #
3/13	03/13/2013	-85.00	0.00	03/19/2013	Remaining Credit		-	No		0000
101-410-1450-44040	Repairs/Maint Eqpt									
	3/13 Total:	-85.00								
	MANKATOW Total:	14.00								
<hr/>										
MENARDST Menards - Stillwater										
12534	03/13/2013	2.87	0.00	03/19/2013	Decon items (tax)		-	No		0000
101-420-2220-42400	Small Tools & Equipment									
12534	03/13/2013	1.58	0.00	03/19/2013	Station Cleaning items (tax)		-	No		0000
101-420-2220-44010	Repairs/Maint Bldg									
	12534 Total:	4.45								
	MENARDST Total:	4.45								
<hr/>										
MES Municipal Emergency Svs. Inc.										
00390686-SNV	02/28/2013	123.46	0.00	03/19/2013	Replacement O2 sensor for gas monitor		-	No		0000
101-420-2220-44040	Repairs/Maint Eqpt									
	00390686-SNV Total:	123.46								
	MES Total:	123.46								
<hr/>										
METCOU Metropolitan Council										
1011574	03/05/2013	1,484.55	0.00	03/19/2013	Monthly Wastewater Service - April		-	No		0000
602-495-9450-43820	Sewer Utility - Met Council									
	1011574 Total:	1,484.55								
	METCOU Total:	1,484.55								
<hr/>										
MFRA McCombs Frank Roos Assoc Inc.										
362	02/01/2013	45.00	0.00	03/19/2013	GIS Data Packaging 12-12-12		-	No		0000
101-410-1910-43150	Contract Services									
	362 Total:	45.00								
	MFRA Total:	45.00								
<hr/>										
MSFCB MN Fire Service Cert. Board										
3-12	03/01/2013	240.00	0.00	03/19/2013	FFH Recert for 12 members@ \$20 each		-	No		0000
101-420-2220-44370	Conferences & Training									
	3-12 Total:	240.00								
	MSFCB Total:	240.00								
<hr/>										
MURRYREN Murry Renee										
3/13	03/13/2013	81.45	0.00	03/19/2013	Books for Collection - Reimbursement		-	No		0000
206-450-5300-42500	Library Collection Maintenance									

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
	3/13 Total:	81.45								
	MURRYREN Total:	81.45								
<hr/>										
NAPA NAPA Auto Parts										
741906	03/04/2013	42.83	0.00	03/19/2013	Wiper Blades		-	No		0000
101-420-2220-44040	Repairs/Maint Eqpt									
	741906 Total:	42.83								
741911	03/04/2013	-2.14	0.00	03/19/2013	Returned Wiper Blades		-	No		0000
101-420-2220-44040	Repairs/Maint Eqpt									
	741911 Total:	-2.14								
	NAPA Total:	40.69								
<hr/>										
NORTHSEC Northland Securities, Inc.										
3228	03/13/2013	3,000.00	0.00	03/19/2013	Sewer/Water Expansion Analysis		-	No		0000
101-410-1520-43150	Contract Services									
	3228 Total:	3,000.00								
	NORTHSEC Total:	3,000.00								
<hr/>										
PINKY Pinky's Sewer Service, Inc.										
65672	03/01/2013	100.00	0.00	03/19/2013	Pumped 2 septic tanks		-	No		0000
206-450-5300-44010	Repairs/Maint Bldg									
	65672 Total:	100.00								
	PINKY Total:	100.00								
<hr/>										
PIONEERP Pioneer Press										
213520397	03/12/2013	1,225.60	0.00	03/19/2013	City Notices/Public Hearings (2/1-		-	No		0000
101-410-1450-43510	Public Notices				2/28)					
	213520397 Total:	1,225.60								
	PIONEERP Total:	1,225.60								
<hr/>										
POSTOFFI Postmaster										
3/12	03/12/2013	499.84	0.00	03/19/2013	Postage for Spring Source Newsletter		-	No		0000
101-410-1450-43090	Newsletter									
	3/12 Total:	499.84								
	POSTOFFI Total:	499.84								
<hr/>										
REEDKATR Reed Katrina										
march19	03/13/2013	96.00	0.00	03/19/2013	Daycare Expense Reimb		-	No		0000
101-000-0000-21710	Health HSA									
	march19 Total:	96.00								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
	REEDKATR Total:	96.00								
RIVR	COOP River Country Cooperative									
2/13	02/28/2013	345.48	0.00	03/19/2013	Fuel		-	No		0000
101-420-2220-42120	Fuel, Oil and Fluids									
	2/13 Total:	345.48								
	RIVR	COOP Total:								
		110.22	0.00	03/19/2013	City Clerk & Mayor Business Cards		-	No		0000
S&T	S&T Office Products, Inc.									
01PQ2011	01/28/2013	110.22	0.00	03/19/2013	City Clerk & Mayor Business Cards		-	No		0000
101-410-1320-42000	Office Supplies									
	01PQ2011 Total:	110.22								
01PQ3303	02/11/2013	207.70	0.00	03/19/2013	City Council Business Cards		-	No		0000
101-410-1110-42000	Office Supplies									
01PQ3303	02/11/2013	-16.02	0.00	03/19/2013	Admin-Headphones Credit memo		-	No		0000
101-410-1320-42000	Office Supplies									
	01PQ3303 Total:	191.68								
01PQ6988	02/19/2013	61.65	0.00	03/19/2013	City Administrator Business Cards		-	No		0000
101-410-1320-42000	Office Supplies									
	01PQ6988 Total:	61.65								
01PR0825	02/27/2013	14.37	0.00	03/19/2013	City Council Name Plate -Wally Nelson		-	No		0000
101-410-1110-42000	Office Supplies									
	01PR0825 Total:	14.37								
	S&T Total:	377.92								
SABRE	Sabre Plumbing,Heating&A/C									
3/13	03/13/2013	155.00	0.00	03/19/2013	Void Building Permit #8797		-	No		0000
101-000-0000-32220	Heating Permits									
3/13	03/13/2013	155.00	0.00	03/19/2013	Void Building Permit #8798		-	No		0000
101-000-0000-32230	Plumbing Permits									
	3/13 Total:	310.00								
	SABRE Total:	310.00								
SCHWAAB	Schwaab, Inc.									
c84573	02/18/2013	75.07	0.00	03/19/2013	Notary Stamp and 2 books		-	No		0000
101-410-1320-42000	Office Supplies									
	c84573 Total:	75.07								
	SCHWAAB Total:	75.07								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
SENNYOUN SENN & YOUNGDAHL										
3/6	03/06/2013	1,000.00	0.00	03/19/2013	Refund of Escrow 9901 Tapestry Grove		-	No		0000
803-000-0000-22900	Deposits Payable	1,000.00								
	3/6 Total:	1,000.00								
	SENNYOUN Total:	1,000.00								
SHI SHI International										
b00963484	02/27/2013	218.54	0.00	03/19/2013	Acrobat & Acrobat Pro - Admin		-	No		0000
101-410-1320-43190	Software Programs	128.54	0.00	03/19/2013	Acrobat Pro-Finance		-	No		0000
b00963484	02/27/2013	269.96	0.00	03/19/2013	Acrobat - Planning		-	No		0000
101-410-1520-43190	Software Programs	617.04								
b00963484	02/27/2013	617.04								
101-410-1910-43190	Software Programs									
b00963484	Total:	617.04								
	SHI Total:	617.04								
SMITHSCH Smith Schafer & Associates,LTD										
MWD26171	02/28/2013	5,875.00	0.00	03/19/2013	Interim billing year end audit		-	No		0000
101-410-1520-43010	Audit Services	5,875.00								
	MWD26171 Total:	5,875.00								
	SMITHSCH Total:	5,875.00								
SW/WC SW/WC Service Cooperatives										
3/25	02/26/2013	19,764.00	0.00	03/19/2013	April 2013 insurance premiums		-	No		0000
101-000-0000-21706	Medical Insurance	19,764.00								
	3/25 Total:	19,764.00								
	SW/WC Total:	19,764.00								
TASCH T.A. Schifsky & Sons Inc										
54563	03/04/2013	137.55	0.00	03/19/2013	Asphalt		-	No		0000
101-430-3120-42240	Street Maintenance Materials	137.55								
	54563 Total:	137.55								
	TASCH Total:	137.55								
TKDA TKDA, Inc.										
002013000355	03/01/2013	7,398.68	0.00	03/19/2013	Keats MSA Street (57%)		-	No		0000
409-480-8000-43030	Engineering Services	5,581.46	0.00	03/19/2013	Keats Trunk Watermain (43%)		-	No		0000
002013000355	03/01/2013	12,980.14								
601-494-9400-43030	Engineering Services									
	002013000355 Total:	12,980.14								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close PO Line #
	TKDA Total:	12,980.14								
TOWNCTRY Town & Country Cleaning Co										
313466	03/01/2013	283.22	0.00	03/19/2013	March Janitorial Services		-	No		0000
101-410-1940-44010	Repairs/Main Contractual Bldg									
	313466 Total:	283.22								
313506	03/13/2013	187.47	0.00	03/19/2013	March Janitorial Service - Library		-	No		0000
206-450-5300-44010	Repairs/Main Bldg									
	313506 Total:	187.47								
TOWNCTRY Total:		470.69								
UOFMN University of Minnesota										
3/4	03/04/2013	85.00	0.00	03/19/2013	Tree Inspector School & exam		-	No		0000
101-450-5200-44300	Miscellaneous									
	3/4 Total:	85.00								
UOFMN Total:		85.00								
VISALE40 Visa										
3/13	03/01/2013	339.09	0.00	03/19/2013	GTS Conference		-	No		0000
101-420-2220-44370	Conferences & Training									
	3/13 Total:	339.09								
VISALE40 Total:		339.09								
WASH-REC Washington County										
3/4	03/01/2013	184.00	0.00	03/19/2013	Recorder/Registrar Documents from Cty		-	No		0000
101-410-1910-42030	Printed Forms									
	3/4 Total:	184.00								
WASH-REC Total:		184.00								
WASHHLTH Washington Cty -Health & Safety										
11226	03/07/2013	160.00	0.00	03/19/2013	Hazardous Waste Generator License		-	No		0000
101-430-3100-44330	Dues & Subscriptions									
	11226 Total:	160.00								
WASHHLTH Total:		160.00								
WITTER Witter Nicholas										
2/13	03/04/2013	99.44	0.00	03/19/2013	Mileage to Officer Class		-	No		0000
101-420-2220-43310	Mileage									
	2/13 Total:	99.44								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close PO Line #
WITTER Total:		99.44								
XCEL Xcel Energy										
51-0117417-0	03/13/2013	28.21	0.00	03/19/2013	Welcome Sign		-	No		0000
101-430-3160-43810	Street Lighting									
51-0117417-0	Total:	28.21								
51-0630620-5	03/13/2013	690.32	0.00	03/19/2013	Library		-	No		0000
206-450-5300-43810	Electric Utility									
51-0630620-5	Total:	690.32								
51-4504807-7	03/13/2013	191.35	0.00	03/19/2013	Lights at Legion Park		-	No		0000
101-450-5200-43810	Electric Utility									
51-4504807-7	Total:	33.28								
602-495-9450-43810	Electric Utility									
51-4504807-7	Total:	80.88								
101-430-3160-43810	Street Lighting									
51-4504807-7	Total:	305.51								
51-4576456-3	03/13/2013	1,237.18	0.00	03/19/2013	Fire Station 2		-	No		0000
101-420-2220-43810	Electric Utility									
51-4576456-3	Total:	1,237.18								
51-4580376-5	03/13/2013	418.80	0.00	03/19/2013	City Hall		-	No		0000
101-410-1940-43810	Electric Utility									
51-4580376-5	Total:	30.25								
101-430-3160-43810	Street Lighting									
51-4580376-5	Total:	882.74								
101-410-1940-43810	Electric Utility									
51-4580376-5	Total:	1,331.79								
51-4733556-8	03/13/2013	11.19	0.00	03/19/2013	Tennis Court		-	No		0000
101-450-5200-43810	Electric Utility									
51-4733556-8	Total:	11.19								
51-5044219-0	03/13/2013	324.92	0.00	03/19/2013	Parks Building		-	No		0000
101-450-5200-43810	Electric Utility									
51-5044219-0	Total:	324.92								
51-5275289-3	03/13/2013	22.69	0.00	03/19/2013	Pebble Park		-	No		0000
101-450-5200-43810	Electric Utility									
51-5275289-3	Total:	22.69								
51-5356323-8	03/13/2013	1,577.47	0.00	03/19/2013	Well 1 and 2		-	No		0000
601-494-9400-43810	Electric Utility									
51-5356323-8	Total:	1,577.47								
51-5522332-2	03/13/2013	45.69	0.00	03/19/2013	Traffic Lights 998 Inwood		-	No		0000
101-430-3160-43810	Street Lighting									
51-5522332-2	Total:	45.69								
51-5916043-7	03/13/2013	20.49	0.00	03/19/2013	Lift Station		-	No		0000
602-495-9450-43810	Electric Utility									
51-5916043-7	Total:	20.49								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
51-6429583-8	03/13/2013	18.14	0.00	03/19/2013	Lift Station		-	No		0000
602-495-9450-43810	Electric Utility									
	51-6429583-8 Total:	18.14								
51-6433976-2	03/13/2013	598.61	0.00	03/19/2013	Fire Station 1		-	No		0000
101-420-2220-43810	Electric Utility									
	51-6433976-2 Total:	598.61								
51-6625457-1	03/13/2013	384.21	0.00	03/19/2013	Legion Park		-	No		0000
101-450-5200-43810	Electric Utility									
	51-6625457-1 Total:	384.21								
51-6736544-2	03/13/2013	2,074.31	0.00	03/19/2013	Street Lights		-	No		0000
101-430-3160-43810	Street Lighting									
	51-6736544-2 Total:	2,074.31								
51-6928283-3	03/13/2013	28.54	0.00	03/19/2013	Manning & Stillwater lights		-	No		0000
101-430-3160-43810	Street Lighting									
	51-6928283-3 Total:	28.54								
51-7538112-1	03/13/2013	2,699.03	0.00	03/19/2013	Public Works		-	No		0000
101-430-3100-43810	Electric Utility									
	51-7538112-1 Total:	2,699.03								
51-8126093-5	03/13/2013	177.73	0.00	03/19/2013	Water Tower 2		-	No		0000
601-494-9400-43810	Electric Utility									
	51-8126093-5 Total:	177.73								
51-8711719-3	03/13/2013	12.35	0.00	03/19/2013	Speed Sign Hwy 5		-	No		0000
101-430-3160-43810	Street Lighting									
	51-8711719-3 Total:	12.35								
	XCEL Total:	11,588.38								
YALEMECH Yale Mechanical										
136561	02/27/2013	5,849.00	0.00	03/19/2013	Replace 2 heaters at Station #1		-	No		0000
101-420-2220-44010	Repairs/Maint Bldg									
	136561 Total:	5,849.00								
136789	02/22/2013	2,395.88	0.00	03/19/2013	Hot water system repairs		-	No		0000
206-450-5300-44010	Repairs/Maint Bldg									
	136789 Total:	2,395.88								
	YALEMECH Total:	8,244.88								
YOCUM Yocum Oil Company, Inc.										
216087	02/22/2013	160.69	0.00	03/19/2013	Bulk Oil Tanks		-	No		0000
101-430-3100-44010	Repairs/Maint Bldg									
	216087 Total:	160.69								
	YOCUM Total:	160.69								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
ZIERTMAN Joan Ziertman										
2-2013	03/04/2013	332.50	0.00	03/19/2013	Feb Clerical Services (20%)		-			No 0000
601-494-9400-43150	Contract Services									
2-2013	03/04/2013	83.13	0.00	03/19/2013	Feb Clerical Services (5%)		-			No 0000
602-495-9450-43150	Contract Services									
2-2013	03/04/2013	831.25	0.00	03/19/2013	Feb Clerical Services (50%)		-			No 0000
603-496-9500-43150	Contract Services									
2-2013	03/04/2013	415.62	0.00	03/19/2013	Feb Clerical Services (25%)		-			No 0000
101-410-1520-43150	Contract Services									
	2-2013 Total:	1,662.50								
	ZIERTMAN Total:	1,662.50								
	Report Total:	136,821.97								

Accounts Payable To Be Paid Proof List

User: mike g
 Printed: 03/07/2013 - 12:41 PM
 Batch: 003-03-2013

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
BECKER Becker Fire and Safety, LLC										
758	01/09/2013	26.80	0.00	03/07/2013	Annual Fire Extingisher insp - City Hall		-	No		0000
101-410-1940-44010	Repairs/Maint Contractual Bldg									
	758 Total:	26.80								
759	01/09/2013	154.38	0.00	03/07/2013	Annual Fire Extingisher insp - Fire		-	No		0000
101-420-2220-44040	Repairs/Maint Eqpt									
	759 Total:	154.38								
760	01/09/2013	356.51	0.00	03/07/2013	Annual Fire Extingisher insp - Pub. Work		-	No		0000
101-430-3100-44010	Repairs/Maint Bldg									
	760 Total:	356.51								
	BECKER Total:	537.69								
REEDKATR Reed Katrina										
3/5/2013	03/07/2013	96.00	0.00	03/07/2013	Daycare Expense Reimbursement		-	No		0000
101-000-0000-21710	Health HSA									
	3/5/2013 Total:	96.00								
	REEDKATR Total:	96.00								
	Report Total:	633.69								

Accounts Payable To Be Paid Proof List

User: mike g
 Printed: 03/04/2013 - 11:52 AM
 Batch: 001-03-2013

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
NCPERS 566200-NCPERS Minnesota 562313	03/01/2013	112.00	0.00	03/05/2013	March 2013 Deductions		-	No		0000
101-000-0000-21708 Other Benefits		112.00								
	562313 Total:	112.00								
	NCPERS Total:	112.00								
SW/WC SW/WC Service Cooperatives 3/4	01/29/2013	21,897.00	0.00	03/05/2013	March 2013 Insurance Premiums		-	No		0000
101-000-0000-21706 Medical Insurance		21,897.00								
	3/4 Total:	21,897.00								
	SW/WC Total:	21,897.00								
	Report Total:	22,009.00								

Accounts Payable To Be Paid Proof List

User: mike g
Printed: 03/08/2013 - 11:49 AM
Batch: 004-03-2013

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close	POLine #
SPRINGB Springbrook Software inv23893 101-410-1520-43150 Contract Services	03/08/2013	4,878.96	0.00	03/08/2013	Reissue check #39414 (annual 1/13-12/13)		-	No			0000
inv23893 Total:		4,878.96									
SPRINGB Total:		4,878.96									
Report Total:		4,878.96									



MAYOR AND COUNCIL COMMUNICATION

DATE: 3/19/2013
CONSENT
ITEM #: 4
MOTION

AGENDA ITEM: February 2013 Financial Reporting

SUBMITTED BY: Cathy Bendel, Finance Director

THROUGH: Dean Zuleger, City Administrator

REVIEWED BY: Dean Zuleger, City Administrator

SUMMARY AND ACTION REQUESTED: As part of its Consent Agenda, The City Council is asked to accept the February 2013 Financial Reporting Packet. 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 operations and report the financial (unaudited) statement to the City Council. City guidelines suggest the Council be updated on a regular basis.

STAFF REPORT: Attached please find a report for February reflecting the monthly detail supporting the year to date actual results and comparing those results to the 2013 Budget. The report has been enhanced to now report upon the monthly results in addition to the year to date results.

The most significant variances are highlighted below:

Revenues:

- Building Permit revenue for the month exceeded budget by 102%. As mentioned in previous months, the growth trend has continued even during winter.
- As reported last month, the MSA maintenance fee reimbursement was budgeted to be received in January but it was actually be received in February.
- Plan review fees continue to be strong with the new housing increased activity and are 93% above budget for the month and 73% above budget year to date.

Expenses:

Most departments are below budget for the month as all Departments continue to be very cost conscious. A few key items to note:

- Some recurring expense items showed zero for January a result of moving the expense back to December for the December expenses paid in January. As a result, the year to date numbers look low due to some expense items only including one month of expense.
- Unemployment Benefits and Workers Compensation are expensed as those benefits are paid out to claimants. However, in compiling the budget, amounts were included for each in January as a placeholder.
- The dues and subscription expense reflected for the Mayor & Council represents the annual cost for memberships in the League of Minnesota Cities (\$6,958) and the Association of Metropolitan Municipalities (\$3,381). The memberships were budgeted later in the year based on when they were paid last year.
- We were able to publish the newsletter earlier than anticipated so the expense hit in February rather than March when it was budgeted.
- The annual accounting software maintenance expense (Springbrook) was paid for in January but was budgeted for in March based on when it was paid in 2012.
- As mentioned last month, the small tools and equipment account includes \$9,048 which will be 100% reimbursed by WA County grant monies for the purchase of laptop equipment for the fire vehicles. The invoice has been submitted to WA County and the payment is expected to be received in March.
- Please note that the salary expenses are based on more accurate departmental allocations than we had back in August when the budget was initially compiled. As a result, some departments are above budget, while others are under but overall, personnel expenses are below budget.
- The Public Works has done an excellent job managing resources to the budget even with the continual weather challenges this year.

RECOMMENDATION: It is recommended that the City Council receive the February monthly Financial Reporting Packet *as part of tonight's Consent Agenda.*

Alternately, the City Council does have the authority to remove this item from the Consent Agenda and further discuss and review.

ATTACHMENTS:

1. February Financial Reports

EXPENSE

1110 - Mayor & Council

PT Salaries	0.00	0.00	0.00	0.00	0.00	0.00%
FICA Contributions	0.00	0.00	0.00	0.00	0.00	0.00%
Medicare Contributions	0.00	0.00	0.00	0.00	0.00	0.00%
Workers Compensation	0.00	0.00	36.00	0.00	36.00	0.00%
Mileage	0.00	0.00	0.00	0.00	0.00	0.00%
Miscellaneous	0.00	0.00	0.00	0.00	0.00	0.00%
Dues & Subscriptions	0.00	10,339.00	10,339.00	(6,948.00)	(6,948.00)	-204.90%
Conferences & Training	0.00	598.00	1,196.00	(1,041.00)	(1,041.00)	-671.61%
Total Mayor & Council	0.00	10,937.00	11,535.00	(7,953.00)	(7,953.00)	-222.03%

1320 - Administration

FT Salaries	17,718.94	11,166.64	27,332.64	(167.08)	(167.08)	-0.62%
PERA Contributions	1,154.12	711.84	1,883.87	(44.90)	(44.90)	-2.44%
ICMA Contributions	0.00	0.00	0.00	0.00	0.00	0.00%
FICA Contributions	1,064.66	637.00	1,577.78	59.85	59.85	3.65%
Medicare Contributions	249.01	148.98	369.01	14.01	14.01	3.66%
Health/Dental Insurance	3,127.60	2,611.00	5,222.00	1,033.20	1,033.20	16.52%
Unemployment Benefits	0.00	0.00	0.00	0.00	0.00	0.00%
Workers Compensation	0.00	0.00	0.00	1,396.00	1,396.00	100.00%
Office Supplies	492.70	655.44	783.24	305.05	305.05	28.03%
Printed Forms	0.00	0.00	0.00	0.00	0.00	0.00%
Legal Services	4,000.00	4,941.50	4,941.50	3,058.50	3,058.50	38.23%
Newsletter/Website	0.00	0.00	0.00	0.00	0.00	0.00%
Assessing Services	2,000.00	2,000.00	2,000.00	2,000.00	2,000.00	50.00%
Contract Services	0.00	0.00	0.00	0.00	0.00	0.00%
Postage	300.00	300.00	799.10	(199.10)	(199.10)	-33.18%
Mileage	150.00	150.00	150.00	150.00	150.00	50.00%
Legal Publishing	0.00	20.57	319.82	(319.82)	(319.82)	0.00%
Insurance	400.00	0.00	253.00	547.00	547.00	68.38%
Cable Operation Expense	0.00	0.00	0.00	0.00	0.00	0.00%
Miscellaneous	100.00	119.39	119.39	80.61	80.61	40.31%
Dues & Subscriptions	100.00	20.00	245.00	(45.00)	(45.00)	-22.50%
Books	0.00	0.00	0.00	0.00	0.00	0.00%
Conferences & Training	0.00	35.00	395.00	(395.00)	(395.00)	0.00%
Staff Development	0.00	0.00	0.00	0.00	0.00	0.00%
Total Administration	30,857.03	23,517.36	46,391.35	7,473.32	7,473.32	13.87%

1410 - Elections

PT Salaries	0.00	0.00	0.00	0.00	0.00	0.00%
Office Supplies	0.00	0.00	0.00	0.00	0.00	0.00%
Legal Publications/Notification	0.00	0.00	0.00	0.00	0.00	0.00%
Election Equipment	0.00	0.00	0.00	0.00	0.00	0.00%
Equipment Repair	150.00	150.00	150.00	150.00	150.00	100.00%
County Election Fees	940.00	940.00	940.00	940.00	940.00	100.00%
Printed Forms	0.00	0.00	0.00	0.00	0.00	0.00%
Miscellaneous	100.00	100.00	100.00	100.00	100.00	100.00%
Total Elections	1,190.00	0.00	1,190.00	0.00	1,190.00	100.00%

1450 - Communications

FT Salaries	2,916.67	1,437.84	1,478.83	2,437.44	3,395.89	58.22%
PERA Contributions	211.46	104.24	107.22	176.71	246.21	58.22%
FICA Contributions	180.83	86.31	94.52	146.47	215.20	59.50%
Medicare Contributions	42.29	20.18	22.11	34.25	50.33	59.51%
Health/Dental Insurance	0.00	272.00	(272.00)	544.00	(544.00)	0.00%
Workers Compensation	0.00	0.00	0.00	0.00	56.00	100.00%
Newsletter	0.00	2,228.34	(2,228.34)	2,228.34	(2,228.34)	0.00%
Office Supplies	0.00	47.86	(47.86)	47.86	(47.86)	0.00%
Info Technology/Web	2,000.00	3,932.12	(1,932.12)	5,584.20	(1,584.20)	-39.61%
Telephone	250.00	64.60	185.40	64.60	435.40	87.08%
Public Notices	200.00	0.00	200.00	499.84	(99.84)	-24.96%
Cable Operations	275.00	296.31	(21.31)	351.31	198.69	36.13%
Repair/Maint Equipment	0.00	56.50	(56.50)	56.50	(56.50)	0.00%
Total Communications	6,076.25	8,546.30	(2,470.05)	12,171.52	36.98	0.30%

1520 - Finance

FT Salaries	4,576.40	6,805.68	(2,229.28)	11,816.16	(2,663.36)	-29.10%
PERA Contributions	331.79	493.41	(161.62)	856.67	(193.09)	-29.10%
FICA Contributions	283.74	400.42	(116.68)	698.29	(130.82)	-23.05%
Medicare Contributions	66.36	93.65	(27.29)	163.32	(30.60)	-23.06%
Health/Dental Insurance	718.02	1,088.00	(369.98)	2,176.00	(739.96)	-51.53%
Unemployment Benefits	0.00	0.00	0.00	0.00	0.00	0.00%
Workers Compensation	0.00	0.00	0.00	0.00	0.00	0.00%
Office Supplies	0.00	18.66	(18.66)	18.66	(18.66)	0.00%
Printed Forms	150.00	0.00	150.00	0.00	150.00	100.00%
Audit Services	0.00	0.00	0.00	0.00	0.00	0.00%
Contract Services	0.00	689.06	(689.06)	5,568.02	(5,568.02)	0.00%
Software Programs	0.00	0.00	0.00	0.00	0.00	0.00%
Mileage	0.00	0.00	0.00	0.00	0.00	0.00%
Miscellaneous	1,500.00	0.00	1,500.00	0.00	1,500.00	100.00%
Dues & Subscriptions	0.00	0.00	0.00	0.00	0.00	0.00%
Conferences & Training	400.00	35.00	365.00	35.00	365.00	91.25%
Total Finance	8,026.30	9,623.88	(1,597.58)	21,332.12	(7,329.52)	-52.34%

1910 - Planning & Zoning

FT Salaries	8,278.95	9,839.60	(1,560.65)	-18.85%	16,557.90	17,966.40	(1,408.50)	-8.51%
PERA Contributions	600.22	713.39	(113.17)	-18.85%	1,200.45	1,302.58	(102.13)	-8.51%
FICA Contributions	513.29	584.46	(71.17)	-13.86%	1,026.59	1,067.68	(41.09)	-4.00%
Medicare Contributions	120.04	136.70	(16.66)	-13.87%	240.09	249.71	(9.62)	-4.01%
Health/Dental Insurance	886.48	1,656.00	(769.52)	-86.81%	1,772.97	3,312.00	(1,539.03)	-86.81%
Workers Compensation	0.00	0.00	0.00	0.00%	500.00	0.00	500.00	100.00%
Office Supplies	50.00	676.91	(626.91)	-1253.82%	100.00	903.01	(803.01)	-803.01%
Printed Forms	0.00	0.00	0.00	0.00%	0.00	0.00	0.00	0.00%
Engineering Services	1,500.00	2,321.00	(821.00)	-54.73%	3,000.00	2,321.00	679.00	22.63%
Contract Services	0.00	2,392.50	(2,392.50)	0.00%	0.00	2,392.50	(2,392.50)	0.00%
Mileage	30.00	0.00	30.00	100.00%	60.00	0.00	60.00	100.00%
Miscellaneous	20.00	18.20	1.80	9.00%	40.00	18.20	21.80	54.50%
Dues & Subscriptions	0.00	0.00	0.00	0.00%	0.00	0.00	0.00	0.00%
Books	0.00	0.00	0.00	0.00%	0.00	0.00	0.00	0.00%
Conferences & Training	0.00	0.00	0.00	0.00%	0.00	0.00	0.00	0.00%
Total Planning & Zoning	11,999.00	18,338.76	(6,339.76)	-52.84%	24,498.00	29,533.08	(5,035.08)	-20.55%

1930 - Engineering Services

Engineering Services	5,000.00	3,536.24	1,463.76	29.28%	10,000.00	3,536.24	6,463.76	64.64%
Total Engineering Services	5,000.00	3,536.24	1,463.76	29.28%	10,000.00	3,536.24	6,463.76	64.64%

1940 - City Hall

Cleaning Supplies	50.00	0.00	50.00	100.00%	100.00	0.00	100.00	100.00%
Building Repair Supplies	75.00	0.00	75.00	100.00%	150.00	0.00	150.00	100.00%
Telephone	800.00	181.68	618.32	77.29%	1,600.00	235.67	1,364.33	85.27%
Utilities	900.00	1,444.49	(544.49)	-60.50%	1,800.00	1,444.49	355.51	19.75%
Refuse	108.32	108.32	0.00	0.00%	216.64	108.32	108.32	50.00%
Repairs/Maint Contractual Bldg	700.00	571.25	128.75	18.39%	1,400.00	1,181.76	218.24	15.59%
Repairs/Maint Contractual Equip	400.00	0.00	400.00	100.00%	800.00	0.00	800.00	100.00%
Miscellaneous	75.00	47.92	27.08	36.11%	150.00	47.92	102.08	68.05%
Total City Hall	3,108.32	2,353.66	754.66	24.28%	6,216.64	3,018.16	3,198.48	51.45%

Total General Government

	66,256.90	76,853.20	(10,596.30)	-15.99%	125,562.41	127,517.47	(1,955.06)	-1.56%
--	------------------	------------------	--------------------	----------------	-------------------	-------------------	-------------------	---------------

DEPT 420 - PUBLIC SAFETY

2100 - Police

Law Enforcement Contract	0.00	634.22	(634.22)	0.00%
Total Police	0.00	634.22	(634.22)	0.00%

2150 - Prosecution

Attorney Criminal	4,250.00	4,250.00	0.00	0.00%
Total Prosecution	4,250.00	4,250.00	0.00	0.00%

2220 - Fire

FT Salaries	6,000.00	5,686.40	313.60	5.23%
PT Salaries	10,000.00	6,626.38	3,373.62	33.74%
PERA Contributions	1,160.00	940.37	219.63	18.93%
FICA Contributions	992.00	366.89	625.11	63.02%
Medicare Contributions	232.00	172.43	59.57	25.68%
Health/Dental Insurance	1,276.70	1,142.00	134.70	10.55%
Unemployment Benefits	0.00	0.00	0.00	0.00%
Workers Compensation	0.00	0.00	0.00	0.00%
Office Supplies	0.00	155.92	(155.92)	0.00%
EMS Supplies	0.00	253.50	(253.50)	0.00%
Fire Prevention	0.00	0.00	0.00	0.00%
Fuel, Oil & Fluids	1,122.00	858.87	263.13	23.45%
Small Tools & Equip	6,200.00	547.72	5,652.28	91.17%
Physicals	0.00	100.00	(100.00)	0.00%
Telephone	250.00	269.71	(19.71)	-7.88%
Radio	100.00	239.40	(139.40)	-139.40%
Mileage	0.00	0.00	0.00	0.00%
Vehicle Insurance	0.00	0.00	0.00	0.00%
Electric Utility	900.00	1,879.02	(979.02)	-108.78%
Refuse	47.68	47.68	0.00	0.00%
Repair/Maint Bldg	376.30	974.64	(598.34)	-159.01%
Repair/Maint Equip	575.00	2,150.51	(1,575.51)	-274.00%
Uniforms	150.00	242.88	(92.88)	-61.92%
Miscellaneous	75.00	198.71	(123.71)	-164.95%
Dues & Subscriptions	1,300.00	1,574.00	(274.00)	-21.08%
Books	0.00	0.00	0.00	0.00%
Conferences & Training	2,800.00	481.19	2,318.81	82.81%
Total Fire	33,556.68	24,908.22	8,648.46	25.77%

2250 - Fire Relief

Fire State Aid	0.00	0.00	0.00	0.00%
Total Fire Relief	0.00	0.00	0.00	0.00%

0.00	634.22	(634.22)	0.00%
0.00	634.22	(634.22)	0.00%

8,500.00	4,250.00	4,250.00	50.00%
8,500.00	4,250.00	4,250.00	50.00%

12,000.00	10,874.40	1,125.60	9.38%
20,000.00	26,127.60	(6,127.60)	-30.64%
2,320.00	1,813.42	506.58	21.84%
1,984.00	1,508.34	475.66	23.97%
464.00	524.79	(60.79)	-13.10%
2,553.39	2,284.00	269.39	10.55%
0.00	0.00	0.00	0.00%
10,130.00	0.00	10,130.00	0.00%
0.00	155.92	(155.92)	0.00%
0.00	253.50	(253.50)	0.00%
0.00	0.00	0.00	0.00%
2,244.00	858.87	1,385.13	61.73%
8,200.00	9,595.81	(1,395.81)	-17.02%
300.00	100.00	200.00	0.00%
500.00	269.71	230.29	46.06%
100.00	239.40	(139.40)	-139.40%
0.00	0.00	0.00	0.00%
0.00	0.00	0.00	0.00%
1,800.00	1,879.02	(79.02)	-4.39%
95.36	47.68	47.68	50.00%
752.60	974.64	(222.04)	-29.50%
7,956.00	2,150.51	5,805.49	72.97%
300.00	242.88	57.12	19.04%
150.00	198.71	(48.71)	-32.47%
1,600.00	2,210.00	(610.00)	-38.13%
0.00	0.00	0.00	0.00%
10,700.00	626.19	10,073.81	94.15%
84,149.35	62,935.39	21,213.96	25.21%

0.00	0.00	0.00	0.00%
0.00	0.00	0.00	0.00%

2400 - Building Inspection

FT Salaries	5,747.36	6,674.00	(926.64)	-16.12%	11,494.72	12,879.20	(1,384.48)	-12.04%
PERA Contributions	326.71	483.86	(157.15)	-48.10%	577.82	933.75	(355.93)	-61.60%
FICA Contributions	271.10	388.50	(117.40)	-43.31%	479.61	750.14	(270.53)	-56.41%
Medicare Contributions	63.40	90.86	(27.46)	-43.31%	112.17	175.44	(63.27)	-56.41%
Health/Dental Insurance	767.49	1,414.00	(646.51)	-84.24%	1,534.98	2,828.00	(1,293.02)	-84.24%
Unemployment Benefits	0.00	0.00	0.00	0.00%	0.00	0.00	0.00	0.00%
Workers Compensation	0.00	0.00	0.00	0.00%	1,000.00	0.00	1,000.00	0.00%
Office Supplies	0.00	200.60	(200.60)	0.00%	0.00	200.60	(200.60)	0.00%
Printed Forms	0.00	0.00	0.00	0.00%	0.00	0.00	0.00	0.00%
Fuel, Oil & Fluids	0.00	54.68	(54.68)	0.00%	0.00	54.68	(54.68)	0.00%
Engineering	500.00	630.00	(130.00)	-26.00%	1,000.00	630.00	370.00	37.00%
Surcharge Pmts	0.00	0.00	0.00	0.00%	0.00	0.00	0.00	0.00%
Inspector Contract Services	0.00	86.00	(86.00)	0.00%	0.00	86.00	(86.00)	0.00%
Telephone	18.00	50.07	(32.07)	-178.17%	36.00	50.07	(14.07)	-39.08%
Mileage	0.00	0.00	0.00	0.00%	0.00	0.00	0.00	0.00%
Insurance	0.00	0.00	0.00	0.00%	0.00	0.00	0.00	0.00%
Repairs/Maint Equip	0.00	0.00	0.00	0.00%	0.00	0.00	0.00	0.00%
Uniforms	0.00	0.00	0.00	0.00%	0.00	0.00	0.00	0.00%
Miscellaneous	0.00	26.64	(26.64)	0.00%	0.00	86.38	(86.38)	0.00%
Dues & Subscriptions	0.00	0.00	0.00	0.00%	0.00	26.64	(26.64)	0.00%
Books	0.00	0.00	0.00	0.00%	0.00	0.00	0.00	0.00%
Conferences & Training	0.00	0.00	0.00	0.00%	0.00	0.00	0.00	0.00%
Total Building Inspections	7,694.06	10,099.21	(2,405.15)	-31.26%	16,235.30	18,980.90	(2,745.60)	-16.91%

2500 - Emergency Communications

Contract Services	0.00	0.00	0.00	0.00%	0.00	0.00	0.00	0.00%
Total Emergency Communicatic	0.00	0.00	0.00	0.00%	0.00	0.00	0.00	0.00%

2700 - Animal Control

Printed Forms	0.00	0.00	0.00	0.00%	0.00	0.00	0.00	0.00%
Contract Services	550.00	500.00	50.00	9.09%	1,100.00	500.00	600.00	54.55%
Miscellaneous	0.00	30.00	(30.00)	0.00%	0.00	30.00	(30.00)	0.00%
Total Animal Control	550.00	530.00	20.00	3.64%	1,100.00	530.00	570.00	51.82%
Total Public Safety	46,050.74	40,421.65	5,629.09	12.22%	109,984.66	87,330.51	22,654.15	20.60%

DEPT 430 - PUBLIC WORKS

3100 - Public Works

FT Salaries	10,700.00	13,581.53	(2,881.53)	-26.93%	21,400.00	25,120.03	(3,720.03)	-17.38%
PT Salaries	0.00	327.13	(327.13)	0.00%	0.00	666.71	(666.71)	0.00%
PERA Contributions	775.75	1,008.38	(232.63)	-29.99%	1,551.50	1,869.54	(318.04)	-20.50%
FICA Contributions	663.40	814.86	(151.46)	-22.83%	1,326.80	1,509.13	(182.33)	-13.74%
Medicare Contributions	155.15	190.59	(35.44)	-22.84%	310.30	352.99	(42.69)	-13.76%
Health/Dental Insurance	2,893.14	2,899.00	(5.86)	-0.20%	5,786.28	5,798.00	(11.72)	-0.20%
Unemployment Benefits	0.00	0.00	0.00	0.00%	0.00	0.00	0.00	0.00%
Workers Compensation	0.00	0.00	0.00	0.00%	3,000.00	0.00	3,000.00	0.00%
Office Supplies	50.00	84.95	(34.95)	-69.90%	100.00	84.95	15.05	15.05%
Shop Materials	150.00	228.45	(78.45)	-52.30%	300.00	252.22	47.78	15.93%
Building Repair Supplies	0.00	0.00	0.00	0.00%	0.00	0.00	0.00	0.00%
Small Tools and Minor Equip	250.00	509.88	(259.88)	-103.95%	500.00	509.88	(9.88)	-1.98%
Engineering Services	150.00	337.50	(187.50)	-125.00%	300.00	337.50	(37.50)	-12.50%
Contract Services	400.00	0.00	400.00	100.00%	800.00	0.00	800.00	100.00%
Telephone	700.00	316.66	383.34	54.76%	1,400.00	376.66	1,023.34	73.10%
Radio	300.00	0.00	300.00	100.00%	600.00	0.00	600.00	100.00%
Mileage	0.00	0.00	0.00	0.00%	0.00	0.00	0.00	0.00%
Insurance	0.00	0.00	0.00	0.00%	0.00	0.00	0.00	0.00%
Electric Utility	2,000.00	3,195.32	(1,195.32)	-59.77%	4,000.00	3,203.71	796.29	19.91%
Refuse	207.82	207.82	0.00	0.00%	415.64	207.82	207.82	50.00%
Fuel, Oil, Fluids (ALL depts)	3,000.00	1,528.05	1,471.95	49.07%	6,000.00	1,528.05	4,471.95	74.53%
Repair/Maint Bldg	250.00	865.32	(615.32)	-246.13%	500.00	993.85	(493.85)	-98.77%
Repair/Maint NOT Bldg	45.00	115.00	(70.00)	-155.56%	90.00	115.00	(25.00)	-27.78%
Repair/Maint Equip (out)	500.00	134.08	365.92	73.18%	1,000.00	134.08	865.92	86.59%
Equipment Parts	500.00	0.00	500.00	100.00%	1,000.00	0.00	1,000.00	100.00%
Uniforms	175.00	0.00	175.00	100.00%	350.00	0.00	350.00	100.00%
Miscellaneous	75.00	0.00	75.00	100.00%	150.00	0.00	150.00	100.00%
Landscaping Material	85.00	0.00	85.00	100.00%	170.00	0.00	170.00	100.00%
Dues & Subscriptions	60.00	0.00	60.00	100.00%	60.00	0.00	60.00	100.00%
Conferences & Training	0.00	0.00	0.00	0.00%	619.60	0.00	619.60	0.00%
Clean up Days	0.00	0.00	0.00	0.00%	0.00	0.00	0.00	0.00%
Total Public Works	24,085.26	26,344.52	(2,259.26)	-9.38%	51,730.12	43,060.12	8,670.00	16.76%

3120 - Streets

Equipment Parts	0.00	150.74	(150.74)	0.00%	0.00	200.26	(200.26)	0.00%
Street Maintenance Materials	1,000.00	0.00	1,000.00	100.00%	2,000.00	0.00	2,000.00	100.00%
Sign Repair Materials	250.00	0.00	250.00	100.00%	500.00	0.00	500.00	100.00%
Contract Services	850.00	0.00	850.00	100.00%	1,700.00	0.00	1,700.00	100.00%
Repairs/Maint Equipment	0.00	0.00	0.00	0.00%	0.00	0.00	0.00	0.00%
Total Streets	2,100.00	150.74	1,949.26	92.82%	4,200.00	200.26	3,999.74	95.23%

3125 - Ice & Snow Removal

Landscaping Material	0.00	0.00	0.00	0.00	0.00	0.00%
Sand/Salt	25,000.00	17,906.76	7,093.24	7,093.24	28,377%	28.37%
Contract Services	2,500.00	0.00	2,500.00	5,000.00	100.00%	100.00%
Repairs/Maint Equipment	250.00	616.59	(366.59)	(116.59)	-23.32%	-23.32%
Total Ice & Snow Removal	27,750.00	18,523.35	9,226.65	11,976.65		39.27%

3160 - Street Lighting

Street Lighting	2,100.00	2,340.90	(240.90)	1,859.10	44.26%	44.26%
Total Street Lighting	2,100.00	2,340.90	(240.90)	1,859.10		44.26%

3200 - Recycling

Recycling Supplies	0.00	0.00	0.00	0.00	0.00%	0.00%
Newsletter	0.00	0.00	0.00	0.00	0.00%	0.00%
Miscellaneous	400.00	0.00	400.00	800.00	100.00%	100.00%
Total Recycling	400.00	0.00	400.00	800.00		100.00%

3250 - Tree Program

Contract Services	400.00	0.00	400.00	800.00	100.00%	100.00%
Total Tree Program	400.00	0.00	400.00	800.00		100.00%

Total Public Works

	56,835.26	47,359.51	9,475.75	28,105.49	30.47%	30.47%
--	------------------	------------------	-----------------	------------------	---------------	---------------

DEPT 450 - CULTURE, RECREATION

5200 - Parks & Recreation

FT Salaries	8,583.96	7,368.23	1,215.73	14.16%	17,167.92	15,016.86	2,151.06	12.53%
PT Salaries	3,000.00	1,853.75	1,146.25	38.21%	6,000.00	3,778.00	2,222.00	37.03%
PERA Contributions	622.34	689.66	(67.32)	-10.82%	1,244.67	1,416.13	(171.46)	-13.78%
FICA Contributions	718.21	567.13	151.08	21.04%	1,436.41	1,173.17	263.24	18.33%
Medicare Contributions	167.97	132.63	35.34	21.04%	335.93	274.35	61.58	18.33%
Health/Dental Insurance	1,084.57	290.16	794.41	73.25%	2,169.15	1,825.52	343.63	15.84%
Unemployment Benefits	0.00	0.00	0.00	0.00%	0.00	0.00	0.00	0.00%
Workers Compensation	1,500.00	0.00	1,500.00	100.00%	3,000.00	0.00	3,000.00	100.00%
Shop Materials	0.00	0.00	0.00	0.00%	0.00	0.00	0.00	0.00%
Chemicals	50.00	50.00	0.00	0.00%	100.00	50.00	50.00	50.00%
Equipment Parts	150.00	23.50	126.50	84.33%	300.00	23.50	276.50	92.17%
Building Repair Supplies	0.00	0.00	0.00	0.00%	0.00	0.00	0.00	0.00%
Landscaping Materials	200.00	0.00	200.00	100.00%	400.00	0.00	400.00	100.00%
Small Tools and Minor Equip	75.00	0.00	75.00	100.00%	150.00	0.00	150.00	100.00%
Telephone	100.00	75.37	24.63	24.63%	200.00	75.37	124.63	62.32%
Mileage	0.00	0.00	0.00	0.00%	0.00	0.00	0.00	0.00%
Insurance	0.00	0.00	0.00	0.00%	0.00	0.00	0.00	0.00%
Electric Utility	750.00	1,232.32	(482.32)	-64.31%	1,500.00	1,232.32	267.68	17.85%
Refuse	207.82	207.82	0.00	0.00%	415.64	207.82	207.82	50.00%
Repair/Maint Bldg	25.00	0.00	25.00	100.00%	50.00	0.00	50.00	100.00%
Repair/Maint NOT Bldg	50.00	0.00	50.00	100.00%	100.00	0.00	100.00	100.00%
Repair/Maint Equip	100.00	0.00	100.00	100.00%	200.00	0.00	200.00	100.00%
Rental Buildings	400.00	0.00	400.00	100.00%	800.00	0.00	800.00	100.00%
Miscellaneous	0.00	0.00	0.00	0.00%	0.00	0.00	0.00	0.00%
Total Parks & Recreation	17,784.86	12,490.57	5,294.29	29.77%	35,569.73	25,073.04	10,496.69	29.51%

DEPT 460 - COMP ADJ

DEPT 490 - CONTINGENCY FU

DEPT 493 - OTH FINANCING

GRAND TOTAL ALL DEPTS

DEPT 460 - COMP ADJ	0.00	0.00	0	0.00%	0.00	0.00	0.00	0.00%
DEPT 490 - CONTINGENCY FU	0.00	0	0	0.00%	0.00	0.00	0.00	0.00%
DEPT 493 - OTH FINANCING	0.00	0	0	0.00%	0.00	0.00	0.00	0.00%
GRAND TOTAL ALL DEPTS	186,927.76	177,124.93	9,802.83	5.24%	363,346.92	304,045.65	59,301.27	16.32%



MAYOR AND COUNCIL COMMUNICATION

DATE: 3/19/2013

CONSENT

ITEM #: 5

MOTION Consent Agenda

AGENDA ITEM: Year End Permit Report
SUBMITTED BY: Rick Chase, Building Official
THROUGH: Rick Chase, Building Official
REVIEWED BY: Cathy Bendel, Finance Director

SUMMARY AND ACTION REQUESTED: As part of its Consent Agenda, the City Council is asked to accept the monthly permit report. No specific motion is needed, as this is recommended to be part of the overall approval of the *Consent Agenda*.

STAFF REPORT: Below are the year to date key statistics for February 2013:

	<u>2013</u>	<u>2012</u>	<u>2011</u>
Total Building permits:	18	21	29
Total Building valuation:	\$2,876,283	\$1,392,143	\$1,485,446
New homes	6	2	3
Total valuation	\$2,532,289	\$1,110,412	\$1,000,000
Avg home value	\$422,048	\$555,206	\$333,333



MAYOR AND COUNCIL COMMUNICATION

DATE: 03/19/2013
CONSENT
ITEM #: 6
MOTION Consent Agenda

AGENDA ITEM: Approval of Letter of Understanding to join North Metro Mayors Association as an Associate Member

SUBMITTED BY: Adam Bell, City Clerk

THROUGH: Dean A. Zuleger, City Administrator

SUMMARY AND ACTION REQUESTED:

As part of the Consent Agenda the City Council is requested to consider approval of Letter of Understanding to join North Metro Mayors Association as an Associate Member. The approval will allow the City of Lake Elmo to participate in the North American Joint Purchasing Program. Participation in the NAJPP will afford the City to realize on average an almost twenty-percent savings on over 700 office supplies the City currently purchases.

BACKGROUND & STAFF REPORT:

In 2009, the North Metro Mayors Association amended its Joint Powers organizational document to permit the establishment of a central purchasing program called the North American Joint Purchasing Program. The primary objective was to achieve the best competitive price in the marketplace on select products and/or services for its members and/or participating community partners. Since its inauguration NAJPP has initiated three public bids for the following products: 1) office supplies, janitorial cleaning supplies and office furniture, 2) water treatment chemicals and 3) field marking paint.

NMMA has appointed a management committee comprised of six City managers/Administrators with program oversight and decision making authority. At a recent session the committee identified several additional products or services it will consider adding to the program in the future; e.g., credit card services, engineering, fertilizer, surveying, bulk oil, street sweeping, and ice arena products and services.

In June, 2010, S&T Office Products, as lowest responsible bidder, was awarded a two year contract to provide office supply, janitorial cleaning supply and office furniture programs to NMMA members and participating community partners. Since that date, S&T has adjusted its winning bid product price schedule a number of times to meet or beat changing marketplace pricing. S&T has initiated an aggressive marketing strategy to expand the program to include

new public sector members. As a result, we are pleased to include the Cities of Hanover, Isanti, and Isanti County as NMMA associate members. In addition, the program has been structured to offer current and future private sector Community Partners best bid pricing from S&T Office Products.

A key component of the S&T Office Product, Inc. bid was its willingness to include an annual 5% dividend payment to participating members and community partners based on their respective quantity purchases. Based on sales in 2010, S & T paid \$3,264.89 as an earned dividend to NMMA for distribution. This is a win-win situation: delivering best market pricing and dividend returns based on quantity purchases.

In early 2011, NAJPP received two competitive bids on providing field marking paint products. Hirshfield's Paint Company was the successful lowest responsible bidder and NMMA awarded a one year contract through December 31, 2011 with the option to renew for an additional year. In addition, Hirshfield's included a 1% Dividend Program based on quantity purchases that will be distributed annually during the term of the contract.

City Staff currently uses S&T Office Product, Inc. for ordering various supplies, but will be able to realize an additional average savings of almost twenty-percent by participating in the NAJPP. By joining with NMMA, the City will receive best public bid pricing for program products and services; participate in an annual NAJPP dividend distribution program based on members' quantity purchases, minus program expenses on a pro-rate basis; and have the opportunity to customize purchase and buying patterns based on requirements that best fit and benefit the City.

There is no obligation to purchase any products or services as an Associate Partner. The City may elect, in its sole discretion, to participate, in any program for products and/or services offered under NMMA's NAJPP, so long as the City remains a current associate. The City may withdraw participation at any time by giving written notice. Under the program, no participation fee will be charged, and the only potential cost will be a pro-rata share of program expenses, if any, and such charge may only be assessed against and deducted from earned Program dividends payable to the undersigned based on its purchases of products and/or services under the NAJPP

RECOMMENDATION:

Staff recommends the City Council approve the Letter of Understanding to join North Metro Mayors Association as an Associate Member. As part of the Consent Agenda, no specific motion is required.

ATTACHMENT:

1. Letter of Understanding to join North Metro Mayors Association as an Associate Member



North American Joint Purchasing Program Letter of Understanding

The undersigned, Mayor Mike Pearson agrees to join the North Metro Mayors Association (hereinafter "NMMA") as an Associate Member (hereinafter "**ASSOCIATE**") or as a Community Partner (hereinafter "**COMMUNITY PARTNER**") effective March 19, 2013, and be eligible to participate in the "North American Joint Purchasing Program".

Whereas, NMMA, a Joint Powers organization under Minnesota Statutes Section, Section 471.59, has invited **ASSOCIATE or COMMUNITY PARTNER** to join the Association as an Associate Member or Community Partner and participate in its "North American Joint Purchasing Program", and

Whereas, by joining with NMMA, **ASSOCIATE or COMMUNITY PARTNER** will:

- Receive best public bid pricing for program products and services that will be made available to NMMA members, associate members and community partners;
- Participate in an annual NAJPP dividend distribution program based on members' quantity purchases, minus program expenses on a pro-rate basis; and
- Have the opportunity to customize purchase and buying patterns based on requirements that best fit and benefit **ASSOCIATE or COMMUNITY PARTNER**.

In consideration of mutual promises and other good and valuable consideration, receipt of which is hereby acknowledged, the parties hereto agree as follows:

- There is no obligation to purchase any products or services as an Associate or Community Partner. **ASSOCIATE or COMMUNITY PARTNER** may elect, in its sole discretion, to participate, in any program for products and/or services offered under NMMA's NAJPP, so long as **ASSOCIATE or COMMUNITY PARTNER** remains a current Associate or Community Partner. Associate or Community Partner may withdraw participation at any time by giving written notice.
- No participation fee will be charged, and the only potential cost will be a pro-rata share of program expenses, if any, and such charge may only be assessed against and deducted from earned Program dividends payable to the undersigned based on its purchases of products and/or services under the NAJPP.

The NAJPP is managed by a committee of six (6) city managers appointed by the NMMA Board of Directors. The NAJPP Management Committee meets regularly to determine program product and service offerings that will be submitted for public bid and become authorized under the North American Joint Purchasing Program.

Now therefore the parties hereto have executed this Letter of Understanding effective as of March 19, 2013.

City of Lake Elmo

North Metro Mayors Association

By: _____
Its: _____

By: _____
Its: _____



MAYOR AND COUNCIL COMMUNICATION

DATE: 3/19/2013

CONSENT

ITEM #: 7

RESOLUTION/ORDINANCE

AGENDA ITEM: Amendments to Article 9 of the Zoning Ordinance – Rural Districts

SUBMITTED BY: Kyle Klatt, Planning Director

THROUGH: Dean A. Zuleger, City Administrator

REVIEWED BY: Planning Commission
Nick M. Johnson, City Planner

SUMMARY AND ACTION REQUESTED:

The City Council is being asked to consider text amendments to the Zoning Ordinance to revise the zoning district regulations for the City's rural districts (those portions of the City that will not be served by the sanitary sewer system or that represent existing developments that were built prior to the revised Comprehensive Plan). The revised sections will be placed under Article 9 beginning at Section 154.400 in the new numbering system. All of the formatting for these sections is now consistent with the other recent changes to the Zoning Ordinance, including the urban residential district standards, definitions, and introductory provisions that have previously been approved by the City Council.

BACKGROUND INFORMATION:

Staff has made various modifications to the rural district standards in order to bring them up-to-date and to improve consistency throughout the code. The major changes from the existing ordinance include the following:

- The rural districts have been reformatted using the new ordinance numbering and organizational scheme.
- The districts are better organized using the urban districts as a guide.
- The rural districts now make use of the more complete list of use classifications and definitions previously approved by the City,
- The area that must be set aside on individual lots for septic drain fields has been reduced from 1 acre to 20,000 square feet in order to match the existing standards in RE – Residential Estate districts. Two treatment sites must still be identified on each building site for a primary and secondary system. Please note that the County rules require 10,000 square feet of area (5,000 for each of the primary and secondary sites) for drain fields.
- The existing provisions related to clustering in A and RR zones have been removed.

The other significant change proposed is the addition of a RT – Rural Development Transition District that is intended to take the place of the City's existing holding zones in areas that are planned for future

sewered development. Staff believes that the proposed RT district will serve the same purpose as the numerous holding zones that are currently used while greatly simplifying the overall ordinance.

As part of the Ordinance to adopt the proposed changes, Staff has drafted language to eliminate the existing ordinance sections for the A, RR and RE districts since there is a corresponding replacement in the new code. The elimination of the other duplicative districts will need to wait until the City Council is able to take action on the required zoning map amendments to add the new or revised districts to the map.

PLANNING COMMISSION REPORT:

The Planning Commission reviewed the proposed ordinance revisions at its March 11, 2013 meeting. There were no comments from the public at the meeting.

The Commission reviewed the rear yard accessory building setbacks for the RR residential district and recommended that this setback be left at 40 feet. The Commission also requested that the section concerning unserviced lots be amended to reference water services rather than general utilities. The Commission discussed the impact of the proposed changes, and generally discussed how the RT district would be implemented.

The Commission recommended approval of the proposed ordinance amendments with a vote of 6-1. The Commissioner voting against the motion expressed concern that the City should have provided better notice concerning the R-1 district changes.

RECCOMENDATION:

Based upon the above background information, Staff report and Planning Commission recommendation, it is recommended that the City Council approve text amendments to the Zoning Ordinance to update the standards for rural districts by undertaking the following action:

“Move to approve Ordinance 08-073 amending Chapter 154 of the City Code concerning the rural district standards”

In addition, Staff is recommending that the City Council approve summary publication of the ordinance through the following motion:

“Move to approve Resolution No. 2013-18, authorizing summary publication of Ordinance 08-073.”

ATTACHMENTS:

1. Ordinance 08-073
2. Resolution No. 2013-18 – Summary Publication

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 NO. 08-073

AN ORDINANCE AMENDING THE LAKE ELMO CITY CODE OF ORDINANCES BY
ADOPTING REVISED RURAL DISTRICT STANDARDS AND ADDING A NEW RT RURAL
DEVELOPMENT TRANSITIONAL DISTRICT TO THE ZONING ORDINANCE

SECTION 1. The City Council of the City of Lake Elmo hereby amends Title XV:
Land Usage; Chapter 154: Zoning Code, by repealing City Code Sections 154.033
(A District), 154.036 (RR District) and 154.048 (RE District) in their entirety.

SECTION 2. The City Council of the City of Lake Elmo hereby amends Title XV:
Land Usage; Chapter 154: Zoning Code, by adding the following language:

Article 9 - RURAL DISTRICTS

§154.400	Purpose and District Descriptions
§154.401	Permitted and Conditional Uses
§155.402	Lot Dimensions and Building Bulk Requirements
§155.403	Dimensional Requirements and Preservation of Open Space
§155.404	Site Design and Development Standards
§155.405	Accessory Uses and Structures
§155.406	Residential Accessory Structures
§155.407	Accessory Uses
§155.408	Accessory Uses and Structures Not Listed

§154.400 Purpose.

The rural districts are established to provide guidance for existing rural development that is served primarily by on-site wastewater treatment facilities in Lake Elmo. The objectives of these districts are to preserve and enhance the quality of living in the existing rural areas, as well as regulate structures and uses which may affect the character or desirability of these areas. The rural districts and their purposes are as follows:

- A. *RT Rural Development Transitional District.* The RT District is an interim holding zone that will regulate land uses within those portions of the City planned and staged for development that will connect to regional sewer service in accordance with the Comprehensive Plan. The future zoning classification for areas zoned RT and the timing for any zoning map amendments to rezone property in this district will be determined by the City Council upon the extension of public sanitary sewer and water services into these areas. In the meantime, agricultural and existing residential uses will be allowed to continue in addition to other uses that are consistent with the A and RR zoning districts.
- B. *A Agricultural District.* The A District will apply to agricultural or undeveloped areas in Lake Elmo, including any newly annexed areas. The purpose of the district is to allow for agricultural and other activities typically associated with agriculture, including non-farm dwellings at a density of 1 unit per 40 acres. Future residential development may occur at the aforementioned density or through the Open-Space Preservation Development process. These

parcels are expected to be served by on-site wastewater treatment facilities. In addition, some limited agriculture-related businesses, such as wayside stands and outdoor recreation, are appropriate short-term or interim uses for this district.

- C. *RR Rural Residential District.* The RR District is established for lands that have existing small-scale agricultural activity, as well as single-family residential dwellings. Future residential development may occur at a density of 1 dwelling unit per 10 acres, or through the Open-Space Preservation Development process. These sites are expected to be served by on-site wastewater treatment facilities. Some limited agriculture-related businesses, such as wayside stands, are appropriate as interim uses for this district.
- D. *RS Rural Single Family District.* The RS District is established for lands that have already been platted as conventional residential subdivisions prior to the 2005 adoption of the Comprehensive Land Use Plan. This district provides an environment of predominantly single-family detached dwellings on moderately sized lots in areas that have typically not been provided with public sanitary sewer services.
- E. *RE Residential Estate District.* The purpose of the RE District is to allow for single-family detached dwellings on large lots. The large lots and setbacks provide for an open-space environment that is consistent with the rural character of Lake Elmo. Planned residential subdivisions are allowed on a minimum of 20 acres (nominal) with an average subdivision density of 3.33 acres per residential unit. Lot sizes should be adequate to provide for on-site wastewater treatment.

§154.401 Permitted and Conditional Uses.

Table 9-1 lists all permitted and conditional uses allowed in the rural districts. “P” indicates a permitted use, “C” a conditional use, and “I” an interim use. Uses not so indicated shall be considered prohibited. Cross-references listed in the table under “Standards” indicate the location within this Ordinance of specific development standards that apply to the listed use.

- A. *Combinations of uses.* Principal and accessory uses may be combined on a single parcel.

Table 9-1: Permitted and Conditional Uses, Rural Districts

	RT	A	RR	RS	RE	Standard
Residential Uses						
Household Living						
Single-family detached dwelling	P	P	P	P	P	154.454.A
Secondary Dwelling	-	P	-	-	-	154.404.D
Public and Civic Uses						
Cemetery	-	P	P	-	-	
Services						
Self Service Storage Facility	I ^a	I ^c	-	-	-	154.404.G
Commercial Kennel	C	C	C	-	-	154.404.I
Commercial Stable	-	C	-	-	-	154.404.I
Outdoor Recreation						
Golf Course	-	C	-	-	-	
Outdoor Recreation Facility	-	C	-	-	-	155.107.E

Table 9-1: Permitted and Conditional Uses, Rural Districts

	RT	A	RR	RS	RE	Standard
Parks and Open Areas	P	P	P	P	P	
Restricted Recreation	-	C	-	-	-	
Agricultural and Related Uses						
Agricultural Entertainment Business	I	I	I	-	-	154.111
Agricultural Production	P	P	P	-	-	
Agricultural Sales Business	I	I	I	-	-	154.110
Agricultural Services	C	C	-	-	-	154.404.J
Forestry Operations	-	P	-	-	-	
Greenhouses, Non Retail	C	C	C	-	-	
Wayside Stand	P	P	P	-	-	154.454.D
Industrial and Extractive Uses						
Motor Freight and Warehousing	I ^a	-	-	-	-	154.404.G
Accessory Uses						
Bed and Breakfast	C	C	C	-	-	155.111.C
Domestic Pets	P	P	P	P	P	
Family Day Care	P	P	P	P	P	155.111.G
Home Occupation	P	P	P	P	P	155.111.A,B
Kennel, Private	C	C	C	-	-	154.404.I
Solar Equipment	P	P	P	P	P	155.111.I
Stable, Private	C	C	C	-	-	154.404.I
Swimming Pools, Hot Tubs, Etc.	P	P	P	P	P	155.111.J
Temporary Sales	P	P	P	P	P	155.107.B
Water-Oriented Accessory Structures	P	P	P	P	P	
Other Structures Typically Incidental and Clearly Subordinate to Permitted Uses	P	P	P	P	P	
Open Space Preservation Development						
OP Development	-	C	C	-	-	154.650
OP-Alt Development	-	C	C	-	-	154.700

Notes to Rural Districts Table 9-1

- a. Non-Agricultural Low Impact Use (see 154.404.G)

Note: Standards listed in Table 9-1 are listed by Article, Section and Subsection.

§154.402 Lot dimensions and building bulk requirements.

Lot area and setback requirements shall be as specified in Table 9-2, Lot Dimension and Setback Requirements.

Table 9-2: Lot Dimension and Setback Requirements, Residential Districts

	RT	A	RR	RS	RE
Minimum Lot Area (acres)					
Single Family Detached Dwelling	20	40 ^{a,b}	10 ^c	1.5 ^d	2.5 ^{e,f}
Minimum Lot Width (feet)					
Single Family Detached Dwelling	300	300	300	125	NA ^f
Maximum Principal Structure Height (feet)					
	35	35	35	35	35
Maximum Impervious Coverage					
	-	-	-	25%	15%
Minimum Principal Building Setbacks (feet)					
Front Yard	30	200	30	30	100
Interior Side Yard	10	200	10	10	50
Corner Side Yard ^g	25	200	25	25	80
Rear Yard	40	200	40	40	100
Minimum Accessory Building Setbacks (feet)					
Front Yard	30	200	30	30	100
Interior Side Yard	10	200	10	10	15
Corner Side Yard	25	200	25	25	30
Rear Yard	40	200	40	10	15
Minimum Agricultural Related Setbacks (Animal buildings, feedlots or manure storage sites)					
Any Property Line	200	200	200	-	-
Any Existing Well or Residential Structure	50	50	50	-	-
Any Body of Seasonal or Year-round Surface Water	200	200	200	-	-

Notes to Rural Districts Table 9-2

- a. 1 dwelling unit per 40 acres applies to all non-farm dwellings. In addition to non-farm dwellings (1 per 40 acres), each farm is allowed one farm dwelling per farm.
- b. Nominal 40 acres: a 40-acre parcel not reduced by more than 10% due to road rights-of-way and survey variations.
- c. Nominal 10 acres: a 10-acre parcel not reduced by more than 10% and/or a 10-acre parcel located on a corner or abutting a street on 2 sides not reduced by more than 15% due to road rights-of-way and survey variations.
- d. The minimum lot size for lots served by public sanitary sewer service shall be 24,000 square feet per residential unit.
- e. A minimum of 1.25 acres of land above the flood plain or free of any drainage easements is required.
- f. Lots must be configured to contain a circle with a diameter of 250 feet minimum; the ratio of lot length to width shall be a maximum of 3:1 - Flag lots are prohibited.
- g. Corner properties: The side façade of a corner building adjoining a public street shall maintain the front setback of the adjacent property fronting upon the same public street, or the required front yard setback, whichever is less. If no structure exists on the adjacent property, the setback shall be as shown in the table.

§154.403 Dimensional Requirements and Preservation of Open Space

- A. *Lot Configuration, RR District.* All lots must be rectangular in shape and any 2 adjacent sites must have an aspect ratio not exceeding 4:1.

§154.404 Site Design and Development Standards.

Development of land within the rural districts shall follow established standards for traffic circulation, landscape design, parking, signs and other considerations as specified in Articles 5, 6 and 7. The following standards apply to specific uses, and are organized by district.

- A. *Single-Family Detached Dwelling, All Rural Districts.* All single-family dwellings shall be at least twenty-four (24) feet in width, at least nine hundred sixty (960) square feet in area, and be placed on a permanent foundation.
- B. *Septic Drainfield Regulation, A, RR and RS Districts.* All lots must have at least 20,000 square feet of land suitable for septic drainfields and area sufficient for 2 separate and distinct drainfield sites. Placement of the second required drainfield between the trenches of the first drainfield is prohibited.
- C. *Septic Drainfield Regulation, RE District.* All new subdivided lots shall have a minimum of 20,000 square feet of land to be dedicated for septic system use and suitable for that use. This land may comprise up to 2 separate areas, each of which is contiguous to the 1.25-acre building site or contained within it, and each of which contains at least 10,000 contiguous square feet. Placement of the second required drainfield between the trenches of the first drainfield is prohibited.
- D. *Secondary Dwelling, A District.* One non-farm dwelling per each 40 acres, or part of a dwelling on a prorated basis, not already containing a farm or non-farm dwelling, is permitted provided:

1. The dwelling unit is located on a separate parcel of record in the office of the County Recorder and/or County Auditor, which shall be at least 1-1/2 acres in size;
 2. The parcel on which the dwelling unit is located must have at least 125 feet of frontage along a public street, be rectangular in shape and no dimension to be greater than 3 times the other; and
 3. The dwelling is separated by at least 300 feet from the nearest farm building.
- E. *Parking Standards, A, RR and RS Districts.* 3 space of off-street parking required per dwelling unit.
- F. *Parking Standards, RE District.*
1. 2 enclosed spaces minimum (200 square feet minimum per space).
 2. 2 exterior spaces with minimum setback of 50 feet from any property line.
- G. *Non-Agricultural Low Impact Use, A, RT Districts.* The City recognizes that allowing non-agricultural low impact uses, strictly controlled and regulated by Interim Use Permit, might allow a farmer or large property owner an economical use of his or her property that is zoned Agricultural. The following standards may apply to these types of uses.
1. All of the property owner's real estate that is contiguous to the non-agricultural low impact use must be zoned Agricultural and remain so zoned while the conditional use permit is in effect.
 2. The area where the non-agricultural low impact use is located shall be legally defined and approved by the city and is hereafter known as the "Non-Ag Area." The Non-Ag Area shall not exceed 4% of the property owner's contiguous agricultural zone gross lot area. The building footprints and asphalt and concrete surfaces within the Non-Ag Area shall not exceed 1.5% of the property owner's contiguous agricultural zone gross lot area. Landscaping, berms, ponds, gravel driveways, and other improvements that would otherwise be permitted in the Agricultural zone may be located outside of the Non-Ag Area.
 3. Non-agricultural low impact uses shall only be allowed on a parcel of a nominal 40 acres or larger.
 4. Non-agricultural low impact uses shall not generate more than 3 trips per day per acre of contiguous agriculturally zoned area, with the exception of land with sole access to Hudson Boulevard that shall not generate more than 6 trips per day per acre.
 5. Any uses under this section involving the outside storage of vehicles, equipment, or goods shall be located a minimum of 200 feet from any public roadway or adjacent landowner's boundary, except that the setback from the I-94 frontage road shall be not less than 50 feet. In addition, any such outside storage shall be screened from view from adjacent property and the public roadway by berms and landscaping. A plan for such screening shall be submitted with the application for the Interim Use Permit which shall clearly demonstrate by view cross-sections that said screening will be effective immediately, and in all seasons. Degradation of such screening by loss of landscape materials, outdoor storage of items that exceed the screened height or for any other reason shall be grounds for rescinding the outdoor storage portion of the Interim Use Permit.

6. Non-agricultural low impact uses may not generate more than 3.0 SAC units per 3.5 acres or 235 gallons per day per net acre of land based upon design capacity of facilities, whichever is more restrictive.
 7. The property owner shall maintain the remaining land or farm outside of the IUP Area in accordance with the permitted uses of the Agricultural zoning district and the required practices of the Soil and Water Conservation District.
 8. Rate and volume of stormwater runoff must meet the requirements of the City's Stormwater Ordinance.
 9. In the event that the property owner, or future property owner, initiates a Comprehensive Plan amendment and rezoning of any or all of the contiguous real estate from Agriculture to a more intensive use, the Interim Use Permit shall terminate and all non-conforming structures shall be removed from the site within 1 year from the date of the City Council's adoption of the Comprehensive Plan amendment and rezoning, unless the City agrees otherwise. This section shall not apply if the City initiates rezoning or if property owner is forced to transfer title to any part of the contiguous real estate due to eminent domain.
 10. All conditional use permits granted to a non-agricultural low impact use shall be reviewed on an annual basis, and may be rescinded, after a 2-week notice and a public hearing, if the Council finds that the public health, safety, or welfare is jeopardized.
 11. The standards for buildings or structures, as listed in the minimum district requirements of the Agricultural Zone, shall not apply to structures built prior to the effective date of this chapter.
- H. *Unserviced Lots, RT, A, RR Districts.* All lots that are subdivided without city sewer and public water service shall meet the following standards:
1. Lots, houses and other structures, driveways and any new streets shall be located in compliance with the comprehensive plan and any more detailed area plans for future roads, public water services and drainage.
 2. The Planning Commission may require a sketch plan showing how the entire tract could be divided when city services become available. Lots and buildings shall be sited and streets shall be laid out to facilitate future subdivision.
- I. *Commercial Kennel, Commercial Stable, or Accessory Kennel or Stable, RT, A, RR Districts.* The facility shall occupy a site at least ten (10) acres in size. Outdoor exercise areas shall be located at least 100 feet from adjacent properties; landscaping or other screening may be required.
- J. *Agricultural Services and Support, RT, A Districts.*
1. A facility established after the effective date of this ordinance shall have direct access to a collector or higher classification street.
 2. An appropriate transition area between the use and adjacent property may be required, to include landscaping, screening and other site improvements consistent with the character of the neighborhood.
 3. All processing of animal or dairy products shall take place within an enclosed building.

§154.405 Accessory Uses and Structures.

Accessory uses are listed in the Rural District Use Table as permitted or conditional accessory uses. Accessory uses and structures in the rural districts shall comply with the following standards and all other applicable regulations of this ordinance:

- A. *Phasing.* No accessory use or structure shall be constructed or established on any lot prior to the time of construction of the principal use to which it is accessory.
- B. *Incidental to Principal Use.* The accessory use or structure shall be incidental to and customarily associated with the principal use or structure served.
- C. *Subordinate to Principal Use.* The accessory use or structure shall be subordinate in area, extent, and purpose to the principal use or structure served.
- D. *Function.* The accessory use or structure shall contribute to the comfort, convenience, or necessity of the occupants of the principal use or structure served.
- E. *Location.* The accessory use or structure shall be located on the same zoning lot as the principal use or structure.

§154.406 Accessory Structures - Rural Districts.

In all rural districts, the design and construction of any garage, carport, or storage building shall be similar to or compatible with the design and construction of the principal building. The exterior building materials, roof style, and colors shall be similar to or compatible with the principal building.

- A. *Maximum Number and Size of Accessory Structures in Rural Districts.* The maximum number and size of accessory buildings permitted in the rural districts are outlined in Table 9-3. No accessory building shall be constructed unless there is adequate room for the required secondary drainfield site.

Table 9-3 Maximum Number and Size of Accessory Structures - Rural Districts

Zoning District + Parcel Size	Standard
A (Conforming)	There shall be no limit on the size or number of accessory buildings so long as the parcel is a nominal 40 acres or more, and buildings are agricultural buildings as defined in § 154.092(A)(5)
A (Non-conforming)	
Up to 10 acres	Two buildings with a combined area not to exceed 2,000 square feet.
Over 10 acres but less than 40 acres	Two buildings and the area of each building not to exceed 2,000 square feet
RR	
Up to 10 acres	One 2,000-square foot detached building.
10-15 acres	One 2,500-square foot detached building.
Over 15 acres	One 3,000-square foot detached building.
RS and RE	
Over 5,000 square feet but less than one acre	A combined 1,200 square feet total for both attached and detached accessory structures or residential garage; the size of the footprint of the detached structure shall not exceed the size of the footprint of the primary structure

1-2 acres	One 1,200-square foot detached residential garage or building.
Over 2 acres	One 1,300-square foot detached residential garage or building.

- B. *Attached structures.* An accessory structure shall be considered attached, and an integral part of, the principal structure when it is connected by an enclosed passageway. All attached accessory structures shall be subject to the following requirements:
1. The structure shall meet the required yard setbacks for a principal structure, as established for the zoning district in which it is located.
 2. The structure shall not exceed the height of the principal building to which it is attached.
- C. *Detached Structures.* Detached accessory structures shall be permitted in rural districts in accordance with the following requirements:
1. Detached structures shall comply with the provisions of Section 154.092.
 2. No detached garages or other accessory buildings in residential districts shall be located nearer the front lot line than the principal building on that lot, except in AG, RR and RS Districts where detached garages may be permitted nearer the front lot line than the principal building by resolution of the City Council.
 3. Pole barns, as defined herein, exceeding one hundred twenty (120) square feet shall be prohibited in the RS and RE Districts.
 4. Garage doors or openings shall not exceed fourteen (14) feet in height.
 5. Detached structures shall not exceed a height of twenty-two (22) feet or the height of the principal structure, whichever is higher unless otherwise specified in Section 154.092

§154.407 Accessory Uses.

- A. *Exterior Storage in Residential Districts.* All materials and equipment shall be stored within a building or be fully screened so as not to be visible from adjoining properties, except for the following:
1. Laundry drying,
 2. Construction and landscaping materials and equipment currently being used on the premises. Materials kept on the premises for a period exceeding six (6) months shall be screened or stored out of view of the primary street on which the house fronts.
 3. Agricultural equipment and materials, if these are used or intended for use on the premises.
 4. Off-street parking and storage of vehicles and accessory equipment, as regulated in Article 5, Section 155.67.
 5. Storage of firewood shall be kept at least ten (10) feet from any habitable structure and screened from view from adjacent properties.
 6. Outdoor parking.
- B. *Temporary Sales.* Temporary sales, also known as yard or garage sales, are permitted in all residential districts, limited to two (2) per calendar year per residence, not to exceed four (4) days in length.

§154.408 Accessory Uses and Structures Not Listed.

Standards for accessory uses and structures that are permitted in all districts, or in all residential buildings in any district, are listed in Article 7, Specific Development Standards. These include uses such as family and group family day care, bed and breakfast facilities, and home occupations, and structures such as swimming pools and solar equipment.

SECTION 3. Effective Date. This ordinance shall become effective immediately upon adoption and publication in the official newspaper of the City of Lake Elmo.

SECTION 4. Adoption Date. This Ordinance 08-073 was adopted on this 19th day of March 2013, by a vote of ___ Ayes and ___ Nays.

LAKE ELMO CITY COUNCIL

Mike Pearson, Mayor

ATTEST:

Adam Bell, City Clerk

This Ordinance 08-073 was published on the ___ day of _____, 2013.

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

RESOLUTION NO. 2013-018

**RESOLUTION AUTHORIZING PUBLICATION OF ORDINANCE 08-073 BY TITLE
AND SUMMARY**

WHEREAS, the City Council of the City of Lake Elmo has adopted Ordinance No. 08-073, an ordinance that updates the City's rural district standards and adds a new RT Rural Development Transitional District to the Zoning Ordinance; and

WHEREAS, the ordinance is lengthy; and

WHEREAS, Minnesota Statutes, section 412.191, subd. 4, allows publication by title and summary in the case of lengthy ordinances or those containing charts or maps; and

WHEREAS, the City Council believes that the following summary would clearly inform the public of the intent and effect of the ordinance.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lake Elmo, that the City Clerk shall cause the following summary of Ordinance No. 08-073 to be published in the official newspaper in lieu of the entire ordinance:

Public Notice

The City Council of the City of Lake Elmo has adopted Ordinance No. 08-073, which incorporates revised rural districts into the Zoning Ordinance. The ordinance repeals the existing A – Agriculture, RR – Rural Residential, and RE – Residential Estates districts and moves these districts into the new sections; renames the R-1 Single Family District to RS Rural Single Family; and adds a new RT – Rural Development Transitional District to the Zoning Ordinance. The other significant changes are as follows:

- The rural districts have been reformatted using the new ordinance numbering and organizational scheme.
- The districts are better organized using the urban districts as a guide.
- The rural districts now make use of the more complete list of use classifications and definitions previously approved by the City,
- The area that must be set aside on individual lots for septic drain fields has been reduced from 1 acre to 20,000 square feet in order to match the existing standards in RE – Residential Estate districts. Two treatment sites must still be identified on each building site for a primary and secondary system. Please note that the County rules require 10,000 square feet of area (5,000 for each of the primary and secondary sites) for drain fields.
- The existing provisions related to cluster subdivisions in A and RR zones have been removed.

The full text of Ordinance No. 08-073 is available for inspection at Lake Elmo city hall during regular business hours.

BE IT FURTHER RESOLVED by the City Council of the City of Lake Elmo that the City Administrator keep a copy of the ordinance at City Hall for public inspection and that a full copy of the ordinance be placed in a public location within the City.

ADOPTED BY THE LAKE ELMO CITY COUNCIL ON THE NINETEENTH DAY OF MARCH, 2013.

CITY OF LAKE ELMO

By: _____
Mike Pearson
Mayor

(Seal)

ATTEST:

Adam Bell
City Clerk

The motion for the adoption of the foregoing resolution was duly seconded by member _____ and upon vote being taken thereon, the following voted in favor thereof:

and the following voted against same:

Whereupon said resolution was declared duly passed and adopted.



MAYOR AND COUNCIL COMMUNICATION

DATE: 3/19/2013
REGULAR
ITEM #: 8
RESOLUTION

AGENDA ITEM: Olson Lake Trail Sanitary Sewer Extension – Resolution No. 2013-19
Accepting the Amended Report and Declaring Costs to be Assessed

SUBMITTED BY: Jack Griffin, City Engineer

THROUGH: Dean A. Zuleger, City Administrator

REVIEWED BY: Adam Bell, City Clerk
Cathy Bendel, Finance Director
Chad Isakson, Project Engineer

SUMMARY AND ACTION REQUESTED: The City Council is respectfully requested to consider approving Resolution No. 2013-19 Accepting the Amended Feasibility Report for the Olson Lake Trail Sanitary Sewer Extension, and Declaring Costs to be Assessed in the amount of \$92,500.

STAFF REPORT: The Olson Lake Trail Sanitary Sewer Extension Feasibility Report was presented and approved at the February 19, 2013 council meeting. Following this meeting staff was contacted by the property owner located at 4709 Olson Lake Trail, requesting to be included, if possible, as part of the 2013 Sewer Extension project. Staff reviewed this request and determined that inclusion with the 2013 improvement project may be possible but cannot be determined with certainty until detailed design work is completed. Given the adopted project assessment methodology, the proposed unit assessment remains unchanged for all properties, at \$18,500. The addition of one property results only in the city recovering more costs up front.

Upon review of the assessment procedures, staff determined that it would be best to add this property to the proposed project, understanding that if the detailed design work determines that the property cannot be accommodated in 2013 it will be more effective to remove them from the project than to try to add the property at a later date.

The Feasibility Report was therefore amended to include one additional property to the scope of improvements to be constructed in 2013. The Report amends the construction quantities necessary to include the additional property, the estimated project costs, the preliminary assessment roll, and the report exhibit. The estimated project cost increased from \$128,000 to

\$141,000. The amount of costs declared to be assessed as part of the 2013 improvement project increases to \$92,500 and the city carrying costs for the future extension project is reduced from \$17,000 down to \$11,500.

The property located at 4709 Olson Lake Trail was included in the individual notices provided for both the Improvement Hearing and Final Assessment Hearing.

RECOMMENDATION: Staff is recommending that the City Council consider approving Resolution No. 2013-19 Accepting the Amended Feasibility Report for the Olson Lake Trail Sanitary Sewer Extension; and consider Declaring Costs to be Assessed in the amount of \$92,500.

ATTACHMENTS:

1. Resolution No. 2013-19
2. Olson Lake Trail Sanitary Sewer Extension – Amended Feasibility Report

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

RESOLUTION NO. 2013-19

**A RESOLUTION ACCEPTING THE AMENDED REPORT FOR THE
OLSON LAKE TRAIL SANITARY SEWER EXTENSION AND
DECLARING COSTS TO BE ASSESSED, AS AMENDED**

WHEREAS, pursuant to City Council authorization, a feasibility report was prepared by FOCUS Engineering, Inc., dated February 2013 for the extension of sanitary sewer service along Olson Lake Trail; and

WHEREAS, on the 19th day of February 2013, the City Council adopted Resolution 2013-12 receiving the Feasibility Report for the Olson Lake Trail Sanitary Sewer Extension and calling a Hearing on the Improvement to be held on March 19, 2013; and

WHEREAS, on the 19th day of February 2013, the City Council also adopted Resolution 2013-13 declaring costs to be assessed and calling Hearing on the proposed Assessment to be held on March 19, 2013; and

WHEREAS, staff received a property owner request, subsequent to the adoption of the Feasibility Report, at 4709 Olson Lake Trail to be included in the proposed 2013 Improvement Project and to pay all assessments accordingly, and staff has therefore amended the Feasibility Report to include said property; and

WHEREAS, the Amended Feasibility Report has been completed by FOCUS Engineering, Inc., dated March 2013, and provides information regarding whether the proposed improvement is necessary, cost-effective, and feasible; whether it should best be made as proposed or in connection with some other improvement; the amended estimated cost of the improvement as recommended; and a description of the methodology used to calculate individual assessments for affected parcels;

NOW, THEREFORE, BE IT RESOLVED,

1. That the City Council will consider the improvements in accordance with the Amended Feasibility Report, dated March 2013, and the assessments of the abutting properties for all or a portion of the cost of the Improvements pursuant to Minnesota Statutes, Chapter 429 at an amended estimated total project cost of \$141,000.

2. The portion of the project cost of the improvement to be assessed against benefitted Lake Elmo property owners is declared to be \$92,500 and the remaining portion of the project, in the estimated amount of \$7,130 to be paid by the City.

ADOPTED BY THE LAKE ELMO CITY COUNCIL ON THE NINETEENTH DAY OF MARCH, 2013.

CITY OF LAKE ELMO

By: _____
Mike Pearson
Mayor

(Seal)

ATTEST:

Adam Bell
City Clerk

CERTIFICATION

FEASIBILITY REPORT OLSON LAKE TRAIL SANITARY SEWER EXTENSION

**A JOINT EFFORT BETWEEN:
THE CITY OF LAKE ELMO, MINNESOTA
AND THE CITY OF OAKDALE, MINNESOTA**

**FEBRUARY 2013
AMENDED MARCH 2013**

Lake Elmo Project No: 2012.124
Oakdale Project No. 2012-05

I hereby certify that this plan, specification, or report was prepared by me, or under my direct supervision, and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota.



Chad J. Isakson | License No. 49028 | March 5, 2013
651.300.4264

FOCUS Engineering, inc.
www.FOCUSengineeringinc.com

**OLSON LAKE TRAIL
SANITARY SEWER EXTENSION**

**CITY OF LAKE ELMO PROJECT NO. 2012.124
CITY OF OAKDALE PROJECT NO. 2012-05**

REPORT AMENDMENT

This document officially amends the Olson Lake Trail Sanitary Sewer Extension Feasibility Report dated February 2013 that was adopted by the Lake Elmo City Council on February 19, 2013 and by the Oakdale City Council on February 26, 2013. The purpose of this amendment is to include one additional property to the scope of improvements to be constructed in 2013, thereby extending sanitary sewer service to the property located at 4709 Olson Lake Trail in Lake Elmo. This addition is being made at the request of the property owner.

The scope of the improvements have been amended to include additional construction quantities including sewer main pipe (580 LF total), service stub pipe, and one additional grinder station for the added property. The estimated project costs have been amended for the 2013 proposed improvements increasing the estimated costs from \$128,000 to \$141,000.

The unit assessment for the project will remain unchanged at \$18,500. However, the initial project in 2013 will now serve seven (7) properties; two properties in Oakdale and five (5) properties in Lake Elmo. The Lake Elmo preliminary assessment roll has been updated to include 4709 Olson Lake Trail. The addition of one more property assessment for the 2013 project results in a reduction of the proposed carrying costs for the cities; reducing it from \$17,000 down to \$11,500.

AMENDED: PHASE 1: Total estimated cost for the Olson Lake Trail Sanitary Sewer Extension Project:

• 8-INCH DIAMETER GRAVITY SANITARY SEWER EXTENSION (580 LF)	\$141,000
• UNIT ASSESSMENT AMOUNT (7 BENEFITTING PROPERTIES)	\$18,500
• CARRYING COSTS (TO BE RECOVERED FROM FUTURE IMPROVEMENTS)	\$11,500






NOTE: Carrying cost to be shared on pro rata basis: Lake Elmo = 62%; Oakdale = 38%

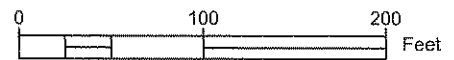
Revisions resulting from the added scope of this amendment are shown in the amended Figure 2 exhibit, amended cost estimate for the 2013 proposed improvements, and the amended preliminary assessment roll for Lake Elmo.

APPENDIX



LEGEND

-  PROPOSED GRAVITY SEWER MAIN
-  PROPOSED FORCEMAIN SERVICE STUB
-  PROPOSED GRAVITY SERVICE STUB
-  PROPOSED GRINDER STATION (LOCATION TBD)
-  ASSESSABLE PROPERTY



**FOCUS
ENGINEERING**

PROJ. NO. 2012.124
LAKE ELMO, MINNESOTA
OAKDALE, MINNESOTA
MARCH, 2013

FIGURE NO. 2
**PROPOSED 2013 SANITARY
SEWER IMPROVEMENTS**
OLSON LAKE TRAIL SANITARY SEWER EXTENSION
AMENDED REPORT

**OLSON LAKE TRAIL SANITARY SEWER EXTENSION
A JOINT EFFORT OF THE CITY OF OAKDALE AND LAKE ELMO, MN
FOCUS PROJECT NO. 2012.124**

FOCUS ENGINEERING, inc.

**ENGINEER'S OPINION OF PROBABLE COST
8-INCH TRUNK SEWER EXTENSION - PROPOSED 2013 IMPROVEMENTS**

DATE: MARCH 2013

Item	Description	Quantity	Unit	Unit price	Total Cost
1	MOBILIZATION	1.00	LS	\$3,500.00	\$3,500
2	TRAFFIC CONTROL	1.00	LS	\$1,750.00	\$1,750
3	SALVAGE & REINSTALL MAILBOX	2.00	EA	\$75.00	\$150
4	SALVAGE & REINSTALL POST & SIGN	1.00	EA	\$100.00	\$100
5	REMOVE & DISPOSE OF EXIST. BITUMINOUS PAVEMENT	150.00	SY	\$4.00	\$600
6	SILT FENCE	580.00	LF	\$2.00	\$1,160
7	REMOVE TREE INCLUDING STUMP (OVER 4")	22.00	EA	\$200.00	\$4,400
8	CONNECT TO EXISTING MANHOLE	1.00	EA	\$750.00	\$750
9	8" DIP, CLASS 50 SANITARY SEWER	20.00	LF	\$42.00	\$840
10	8" PVC, SDR 35 SANITARY SEWER (0'-10' DEPTH)	330.00	LF	\$28.00	\$9,240
11	8" PVC, SDR 35 SANITARY SEWER (10'-15' DEPTH)	230.00	LF	\$31.00	\$7,130
12	48" DIAMETER SAN. MANHOLE (0'-10' DEPTH)	3.00	EA	\$2,500.00	\$7,500
13	48" DIAMETER SAN. MANHOLE EXTRA DEPTH (>10' DEPTH)	2.00	LF	\$200.00	\$400
14	4" ON 8" PVC, SDR 35 WYE BRANCH	7.00	EA	\$100.00	\$700
15	4" PVC, SDR 26 SOLVENT WELD SERVICE PIPE	245.00	LF	\$25.00	\$6,125
16	8" DIP OUTSIDE DROP	5.00	LF	\$300.00	\$1,500
17	TRENCH STABILIZATION ROCK	580.00	LF	\$3.00	\$1,740
18	TELEVISION	580.00	LF	\$1.50	\$870
19	INDIVIDUAL HOME GRINDER STATION	5.00	EA	\$8,000.00	\$40,000
20	SPWEA240B BITUMINOUS WEARING COURSE, DRIVEWAYS	27.00	TN	\$95.00	\$2,565
21	BITUMINOUS MATERIAL FOR TACK COAT	8.00	GA	\$2.50	\$20
22	CL. 5 AGGREGATE BASE	55.00	TN	\$20.00	\$1,100
23	TOPSOIL	161.00	CY	\$14.00	\$2,254
24	SEEDING	0.20	AC	\$2,000.00	\$400
25	WOOD FIBER BLANKET	967.00	SY	\$1.50	\$1,451
26	OFF ROAD STRUCTURE MARKER	3.00	EA	\$100.00	\$300
Subtotal Estimated Construction Cost:					\$96,000
Contingencies:				\$14,000	
Easement and Right-of-way Acquisition:				\$0	
Engineering Services (Report, Design and Construction Administration):				\$19,000	
Full-Time Construction Observation:				\$6,000	
Geotechnical Engineering:				\$2,000	
Legal, Fiscal and Administration:				\$4,000	
Total Estimated Project Cost:					\$141,000

*The estimated costs are according to average prices received on similar projects in other areas. The actual costs for this project will be determined through a bidding process and can vary with market conditions at the time of the bid.

NO.	NAME	ADDRESS	PID	UNITS
1	HAIDER ANTHONY J & DIANE M	4575 OLSON LAKE TRAIL LAKE ELMO	08.029.21.14.0009	1
2	GRAHAM RICHARD C TRS	4635 OLSON LAKE TRAIL LAKE ELMO	08.029.21.14.0005	1
3	KVAASE JOYCE	4655 OLSON LAKE TRAIL LAKE ELMO	08.029.21.14.0055	1
4	TAYLOR REBECCA M	4671 OLSON LAKE TRAIL LAKE ELMO	08.029.21.14.0050	1
5	SCHULTZ CHARLES A & MARCIA R ANDERSON	4709 OLSON LAKE TRAIL LAKE ELMO	08.029.21.14.0010	1
TOTAL				5



MAYOR AND COUNCIL COMMUNICATION

DATE: 3/19/2013

PUBLIC HEARING

ITEM #: 9

RESOLUTION

AGENDA ITEM: Olson Lake Trail Sanitary Sewer Extension – Public Improvement Hearing and Resolution No. 2013-20 Ordering the Improvement and Preparation of Plans and Specifications

SUBMITTED BY: Jack Griffin, City Engineer

THROUGH: Dean A. Zuleger, City Administrator

REVIEWED BY: Adam Bell, City Clerk
Cathy Bendel, Finance Director
Chad Isakson, Project Engineer

SUMMARY AND ACTION REQUESTED: The City Council is respectfully requested to hold the Public Improvement Hearing for the Olson Lake Trail Sanitary Sewer Extension project; and following the hearing, consider adopting Resolution No. 2013-20 Ordering the Improvement and Preparation of Plans and Specifications. Please note that because this project was initiated by the City Council, and not by a resident petition, Ordering the Improvement may be adopted only by vote of four-fifths of all members of the council.

STAFF REPORT AND BACKGROUND INFORMATION: Pursuant to Minnesota Statutes, Section 429.011 to 429.111, a Public Improvement Hearing has been noticed for March 19, 2013, sometime after 7:00 P.M. to consider making the following improvements:

- The extension of sanitary sewer 580 linear feet north of an existing lift station, owned and operated by Oakdale, along the west boulevard of Olson Lake Trail. This project provides sanitary sewer service to 7 properties; 5 properties in Lake Elmo and 2 properties in Oakdale.

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. A Feasibility Report, as amended, has been completed and adopted by the City Council defining the scope of the proposed improvements together with the estimated project costs. The detailed findings of the report will be presented at the meeting and an opportunity for public comment and input will be provided. This report is available for review at City Hall.

A Feasibility Report for these improvements was completed and presented to the City Council at the February 19, 2013 Council Meeting. An amendment to the Report was presented on March 19, 2013. The Report recommends the extension of sanitary sewer service along the west boulevard of Olson Lake Trail. The estimated total project costs for the sanitary sewer extension proposed for construction in 2013 is \$141,000.

This project is the first phase of a multi-year project to provide sewer service along Olson Lake Trail north to 50th Street. The second project would be constructed in coordination with Washington County when the County completes a road resurfacing project for Olson Lake Trail (CR 13); scheduled sometime between 2014 and 2016.

The report recommends an assessment methodology that levies an equal value special assessment against all 24 benefitting properties, regardless of which project results in their connection to sanitary sewer service. The one-time unit assessment of \$18,500 is based on the total estimated project costs of \$444,000 for extending sewer service along the entire corridor north to 50th Street, providing service to 24 total properties; 15 properties in Lake Elmo and 9 properties in Oakdale.

The assessment methodology requires each City to carry project costs until such time that sanitary sewer is extended to all 24 properties. If future projects do not occur, the cities would be required to cover these costs. The estimated at risk cost for Lake Elmo is \$7,130.

RECOMMENDATION: Staff is recommending that the City Council consider adopting Resolution No. 2013-20 Ordering the Improvement and Preparation of Plans and Specifications.

ATTACHMENTS:

1. Resolution No. 2013-20
2. Notice of Public Hearing

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

RESOLUTION NO. 2013-20

**A RESOLUTION ORDERING THE IMPROVEMENT AND PREPARATION OF
PLANS AND SPECIFICATIONS FOR THE
OLSON LAKE TRAIL SANITARY SEWER EXTENSION**

WHEREAS, pursuant a resolution passed by the City Council on the 19th day of February 2013, the Council ordered a hearing on Improvement for the Olson Lake Trail Sanitary Sewer Extension; and

WHEREAS, ten days mailed notice and two weeks published notice of the hearing was given, and the hearing was held thereon on the 19th day of March, 2013, at which all persons desiring to be heard were given the opportunity to be heard thereon; and

WHEREAS, the amended feasibility report 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 amended Feasibility Report, dated March 2013.
2. 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 improvements.
3. 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.
4. 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 LAKE ELMO CITY COUNCIL ON THE NINETEENTH DAY OF MARCH,
2013.**

CITY OF LAKE ELMO

By: _____
Mike Pearson
Mayor

(Seal)

ATTEST:

Adam Bell
City Clerk

CITY OF LAKE ELMO
NOTICE OF HEARING ON IMPROVEMENT
OLSON LAKE TRAIL SANITARY SEWER EXTENSION

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, March 19, 2013, to consider the making of the following improvements, pursuant to Minnesota Statutes, Sections 429.011 to 429.111;

The improvement will consist of the extension of sanitary sewer along Olson Lake Trail North from an existing Oakdale Lift station located across the street from 4575 Olson Lake Trail and extending approximately 550 feet north to the north property line of 4678 Olson Lake Trail. The improvement will provide municipal sanitary sewer service to 4 Lake Elmo properties and 2 Oakdale properties located adjacent to the proposed improvement.

The area proposed to be assessed for these improvements include properties abutting the sanitary sewer extension. The estimated total cost of the sanitary sewer extension is \$128,000 with the City cost share being \$84,540. 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: February 19, 2013

BY ORDER OF THE LAKE ELMO CITY COUNCIL

Mike Pearson, Mayor

(Published in the Oakdale-Lake Elmo Review on February 27, 2013 and March 6, 2013)



MAYOR AND COUNCIL COMMUNICATION

DATE: 3/19/2013

PUBLIC HEARING

ITEM #: 10

RESOLUTION

AGENDA ITEM: Olson Lake Trail Sanitary Sewer Extension – Final Assessment Hearing and Resolution No. 2013-21 Adopting the Final Assessment Roll for the Olson Lake Trail Sanitary Sewer Extension, 2013 Improvements

SUBMITTED BY: Jack Griffin, City Engineer

THROUGH: Dean A. Zuleger, City Administrator

REVIEWED BY: Adam Bell, City Clerk
Cathy Bendel, Finance Director
Chad Isakson, Project Engineer

SUMMARY AND ACTION REQUESTED: The City Council is respectfully requested to hold the Final Assessment Hearing for the Olson Lake Trail Sanitary Sewer Extension, 2013 Improvement project. The Council will hear any objections to the proposed assessment whether presented verbally or in writing during the hearing. After the hearing is closed the City Council is respectfully requested to consider approving Resolution No. 2013-21 Adopting the Final Assessment Roll.

STAFF REPORT: On February 19th, 2013 the City Council approved Resolution No. 2013-13 declaring the costs to be assessed and calling for a hearing on the proposed assessment for the Olson Lake Trail Sanitary Sewer Extension, 2013 Improvement project.

The final assessment hearing is being held prior to design and construction of the project for two reasons. The first reason is to maintain consistency with the assessment process the City of Oakdale is implementing. The second reason is to determine if the City will face appeal of the assessment from a benefitting property prior to ordering the improvements. This will provide the City an opportunity to evaluate the risk of proceeding with the improvements without expending funds for construction.

Pursuant to Minnesota Statutes, Section 429 the Council must declare the amount to be assessed against the benefitting properties and the hearing on the proposed assessment for those improvements must be conducted. Staff has enclosed a Final Assessment Roll as adopted by the City Council. The final assessments for each benefitting property are \$18,500 per Unit.

Mailed notice has been provided to each assessed property and notice of the public hearing has been duly noted.

RECOMMENDATION: Staff is recommending that the City Council consider approving Resolution No. 2013-21 Adopting the Final Assessment Roll for the Olson Lake Trail Sanitary Sewer Extension, 2013 Improvements.

ATTACHMENTS:

1. Resolution No. 2013-21
2. Final Assessment Roll

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

RESOLUTION NO. 2013-21

**A RESOLUTION ADOPTING THE FINAL ASSESSMENT ROLL
FOR THE OLSON LAKE TRAIL SANITARY SEWER EXTENSION**

WHEREAS, pursuant to notice duly given as required by law, the Council has met, heard and passed upon all objections to the proposed assessment for the Olson Lake Trail Sanitary Sewer Extension – 2013 Improvements;

NOW, THEREFORE, BE IT RESOLVED,

1. Such proposed assessment, a copy of which is attached hereto and made a part hereof, is hereby accepted and shall constitute the special assessment against the lands named therein, and each tract of land therein included is hereby found to be benefitted by the proposed improvement in the amount of the assessment levied against it.
2. Such assessment shall be payable in equal annual installments extending over a period of 15 years, the first of the installments to be payable on or before the first Monday in January, 2014, and shall bear interest at the rate of 4.00% percent per annum from the date of the adoption of the assessment resolution. To the first installment shall be added interest on the entire assessment from the date of this resolution until December 31, 2013. To each subsequent installment when due shall be added interest for one year on all unpaid installments.
3. The owner of any property so assessed may, at any time prior to the certification of the assessment to the county auditor, pay the whole of the assessment on such property, with the interest accrued to the date of payment, to the City Clerk, except that no interest shall be charged if the entire assessment is paid within 30 days from the adoption of this resolution; and they may, at any time thereafter, pay to the City Clerk the entire amount of the assessment remaining unpaid, with interest accrued to December 31 of the year in which such payment is made. Such payment must be made before November 30 or interest will be charged through December 31 of the next succeeding year.
4. The City Clerk shall forthwith transmit a certified duplicate of this assessment to the County Auditor to be extended on the property tax lists of the county. Such assessments shall be collected and paid over in the same manner as other municipal taxes.

**ADOPTED BY THE LAKE ELMO CITY COUNCIL ON THE NINETEENTH DAY OF
MARCH, 2013.**

CITY OF LAKE ELMO

(Seal)

By: _____
Mike Pearson, Mayor

ATTEST:

Adam Bell, City Clerk

NO.	NAME	ADDRESS	PID	UNITS
1	HAIDER ANTHONY J & DIANE M	4575 OLSON LAKE TRAIL LAKE ELMO	08.029.21.14.0009	1
2	GRAHAM RICHARD C TRS	4635 OLSON LAKE TRAIL LAKE ELMO	08.029.21.14.0005	1
3	KVAASE JOYCE	4655 OLSON LAKE TRAIL LAKE ELMO	08.029.21.14.0055	1
4	TAYLOR REBECCA M	4671 OLSON LAKE TRAIL LAKE ELMO	08.029.21.14.0050	1
5	SCHULTZ CHARLES A & MARCIA R ANDERSON	4709 OLSON LAKE TRAIL LAKE ELMO	08.029.21.14.0010	1
TOTAL				5



MAYOR AND COUNCIL COMMUNICATION

DATE: 3/19/2013

REGULAR

ITEM #: 11

MOTION

AGENDA ITEM: Lake Elmo Avenue Sewer Infrastructure Improvements: I-94 to 30th Street
Authorize Preparation of Plans and Specifications and Approve
Engineering Design and Construction Support Services Contract

SUBMITTED BY: Jack Griffin, City Engineer

THROUGH: Dean A. Zuleger, City Administrator

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

SUMMARY AND ACTION REQUESTED: The City Council is respectfully requested to select a trunk sewer infrastructure option and consider authorizing the preparation of Plans and Specifications for the Lake Elmo Avenue Sewer Infrastructure Improvements from I-94 to 30th Street; and to approve the Engineering Design and Construction Support Services Contract to TKDA in the estimated not to exceed amount of \$45,400, "Forcemain Only" option, or \$77,200 to redesign the trunk gravity sewer within the I-94 Corridor.

BACKGROUND INFORMATION: On March 15, 2011, the City Council approved plans and specifications for the Lift Station and Forcemain project, from I-94 to 30th Street that included a base bid for a Forcemain only design and an alternate bid for trunk gravity sewer in lieu of Forcemain within the I-94 Corridor. Bids for this project were presented to the city council on May 17, 2011, but an improvement was never ordered.

STAFF REPORT: Staff is presenting two options as follows to construct trunk sewer infrastructure from the I-94 Met Council facilities to the Village:

- Option A – Forcemain Only along Lake Elmo Avenue and 30th Street
- Option B – Redesign of Gravity in lieu of Forcemain within the I-94 Corridor area

Option A would require a "repackaging" of the existing plans and specifications that were previously approved by the council on March 15, 2011.

Option B would require a redesign of trunk gravity sewer south of 10th Street. This redesign is necessary to place the gravity sewer alignment through properties willing to provide easements

to the city (see attached Easement Exhibit). Staff has recently met with and received verbal agreement from each of the three affected property owners to acquire the necessary temporary and permanent easements for the project. The gravity alignment proposed in the March 15, 2011 plans and specifications required easements that could not be obtained at that time.

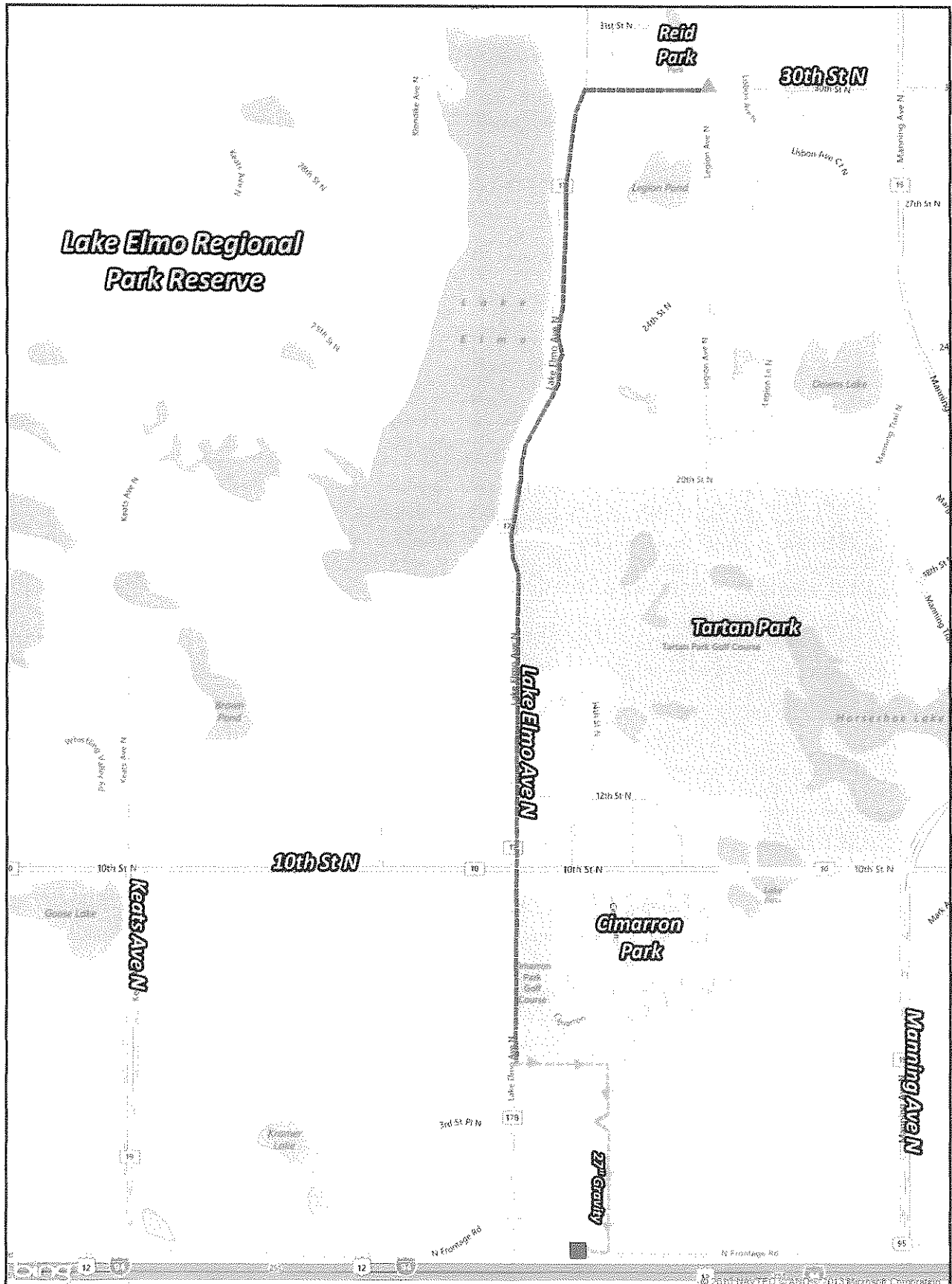
Staff will present each option at the City Council Meeting and ask for council to provide direction on how to proceed.

FUNDING: On March 14, 2010 the state legislature signed into law the Capitol Investment Bill. Included in the bill was a special appropriation under the Redevelopment Grant Account for the City of Lake Elmo in the amount of \$2,000,000; where \$1,000,000 must be used to design and construct an expansion of the city's water pumping, storage, and distribution system; and \$1,000,000 must be used to design and construct the I94 to 30th St. Lift Station and Forcemain project. As a condition in the bill language, the city must provide matching funds for the projects. It is anticipated that the city matching funds would be provided through bond proceeds. The state's obligation to fund the DEED Grants shall terminate if the entire Grant amounts have not been disbursed by December 31, 2014.

RECOMMENDATION: Staff is recommending the City Council authorize preparation of Plans and Specifications for the Lake Elmo Avenue Sewer Infrastructure Improvements from I-94 to 30th Street consisting of a redesign for the trunk gravity sewer realignment within the I-94 Corridor; and approve the Engineering Design and Construction Support Services Contract to TKDA, Inc. in the estimated not to exceed amount of \$77,200.

ATTACHMENTS:

1. Lake Elmo Avenue Sewer Infrastructure Improvement Exhibit
2. Easement Exhibit
3. Professional Services Agreement-TKDA Authorization No. 2
4. Proposed Project Schedule







Phase 1: Sewer to the Village

THE CITY OF
LAKE ELMO

3-12-2013
Data Source:
Washington County, MN

Legend

-  Lift Station
-  Proposed Gravity Sewer
-  MCES Regional Sewer System
-  Proposed Forcemain Sewer

0 750 1,500 3,000 Feet



In accordance with the GENERAL AGREEMENT between the City of Lake Elmo ("CITY") and TKDA ("ENGINEER"), dated February 8, 1988 ("AGREEMENT"), the ENGINEER agrees to provide Professional Engineering Support Services as follows:

**LAKE ELMO AVENUE INFRASTRUCTURE IMPROVEMENTS
I-94 TO 30TH STREET PROJECT
REROUTE GRAVITY CONNECTION**

PROJECT OVERVIEW: The Project includes Engineering Services for the installation of a sanitary sewer system including a lift station, forcemain and gravity sewer, to convey wastewater flow along Lake Elmo Avenue from Reid Park located on 30th Street to the MCES connection located on Hudson Boulevard.

Services include revising the current 2011 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.

SERVICES TO BE PROVIDED BY ENGINEER: TKDA shall provide the following Professional Engineering Services:

1. DESIGN PHASE

- a. Project Management.
- b. Conduct a kickoff meeting with City Staff and Project Team.
- c. Request information through Gopher State One Call and update utility information for the corridor.
- d. Perform topographic survey of the new gravity alignment.
- e. Map topographic survey of the new gravity alignment.
- f. Provide recommended soil boring plan.
- g. Coordinate with geotechnical consultant hired by the City.
- h. Review site conditions in the field to identify any conditions changed since the original plan was prepared.
- i. Design rain garden and plantings at lift station.
- j. Review and modify the existing construction plans and specifications to eliminate the earlier alternate bid. Design and add an alternate bid for the new alignment.
- k. Provide 90% plans to the City and make revisions based on comments provided.
- l. Provide an estimate of probable construction cost at 100% completion.
- m. Provide necessary permit applications for City signature and submittal.
- n. Provide QA/QC.
- o. Assemble and submit final Contract Documents to CLIENT.
- p. Prepare a Stormwater Pollution Prevention Plan.

2. BIDDING PHASE

- a. Submit the advertisement for bid.
- b. Distribute contract documents and maintain plan holders list.
- c. Respond to bidders questions; issue addenda.
- d. Tabulate bids.
- e. Review bids and make an award recommendation.
- f. Prepare and send out contract documents after award.

3. CONSTRUCTION PHASE

- a. Project Management.
- b. Construction Staking.
- c. Attend preconstruction meeting.
- d. Provide 80 hours of technical support during construction.
- e. Prepare record plans.

DELIVERABLES:

- Plans and Specifications in electronic format (PDF) and hard copy format (4 full size and 4 half size).
- Opinion of Total Probable Project Costs.
- Identification of easements on the plans, if needed for the construction of the project.

CITY RESPONSIBILITIES: The City (or its consultants) will provide the following:

1. Provide TKDA with access to the site as required to perform services listed herein.
2. Provide reviews of materials furnished by TKDA in a reasonable and prompt manner so that the Project schedule can be maintained.
3. Identify the alignment for the design.
4. Contract with a geotechnical consultant to provide soil borings and foundation recommendations.
5. Provide wetland delineations for the project.
6. Submittal of permit applications provided and payment of permit fees.
7. Acquire easements.
8. Coordinate with City Council and residents.
9. Provide construction administration and observation, except as provided above.
10. Provide Warranty Inspections.

ADDITIONAL SERVICES: If authorized by the City, TKDA shall furnish or obtain from others Additional Services which are not considered under this Authorization, including:

1. Prepare and present presentations to the City Council and/or meet with property owners.
2. Prepare plans or exhibits for additional alignments.
3. Preliminarily stake the pipe alignment for City/property owner review.
4. Provide construction observation.
5. Subcontract with geotechnical and wetland subconsultants.

Such services shall be compensated for on an Hourly Rate basis in an amount approved by the City prior to any services being started or as otherwise mutually agreed.

TIMES FOR RENDERING SERVICES: ENGINEER shall perform its services and complete design by June 6, 2013.

ENGINEER's construction phase services shall be provided in accordance with the Contractor's schedule for the work.

CITY'S REPRESENTATIVE AND CONTRACT ADMINISTRATION: The CITY's representative with respect to services rendered by ENGINEER under this AUTHORIZATION shall be the City Engineer. Project correspondence must be addressed to:

Jack Griffin, P.E., City Engineer
City of Lake Elmo
3800 Laverne Avenue North
Lake Elmo, MN 55042
651.300.4264
Email: Jack.griffin@focusengineeringinc.com

COMPENSATION: Compensation to ENGINEER for Design Phase, Bidding Phase, and Construction Phase Services shall be on an hourly rate basis in a not to exceed amount of \$77,200, per the attached fee estimate.

ATTACHMENTS: The following documents are incorporated by reference:

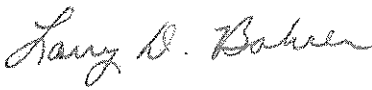
ENGINEER's Fee Estimate

APPROVAL AND ACCEPTANCE: Approval and Acceptance of this Authorization, including the attachment(s) listed above, shall incorporate this document as part of the AGREEMENT. ENGINEER is authorized to begin performance of services upon receipt of this Authorization signed by the City.

The Effective Date of this Authorization is **March 20, 2013**.

TKDA

CITY OF LAKE ELMO, MINNESOTA

By 
(Authorized Representative of the Firm)
Larry D. Bohrer, PE
Vice President, Municipal Services

By _____
City Administrator



Project Fee Estimate

Client:		City of Lake Elmo					Date:		3/14/2013	
Project:		Lake Elmo Avenue Sanitary Sewer I-94 to 30th Reroute Gravity					Prepared By:		RSQ	
Task	Task Description	Estimated Person Hours Required							Totals	
		Quanbeck	Klocker	Pageler	Wassman	Snyder	Survey Crew	Caple		
		Sr Reg Eng/PM	Reg Eng	Spec I	Reg Eng	Spec II				Tech II
Billing Rate/Hr x Multiplier		\$ 147	\$ 83	\$ 91	\$ 121	\$ 154	\$ 155	\$ 57		
A	Plans, Specifications and Contract Documents									
1	Project Management	24							24	
2	Kickoff Meeting with City Staff	3	3						6	
3	Internal Kickoff Meeting	1	1	1					3	
4	Gopher One Call & Utility Mapping		4	4					8	
5	Topographic Survey	2					40		42	
6	Map Topographic Survey		2	16					18	
7	Coordinate Geotechnical Evaluations		4						4	
8	Field Review to Verify Existing Conditions/Base Map		6						6	
9	Modify Construction Plans/Specs; Add Alternate Bid New Alignment	16	110	110		4		5	245	
10	Provide 90% Plans to City for Review; Incorporate Revisions	2	8	8					18	
11	Quantity Take-off and Estimate of Construction Cost	2	12	4					18	
12	Prepare Permit Applications	4	8	2	8				22	
13	QA/QC Plans, Specifications, Estimate of Cost	12	2						14	
14	Assemble Contract Documents	1	4	2				4	11	
15	Prepare SWPPP				9				9	
SUBTOTAL HOURS		67	164	147	17	4	40	9	448	
SUBTOTAL LABOR COST		\$ 9,849	\$ 13,612	\$ 13,377	\$ 2,057	\$ 616	\$ 6,200	\$ 513	\$ 46,224	
Expenses:										
Travel & Subsistence (TS)									\$ 250	
Reproduction & Reprographics (RR)									\$ 250	
SUBTOTAL									\$ 46,724	
B	Bidding Phase Services									
1	Submit Advertisement for Bids							1	1	
2	Distribute Plans and Specifications to Bidders; Maintain Plan Holder List							3	3	
3	Respond to Bidder's Questions; Issue Addenda	8		2		2		1	13	
4	Tabulate Bids							2	2	
5	Review Bids/Award Recommendation	1						1	2	
6	Prepare and Send Out Contract Documents			1				2	3	
SUBTOTAL HOURS		9	-	3	-	2	-	10	24	
SUBTOTAL LABOR COST		\$ 1,323	\$ -	\$ 273	\$ -	\$ 308	\$ -	\$ 570	\$ 2,474	
Expenses:										
Reproduction & Reprographics (RR)									\$ 50	
SUBTOTAL									\$ 2,524	
C	Construction Phase Services									
1	Project Management	12							12	
2	Construction Staking						84		84	
3	Preconstruction Meeting	3				3			6	
4	Technical Support to City during Construction (Assumed 80 hrs)	40	30			10			80	
5	Record Plans	2	2	4			8		16	
SUBTOTAL HOURS		57	32	4	-	13	92	-	198	
SUBTOTAL LABOR COST		\$ 8,379	\$ 2,656	\$ 364	\$ -	\$ 2,002	\$ 14,260	\$ -	\$ 27,661	
Expenses:										
Travel & Subsistence (TS)									\$ 250	
Reproduction & Reprographics (RR)									\$ 50	
SUBTOTAL									\$ 27,961	
TOTAL PROJECT									\$ 77,209	
ROUNDED									\$ 77,200	

In accordance with the GENERAL AGREEMENT between the City of Lake Elmo ("CITY") and TKDA ("ENGINEER"), dated February 8, 1988 ("AGREEMENT"), the ENGINEER agrees to provide Professional Engineering Support Services as follows:

**LAKE ELMO AVENUE INFRASTRUCTURE IMPROVEMENTS
I-94 TO 30TH STREET PROJECT
FORCEMAIN ONLY**

PROJECT OVERVIEW: The Project includes Engineering Services for the installation of a sanitary sewer system including a lift station, forcemain and gravity sewer, to convey wastewater flow along Lake Elmo Avenue from Reid Park located on 30th Street to the MCES connection located on Hudson Boulevard.

Services include revising the current 2011 set of construction documents for the purpose of re-bidding the Project. The revised documents will remove the current alternate bid and retain the forcemain only.

SERVICES TO BE PROVIDED BY ENGINEER: TKDA shall provide the following Professional Engineering Services:

1. DESIGN PHASE

- a. Project Management.
- b. Conduct a kickoff meeting with City Staff and Project Team.
- c. Request information through Gopher State One Call and update utility information for the corridor.
- d. Review site conditions in the field to identify any conditions changed since the original plan was prepared.
- e. Modify the existing construction plans and specifications to eliminate the alternate bid.
- f. Review and revise construction plans and specifications for updated standards and materials.
- g. Design rain garden and plantings at lift station.
- h. Provide an estimate of probable construction cost.
- i. Provide necessary permit applications for City signature and submittal.
- j. Provide QA/QC.
- k. Assemble and submit final Contract Documents to CLIENT.
- l. Prepare a Stormwater Pollution Prevention Plan.

2. BIDDING PHASE

- a. Submit the advertisement for bid.
- b. Distribute contract documents and maintain plan holders list.
- c. Respond to bidders questions; issue addenda.
- d. Tabulate bids.
- e. Review bids and make an award recommendation.
- f. Prepare and send out contract documents after award.

3. CONSTRUCTION PHASE

- a. Project Management.
- b. Construction Staking.
- c. Attend preconstruction meeting.
- d. Provide 80 hours of technical support during construction.
- e. Prepare record plans.

DELIVERABLES:

- Plans and Specifications in electronic format (PDF) and hard copy format (4 full size and 4 half size).
- Opinion of Total Probable Project Costs.
- Identification of easements on the plans, if needed for the construction of the project.

CITY RESPONSIBILITIES: The City (or its consultants) will provide the following:

1. Provide TKDA with access to the site as required to perform services listed herein.
2. Provide reviews of materials furnished by TKDA in a reasonable and prompt manner so that the Project schedule can be maintained.
3. Submittal of permit applications provided and payment of permit fees.
4. Acquire easements.
5. Provide wetland delineations if previous delineations have expired.
6. Coordinate with City Council and residents.
7. Provide construction administration and observation, except as provided above.
8. Provide Warranty Inspections.

ADDITIONAL SERVICES: If authorized by the City, TKDA shall furnish or obtain from others Additional Services which are not considered under this Authorization, including:

1. Prepare and present presentations to the City Council and/or meet with property owners.
2. Provide construction observation.

Such services shall be compensated for on an Hourly Rate basis in an amount approved by the City prior to any services being started or as otherwise mutually agreed.

TIMES FOR RENDERING SERVICES: ENGINEER shall perform its services and complete design by May 1, 2013.

ENGINEER's construction phase services shall be provided in accordance with the Contractor's schedule for the work.

CITY'S REPRESENTATIVE AND CONTRACT ADMINISTRATION: The CITY's representative with respect to services rendered by ENGINEER under this AUTHORIZATION shall be the City Engineer. Project correspondence must be addressed to:

Jack Griffin, P.E., City Engineer
City of Lake Elmo
3800 Laverne Avenue North
Lake Elmo, MN 55042
651.300.4264
Email: Jack.griffin@focusengineeringinc.com

COMPENSATION: Compensation to ENGINEER for Design Phase, Bidding Phase, and Construction Phase Services shall be on an hourly rate basis in a not to exceed amount of \$45,400, per the attached fee estimate.

ATTACHMENTS: The following documents are incorporated by reference:

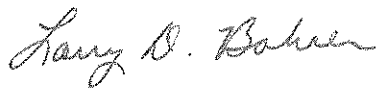
ENGINEER's Fee Estimate

APPROVAL AND ACCEPTANCE: Approval and Acceptance of this Authorization, including the attachment(s) listed above, shall incorporate this document as part of the AGREEMENT. ENGINEER is authorized to begin performance of services upon receipt of this Authorization signed by the City.

The Effective Date of this Authorization is **March 20, 2013**.

TKDA

CITY OF LAKE ELMO, MINNESOTA

By 
(Authorized Representative of the Firm)
Larry D. Bohrer, PE
Vice President, Municipal Services

By _____
City Administrator



Project Fee Estimate

Client: City of Lake Elmo		Date: 3/14/2013							
Project: Lake Elmo Avenue Sanitary Sewer I-94 to 30th Forcemain Only		Prepared By: RSQ							
Task	Task Description	Estimated Person Hours Required						Totals	
		Quanbeck	Klocker	Pageler	Wassman	Snyder	Caple		
		Sr Reg Eng/PM	Reg Eng	Spec I	Reg Eng	Spec II	Survey Crew Tech II		
	Billing Rate/Hr x Multiplier	\$ 147	\$ 83	\$ 91	\$ 121	\$ 154	\$ 155	\$ 57	
A	Plans, Specifications and Contract Documents								
1	Project Management	6							6
2	Kickoff Meeting with City Staff	3	3						6
3	Internal Kickoff Meeting	1	1	1					3
4	Gopher One Call & Update Utility Locations		4	2					6
5	Field Review to Identify Changed Conditions		8						8
6	Eliminate Alternate Bid from Plans and Specs	2	4	8				4	18
7	Review & Update Plans and Specs	8	16	14		4		1	43
8	Quantity Take-off and Estimate of Construction Cost		4	2					6
9	Prepare Permit Applications	4	8	2	8				22
10	QA/QC	4							4
11	Assemble Contract Documents	1	4	2				4	11
12	Prepare SWPPP				9				9
SUBTOTAL HOURS		29	52	31	17	4	-	9	142
SUBTOTAL LABOR COST		\$ 4,263	\$ 4,316	\$ 2,821	\$ 2,057	\$ 616	\$ -	\$ 513	\$ 14,586
Expenses:									
Travel & Subsistence (TS)									\$ 50
Reproduction & Reprographics (RR)									\$ 250
SUBTOTAL									\$ 14,886
B	Bidding Phase Services								
1	Submit Advertisement for Bids							1	1
2	Distribute Plans and Specifications to Bidders; Maintain Plan Holder List							3	3
3	Respond to Bidder's Questions; Issue Addenda	8		2		2		1	13
4	Tabulate Bids							2	2
5	Review Bids/Award Recommendation	1						1	2
6	Prepare and Send Out Contract Documents			1				2	3
SUBTOTAL HOURS		9	-	3	-	2	-	10	24
SUBTOTAL LABOR COST		\$ 1,323	\$ -	\$ 273	\$ -	\$ 308	\$ -	\$ 570	\$ 2,474
Expenses:									
Reproduction & Reprographics (RR)									\$ 50
SUBTOTAL									\$ 2,524
C	Construction Phase Services								
1	Project Management	12							12
2	Construction Staking						84		84
3	Preconstruction Meeting	3				3			6
4	Technical Support to City during Construction (Assumed 80 hrs)	40	30			10			80
5	Record Plans	2	2	4			8		16
SUBTOTAL HOURS		57	32	4	-	13	92	-	198
SUBTOTAL LABOR COST		\$ 8,379	\$ 2,656	\$ 364	\$ -	\$ 2,002	\$ 14,260	\$ -	\$ 27,661
Expenses:									
Travel & Subsistence (TS)									\$ 250
Reproduction & Reprographics (RR)									\$ 50
SUBTOTAL									\$ 27,961
TOTAL PROJECT									\$ 45,371
ROUNDED									\$ 45,400

PROJECT SCHEDULE

FOCUS ENGINEERING, inc.

Cara Geheren, P.E. 651.300.4261
Jack Griffin, P.E. 651.300.4264
Ryan Stempski, P.E. 651.300.4267
Chad Isakson, P.E. 651.300.4283

DATE: March 12, 2013

City of Lake Elmo, Minnesota
Project No. 2013.123

Lake Elmo Avenue Sewer Infrastructure Improvements: I-94 to 30th Street

March 19, 2013	Council Workshop – Address Scope of Improvements/Project Schedule
March 19, 2013	Council orders preparation of Plans and Specifications/approves Engineering Contract
March 26, 2013	Project kick-off meeting [8 Weeks for Design]
June 18, 2013	City Engineer presents Plans and Specifications for Council approval
June 21, 2013	Placement of Ad for Bids
July 23, 2013	Receive Contractor Bids
August 6, 2013	City Council accepts bids and awards Contract
September 9, 2013	Issue Notice to Proceed. Contractor begins Work
December 20, 2013	Substantial Completion [includes all pipe installation, Lift Station start-up, paving] 15 Weeks [8-12 week pump & control panel lead time]
June 1, 2014	Final Completion [includes restoration, and punch list items]



MAYOR AND COUNCIL COMMUNICATION

DATE: 3/19/2013
REGULAR
ITEM #: 12
RESOLUTION

AGENDA ITEM: Section 34 (Lennar Area) Water and Sewer Utility Extension Improvements – Resolution No. 2013-22 Declaring Adequacy of Petition; Approving Preliminary Fee Agreement; Ordering Preparation of Feasibility Report and Preparation of Plans and Specifications; and Approving Engineering Services Agreement

SUBMITTED BY: Jack Griffin, City Engineer

THROUGH: Dean A. Zuleger, City Administrator

REVIEWED BY: Adam Bell, City Clerk
Cathy Bendel, Finance Director
Dave Snyder, City Attorney
Kyle Klatt, Planning Director

SUMMARY AND ACTION REQUESTED: The City Council is respectfully requested to consider approving Resolution No. 2013-22 Declaring Adequacy of Petition; Approving Preliminary Fee Agreement; Ordering Preparation of Feasibility Report and Preparation of Plans and Specifications; and Approving Engineering Services Agreement for the Section 34 (Lennar Area) Water and Sewer Utility Extension Improvements.

STAFF REPORT: The City of Lake Elmo received a Petition, pursuant to Minnesota Statute 429, requesting the extension of trunk watermain and sanitary sewer facilities to serve the properties that will be a part of the Lennar development and the surrounding undeveloped properties located in the south half of Section 34, Township 29 North, Range 21 West.

The improvements would consist of trunk watermain, extending from the Eagle Point Business Park to the first Phase of the proposed Lennar development; a sanitary lift station located in the vicinity of Hudson Boulevard and Keats Avenue with a connecting Forcemain along Hudson Boulevard to the existing sewer line in the Eagle Point Business Park; and a trunk gravity sewer from the lift station site to the first Phase of the proposed Lennar development. For the sole purpose of establishing the order of magnitude of the proposed Project, a preliminary estimate of the total project cost is \$800,000 to \$1,500,000.

The Petition has been reviewed and certified by the City Clerk to represent at least 35%, but less than 100%, of the properties to be benefitted by the requested improvements (see attached Petition for Local Improvements and Petition Map). The Petition has also been signed by Lennar Corporation since portions of the subject property are under contract for purchase by Lennar for the purposes of platting a single-family and multi-family residential development.

Upon receipt of the request, staff worked with Lennar to better understand the scope of the improvements requested and the desired schedule to implement the Project (see attached Project Schedule). Staff also retained a work scope and fee proposal from Bolton and Menk, Inc. for engineering services related to the Feasibility Report and project design.

Should the Council choose to accept the petition and undertake the preliminary consideration of the Public Improvements, the City will incur costs prior to gaining certainty of being able to recover these costs. These costs include Professional Engineering and Legal Services to prepare a Feasibility Report, preparation of Plans and Specifications, and other related matters. To protect the City against this uncertainty, staff has prepared, and Lennar Corporation has agreed to execute a Preliminary Fee Escrow Agreement requiring Lennar to deposit a sufficient escrow amount to cover the estimated fees for Professional Services in connection with the project, and to replenish the escrow upon request of the City.

Upon completion of the Feasibility Report, which will include the proposed project assessment methodology and the preliminary assessment amounts for each subject parcel, the City will request from each parcel an Agreement of Assessment and Waiver of Irregularity and Appeal. Receipt of this agreement provides the City with certainty of recovering all costs apportioned to that property through the levy of the assessment.

RECOMMENDATION: Staff is recommending that the City Council consider approving Resolution No. 2013-22 Declaring Adequacy of Petition; Approving Preliminary Fee Agreement; Ordering Preparation of Feasibility Report and Preparation of Plans and Specifications; and Approving Engineering Services Agreement for the Section 34 (Lennar Area) Water and Sewer Utility Extension Improvements.

ATTACHMENTS:

1. Resolution No. 2013-22
2. Petition for Local Improvements
3. Petition Map
4. Preliminary Fee Escrow Agreement
5. Professional Services Agreement, Bolton and Menk, Task Order No. 1
6. Proposed Project Schedule

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

RESOLUTION NO. 2013-22

**A RESOLUTION DECLARING ADEQUACY OF PETITION; APPROVING
PRELIMINARY FEE AGREEMENT; ORDERING PREPARATION OF FEASIBILITY
REPORT AND PREPARATION OF PLANS AND SPECIFICATIONS; AND
APPROVING ENGINEERING SERVICES AGREEMENT FOR THE SECTION 34
(LENNAR AREA) WATER AND SEWER UTILITY EXTENSION IMPROVEMENTS**

WHEREAS, a petition was received from the owners of real property located in the south half of Section 34, Township 29 North, Range 21 West in the City of Lake Elmo, requesting the extension of trunk watermain and trunk sanitary sewer facilities and that the city assess the cost of the improvements against said properties and hereby agree to pay the entire cost as apportioned by the city; and

WHEREAS, Lennar Corporation has entered into a Preliminary Fee Escrow Agreement with the City for the provision of consulting services in connection with the said improvements.

NOW, THEREFORE, BE IT RESOLVED,

1. A Petition requesting the improvements is hereby declared to be signed by the required percentage of owners of property affected thereby. This declaration is made in conformity to Minnesota Statutes 429.035.
2. The Preliminary Fee Escrow Agreement for the provision of consulting services in connection with the improvements is hereby approved.
3. The Petition for the proposed extension of trunk watermain and trunk sanitary sewer facility improvements are hereby referred to the City Engineer, together with city's consultants, to report to the council with all convenient speed advising the council in a preliminary way as to whether the proposed improvement is necessary, cost-effective, and feasible; whether it should best be made as proposed or in connection with some other improvement; the estimated cost of the improvement as recommended; and a description of the methodology used to calculate individual assessments for affected parcels.
4. In the interest of accelerating the project schedule, the City Engineer, together with city's consultants, shall concurrently prepare plans and specifications for making of such improvements.
5. The Professional Engineering Services Agreement, Task Order No. 1, is hereby approved to retain Bolton and Menk, Inc. to provide engineering support services to the City Engineer in connection with the improvements.

ADOPTED BY THE LAKE ELMO CITY COUNCIL ON THE NINETEENTH DAY OF MARCH, 2013.

CITY OF LAKE ELMO

By: _____
Mike Pearson
Mayor

(Seal)

ATTEST:

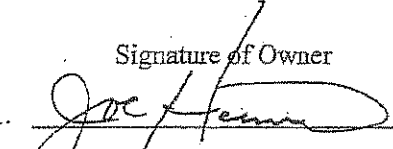
Adam Bell
City Clerk

**CITY OF LAKE ELMO, MINNESOTA
PETITION FOR LOCAL IMPROVEMENTS**

March 5th, 2013.

To the City Council of the City of Lake Elmo, Minnesota:

We the undersigned, being the owners of real property abutting, accessing or otherwise receiving a special benefit from the requested improvements hereby petition the City for the extension of watermain and sanitary sewer utilities, including a sanitary lift station and forcemain, to serve the properties in the south half of Section 34, Township 29 North, Range 21 West in the City of Lake Elmo, pursuant to Minnesota Statutes, Chapter 429, and that the City assess the entire cost of the improvement against the properties described below and hereby agree to pay the entire cost as apportioned by the City upon review and approval by the undersigned of the final cost to be assessed.

	Signature of Owner	Description of Property (PID)
1.		PID#: 34.029.21.34.0004
2.	Chief Manager	
3.	Gatsby Investors LLC	
4.		
5.		
6.		
7.		
8.		
9.		

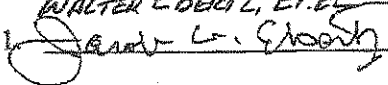
Examined, checked, and found to be in proper form and to be signed by the required number of owners of property affected by the making of the improvement petitioned for.

**CITY OF LAKE ELMO, MINNESOTA
PETITION FOR LOCAL IMPROVEMENTS**

March 6th, 2013.

To the City Council of the City of Lake Elmo, Minnesota:

We the undersigned, being the owners of real property abutting, accessing or otherwise receiving a special benefit from the requested improvements hereby petition the City for the extension of watermain and sanitary sewer utilities, including a sanitary lift station and forcemain, to serve the properties in the south half of Section 34, Township 29 North, Range 21 West in the City of Lake Elmo, pursuant to Minnesota Statutes, Chapter 429, and that the City assess the entire cost of the improvement against the properties described below and hereby agree to pay the entire cost as apportioned by the City upon review and approval by the undersigned of the final cost to be assessed.

Signature of Owner	Description of
Property (PID) WALTER EBERTZ, ET AL 1. 	34-029-21-44-0004 34-029-21-44-0006 18 ACRES
2. _____	
3. _____	
4. _____	
5. _____	
6. _____	
7. _____	
8. _____	
9. _____	

Examined, checked, and found to be in proper form and to be signed by the required number of owners of property affected by the making of the improvement petitioned

**CITY OF LAKE ELMO, MINNESOTA
PETITION FOR LOCAL IMPROVEMENTS**

March 5th, 2013.

To the City Council of the City of Lake Elmo, Minnesota:

We the undersigned, being the owners of real property abutting, accessing or otherwise receiving a special benefit from the requested improvements hereby petition the City for the extension of watermain and sanitary sewer utilities, including a sanitary lift station and forcemain, to serve the properties in the south half of Section 34, Township 29 North, Range 21 West in the City of Lake Elmo, pursuant to Minnesota Statutes, Chapter 429, and that the City assess the entire cost of the improvement against the properties described below and hereby agree to pay the entire cost as apportioned by the City upon review and approval by the undersigned of the final cost to be assessed.

	Signature of Owner	Description of
Property (PID)		
1.	<i>CM Property 574 LP [Signature]</i>	34-029-21-44-0007 6 ACRES
2.	<i>MFC Property 794 LP [Signature]</i>	34-029-21-44-0009 7 ACRES
3.		
4.		
5.		
6.		
7.		
8.		
9.		

Examined, checked, and found to be in proper form and to be signed by the required number of owners of property affected by the making of the improvement petitioned

**CITY OF LAKE ELMO, MINNESOTA
PETITION FOR LOCAL IMPROVEMENTS**

March 10, 2013.

To the City Council of the City of Lake Elmo, Minnesota:

We the undersigned, being the owners of real property abutting, accessing or otherwise receiving a special benefit from the requested improvements hereby petition the City for the extension of watermain and sanitary sewer utilities, including a sanitary lift station and forcemain, to serve the properties in the south half of Section 34, Township 29 North, Range 21 West in the City of Lake Elmo, pursuant to Minnesota Statutes, Chapter 429, and that the City assess the entire cost of the improvement against the properties described below and hereby agree to pay the entire cost as apportioned by the City upon review and approval by the undersigned of the final cost to be assessed.

	Signature of Owner	Description of Property (PID)
1.	<u>Alan Dale</u>	<u>FD* 3402921310001</u>
2.	<u>Chief Manager</u>	<u>* 3402921340003</u>
3.	<u>Dale Properties</u>	<u>* 3402921340001</u>
4.	<u>DPS Lake Elmo</u>	<u>* 3402921420001</u>
5.	_____	_____
6.	_____	_____
7.	_____	_____
8.	_____	_____
9.	_____	_____

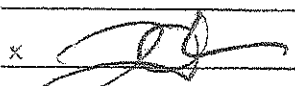
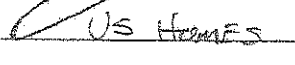
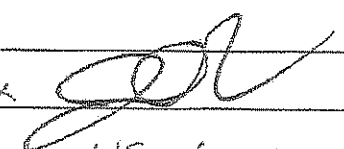
Examined, checked, and found to be in proper form and to be signed by the required number of owners of property affected by the making of the improvement petitioned for.

**CITY OF LAKE ELMO, MINNESOTA
 PETITION FOR LOCAL IMPROVEMENTS**

March ^{5th} 5, 2013.

To the City Council of the City of Lake Elmo, Minnesota:

We the undersigned, being the owners of real property abutting, accessing or otherwise receiving a special benefit from the requested improvements hereby petition the City for the extension of watermain and sanitary sewer utilities, including a sanitary lift station and forcemain, to serve the properties in the south half of Section 34, Township 29 North, Range 21 West in the City of Lake Elmo, pursuant to Minnesota Statutes, Chapter 429, and that the City assess the entire cost of the improvement against the properties described below and hereby agree to pay the entire cost as apportioned by the City upon review and approval by the undersigned of the final cost to be assessed.

	Signature of Owner	Description of Property (PID)
1.	<i>CONTRACT OWNER</i>	<i>PORTIONS OF FOLLOWING PIDS</i>
2.	x 	<i>3402921420001, 3402921340001</i>
3.	 <i>US HOMES</i>	<i>3402921340003 AND 3402921310001</i>
4.		<i>(DALE PROPERTY)</i>
5.		
6.	x 	<i>3402921410004</i>
7.	<i>US HOMES</i>	<i>(FRANZEL PROPERTY)</i>
8.		
9.		

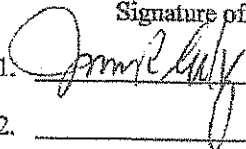
Examined, checked, and found to be in proper form and to be signed by the required number of owners of property affected by the making of the improvement petitioned for.

CITY OF LAKE ELMO, MINNESOTA
PETITION FOR LOCAL IMPROVEMENTS

March 5th, 2013.

To the City Council of the City of Lake Elmo, Minnesota:

We the undersigned, being the owners of real property abutting, accessing or otherwise receiving a special benefit from the requested improvements hereby petition the City for the extension of watermain and sanitary sewer utilities, including a sanitary lift station and forcemain, to serve the properties in the south half of Section 34, Township 29 North, Range 21 West in the City of Lake Elmo, pursuant to Minnesota Statutes, Chapter 429, and that the City assess the entire cost of the improvement against the properties described below and hereby agree to pay the entire cost as apportioned by the City upon review and approval by the undersigned of the final cost to be assessed.

	Signature of Owner	Description of Property (PID)
1.		VP-7B&T-Forest Lake 34-029-21-41-0004 38.126A
2.	_____	_____
3.	_____	_____
4.	_____	_____
5.	_____	_____
6.	_____	_____
7.	_____	_____
8.	_____	_____
9.	_____	_____

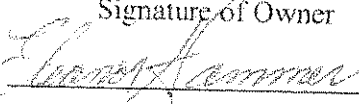
Examined, checked, and found to be in proper form and to be signed by the required number of owners of property affected by the making of the improvement petitioned for.

**CITY OF LAKE ELMO, MINNESOTA
PETITION FOR LOCAL IMPROVEMENTS**

March 6, 2013.

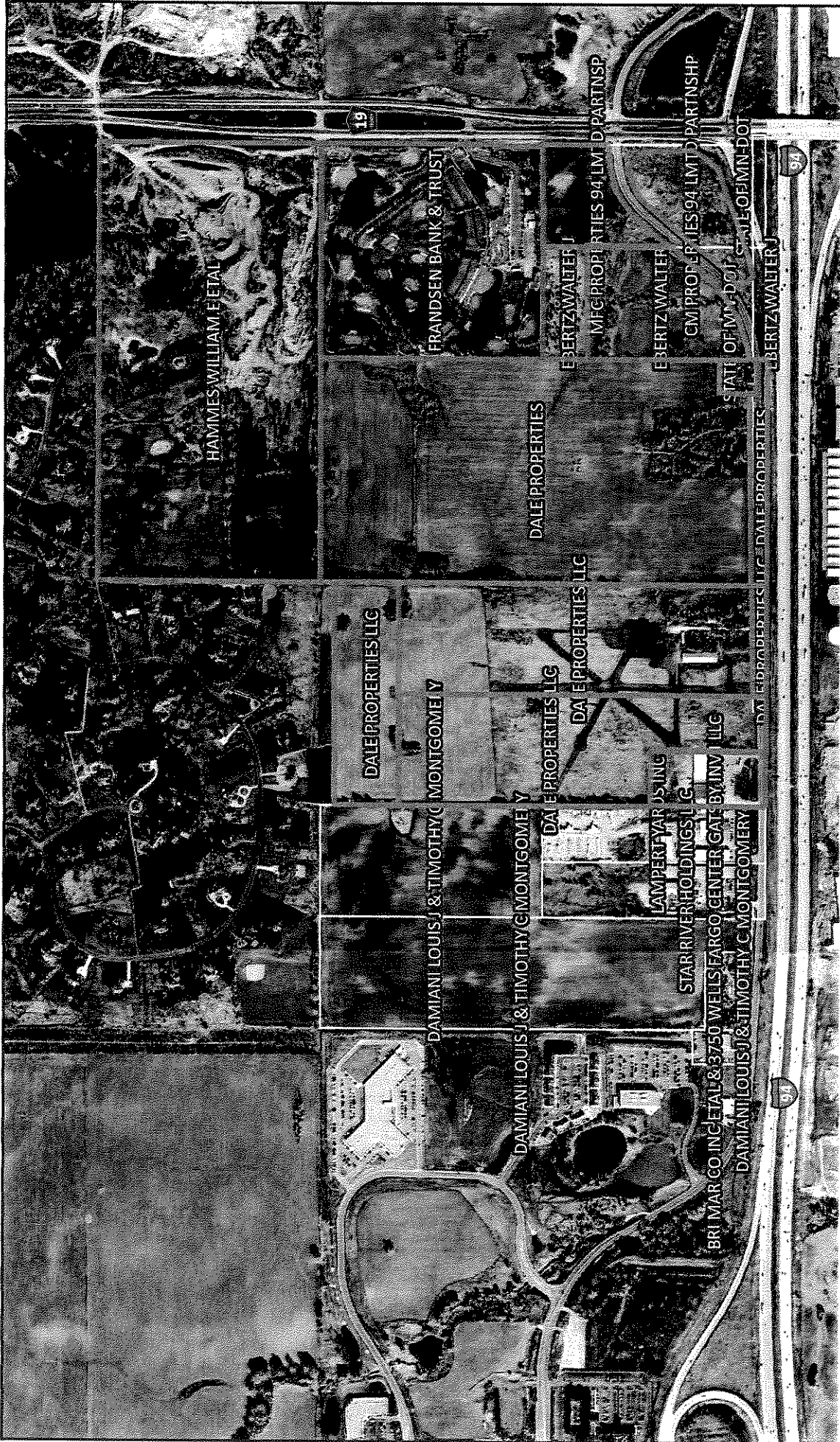
To the City Council of the City of Lake Elmo, Minnesota:

We the undersigned, being the owners of real property abutting, accessing or otherwise receiving a special benefit from the requested improvements hereby petition the City for the extension of watermain and sanitary sewer utilities, including a sanitary lift station and forcemain, to serve the properties in the south half of Section 34, Township 29 North, Range 21 West in the City of Lake Elmo, pursuant to Minnesota Statutes, Chapter 429, and that the City assess the entire cost of the improvement against the properties described below and hereby agree to pay the entire cost as apportioned by the City upon review and approval by the undersigned of the final cost to be assessed.

Signature of Owner	Description of Property (PID)
1.  Eleanor Hammes	S 1/2 of NE 1/4 (PID 34.029.21.13.0001)
2. _____	_____
3. _____	_____
4. _____	_____
5. _____	_____
6. _____	_____
7. _____	_____
8. _____	_____
9. _____	_____

Examined, checked, and found to be in proper form and to be signed by the required number of owners of property affected by the making of the improvement petitioned for.

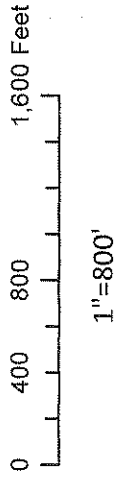

Adam Bell, City Clerk



Lennar 429 Utility Extension Project



City of Lake Elmo
 2-25-2013
 Data Source:
 Washington County, MN



**PRELIMINARY FEE ESCROW AGREEMENT
FOR PROVISION OF CONSULTING SERVICES IN CONNECTION WITH
PUBLIC IMPROVEMENT PROJECT**

THIS AGREEMENT made and entered into this _____ day of _____, 2013,
by and between the City of Lake Elmo, a Minnesota municipality organized under the laws of
the State of Minnesota (hereinafter referred to as "City") and Lennar, a _____
(hereinafter referred to as "Lennar").

WITNESS:

WHEREAS, Lennar has requested that the City undertake preliminary consideration of a
public improvement project which involves the expense of staff review and preparation, the cost
of which Lennar is willing to pay.

NOW, THEREFORE, BE IT AGREED as follows:

1. Lennar shall deposit the sum of \$112,000 as an escrow to secure payment of City
consulting fees. Lennar shall refresh the escrow upon request of the City.

2. The City shall apply said funds to pay reasonable costs incurred by the City in
connection with its review and processing of a public improvement project, including, but not
limited to the preparation of a Feasibility Report and the Preparation of Plans and Specifications
for the installation of public water and sewer to serve the properties in the south half of Section
34, Township 29 North, Range 21 West.

3. The City shall provided detailed monthly invoices identifying its services
performed and may apply the escrow to pay those costs incurred.

4. This agreement may be replaced and superseded by a development agreement
between the City and Lennar providing for handling of costs and escrow.

5. This agreement shall constitute the entire agreement of the parties on the matters
set forth herein.

IN WITNESS WHEREOF the parties hereto have executed this agreement as of the day and year above first written and the same shall be equally binding on each of the parties, their successors and assigns.

CITY OF LAKE ELMO

By: Dean Zuleger
Its: City Administrator

Attest: Adam Bell, Clerk

LENNAR

By: _____
Its: _____

In accordance with ARTICLE 1 of the Master AGREEMENT between the City of Lake Elmo (“CITY”) and Bolton and Menk, Inc. (“ENGINEER”), dated _____, 2013 (“AGREEMENT”), the ENGINEER agrees to provide Professional Engineering Support Services as follows:

**SECTION 34 (LENNAR AREA) TRUNK WATER AND SANITARY SEWER
UTILITY EXTENSION IMPROVEMENTS**

PROJECT OVERVIEW: The Project includes Engineering Services for the preparation of a Feasibility Report pursuant to MN State Statutes 429 and the preparation of Plans and Specifications and Contract Documents for the extension of the trunk water and trunk sanitary sewer facilities for the Lennar development proposal and the surrounding land located in the south half of Section 34, Township 29 North, Range 21 West in the City of Lake Elmo.

SERVICES TO BE PROVIDED BY ENGINEER: Bolton and Menk, Inc. shall provide the following Professional Engineering Services:

1. Preparation of a Feasibility Report pursuant to MN State Statutes 429 to define the necessary trunk improvements to be extended from the existing sewer and water mains located in the Eagle Point Business Park to serve the subject property. The report is needed to make recommendations in regards to required Improvements and the following issues:
 - Project Kick-off meeting with City staff and petitioning property owners.
 - Prepare and submit Gopher State One Call (GSOC) locate ticket to coordinate private utility locates along Hudson Boulevard corridor.
 - Site visit(s) to review existing conditions.
 - Perform topographic survey of existing conditions within project limits for the purposes of preparing design documents, most notably along the Hudson Boulevard right-of-way. Lennar will provide existing contours, a preliminary grading plan with proposed building pad elevations.
 - To work with the benefitting property owners and surrounding properties to identify the required deliver points for water and sewer service as petitioned through a 429 Improvement.
 - Identify the feasible locations for the sanitary lift station to serve the area; to define the sanitary lift station service area; make recommendations regarding the lift station

capacity requirements both initially and ultimately; and to recommend the most suitable location.

- Make recommendations for the alignment and size for the connecting forcemain.
- Make recommendations for the alignment and size for any trunk or lateral gravity mains to be incorporated into the project.
- Make recommendations for the alignment for a 12-inch diameter trunk watermain to be incorporated into the project.
- Prepare Estimated Project Costs for the recommended Improvements and potential alternatives to assist in recommending a preferred alternative.
- Identify easements and right-of-way needed to be acquired to make the recommended Improvements.
- Identify all permits and approvals needed to be acquired to make the recommended Improvements.
- Identify all benefitting properties for the recommended improvements and make recommendations in regards to the equitable apportionment of the total project costs.
- Prepare preliminary assessment roll.
- Prepare an implementation schedule for the recommended improvements through the construction and assessment of the project.
- Prepare Feasibility Report, including improvement recommendations, exhibits, opinions of cost, identification of easements/right-of-way needs, identification of permits and approvals required, recommended assessment methodology, preliminary assessment roll, and proposed project schedule.

2. Preparation of Plans and Specifications, and Contract Documents

- Prepare Construction Plans and Specifications, and Contract Documents for bidding purposes. The Plans and Specifications shall incorporate the master Specifications, Contract Documents and Standard Details from the Lake Elmo Engineering Design and Construction Manual, dated March 2013.
- Perform final design of Lift Station, including coordination for 3-phase electrical service to the lift station, and lift station site plan.
- Perform final design of Forcemain, trunk gravity sewer to Phase 1 development connection point, and trunk water main to Phase 1 development point.
- Provide 60% plans and specifications to City for review.
- Provide 90% plans and specifications to City for review.
- Revise and final plans and specifications based on City comments.
- Prepare updated Opinion of Probable Cost based on final plans.
- Prepare any necessary permit applications and supporting materials for submission by the City.

DELIVERABLES:

- Plans and Specifications in electronic and hard copy format (4 full size and 4 half size).

- Opinion of Total Probable Project Costs.
- Design Memo highlighting unique and special project issues/considerations.
- Identification of easements on the plans, if needed for the construction of the project.

3. Bidding Phase Services

- Prepare and submit the advertisement for bids to Oakdale-Lake Elmo Review, Finance and Commerce, and Quest CDN. Maintain planholders list.
- Respond to questions from potential bidders and issue addenda as necessary.
- Prepare a certified tabulation of the bids received, and transmit the bid tabulation to the City along with a report on the bid results.

DELIVERABLES:

- Advertisement for Bids.
- Issue Project Addendum, if required.
- Tabulation of Contractor Bids in electronic format.
- Contract Award Recommendation.

CITIES RESPONSIBILITIES: The City (or its consultants) will provide the following:

1. Coordination with the public and conduct public meetings.
2. All City Council Presentation(s).
3. Easement negotiations and acquisition, if needed.
4. Review of 60% and 90% Plans and Specifications.
5. Submittal of completed permit applications and payment of permit fees.

TIMES FOR RENDERING SERVICES: ENGINEER shall perform its services and provide deliverables in accordance with the following schedule:

- | | |
|-------------------|--|
| 1. March 21, 2013 | Project kick-off meeting. |
| 2. May 3, 2013 | ENGINEER submits preliminary assessment role. |
| 3. May 14, 2013 | ENGINEER submits Final Report document for May 21 council meeting. |
| 4. May 21, 2013 | City Engineer presents Feasibility Report for Council approval. |
| 5. June 11, 2013 | ENGINEER submits signed Final set of plans and specifications to CITY. |
| 6. June 18, 2013 | City Engineer presents Plans and Specifications for Council approval. |
| 7. July 23, 2013 | Accept Contractors Bids |

CITY'S REPRESENTATIVE AND CONTRACT ADMINISTRATION: The CITY's representative with respect to services rendered by ENGINEER under this TASK ORDER shall be the City Engineer. Project correspondence must be addressed to:

Jack Griffin, P.E., City Engineer
 City of Lake Elmo
 3800 Laverne Avenue North

Lake Elmo, MN 55042
651.300.4264
Email: Jack.griffin@focusengineeringinc.com

COMPENSATION: Compensation to ENGINEER shall be based on the hourly billing rates for each staff as assigned and provided in the ENGINEER's Proposal for the work. Invoices may be submitted once each month and should be sent to the attention of the City Engineer.

Compensation to ENGINEER for the Feasibility Report, including topographic survey, shall be on an hourly rate basis in a not to exceed amount of **\$39,226**.

Compensation to ENGINEER for the Preparation of Plans and Specifications, Contract Documents, and Bidding Phase Services shall be on an hourly rate basis in a not to exceed amount of **\$48,040**.

ATTACHMENTS: This agreement supercedes and replaces all previous understandings, agreements or contracts, written or verbal, between ENGINEER and City. The following documents are attached for reference:

1. ENGINEER's Proposal to the CITY dated, March 11, 2013.

APPROVAL AND ACCEPTANCE: Approval and Acceptance of this Task Order, including the attachment(s) listed above, shall incorporate this document as part of the AGREEMENT. ENGINEER is authorized to begin performance of services upon receipt of a copy of this Task Order signed by CITY.

The Effective Date of this Task Order is _____, 2013.

BOLTON AND MENK, INC.

CITY OF LAKE ELMO, MINNESOTA

By _____

By _____

(Authorized Principal of the Firm)

City Administrator

PROJECT SCHEDULE
LENNAR UTILITY EXTENSIONS

FOCUS ENGINEERING, inc.

Cara Geheren, P.E. 651.300.4261
Jack Griffin, P.E. 651.300.4264
Ryan Stempski, P.E. 651.300.4267
Chad Isakson, P.E. 651.300.4283

FEBRUARY 27, 2013

- March 19, 2013 Council accepts the Petition and Security for Engineering Fees; authorizes the Preparation of a Feasibility Report; authorizes the preparation of the Plans and Specifications; and Awards Engineering Report and Design Services Contract.
- March 21, 2013 Project kickoff meeting to concurrently proceed with Report and Design Services.
- March 28, 2013 Lennar provides all required Development data including utility end points, lift station location, easement routes, existing contours, proposed grading plan and building pad elevations.
- May 14, 2013 City receives signed Agreements of Assessment and Waiver of Irregularity and Appeal from 100% of the properties to be assessed. Agreement Waives 429 Hearings.
- May 21, 2013 Council Accepts Report; and Adopts Project Assessment Policy.
- June 11, 2013 Lennar provides fully executed and recordable Permanent and Temporary Easements necessary to construct the Project.
- June 18, 2013 Approve Plans and Specifications and Authorize Advertisement for Contractor Bids. [estimated 12 weeks from March 19 authorization]. *Improvement and Assessment Hearings per 429 Improvement Process; if needed.*
- July 23, 2013 Accept Contractor Bids.
- August 6, 2013 Council Orders the Improvement and Awards the Contract.
- August 8, 2013 Process and send out Contract Documents.
- August 16, 2013 Receipt of Contractor's Bonds/Legal Review.
- August 19, 2013 Conduct Pre-construction Meeting & Issue Notice to Proceed.
- November 22, 2013 Contractor Work is substantially complete [estimated 14 weeks]; except Lift Station due to equipment deliver schedule.
- December 27, 2013 Final Completion Date [Lift station; all punchlist items and final close-out paperwork].



MAYOR AND COUNCIL COMMUNICATION

DATE: 3/19/2013
REGULAR
ITEM #: 13

AGENDA ITEM: Re-designation of a Planning Commission Member

SUBMITTED BY: Kyle Klatt, Planning Director

THROUGH: Dean A. Zuleger, City Administrator

REVIEWED BY: Adam Bell, City Clerk
Nick Johnson, City Planner

SUMMARY AND ACTION REQUESTED:

On Wednesday, March 13, Planning Commissioner Nadine Obermueller made a formal request to be re-designated as an Alternate Member of the Planning Commission. Commissioner Obermueller's formal request to be re-designated as an Alternate Member is attached. The result of such action requires the City Council to designate a new Full-Voting Member of the Planning Commission to replace the position vacated by Commissioner Obermueller. It is recommended that the City Council designate one of the two available Alternate Members, Mr. Rolf Larson or Mr. Jay Morreale.

BACKGROUND INFORMATION:

The Planning Commission currently has seven Full-Voting Members and two Alternate Members, making a full roster of nine Planning Commissioners. Commissioner Obermueller is currently in the second year of her first term. Whichever Alternate Member fills her position would finish out the remainder of her term and still be eligible for two additional three-year terms.

STAFF REPORT:

As it is the Mayor's purview, with Council affirmation, to appoint Planning Commission members, it is appropriate for the City Council to affirm the administrative action re-designating Commissioner Obermueller as an Alternate Member. To fill the vacant Full-Voting Member slot, the Council must appoint one of the two current Alternate Members. The potential Alternate Member candidates include Mr. Rolf Larson and Mr. Jay Morreale. Both of the Alternate Members were appointed to the Planning Commission on the same date (12/4/12).

RECCOMENDATION:

Staff recommends that the City Council affirm the administrative action with the following motion:

"Move to affirm the re-designation of Nadine Obermueller as an Alternate Member of the Planning Commission."; and

“Move to appoint _____ (Mr. Rolf Larson or Mr. Jar Morreale) as a Full-Voting Member of the Planning Commission.”

ATTACHMENTS:

1. Planning Commissioner Nadine Obermueller’s request for Alternate Member status

SUGGESTED ORDER OF BUSINESS:

- Introduction of Item Planning Director
- 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

Kyle Klatt

From: Obermueller, Nadine C [Nadine.C.Obermueller@HealthPartners.Com]
Sent: Wednesday, March 13, 2013 11:46 AM
To: Kyle Klatt
Subject: Move to alternate

Kyle,
As the Planning Commissioner Director, I am asking of you to move me to an alternate on the Planning Commission, as opposed to my full voting status.

Thank you in
advance, Nadine

This e-mail and any files transmitted with it are confidential and are intended solely for the use of the individual or entity to whom they are addressed. If you are not the intended recipient or the individual responsible for delivering the e-mail to the intended recipient, please be advised that you have received this e-mail in error and that any use, dissemination, forwarding, printing, or copying of this e-mail is strictly prohibited.

If you have received this communication in error, please return it to the sender immediately and delete the original message and any copy of it from your computer system. If you have any questions concerning this message, please contact the sender. Disclaimer R001.0